



## PLANNING COMMISSION STAFF REPORT

DATE: August 10, 2016

SUBJECT: DEVELOP GOOD, LLC ON BEHALF OF JOHN WESSMAN (LESSEE) FOR A MAJOR ARCHITECTURAL APPLICATION AND PLANNED DEVELOPMENT DISTRICT AMENDMENT TO CONSTRUCT A 66-ROOM, THREE-STORY HOTEL BUILDING WITHIN THE PLAZA DEL SOL SHOPPING COMPLEX LOCATED AT 1555 SOUTH PALM CANYON DRIVE (CASE NOS. 3.3937 MAJ AND 5.0177 PD-131 AMEND).

FROM: Department of Planning Services

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### SUMMARY

The Planning Commission will review a Major Architectural Application and proposed amendment to an established Planned Development District (PD-131) for the subject project. The applicant seeks approval to construct a 66-room hotel adjacent to the pool and former "Hacienda Cantina" building located at the northeast corner of the property.

### RECOMMENDATION:

Open the public hearing, receive testimony and recommend City Council (1) adopt a Negative Declaration and (2) approve the proposed project, subject to conditions.

### ISSUES:

- Building height. Due to the proposed building height, the High-rise Ordinance (93.04.00) is invoked which requires greater setbacks and open space than the typical underlying zoning requirements. The building meets required setbacks, but the project does not comply with higher open space requirement. The Commission and Council have authority to reduce open space requirements, per Section 94.03.00(C)(5)(b) of the Zoning Code.
- Design – different than rest of shopping center.

### BACKGROUND AND SETTING:

The project is located within a partially developed shopping complex known as Plaza Del

Sol. The 17-acre site is bounded by streets on all sides with Palm Canyon Drive to the east, Morongo Road to the north and Belardo Road to the west and south. The site has five vehicular access points from the surrounding streets.

The parcel was approved as a two-phase development. The first phase consisted of the commercial buildings on the northerly half of the site and a bank building at the southeast corner of the site. On the remaining southerly half of the site, the second phase consisted of an RV park, which was never constructed. Existing buildings reflect a Spanish-Mediterranean design. Structures range from 26 feet to 40 feet in height.



**OVERALL SITE**



**HOTEL SITE**

**Most Recent Change of Ownership**

2000	Purchase by the current owner / applicant
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**Neighborhood Meeting**

None
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**Past City Actions**

Nov 4, 1981	The City Council approved PD 131 for commercial complex.
Apr 21, 1982	The City Council approved final development plans for phase I of PD 131.
Jul 18, 1984	The City Council approved final development plans for restaurant building at northeast corner of site.
Jul 20, 1994	The City Council approved PD Amendment to allow other uses consistent with C-1 Zone within Building F (currently occupied by Stein Mart).
Apr 4, 2016	The Architectural Advisory Committee (AAC) reviewed the proposed 66-room hotel and tabled the item with direction to provide: <ul style="list-style-type: none"> <li>• Additional exhibits to understand the proposed project in context with the existing shopping center</li> <li>• Color and material samples of the proposed hotel and existing restaurant building</li> <li>• Details on pedestrian and vehicle circulation</li> </ul>

May 2, 2016	<p>The AAC recommended approval of the project, subject to a subcommittee review of the following:</p> <ol style="list-style-type: none"> <li>1. Increase shading in the parking lot by adding more Palo Verde trees.</li> <li>2. Remove eight (8) parking spaces and convert into landscape buffer with variation in heights to soften the transition to the parking lot.</li> <li>3. Add trees and landscape, if necessary, to the north and south side of the hotel to soften the façade of the building.</li> <li>4. Submit a new landscape plan for South Palm Canyon Drive section showing more height and dramatic landscaping.</li> <li>5. Revise the sidewalk flatwork design at south stair tower.</li> <li>6. Modify the landscape plan to show the existing olive trees as currently located.</li> </ol>
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<b>General Plan, Zoning and Existing Land Uses of Subject Site and Surrounding Area</b>			
<b>Surrounding Property</b>	<b>Existing General Plan Designations</b>	<b>Existing Land Use</b>	<b>Existing Zoning Designations</b>
Subject Property	NCC (Neighborhood / Community Commercial)	Partially developed commercial center	PD-131 (Planned Development District 131) & I.L. (Indian Land)
North	NCC	Hotel and R.V. park	C-1 (Retail Business), R-3 (Multi-family Residential & Hotel), & PD-17, I.L.
South	TRC (Tourist Resort Commercial)	Hotel	PD-58
East	TRC	Hotel and commercial properties	C-1
West	HDR (High Density Residential)	Residential complexes (one under construction)	PD-365 and R-3

**PROJECT DESCRIPTION:**

The applicant seeks approval to construct a three-story, 66-room hotel on an open area located adjacent to the restaurant and pool at the northeast corner of the site. The westerly end of the existing restaurant building will be modified to accommodate the hotel lobby, meeting space and back-of-house functions. The easterly end will remain a restaurant with new outdoor seating space. The parking lot on the west side of the project will be expanded.

The new hotel building will total 29,712-square feet in size. Each floor contains 22-rooms. All rooms will be 350-square feet in size and have a private patio or balcony space. The pool and its surrounding lounge/cabana space will remain and operate as a function of the hotel. The pool area is available to hotel guests and the general public.

**ANALYSIS:**

**General Plan**

Land Use Designation	Request	Compliance
<b>Neighborhood/Community Commercial (0.35 FAR).</b> Areas designated as Neighborhood/Community Commercial provide an opportunity for convenience commercial uses that serve adjacent residential neighborhoods. The commercial opportunities created under this designation are intended to be an integrated element of the neighborhood, providing to nearby residents services such as dry cleaners, grocery stores, bakeries, bank and post office branches, bookstores, drugstores, and smaller-scale restaurants. Harmonious relationships between these commercial uses and adjacent residential uses shall be achieved through compatibility of site design, building scale, pathways and circulation design, and architectural treatment of structures.	Expansion of commercial space with 0.16 FAR	Yes

**Zoning**

**Permitted Uses:**

The subject site is zoned PD-131. The underlying zoning is C-1, and pursuant to Section 92.12.01(A)(28) of the Palm Springs Zoning Code (PSZC), hotels are permitted by right within the C-1 zone, subject to R-3 development standards.

The site is also within the R (Resort) overlay zone. Pursuant to Section 92.25.00 of the (PSZC), this overlay zone was established in certain areas of the city to encourage visitor accommodations and services and guard against competing residential land uses. The proposed use is consistent with this overlay zone.

**Development Standards:**

92.04.03	R-3 Requirements	Proposed Project	Conform
<b>A. Lot Area</b>	20,000 sq. ft.	17 acres	Yes
<b>B. Lot Dimensions</b>			
1. Min. Width	170 feet	575 feet	Yes
2. Min. Depth	150 feet	1,260 feet	Yes
<b>C. Density</b>	Minimum of 1,000 sq. ft. of lot per hotel room	More than 66,000 sq. ft. of lot area to accommodate 66 rooms	Yes

<b>D. Building Height</b>	30ft, except when developed as high-rise (up to 100ft), pursuant to Section 94.03.00 of Palm Springs Zoning Ordinance (PSZO) – see below.	34 feet, when approved under high-rise ordinance – see Building Height analysis below.	Yes
<b>E. Yards</b>			
2. Front - Morongo Road	25 feet	102 feet	Yes
3. Side - Palm Canyon Drive - South Belardo Road	30 feet 20 feet	110 feet 375 feet	Yes Yes
4. Rear - West Belardo Road	10 feet, except structures in excess of 12ft in height shall have setback equal to its height	1,000 feet	Yes
<b>F. Distance Between Buildings</b>	15 feet	22 feet	Yes
<b>G. Walls, Fences and Landscape</b>	Section 93.02.00 applies	Per ordinance	Yes
<b>H. Access</b>	Access required from street	Existing to remain	Yes
<b>I. Off-street Parking</b>	<p>Commercial: 1 space per 250 gross floor area.</p> <p>Hotel:                      - First 50 rooms: 1 space per each room.                      - More than 50 rooms: 1 space per 0.75 rooms.</p> <p>-----</p> <p>Parking Lot Shading: Trees, of suitable eventual size, spread and climatic conditioning, shall be placed throughout the parking area to provide adequate shade for 50% of the parking area, which is calculated by the approximate crown diameter of each tree at fifteen (15) years of age.</p>	<p>Existing Commercial space: 351 spaces required.</p> <p>Proposed hotel w/ 66 rooms requires 62 spaces.</p> <p>Total Req'd: 413                      Total Prop'd: 450</p> <p>-----</p> <p>Existing shading inadequate for 207 spaces (50% of required) on site. Additional parking lot shade trees, such as Palo Verdes or Mesquites, are required</p>	<p>Yes</p> <p>No</p>
<b>J. Off-street Loading and Trash</b>	<p>- One trash enclosure with 9-ft wide opening required.</p> <p>- Off-street loading space required and may be located in driveways if approved by Planning Commission</p>	<p>- Utilizing existing trash enclosures</p> <p>- Off-street loading space proposed in driveway</p>	<p>- Yes</p> <p>- Yes, if approved by PC</p>

**Building Height:**

93.04.00	High Rise Ordinance	Proposed Project	Comply
<b>A. Coverage</b>	60% of site shall be developed as usable landscape open space / outdoor living. 40% for building and parking	56% Open space, landscape & hardscape  44% Buildings, streets/driveways	No
<b>B. Height</b>	Indian Land: 100 feet. This includes appurtenances, stairways, elevators and mechanical equipment if not adding to building bulk	34 feet	Yes
<b>C. Height Setback</b>	1 foot of horizontal setback from the short dimension of the lot and 1½ foot from the long dimension of the lot for each 1 foot of vertical rise, as measured from the property lines.	North property line: - Required: 51 feet - Proposed: 102 feet to hotel East property line: - Required: 34 feet - Proposed: 110 feet to hotel West property line: - Required: 34 feet - Proposed: 375+ feet to hotel South property line: - Required: 51 feet - Proposed: 1,000 feet to hotel	Yes  Yes  Yes  Yes
<b>D. Proximity to Low Density Residential</b>	6 feet of horizontal setback for each 1 foot of vertical rise as measured above. This applies when building is adjacent to or across the street from an R-1 zone or property in an area designated low density residential by the General Plan.	N/A – Not adjacent to or across street from R-1 zone or general plan low-density residential development	-
<b>F. Building Design</b>	High-rise buildings shall be designed to insure that each structure fits into the resort character of the community and blends in with the natural surroundings.	Buildings within center reach similar heights and will not be out of character for built environment. See Architectural Review analysis below.	-
<b>G. City Council</b>	Council may alter these provisions upon finding that the intent of this section is met.	-	-

In addition to the above, Planned Development Districts are to establish separate criteria for property development standards. Section 94.03.00(C) of the Zoning Code lists each criterion to be reviewed and established. Each standard is provided below along with staff's analysis on conformity.

*The planning commission and the city council shall establish a full range of development standards appropriate to the orderly development of the site which shall include the following:*

1. *Building heights shall conform to the requirements of the underlying*

*zoning district. Structures which exceed permitted heights shall be subject to the requirements of Sections 93.03.00 (Building Height) and 93.04.00 (High Rise).*

The proposed building is approximately 34 feet in height. The high-rise ordinance allows buildings up to 100 feet in height on Indian Land with the approval of a PD. As it was approved and constructed, the Planned Development (PD-131) has buildings ranging from 26 feet to 40 feet in height. Thus, the project is consistent with the high-rise ordinance and the existing building heights in PD-131.

*2. Parking and loading requirements shall be subject to the requirements of Sections 93.06.00 and 93.07.00, respectively. The planning commission and the city council may modify such requirements based upon the submittal of a specific parking plan.*

As shown in the analysis in this report, the proposed project will provide additional parking on-site and exceed the minimum off-street parking requirements for a development of this size. Loading spaces will occur in the existing restaurant loading area to the north of the new hotel building.

*3. Front yard setbacks compatible with the existing or potential development adjacent and/or opposite from existing development shall be required to provide for an orderly and uniform transition along the streetscape to preserve, protect and enhance the properties adjacent to the proposed PD. Non-peripheral areas of the PD shall not be subject to this requirement but shall be determined by approval of the preliminary development plan by the planning commission.*

The existing development patterns along the Palm Canyon Drive corridor include a mix of buildings that are setback from the street or adjacent to the sidewalk. The existing developed site has a mix of these building types. The proposed building will be setback from the street, which further adds to this mix. Thus, the proposed building setbacks are harmonious with this existing development pattern along this corridor.

*4. Minimum lot frontage not less than that of existing lots adjacent and/or opposite from existing developments shall be required to provide for an orderly and uniform transition along the streetscape to preserve, protect and enhance the properties adjacent to a proposed PD. Nonperipheral areas of the PD shall not be subject to this requirement but shall be determined by approval of the preliminary development plan by the planning commission.*

The project is sited in a commercial district with lots of varying width. The site is one of the largest in the area. The proposed building will be integrated with the existing



building at the street corner, and continue the streetscape in a harmonious manner along Palm Canyon Drive.

*5. Open space for planned districts shall be equal to or greater than the minimum open space requirement for the zone in which the planned district is located, unless otherwise approved by the planning commission and city council. Recreational areas, drainage facilities and other man-made structures may be considered to meet a part of the open space requirements.*

The proposed project provides 56% open space, which is in compliance with the minimum of 45% for the R-3 zone (hotel developments are subject to R-3 zone standards when proposed in a C-1 Zone). The high-rise ordinance requires 60% open space. Pursuant to Section 93.04.00(C)(5)(b) of the Zoning Code, the Planning Commission and City Council may establish an alternative open space standard for commercial and mixed-use developments.

#### Discussion of Public Benefit:

Pursuant the City Council 2008 policy on Public Benefit on Planned Developments, the applicant is to propose some form of public benefit *“proportional to the nature, type and extent of the flexibility granted from the standards and provisions of the Palm Springs Zoning Code”* and may only be considered a public benefit *“when it exceeds the level of improvement needed to mitigate a project’s environmental impacts or comply with dedication or exactions which are imposed on all projects such as Quimby Act, public art fees utility undergrounding, etc.”*

The applicant is seeking the following relief via the Planned Development District:

- Reduced open space requirement from 60% to 56%.

The applicant has proposed the following Public Benefits:

- *“The siteplan/design meets all codes and was designed to be sensitive to setbacks, in-scale with the shopping center and provide a buffer to the neighborhood. The restaurants are now scaled to a residential size and will become a strong connection along Palm Canyon.*
- *The project as proposed not only will act as a physical sound barrier but also substantially reduces the overall occupancy of the existing project.*
- *The Hacienda (or even the Cedar Creek Inn) is oversized for today's consumers, its almost impossible to be successful with a 8K+ sqft restaurant with an indoor capacity of over 500 people, outdoor the pool area had a capacity of over 2004. The hotel by integrating it into the restaurant reduces the restaurants sqft by half and its occupancy below 200 (reduction of 300 people), the hotel going in the*

*grass area reduces the pool area capacity to 240. So the demands on the parking lot, the amount of traffic that will be coming and going to the Belardo have decreased by 80%. This alone increases pedestrian safety and reduces noise. To that point, a large reduction of road noise and music levels is created by the placement of the building and by the nature of my hotel group.*

In addition, staff notes the following related to Public Benefits:

- **The project as a Public Benefit** – The project fulfills key General Plan objectives for economic development, as follows:
  - The proposed architecture enhances the retail center and provides a pleasant, convenient and visually appealing shopping and work opportunity for the city (Community Design Goal CD 17).

**REQUIRED FINDINGS:**

The proposal requires that findings be made for the following applications:

- **Planned Development District**
- **Architectural Review**

Staff has prepared an analysis for each of the application findings below.

**Planned Development District:** A Planned Development District (PD) is subject to the requirements of Zoning Code Section 94.02.00. An analysis of all required findings for a PD in lieu of zone change is provided below:

*The commission shall not approve or recommend approval of a PD unless it finds as follows:*

*a. That the use applied for at the location set forth in the application is properly one for which a PD is authorized by this Zoning Code;*

The property is zoned PD-131 and has an underlying zone of C-1. Uses permitted in the C-1 zone include hotels, restaurants, retail stores, offices and other similar commercial uses. Therefore, the hotel use applied for at the subject site is authorized by the Zoning Code.

*b. That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located;*

The proposed hotel use will operate within an existing, partially developed shopping center that is situated along a commercial corridor, Palm Canyon Drive. The use is desirable in the proposed location since the site falls within the Resort Combining Overlay zone, which encourages accommodations and services for visitors to the city.

The land use designation of the site is NCC (Neighborhood/Community Commercial), which allows a variety of convenience commercial uses that provide an opportunity to serve nearby residential neighborhoods. The Planned Development currently offers many of these commercial uses, and the addition of the proposed hotel will expand services offered through transient accommodations and accessory pool/recreation space open that is available to the public. Therefore, the proposed use is in harmony with the various elements of the General Plan.

The proposed hotel will be integrated with the existing restaurant building at the street corner. Hotels, restaurants and other commercial uses are permitted within the underlying C-1 zone. Therefore, the use is not anticipated to be detrimental to existing or future uses allowed in the zone.

*c. That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The project consists of an overall 17-acre site that is partially developed as a shopping center. A mix of building are scattered throughout the site with off-street parking and internal driveways. The proposed hotel will be constructed adjacent to an existing restaurant building and pool area. The 34-ft high structure will be exceed setback requirements, ensuring adequate distance from adjacent streets, and incorporated within the existing recreation space previously part of a larger pool area. Parking will be added to the west of the building, and additional landscaping will be installed to soften the built environment. Therefore, the commercial site is adequate in size and shape to accommodate the proposed hotel use.

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

According to the Focused Traffic Analysis prepared for the project, the proposed development is projected to generate approximately 589 daily vehicle trips, 45 of which will occur during the morning peak hour and 47 of which will occur during the evening peak hour. While this is an increase in traffic on the city's circulation system, the Focused Traffic Analysis indicates that the study area intersections are currently operating at acceptable levels of service (LOS) and will continue to operate at acceptable levels following construction of the project. Therefore, the site for the proposed use will be adequately served by existing streets.

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

A set of draft conditions of approval are proposed and attached to this staff report as Exhibit "A" to ensure the public health, safety and general welfare are protected.

**Architectural Review:** Staff evaluated the proposal against the architectural review guidelines, pursuant to Section 94.04.00 of the Zoning Code, and prepared the following response:

	Guideline:	Conform?	Staff Evaluation:
1	Does the proposed development provide a desirable environment for its occupants?	Yes	The project provides amenities common of a hotel, including outdoor recreation, pool space and private patios, and will be integrated within a commercial complex that provides other services, such as restaurant and retail facilities.
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Yes	Existing development in the project vicinity includes structures of varied heights, architectural character and age. The building is harmonious with mid-century modern vernacular of other buildings in the surrounding area (i.e. Musicland Hotel).
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	The project architecture is contemporary. Rhythmic shapes and patterns create visual interest and shadow on the new structure. Color, texture and material composition are harmonious and establish an attractive architectural presence.
4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	Yes	Pedestrian and vehicular spaces are clearly defined. The site layout and orientation of the structure relate well within the context of the commercial center in which it is proposed. A drop-off and covered entry on the west side of the building will establish the pedestrian entry from the parking area.
5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood / community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	Yes	The proposed land use is consistent with other uses in the area. However, the design of the new building deviates from the existing structures within the shopping center, which are of Spanish-Mediterranean influence.

6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	Yes	Height and setback appropriate for the three-story structure. All rooftop mechanical units will be screened from surroundings streets and properties.
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	The building is proposed in white stucco and anodized aluminum windows. Building recesses provide shade for each hotel room and allow guests enjoy the desert surrounding.
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	Lighter earth tones are found in the immediate area. The proposed materials and colors are used in consistent manor around the building and when visible simultaneously.
9	Consistency of composition and treatment	Yes	Proposed building elevations include a recurring geometry with solids, voids and material treatment.
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	Yes	The proposed landscape plans are consistent with desert appropriate trees and plants.

**ENVIRONMENTAL DETERMINATION:**

The proposed development is a project as defined by the California Environmental Quality Act, Public Resources Code Section 21000 et. seq. (CEQA). An Initial Study was conducted which considered all required CEQA issues, including but not limited to aesthetics, air quality, cultural resources, land use, hydrology and traffic. The Initial Study concluded that all of the project’s potentially significant impacts will be less than significant. On this basis, a Negative Declaration (ND) is proposed for the project.

A 30-day public comment period for the Negative Declaration commenced on July 9, 2016 and will end on August 7, 2016. At the time of the writing of this report, one comment has been received on the Initial Study/ND. The Agua Caliente Band of Cahuilla Indians submitted a letter requesting cultural monitoring. Staff has included this requirement in the draft conditions attached to this report. Should further correspondence be submitted on the Initial Study/ND, staff will update the Commission after the conclusion of the comment period.

**CONCLUSION**

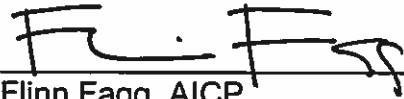
The project complies with the development standards of the underlying zone and PD. However, the proposal does not meet the 60% open space requirement as a high-rise project. The height of the hotel is consistent with other buildings in the shopping center, and although the architecture is different than the other buildings in the shopping center,

the hotel is a unique design that will be consistent with other modern architecture along the Palm Canyon Drive corridor. Further, the AAC recommended conditional approval of the project. Therefore, the AAC and staff recommend approval, subject to the conditions contained in the draft resolution.



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David Newell  
Associate Planner



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Flinn Fagg, AICP  
Director of Planning Services

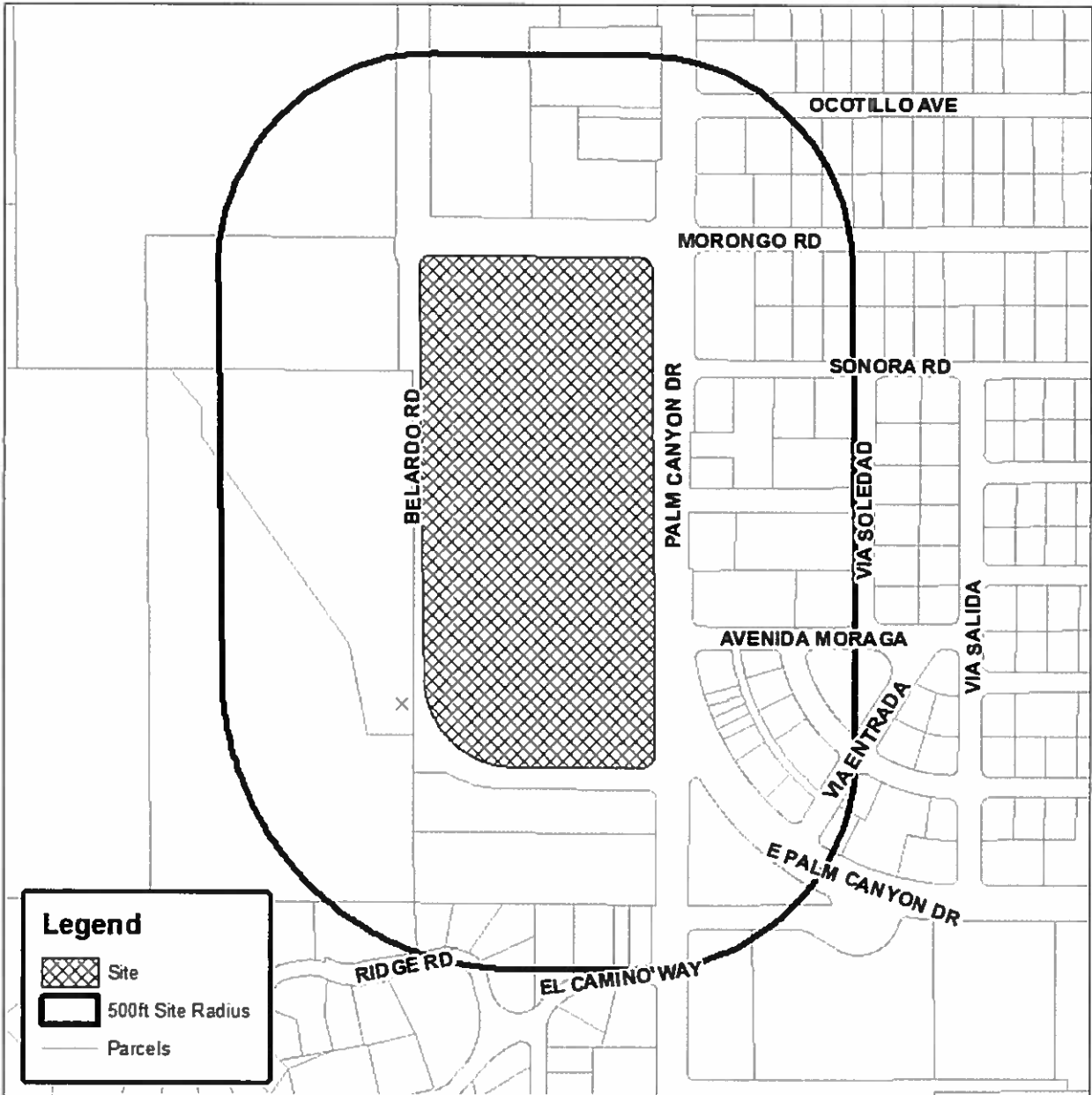
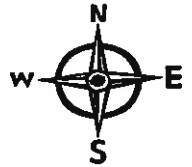
Attachments:

1. 500' Vicinity Map
2. Draft Resolution w/Conditions of Approval
3. Initial Study/Negative Declaration
4. Applicant Justification Letter
5. Public Correspondence
6. Project Plans

# Attachment 1



# Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS



# Attachment 2

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT A NEGATIVE DECLARATION AND APPROVE CASE NOS. 5.0177 PD-131 AMEND AND 3.3937 MAJ FOR THE CONSTRUCTION OF A 66-ROOM HOTEL WITHIN THE PLAZA DEL SOL SHOPPING CENTER LOCATED AT 1555 SOUTH PALM CANYON DRIVE.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

- A. Develop Good, LLC on behalf of John Wessman ("Applicant") filed an application with the City pursuant to Sections 94.03.00 and 94.04.00 of the Palm Springs Zoning Code for an amendment to an approved Planned Development District, Case 5.0177 PD-131, and Major Architectural Application, Case 3.3937 MAJ, to construct a 66-room hotel at the northeast corner of an existing shopping center located at 1555 South Palm Canyon Drive (southwest corner of Morongo Road and South Palm Canyon Drive).
- B. On May 2, 2016, the subject project was reviewed by the City's Architectural Advisory Committee (AAC), which voted to recommend conditional approval of the project.
- C. The proposed project associated with the above applications ("Project") is considered a "project" pursuant to the terms of the California Environmental Quality Act, Public Resources Code Section 21000 et. seq. ("CEQA").
- D. Pursuant to the CEQA Guidelines, 14 California Code of Regulations Section 15000 et. seq., an initial study was prepared. The initial study concluded that all of the project's potentially significant impacts will be less than significant. On this basis, a Negative Declaration was prepared.
- E. The 30-day public review and comment period for the Negative Declaration commenced on July 9, 2016 and concluded on August 7, 2016.
- F. Notice of public hearing of the Planning Commission of the City of Palm Springs to consider the Project, including Case Nos. 5.0177 PD-131 AMEND and 3.3937 MAJ, was given in accordance with applicable law for the meeting of August 10, 2016.
- G. On August 10, 2016, a public hearing on the applications for the project was held by the Planning Commission in accordance with applicable law.
- H. The Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the meeting on the project, including but not limited to the staff report and all written and oral testimony presented.

I. **Planned Development District:** A Planned Development District (PD) is subject to the requirements of Zoning Code Section 94.02.00, including required findings contained therein. An analysis of all required findings for a PD is provided below:

*The commission shall not approve or recommend approval of PD unless it finds as follows:*

a. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code;*

The property is zoned PD-131 and has an underlying zone of C-1. Uses permitted in the C-1 zone include hotels, restaurants, retail stores, offices and other similar commercial uses. Therefore, the hotel use applied for at the subject site is authorized by the Zoning Code.

b. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located;*

The proposed hotel use will operate within an existing, partially developed shopping center that is situated along a commercial corridor, Palm Canyon Drive. The use is desirable in the proposed location since the site falls within the Resort Combining Overlay zone, which encourages accommodations and services for visitors to the city.

The land use designation of the site is NCC (Neighborhood/Community Commercial), which allows a variety of convenience commercial uses that provide an opportunity to serve nearby residential neighborhoods. The Planned Development currently offers many of these commercial uses, and the addition of the proposed hotel will expand services offered through transient accommodations and accessory pool/recreation space open that is available to the public. Therefore, the proposed use is in harmony with the various elements of the General Plan.

The proposed hotel will be integrated with the existing restaurant building at the street corner. Hotels, restaurants and other commercial uses are permitted within the underlying C-1 zone. Therefore, the use is not anticipated to be detrimental to existing or future uses allowed in the zone.

c. *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The project consists of an overall 17-acre site that is partially developed as a shopping center. A mix of building are scattered throughout the site with off-street parking and internal driveways. The proposed hotel will be constructed adjacent to an existing restaurant building and pool area. The 34-ft high structure will be exceed setback requirements, ensuring adequate distance from adjacent streets, and incorporated within the existing recreation space previously part of a larger pool area. Parking will be added to the west of the building, and additional landscaping will be installed to soften the built environment. Therefore, the commercial site is adequate in size and shape to accommodate the proposed hotel use.

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

According to the Focused Traffic Analysis prepared for the project, the proposed development is projected to generate approximately 589 daily vehicle trips, 45 of which will occur during the morning peak hour and 47 of which will occur during the evening peak hour. While this is an increase in traffic on the city's circulation system, the Focused Traffic Analysis indicates that the study area intersections are currently operating at acceptable levels of service (LOS) and will continue to operate at acceptable levels following construction of the project. Therefore, the site for the proposed use will be adequately served by existing streets.

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

A set of draft conditions of approval are proposed and attached to this staff report as Exhibit "A" to ensure the public health, safety and general welfare are protected.

**J. Public Benefit.** In accordance with the City Council Policy on Planned Development, the identified public benefits include:

- a. *The project as a Public Benefit* – The project fulfills key General Plan objectives for economic development, as follows:
  - i. The proposed architecture enhances the retail center and provides a pleasant, convenient and visually appealing shopping and work opportunity for the city (Community Design Goal CD 17).

**K. Architectural Review:** Pursuant to Section 94.04.00(D) of the Palm Springs Zoning Code, the Planning Commission finds:

*The Planning Commission has examined the material submitted with the architectural approval application and has examined specific aspects of the*

*design and determined the proposed development will (1) provide desirable environment for its occupants; (2) is compatible with the character of adjacent and surrounding developments, and (3) aesthetically it is of good composition, materials, textures and colors. Planning Commission's evaluation is based on consideration of the following:*

	Guideline:	Conform?	Evaluation:
1	Does the proposed development provide a desirable environment for its occupants?	Yes	The project provides amenities common of a hotel, including outdoor recreation, pool space and private patios, and will be integrated within a commercial complex that provides other services, such as restaurant and retail facilities.
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Yes	Existing development in the project vicinity includes structures of varied heights, architectural character and age. The building is harmonious with mid-century modern vernacular of other buildings in the surrounding area (i.e. Musicland Hotel).
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	The project architecture is contemporary. Rhythmic shapes and patterns create visual interest and shadow on the new structure. Color, texture and material composition are harmonious and establish an attractive architectural presence.
4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	Yes	Pedestrian and vehicular spaces are clearly defined. The site layout and orientation of the structure relate well within the context of the commercial center in which it is proposed. A drop-off and covered entry on the west side of the building will establish the pedestrian entry from the parking area.
5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood / community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	Yes	The proposed land use is consistent with other uses in the area. However, the design of the new building deviates from the existing structures within the shopping center, which are of Spanish-Mediterranean influence.
6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	Yes	Height and setback appropriate for the three-story structure. All rooftop mechanical units will be screened from surroundings streets and properties.
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	The building is proposed in white stucco and anodized aluminum windows. Building recesses provide shade for each hotel room and allow guests enjoy the desert surrounding.
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	Lighter earth tones are found in the immediate area. The proposed materials and colors are used in consistent manor around the building and when visible simultaneously.

9	Consistency of composition and treatment	Yes	Proposed building elevations include a recurring geometry with solids, voids and material treatment.
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	Yes	The proposed landscape plans are consistent with desert appropriate trees and plants.

**THE PLANNING COMMISSION RESOLVES:**

Section 1. The Planning Commission independently reviewed and considered the information contained in the Negative Declaration (ND), and the ND reflects the City's independent judgment and analysis. The Planning Commission finds, on the basis of the whole record before it, including the initial study and comments received, that the project will not have a significant effect on the environment. Therefore, the Planning Commission recommends the City Council adopt the Negative Declaration as a complete and adequate evaluation of the project pursuant to CEQA.

Section 2. The Planning Commission hereby recommends approval of an amendment to Planned Development District 131 (PD-131) and Major Architectural Application to construct a 66-room hotel building within the Plaza Del Sol, located at 1555 South Palm Canyon Drive, subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 10<sup>th</sup> day of August, 2016.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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Flinn Fagg, AICP  
Director of Planning Services

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

**EXHIBIT A**

Case Nos. 5.0177 PD-131 AMEND and 3.3937 MAJ

Belardo Hotel within Plaza Del Sol  
1555 South Palm Canyon Drive

August 10, 2016

**CONDITIONS OF APPROVAL**

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

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

**ADMINISTRATIVE CONDITIONS**

- ADM 1. Project Description. This approval is for the project described per Case Nos. 5.1345 CUP and 3.3937 MAJ, except as modified with the approved conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative

officers concerning Case 5.0177 PD-131 AMEND and 3.0678 MAJ. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of the Planned Development District Amendment and Major Architectural Applications shall be valid for a period of two (2) years from the effective date of the approval. Construction must commence within this period. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.



ADM 10. Cause No Disturbance. The owner shall monitor outdoor parking areas, walkways, and adjoining properties and shall take all necessary measures to ensure that customers do not loiter, create noise, litter, or cause any disturbances while on-site. The owner and operator shall ensure that at closing time, all customers leave the property promptly and that the property is clean and secure before the owner/operator leaves the premises. The Police Chief, based upon complaints and/or other cause, may require on-site security officers to ensure compliance with all City, State, and Federal laws and conditions of approval. Failure to comply with these conditions may result in revocation of this permit, temporary business closure or criminal prosecution

ADM 11. Grounds for Revocation. Non-compliance with any of the conditions of this approval or with City codes and ordinances, State laws; any valid citizen complaints or policing and safety problems (not limited to excessive alcohol consumption, noise, disturbances, signs, etc) regarding the operation of the establishment; as determined by the Chief of Policy or the Director of Building and Safety, may result in proceedings to revoke the Conditional Use Permit. In addition, violations of the City Codes and Ordinances will result in enforcement actions which may include citations, arrest, temporary business closure, or revocation of this permit in accordance with law.

ADM 12. Comply with City Noise Ordinance. The uses associated with this approval shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code (PSMC). Violations by any of the individual uses permitted under this PD may result in revocation or revision of the PD associated with that particular use at the site pursuant to the procedures outlined in PSZC 94.02.00.(I).

The Noise level limits are as set forth below from PSMC Section 11.74.031:

**11.74.031 Noise level limit.**

The noise level or sound level referred to in this section shall mean the higher of the following:

- (1) Actual measured ambient noise level; or
- (2) That noise level limit as determined from the table in this subsection:

Zone	Time	Sound Level (A-weighted) Decibels
Commercial	7 a.m. to 6 p.m.	60
	6 p.m. to 10 p.m.	55
	10 p.m. to 7 a.m.	50

ADM 13. Outdoor Entertainment. This PD authorizes the use of live DJ's and bands providing entertainment outdoors within the pool area. Entertainment is approved as follows:

- a. Live entertainment shall be limited to the pool deck within the hours of 8:00 AM to 6:00 PM.
- b. Any and all instruments shall have limited amplification.
- c. All amplification equipment shall be placed so that sound is projected toward other commercial properties and roadways, and away from nearby residential communities.
- d. Noise levels shall be maintained to a level where customers can conduct normal conversation.
- e. All activities shall comply with the provisions of the City's Noise Ordinance.

ADM 14. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers.

## **ENVIRONMENTAL ASSESSMENT CONDITIONS**

ENV 1. Cultural Resource Site Monitoring.

- a). The presence of an approved Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.
- b). Before ground disturbing activities begin please contact the Tribal Historic Preservation Office to arrange cultural monitoring. The phone number for monitoring services is 760-699-6981.

## **PLANNING DEPARTMENT CONDITIONS**

PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.

- PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.
- PLN 3. Conditions Imposed from AAC Review. The applicant shall incorporate the following comments from the review of the project by the City's Architectural Advisory Committee:
- a. Increase shading in the parking lot by adding more Palo Verde trees.
  - b. Remove eight (8) parking spaces and convert into landscape buffer with variation in heights to soften the transition to the parking lot.
  - c. Add trees and landscape, if necessary, to the north and south side of the hotel to soften the façade of the building.
  - d. Submit a new landscape plan for South Palm Canyon Drive section showing more height and dramatic landscaping.
  - e. Revise the sidewalk flatwork design at south stair tower.
  - f. Modify the landscape plan to show the existing olive trees as currently located.
- PLN 4. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.
- PLN 5. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 6. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 7. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 8. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.

- PLN 9. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.
- PLN 10. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 11. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 12. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.

#### **POLICE DEPARTMENT CONDITIONS**

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

#### **BUILDING DEPARTMENT CONDITIONS**

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

#### **ENGINEERING DEPARTMENT CONDITIONS**

APPLICATION FOR APPROVAL OF A COMMERCIAL BUILDING LOCATED AT 1555 SOUTH PALM CANYON DRIVE, (APN 513-300-038), SECTION 22, TOWNSHIP 4 S, RANGE 4 E, S.B.M., CASE NO. 3.3937, ENG. FILE NO. 4120.

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

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

#### **STREETS**

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit. All improvements are subject to inspection and a 24 to 48 hour inspection notification is required.

#### SOUTH PALM CANYON DRIVE

ENG 2. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### MORONGO ROAD

ENG 3. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### BELARDO ROAD

ENG 4. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### ON-SITE

ENG 5. The minimum pavement section for all on-site pavement (drive aisles and parking spaces) shall be 2-1/2 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

#### SANITARY SEWER

ENG 6. Applicant is required to pay all outstanding sewer connection charges prior to issuance of any Grading and Building permits.

ENG 7. All sanitary facilities shall be connected to the public sewer system (via the existing on-site private sewer system). The existing sewer service to the property shall be used for new sanitary facilities. New laterals shall not be connected at manholes.

#### GRADING

ENG 8. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

- a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available

Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.

- b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report.

ENG 9. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist ( a copy of the written approval must be provided to the City) . The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at [ACBCI-THPO@aquacaliente.net](mailto:ACBCI-THPO@aquacaliente.net) to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

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

ENG 11. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.

ENG 12. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas

on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.

- ENG 13. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 14. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208)

#### WATER QUALITY MANAGEMENT PLAN

- ENG 15. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).
- ENG 16. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from within the underground parking

garage and the on-site private drive aisles. Direct release of nuisance water to adjacent public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.

ENG 17. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.

ENG 18. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

#### DRAINAGE

ENG 19. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMPs).

ENG 20. The project is subject to flood control and drainage implementation fees pursuant to Resolution 14082. The acreage drainage fee at the present time is \$ 7271.00 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

#### GENERAL

ENG 21. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115.



- ENG 22. All proposed utility lines shall be installed underground.
- ENG 23. Upon approval of any improvement plan (if required) by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.
- ENG 24. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

#### TRAFFIC

- ENG 25. The project is subject to any and all mitigation measures as determined by the final Traffic Study. Must be completed prior to the issuance of a Certificate of Occupancy.
- ENG 26. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 27. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 28. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices (CAMUTCD), dated November 7, 2014, or subsequent editions in force at the time of construction.
- ENG 29. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

## **FIRE DEPARTMENT CONDITIONS**

These Fire Department conditions may not provide all requirements. Owner/developer is responsible for all applicable state and locally adopted fire codes. Detailed plans are still required for review.

- FID 1** These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the resubmittal plans received and dated February 23, 2016. Additional requirements may be required at that time based on revisions to plans.
- FID 2** Fire Department Conditions were based on the *2013 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Three (3) complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal. No deferred submittals accepted.
- FID 3** **Conditions of Approval** – “Conditions of Approval” received from the Palm Springs Planning Department must be submitted with each plan set. Failure to submit will result in a delay of plan approval

**FID 4** **Plans and Permits (CFC 105.1):**

Permits and scaled drawings are required for this project. Plan reviews can take up to 20 working days. Submit a minimum of three (3) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

City of Palm Springs  
Building and Safety Department  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

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

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

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

**FID 5 Access During Construction (CFC 503):** Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'-6". Fire Department access roads shall have an all-weather driving surface and support a minimum weight of 73,000 lbs.

**FID 6 Required access (CFC 504.1):** Exterior doors and openings required by this code or the *California Building Code* shall be maintained readily accessible for emergency access by the fire department. An approved access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the fire code official.

**Project Notes:** Show on plans – designated fire access walkway on entire north side of building between proposed structure and bocce ball court. Walkway begins at fire apparatus access road (S. Palm Canyon).

**FID 7 Aerial Fire Access Roads (CFC Appendix D105.1):** Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

- **Aerial Fire Access Road Width (CFC Appendix D105.2):** Fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet in height.
- **Aerial Access Proximity to Building (CFC Appendix D105.3):** At least one of the required access routes for buildings or facility exceeding 30 feet in height above the lowest level of fire department vehicle access shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building

**FID 8 Key Box Required to be Installed (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where

immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.

Secured emergency access gates serving apartment, town home or condominium complex courtyards must provide a key box in addition to association or facility locks. The nominal height of Knox lock box installations shall be 5 feet above grade. Location and installation of Knox key boxes must be approved by the fire code official.

- **Key Box Contents (CFC 506.1):** The Knox key box shall contain keys to all areas of ingress/egress, alarm rooms, fire sprinkler riser/equipment rooms, mechanical rooms, elevator rooms, elevator controls, plus a card containing the emergency contact people and phone numbers for the building/complex.

**FID 9 Water Plan (CFC 501.3 & 901.2):** A water plan for on-site and off-site is required and shall include underground private fire main for fire sprinkler riser(s), public fire hydrant(s), public water mains, Double Check Detector Assembly, Fire Department Connection and associated valves.

**FID 10 Location of Fire Department Connections:** The connection inlets must face the street, and be located on the street side of the building. The face of the inlets shall be 18 inches horizontal from the back edge of sidewalk (or back of curb, if no sidewalk), and shall be 36 to 44 inches in height to center of inlets above finished grade. No landscape planting, walls, or other obstructions are permitted within 3 feet of Fire Department connections. The FDC and supporting piping shall be painted OSHA safety red.

The address of the building served shall be clearly indicated on the Fire Department Connection (FDC). A sign with this information shall be placed on or near the FDC. The sign shall be constructed of metal. The sign face, lettering, and attachment shall be made of weather and vandal resistant materials. Sign background will be bright red. Letters will be bright white. Sign format will be substantially as follows:

FDC SERVES  
1555 S PALM CANYON  
[Designate Buildings Served]

**FID 11 Fire Hydrant & FDC Location (CFC 912.2):** A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases.

- FID 12 Fire Department Connections (CFC 912.2.1 & 912.3):** Fire Department connections shall be visible and accessible, have two 2.5 inch NST female inlets, and have an approved check valve located as close to the FDC as possible. All FDC's shall have KNOX locking protective caps. Contact the fire prevention secretary at 760-323-8186 for a KNOX application form.
- FID 13 NFPA 13R Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13R, 2013 Edition, as modified by local ordinance.
- FID 14 Floor Control Valves (CFC 903.3.8 & Ordinance 1781: Item 42):** Floor control valves and water flow detection assemblies shall be installed at each floor in buildings three or more stories in height. Valve locations will be determined and approved by the fire code official.
- FID 15 Identification (CFC 509.1):** Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, roof access, electrical rooms, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.
- FID 16 Fire Sprinkler Supervision and Alarms System (CFC 903.4/4.1):** All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all fire sprinkler systems shall be electrically supervised by a listed Fire Alarm Control Unit (FACU). The listed FACU alarm, supervisory and trouble signals shall be distinctly different and shall be monitored at a UL listed central station service. The fire sprinkler supervision and alarms system shall comply with the requirements of NFPA 72, 2013 Edition. All control valves shall be locked in the open position.
- FID 17 Fire Alarm System:** Fire alarm system is required and installation shall comply with the requirements of NFPA 72, 2013 Edition.
- FID 18 Central Station Protective Signaling Service (CFC 903.4.1):** A UL listed and certified Protective Signaling Service (Central Station Service) is required. Provide the Fire Department with proof of listing and current certificate. The Fire Department shall be notified immediately of change in service.
- FID 19 HVAC Duct Smoke Detection/Shut Down with a Fire Sprinkler Supervision & Alarm System or Fire Alarm System (CFC 907.4.1, CMC 609.0 & NFPA 72):** All HVAC systems supplying greater than 2,000 CFM

shall require a duct detector and HVAC shut down when smoke is detected. HVAC shut down shall be on an individual basis, not global. These systems shall supervise the Duct Detectors and activate the notification appliances. An accessory module shall be installed for each unit, including alarm LED, pilot LED and key-operated test/reset switch.

- FID 20 Smoke Alarm or Detector Locations - R-1 Occupancy (CFC 907.2.11.1):** Single or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:
1. In sleeping areas.
  2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
  3. In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
- FID 21 Groups R-1 and R-2.1 Accessibility Requirements (CFC 907.6.2.3.3):** Group R-1 and R-2.1 dwelling units or sleeping units in accordance with Table 907.6.2.3.3 shall be provided with a visible alarm notification appliance, activated by both the in room smoke alarm and the building fire alarm system. Also comply with Section 1111B.4.5, Table 11B-3, and Table 11B-4 of the California Building Code.
- FID 22 Fire Extinguisher Requirements (CFC 906):** Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.
- Portable Fire Extinguishers for Food Processing Equipment (CFC 906.1 & 4):** In addition to the fixed system, a fire extinguisher listed and labeled for Class K fires shall be installed within 30 feet of commercial food heat processing equipment, as measured along an unobstructed path of travel. The preferred location is near the exit from the cooking equipment area.
- FID 23 Elevator Stretcher Requirement (CBC 3002.4):** Elevators shall be designed to accommodate medical emergency service. The elevator(s) so designed shall accommodate the loading and transport of an ambulance gurney or stretcher 24 inches by 84 inches in the horizontal position. The elevator entrance shall have a clear opening of not less than 42 inches wide or less than 78 inches high. The elevator car shall be provided with a minimum clear distance between walls or between walls and door excluding

return panels not less than 80 inches by 54 inches, and a minimum distance from wall to return panel not less than 51 inches with a 42 inch side slide door.

**FID 24 Elevator Emergency Operation (CFC 607.1):** Existing elevators with a travel distance of 25 feet or more shall comply with the requirements in Chapter 46. New elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with California Code of Regulations, Title 8, Division 1, Chapter 4, Subchapter 6, Elevator Safety Orders and NFPA 72.

- **Elevator Keys (CFC 607.4):** Keys for the elevator car doors and fire-fighter service keys shall be kept in an approved location for immediate use by the fire department.
- **Elevator System Shunt Trip (CFC 607.5):** Where elevator hoistways or elevator machine rooms containing elevator control equipment are protected with automatic sprinklers, a means installed in accordance with NFPA 72, Section 21.4, Elevator Shutdown, shall be provided to disconnect automatically the main line power supply to the affected elevator prior to the application of water. This means shall not be self-resetting. The activation of sprinklers outside the hoistway or machine room shall not disconnect the main line power supply.
- **Fire Sprinklers at Bottom of Elevator Pit (NFPA 13: 8.15.5.1):** Sidewall spray sprinklers shall be installed at the bottom of each elevator hoistway not more than 2 ft above the floor of the pit.
- **Elevator Hoistways and Machine Rooms (NFPA 13: 8.15.5.3):** Automatic fire sprinklers shall be required in elevator machine rooms, elevator machinery spaces, control spaces, or hoistways of traction elevators.
- **Fire Sprinklers at the Top of Elevator Hoistways (NFPA 13: 8.15.5.6):** The sprinkler required at the top of the elevator hoistway by 8.15.5.5 shall not be required where the hoistway for passenger elevators is noncombustible or limited-combustible and the car enclosure materials meet the requirements of ASME A17.1, Safety Code for Elevators and Escalators.
- **Elevator Recall for Fire Fighters' Service with Automatic Fire Detection (NFPA 72: 21.3.3):** Unless otherwise required by the authority having jurisdiction, only the elevator lobby, elevator hoistway, and elevator machine room smoke detectors, or other automatic fire detection as permitted by 21.3.9, shall be used to recall elevators for fire fighters' service.

- Exception: A water-flow switch shall be permitted to initiate elevator recall upon activation of a sprinkler installed at the bottom of the elevator hoistway (the elevator pit), provided the water-flow switch and pit sprinkler are installed on a separately valved sprinkler line dedicated solely for protecting the elevator pit, and the water-flow switch is provided without time-delay capability.
- **Elevator Recall with Fire Sprinkler in Elevator Pit (NFPA 72: 21.3.7):** When sprinklers are installed in elevator pits, automatic fire detection shall be installed to initiate elevator recall in accordance with 2.27.3.2.1(c) of ANSI/ASME A.17.1/CSA B44, Safety Code for Elevators and Escalators, and the following shall apply:
  - (1) Where sprinklers are located above the lowest level of recall, the fire detection device shall be located at the top of the hoistway.
  - (2) Where sprinklers are located in the bottom of the hoistway (the pit), fire detection device(s) shall be installed in the pit in accordance with Chapter 17.
  - (3) Outputs to the elevator controller(s) shall comply with 21.3.14.
- **Elevator Systems Automatic Detection (NFPA 72: 21.3.9):** If ambient conditions prohibit installation of automatic smoke detection, other automatic fire detection shall be permitted.
- **Detector Annunciation at the Building Fire Alarm Control Unit (NFPA 72: 21.3.10):** When actuated, any detector that has initiated fire fighters' recall shall also be annunciated at the building fire alarm control unit, or other fire alarm control unit as described in 21.3.2, and at required remote annunciators.

FID 25     **Hazardous Materials (CFC 5004.1):** Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001, 5003 and 5004. Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001 and 5003. Retail and wholesale storage and display of nonflammable solid and nonflammable and noncombustible liquid hazardous materials in Group M occupancies and Group S storage shall be in accordance with Section 5003.11.

- Pool Chemicals – dedicated, compliant storage cabinets, rooms, or areas required
- Liquid Petroleum Gas (LPG) – dedicated, compliant storage cabinets, rooms, or areas required

FID 26     **“Exit Analysis Plan” required (CFC 104.7.2):** Prepared, stamped and



signed by a state licensed architect in ¼" = 1' scale. The floor plan shall address the following for a Group A-5 occupancy (swimming pool enclosure):

- Project Note – Pool exiting has been modified from the previously approved plan. Update exit plan showing compliant egress from pool enclosure.
- Project – New/updated pool enclosure exit analysis plan required

**END OF CONDITIONS**

# Attachment 3



City Of Palm Springs  
Department of Planning Services  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262  
(760) 323-8245  
Fax (760) 322-8360

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## Environmental Initial Study

**Project Title:** Belardo Hotel

**Case No:** 3.3937 MAJ & 5.0177 PD-131 Amend

**Lead Agency:** City of Palm Springs  
**Name and Address:** Department of Planning Services  
Attention: David A. Newell, Associate Planner  
3200 E Tahquitz Canyon Way  
Palm Springs, CA 92262  
(760) 323-8295  
[David.Newell@palmsprings-ca.gov](mailto:David.Newell@palmsprings-ca.gov)

**Property Owner:** BIA  
3700 E. Tachevah Dr. Suite 201  
Palm Springs, CA 92262

**Applicant:** Develop Good, LLC  
c/o Chris Pardo on behalf of John Wessman  
2286 N. Indian Canyon Dr. Suite C  
Palm Springs, CA 92262  
(206) 351-6535

**Project Location:** Plaza Del Sol Shopping Center - 1555 South Palm Canyon Drive

**Zoning Designation:** Zoning: Existing – PD-131 (Planned Development District 131), I. L. (Indian Land), C-1 (Central Retail Business and Resort Overlay)

**General Designations:** General Plan: Existing – NCC (Neighborhood Community Commercial)

## **Location and Description of the Project:**

The Belardo Hotel (Project) is located on 17 acres within the partially developed Plaza Del Sol shopping center. The property is located in south Palm Springs, bounded by streets on all sides with Palm Canyon Drive to the east, Morongo Road to the north, and Belardo Road to the west and south. The site has five vehicular access points from the surrounding streets. The property is within Section 22, T.4S R.4E. See attached Vicinity Map and Aerial Photo.

The parcel was approved as a two-phase development. The first phase consisted of the commercial buildings on the northerly half of the site and a bank building at the southeast corner of the site. On the remaining southerly half of the site, the second phase consisted of an RV Park which was never constructed.

The Project proposes an amendment to PD 131 for the development of a three story, 66-room hotel and parking facilities adjacent to the former Hacienda Cantina & Beach Club restaurant and pool at the northeast corner of the property. The new hotel building would total approximately 29,721 square feet in size and each floor accommodates 22 guest rooms. All rooms will be approximately 350-square feet in size and have a private patio or balcony with views of the pool or mountains. The existing restaurant will be remodeled on the west side to house the hotel's lobby, meeting spaces and back of house facilities and reopen to the public. The pool will be used primarily for hotel guests but will also be open for public use. The hotel will be built where the bocce courts exist today and an additional parking lot will be provided on the vacant parcel west of the hotel and adjacent to an existing parking facility.

The proposed hotel will have a contemporary design with colors, textures, and material compositions to establish an attractive architectural presence. The existing outdoor recreation space, pool area, private patios, restaurant and entertainment will continue to function as a desirable environment for guests in a part of the City that has been designated to encourage visitor accommodations and services.

The project site has a General Plan land use designation of Neighborhood/Community Commercial (NCC). The property is zoned as Planned Development District 131 (PD-131) with an underlying zoning of C-1 (Retail Business). Hotels are permitted in this zone, subject to R-3 (Multiple-Family Residential & Hotel) development standards. The site is also within the R (Resort) overlay zone, which was established in certain parts of the city to encourage visitor accommodations and services. Surrounding land uses include various hotel establishments to the north and south, additional hotel and commercial to the east, and high density residential to the west.

The project entry consists of two existing primary access points. The northern access is provided on Morongo Road, while the eastern boundary provides the 2<sup>nd</sup> primary access on South Palm Canyon Drive. Public utilities exist in the vicinity and have the capacity to service the property.

### **Other public agencies whose approval is required:**

- Regional Water Quality Control Board (RWQCB)
- Riverside County Flood Control (RCFC)
- Colorado River Basin Regional Water Control Board
- Desert Water Agency (DWA)

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

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

Signature 	Date July 7, 2016
--	----------------------

David Newell, Associate Planner

#### EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced)
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance



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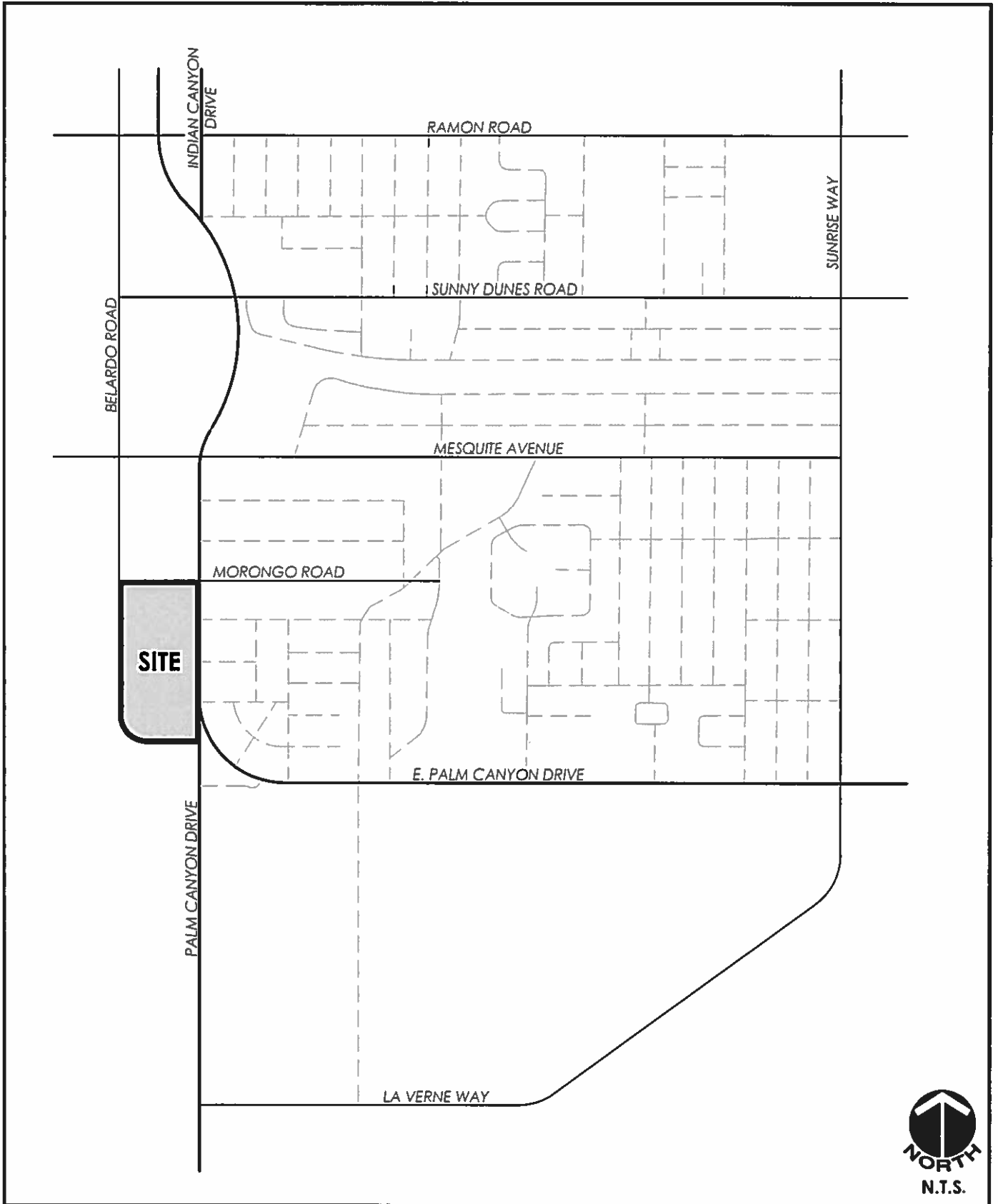
**Aerial Photograph**

**THE BELARDO HOTEL**  
*Initial Study*



Exhibit  
**1**

Page  
**5**



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**Vicinity Map**

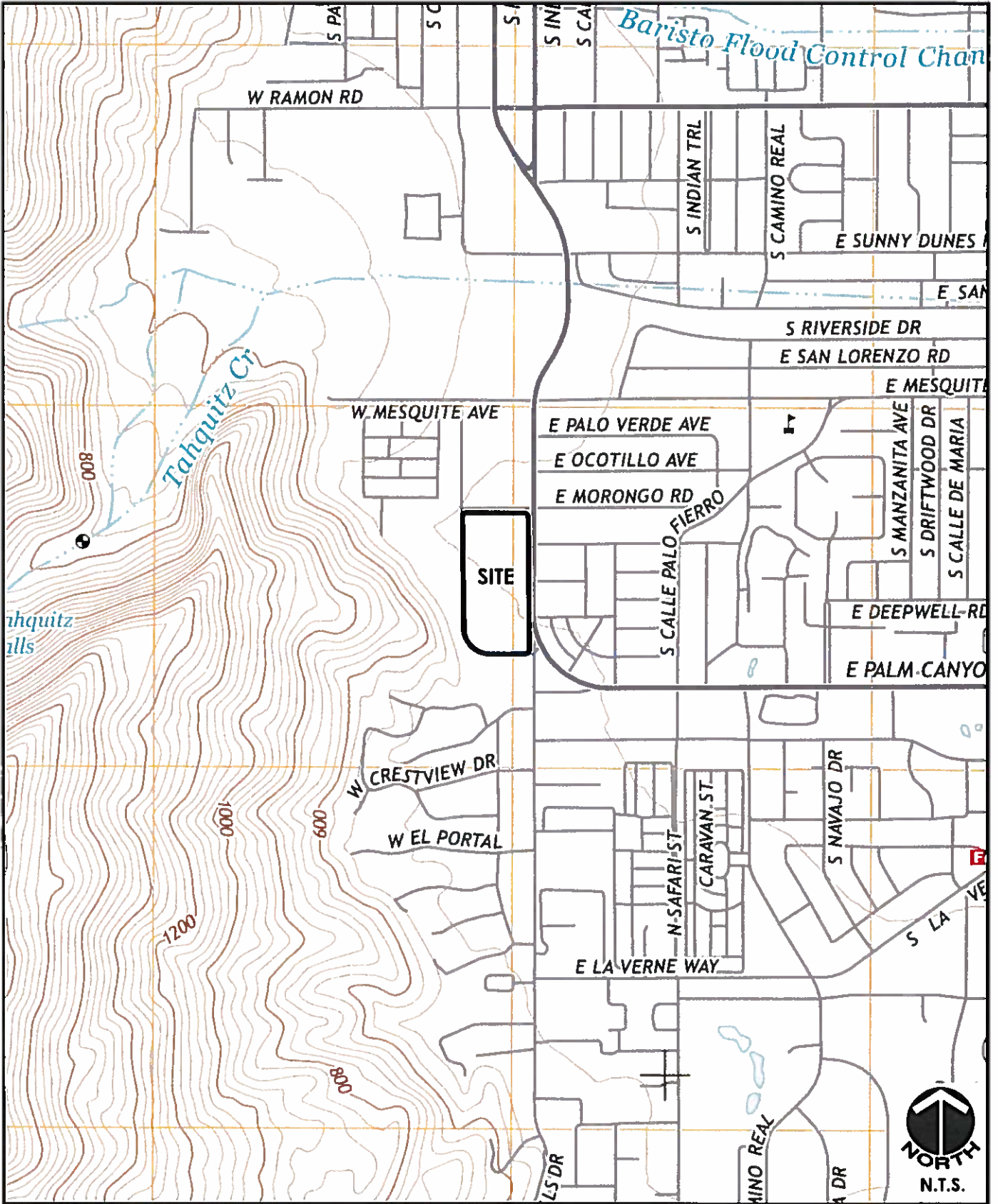
**THE BELARDO HOTEL**  
*Initial Study*



Exhibit  
**2**

Page  
**6**





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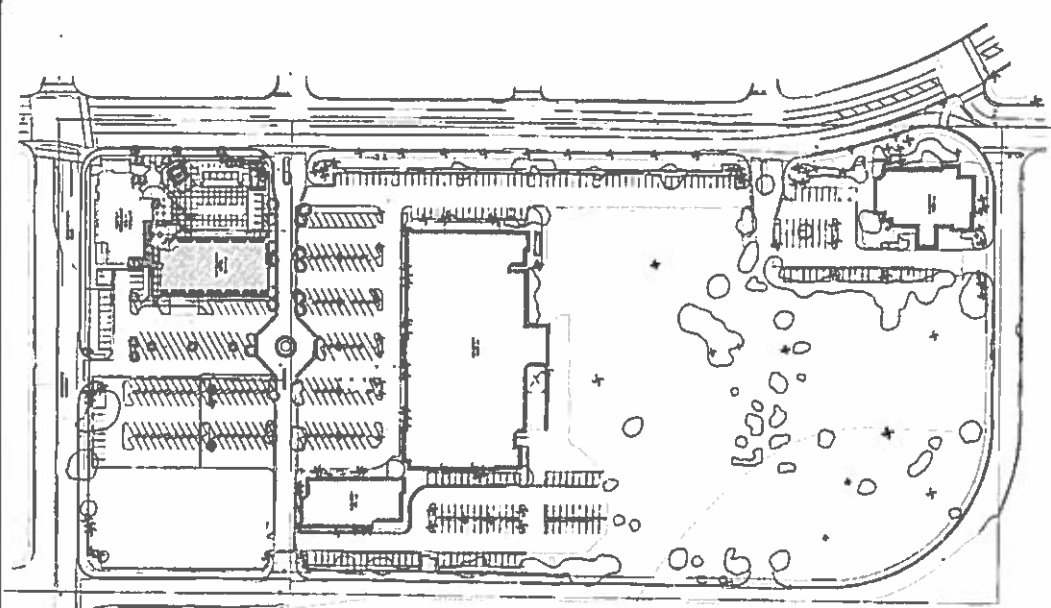
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U.S. Geological Survey Map

**THE BELARDO HOTEL**  
 Initial Study

Exhibit  
**3**

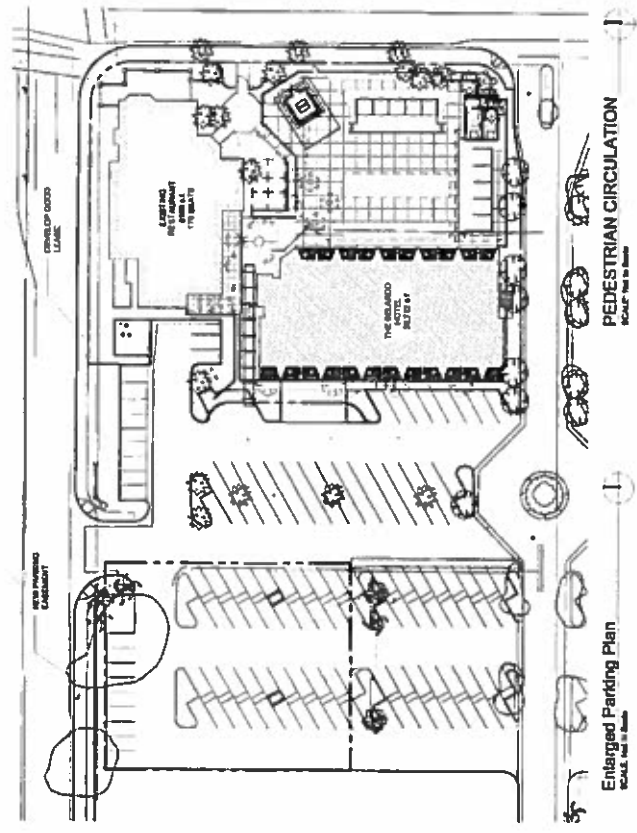
Page  
**7**



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

# Overall Project Data - The Belardo Hotel

<b>OVERALL PROJECT AREA:</b>	756,205 Sq. Ft. (17.4 ACRES)
<b>BUILDING FOOTPRINT:</b>	
HOTEL	9,804 Sq. Ft.
EXISTING RESTAURANT	8,190 Sq. Ft.
EXISTING BUILDING 1	8601
EXISTING BUILDING 2	51,641
<b>TOTAL BUILDING FOOTPRINT:</b>	71,096 Sq. Ft.
<b>STREETS AND DRIVES</b>	234,408 Sq. Ft.
<b>OPEN SPACE</b>	288,412 Sq. Ft.
<b>LANDSCAPE</b>	69,800 Sq. Ft.
<b>HARDSCAPE</b>	35,887 Sq. Ft.
	13%
	31%
	38%
	9%
	6%



Enlarged Parking Plan  
SCALE: 1/8" = 1'-0"

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

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The Belardo Hotel  
Palm Canyon Dr.  
Atlanta, GA 30329

NOT FOR CONSTRUCTION  
SCHEMATIC DESIGN

Project Data  
DATE: 08-29-14  
**A1.2**

Exhibit **4**  
Page **8**

Site Plan - Chris Pardo Design

**THE BELARDO HOTEL**  
Initial Study

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Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

**I. AESTHETICS -- Would the project:**

- a) Have a substantial adverse effect on a scenic vista?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:**

The proposed project occupies the northeast corner of a partially developed shopping center complex known as Plaza Del Sol. The 17-acre plaza property is bounded by Palm Canyon Drive to the east, Morongo Road to the north, and Belardo Road to the west and south. In particular, the project involves a three-story, 66-room hotel in an open recreation area of the existing Hacienda Cantina & Beach Club, which is situated at the southwest corner of South Palm Canyon Drive and Morongo Road. The existing establishment includes a restaurant of 8,190 square feet and an accessory recreational area with a pool, lounge chairs, private cabanas, palapa bar, outdoor sounds system, bathrooms and two bocce ball courts. The recreational area is surrounded by a six-foot tall block wall with landscaping and previously accommodated outdoor entertainment/musicians as an accessory activity to the restaurant.

Within the existing open recreation area of the Hacienda Cantina & Beach Club, the proposed hotel site would occupy a footprint adjacent to the restaurant and pool. The new hotel building would total 29,712-square feet in size (9,904 square feet in each floor). Each floor contains 22 rooms. All rooms will be 350 square feet in size with a private patio or balcony space. The hotel building would have a contemporary architectural style with a white stucco finish and anodized aluminum windows. The design would include rhythmic shapes and patterns to establish an attractive architectural presence while providing the desirable environment for guests. The proposed structure height is 34 feet, which complies with the 100-foot height limit established in the high-rise ordinance on Indian Land. The proposed setbacks are 102 feet from the north property line (Morongo Road), 110 feet from the east property line (South Palm Canyon Drive), 375+ feet from the west property line (Belardo Road), and 1,000 feet from the south property line (Belardo Road). Furthermore, the westerly end of the existing restaurant building would be modified to accommodate the hotel lobby, meeting space and back-of-house functions. The easterly end would remain a restaurant with new outdoor seating space. The parking lot on the west side of the project would be expanded with 49 additional parking spaces in an existing unpaved area of the plaza.

The perception and uniqueness of scenic vistas from a particular setting vary according to location and surrounding context. Views are influenced in part by the presence and intensity of man-made neighboring improvements (e.g. structures, overhead utilities, and vegetation). The massing of structures and vegetation in the project area and surroundings interacts with the natural regional environment to form the characteristic views of this locality. In the visitor corridors of the City, development tends to include diverse buildings with a mass and scale proportionate to the parcels of land on which they are located, while establishing an attractive image for visitors and residents. The project is located in a western part of Coachella Valley region and has an elevation of approximately 430 feet above sea level. From the project area, views of the San Jacinto Mountains to the west and the Santa Rosa Mountains to the south and southeast are the most prominent. Existing structural development, palm trees, and overhead utilities (posts and overhead lines) represent an existing visual impairment to the visibility and uniqueness of mountains. Meanwhile, these same conditions also help establish the attractive streetscape for tourists and residents. The proposed building design, stylistic features, and landscaping improvements of the project will result in a functional use of the land. By establishing the compliant setbacks of the structure from the existing property lines, the project reduces mountain view conflicts

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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and other visual impairments in relation to the surroundings. Less than significant impacts are anticipated.

**Mitigation Measures: None**

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:**

The proposed hotel would be developed within the existing Hacienda Cantina & Beach Club, at the southwest corner of South Palm Canyon Drive and Morongo Road. The existing structure, recreation space, perimeter controls and landscaping form part of a previously approved design for the establishment. The existing development patterns along the Palm Canyon Drive corridor include a mixture of buildings and styles. The proposed site plan and architectural design will work to ensure that any alterations to the existing property serve as an improvement to existing aesthetic conditions. Moreover, the project is not located near any state or county, eligible or designated scenic highway. There are no scenic resources, including trees, rock outcroppings, or historical buildings that would be disturbed by implementation of the project. Less than significant impacts are anticipated.

**Mitigation Measures: None**

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

**Discussion:**

The project is located along the South Palm Canyon Drive corridor, a setting that is characterized by a mixture of hotel, commercial, and retail establishments of various styles and heights. Residences have a greater and variable separation from South Palm Canyon Drive. Based on the Community Design Element of City's General Plan, the segment of South Palm Canyon Drive east of the project is identified as an Enhanced Transportation Corridor and a Master Streetscape Street for its importance in maintaining the City's community identity. South Palm Canyon Drive and East Palm Canyon Drive are noted as important connectors to the south neighborhoods and to adjacent cities.

The proposed hotel will have a contemporary design with colors, textures, and material compositions to establish an attractive architectural presence. The existing outdoor recreation space, pool area, private patios, restaurant and entertainment will continue to function as a desirable environment for guests. The proposed site, architectural and landscape design elements are required to conform to the City's Architectural Review Guidelines. The proposed building height of 34 feet and its setbacks from the property lines will comply with the existing high rise ordinance. Specifically, the proposed building setbacks are 102 feet from the north property line (Morongo Road), 110 feet from the east property line (South Palm Canyon Drive), 375+ feet from the west property line (Belardo Road), and 1,000 feet from

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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the south property line (Belardo Road). These setback conditions help reduce the partial obstruction of views from the surrounding hotels, commercial establishments and residential developments in the vicinity. The proposed landscaping will be limited to an approved plant palette that is harmonious with the existing landscape design and streetscape conditions. The proposed development is expected to maintain or enhance an attractive identity for the streetscape and result in a positive image for the corridor. Less than significant impacts are expected.

**Mitigation Measures: None**

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

**Discussion:**

The project is proposed in a developed commercial setting with existing sources of light on-site and in the surroundings. In the project vicinity, the use of decorative lighting helps establish the nighttime attractiveness of the streetscape, particularly along South Palm Canyon Drive. Within Plaza del Sol, existing sources of light serve a dual purpose of providing the necessary nighttime illumination while enhancing the nighttime street frontage aesthetic. In particular, the existing Hacienda Cantina & Beach Club has a variety of wall-mounted fixtures, ground landscape lights, illuminated signage and downward-oriented parking lot light posts. The existing recreation space and pool area are confined to existing walls that reduce visibility from the surroundings. These developed conditions form part of a previously approved design where the architecture, site plan, landscaping and lighting were subject to review in order to maintain the aesthetic considerations of the community in that plan. The existing construction materials on-site do not have the highly reflective properties causing an existing substantial source of daytime glare.

In the project surroundings, particularly to the north and east, existing sources of lighting are attributed to various sources, including traffic signals, illuminated street signs, street light posts, and palm tree luminaries. The existing hotels and commercial establishments along the South Palm Canyon Drive corridor include various light fixtures that contribute to the night ambient lighting. Lighting conditions along Belardo Road to the west and south are reduced to primarily street lighting and decorative landscape illumination.

The proposed 66-room, three story hotel will be integrated into the existing commercial establishment and plaza without introducing a new substantial source of glare or lighting, and without exceeding the City's lighting standards or the conditions typical of the project vicinity. The Project's lighting plan is expected to implement low intensity energy-efficient fixtures in various forms to adequately illuminate the hotel entrance, signage, walkways, private patios, and parking area for security purposes. The use of exterior light fixtures will be made compatible with the architectural style and materials of the buildings. Lighting sources will be situated to prevent glare for pedestrians, vehicles, adjacent properties and the night sky. Traffic associated with the project will also contribute an incremental increase in nighttime lighting. However, the proposed circulation will be limited to an access point on Morongo Road and South Palm Canyon Drive, therefore establishing the greatest separation from local residential uses.

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Pertaining to daytime glare, the project will not involve building materials with highly reflective properties that would disrupt day-time views. The proposed structure will utilize white stucco with anodized aluminum windows. The contemporary architectural design will include rhythmic shapes and patterns to create a visual interest and shadow of the structure. Less than significant impacts are anticipated to result from the proposed project.

**Mitigation Measures:** None

**II. AGRICULTURE RESOURCES -- Would the project:**

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**Discussion:**

The proposed project would not involve the disturbance or conversion of any designated farmland or other form of agricultural resource. According to the 2012 California Farmland Mapping and Monitoring Program (FMMP) Geographic Information Systems database, the project site is categorized as "Urban and Built-Up Land". Urban Built-up Land is used to identify properties occupied by structures that are residential, industrial, commercial, construction, institutional, public administration, cemeteries, airports, golf courses, sanitary landfills, sewage treatment and water control devices. A significant portion of the City of Palm Springs is categorized as "Urban and Built-Up Land". Any vacant and nonagricultural land surrounded by urban development and greater than 40 acres is mapped as Other Land. The subject property site and surrounding land to the north, east, south and west is not categorized as Prime Farmland, Unique Farmland, or Farmland of local statewide importance. No impacts are expected.

**Mitigation Measures:** None

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

**Discussion:**

As described above, the project site is not located in existing zoning for agricultural use or classified as farm land. Furthermore, according to the Williamson Act Land Map FY 2015/2016, no portion of land within a one-mile radius is recognized as being under a Williamson Act Contract. The proposed project will not impact or remove land from the City or County's agricultural zoning or agricultural preserve. No impacts are expected.

**Mitigation Measures:** None

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:**

The proposed project will occur in an existing urban desert setting zoned for commercial uses. No forest land, timberland or Timberland Production zoning occurs on the project site or on the surrounding properties. Forest vegetation is not characteristic of the Coachella Valley desert environment. No impacts are expected.

**Mitigation Measures:** None

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Result in the loss of forest or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:**

The proposed project will occur in an existing urban desert setting. No forest land occurs on the project site or in the surrounding area, because forest vegetation is not characteristic of the Coachella Valley desert environment. No impacts are expected.

**Mitigation Measures:** None

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:**

The project proposes a 3-story hotel which is compatible with the City's General Plan land use designations and zoning ordinances. As previously described, the project site and vicinity are designated for commercial use. The existing environment contains commercial facilities and residential development. No farmland or forest land is situated within or adjacent to the project; therefore, no impacts are expected.

**Mitigation Measures:** None

**III. AIR QUALITY: Would the project:**

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Discussion:**

The Project is located in the Coachella Valley region within the Salton Sea Air Basin (SSAB), under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). Air quality in the SSAB is influenced by the regional climate as well as the temperature, wind, humidity, precipitation, and amount of sunshine. The Coachella Valley is an arid desert region with a climate characterized by low annual precipitation, low humidity, hot days, and very cool nights. Wind direction and speed (which in turn affect atmospheric stability) are the most important climate elements affecting local ambient air quality. Desert regions are typically windy because minimal friction is generated between the moving air and the low, sparse vegetation. This allows the wind to maintain its speed crossing the desert plains. Additionally, the rapid daytime heating of the air closest to the desert surface leads to convective activity and the exchange of surface air for upper air, which accelerates surface winds during the warm part of the day.

The project property has a General Plan land use designation of Neighborhood/Community Commercial (NCC). The property is zoned as Planned Development District 131 (PD-131) with an underlying zoning of C-1 (Retail Business). Hotels are permitted in this zone, subject to R-3 (Multiple-Family Residential & Hotel) development standards. The site is also within the R (Resort) overlay zone, which was established in certain parts of the city to encourage visitor accommodations and services. Surrounding land uses include various hotel establishments to the north and south, additional hotel and commercial to the east, and high density residential to the west. The proposed project is consistent with the Land Use and Zoning designations, and therefore will not be in conflict with the General Plan conditions or obstruct with implementation of its applicable air quality objectives.

The Final 2007 and 2012 Air Quality Management Plans (AQMP) serves as policy guides for decision-making related to air quality throughout the region. The most recent plan provides strategies for controlling air pollution, maintenance and attainment in order to achieve state and federal attainment levels. The project will not require a General Plan Amendment that would provide directly or indirectly for increased population growth above the level projected in the adopted AQMP or interfere with the ability of the region to comply with federal and state ambient air quality standards. Projects that are consistent with local General Plans are considered consistent with the air quality related regional plans including the current AQMP, the Coachella Valley PM10 State Implementation Plan and other applicable regional plans. Less than significant impacts are anticipated relative to conflict with or obstruction of implementation of the applicable air quality plan following the implementation of standard conditions.

**Mitigation Measures: None**

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

**Discussion:**

An impact is potentially significant if concentration of emissions exceed the State or Federal Ambient Air Quality Standards. The two primary pollutants of concern in the Coachella Valley including the City of Palm Springs are ozone (O3) and particulate matter (PM10 and PM2.5). The project site is located



Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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within the Salton Sea Air Basin, which has been designated by the California Air Resources Board as a nonattainment area for ozone (8-hour standard) and PM10. Violations of the air quality standards for ozone are primarily due to pollutant transport from the South Coast Air Basin.

Ozone (O3) is formed when byproducts of combustion react in the presence of ultraviolet sunlight. This process occurs in the atmosphere where oxides of nitrogen combine with reactive organic gases, such as hydrocarbons, in the presence of sunlight. Ozone is a pungent, colorless, toxic gas, and a common component of photochemical smog. Although also produced within the Coachella Valley, most ozone pollutants affecting the Valley are transported by coastal air mass from the Los Angeles and Riverside/San Bernardino air basins, thereby contributing to occasionally high local ozone concentrations.

Particulate Matter (PM10 and PM2.5) consists of fine suspended particles of ten microns or smaller in diameter, and are the byproducts of road dust, sand, diesel soot, windstorms, and the abrasion of tires and brakes. The elderly, children and adults with pre-existing respiratory or cardiovascular disease are most susceptible to the effects of Particulate Matter.

The SCAQMD has established significance thresholds for specific pollutants on individual projects. These thresholds related to project construction and long term operations are shown in the Mass Daily Thresholds table below. Project effects would be considered significant if the emissions exceed these thresholds. Project effects would also be considered potentially significant if emissions affected sensitive receptors such as schools or nursing homes, or if the project conflicted with the regional AQMP and/or local air quality plans.

**Table III-1  
SCAQMD's Air Quality Significance Thresholds:**

Emission Source	CO	VOC	NOx	SOx	PM10	PM2.5
Construction or Operation (Pounds/Day)	550	75	100	150	150	55

Source: Air Quality Analysis Guidance Handbook, Chapter 5.  
Prepared by the South Coast Air Quality Management District. [www.aqmd.gov/ceqa/hndbk.html](http://www.aqmd.gov/ceqa/hndbk.html)

The California Emissions Estimator Model (CalEEMod Version 2013.2.2; Released October 2, 2013) was utilized to estimate the short-term construction-related emissions of criteria air pollutants and greenhouse gas emissions that would be associated with the construction activities necessary to implement the proposed project. The project parameters involved the construction and operation of a 66-room hotel, 49 proposed parking spaces, interior modifications to the existing restaurant building and landscaping improvements. Default construction parameters incorporated in CalEEMod were assumed for those construction activities for which site-specific information is not currently available.

Table III-2 summarizes the unmitigated short-term emissions of the six criteria pollutants associated with the construction activities required to implement the proposed project. The construction period includes all aspects of project development, including site preparation, grading, building construction, paving and architectural coating. Peak day emissions estimates are provided by construction phase type

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Less Than Significant Impact
No Impact

and reflect activities in the season or year with the highest daily emissions. As shown, the unmitigated peak day air pollutant emissions during the construction phase with the highest projected emissions are not projected to exceed any of the applicable SCAQMD significance thresholds for short-term construction-related emissions. Based upon the projected emissions of the criteria air pollutants, the proposed project would have less than significant impacts relative to short-term impacts to air quality.

The SCAQMD requires any emission reductions resulting from existing rules or ordinances to be included as part of the unmitigated project emissions. Those measures that are legally mandated and therefore required of all developments by applicable ordinances, rules, and regulations are not considered mitigation. Title 8, Chapter 8.50 (Fugitive Dust Control) of the Palm Springs Municipal Code establishes the minimum requirements for construction and demolition in order to reduce man-made fugitive dust and corresponding PM10 emissions. The required measures during construction must form part of a required Fugitive Dust Control Plan to prevent sediment track-out onto public roads, prevent visible dust emissions from exceeding a 20-percent opacity, and prevent visible dust emissions from extending more than 100 feet (vertically or horizontally from the origin of a source) or crossing any property line. These standards are consistent with SCAQMD Rule 403 and 403.1, as identified in the SCAQMD publication Coachella Valley Fugitive Dust Control Handbook. Fugitive dust control measures that are required to comply with the City Municipal Code are generally not considered mitigation by the SCAQMD. Similarly, compliance with applicable SCAQMD Rules and Regulations is not considered mitigation by the SCAQMD.

**Table III-2  
Air Pollutant Emissions  
Associated With Unmitigated Construction of the Proposed Project  
(Pounds/Day)**

	ROG	NOx	CO	SO2	PM10	PM2.5
Total Emissions	70.887 2	30.688 1	20.4604	0.0316	7.8052	4.7534
SCAQMD Threshold	75	100	550	150	150	55
<b>Threshold Exceeded</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Furthermore, CalEEMod was utilized to estimate the long-term operational air pollutant emissions that would result from implementation of the proposed project. Operational emissions are ongoing emissions that will occur during the life of the project. They include area source emissions, emissions from energy demand, and mobile source (vehicle) emissions. As shown in Table III-3, operational emissions will not exceed SCAQMD thresholds of significance for any criteria pollutants. The data are conservative and reflect unmitigated operations. Implementation of standard reduction measures will further reduce pollutant emissions. These include, but are not limited to, the use of low-VOC architectural coatings and the use of energy-efficient appliances. Less than significant impacts are anticipated.

Potentially Significant Impact      Less Than Significant with Mitigation Incorporated      Less Than Significant Impact      No Impact

**Table III-3  
Operational Air Pollutant Emissions  
Associated With Development of the Project  
(Pounds/Day)**

Emission Source	ROG	NOx	CO	SO2	PM10	PM2.5
Total Area Sources, Energy Use, Mobile Sources	3.4115	4.4325	18.9937	0.0300	1.8040	0.5483
SCAQMD Threshold	75	100	550	150	150	55
Threshold Exceeded	No	No	No	No	No	No

**Mitigation Measures: None**

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

**Discussion:**

The Coachella Valley is designated by the California Air Resources Board as nonattainment for ozone, based on exceedances of both the state 1-hour and 8-hour standards; and for PM10, based on exceedances of the state 24-hour and annual average standards. Adherence to the SCAQMD rules and regulations and compliance with locally adopted AQMP and PM10 State Implementation Plan control measures will help reduce the pollutant burden contributed by the individual development project. Appropriate air quality measures are required by the City of Palm Springs and implemented through enforcement of the Palm Springs Municipal Code (Title 8, Chapter 8.50) consistent with SCAQMD Rules 403 and 403.1.

As mentioned, relative to PM10 threshold exceedance, construction associated with a future project will be required to adhere to the City's Fugitive Dust and Erosion Control policies and ordinance to minimize potential temporary construction related emissions. An approved Fugitive Dust (PM10) Control Plan will be required prior to issuance of a grading permit. Implementation of the Fugitive Dust Control Plan is required to occur under the supervision of an individual with training on Dust Control in the Coachella Valley (Rule 403 and 403.1). The plan will include methods to prevent sediment track-out onto public roads, prevent visible dust emissions from exceeding a 20-percent opacity, and prevent visible dust emissions from extending more than 100 feet (vertically or horizontally from the origin of a source) or crossing any property line. The most widely used measures include proper construction phasing, proper maintenance/cleaning of construction equipment, soil stabilization, installation of track-out prevention devices, and wind fencing.

Project-related short-term construction and long-term operational emissions are not expected to exceed

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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the SCAQMD mass daily regional significance thresholds. Therefore, the proposed project is not expected to result in a cumulatively considerable net increase of NOx and ROG emissions during construction activities. Less than significant impacts are anticipated.

**Mitigation Measures: None**

- d) Expose sensitive receptors to substantial pollutant concentrations?

**Discussion:**

Sensitive receptors are facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Land uses considered by the SCAQMD to be sensitive receptors include residential, long-term health care facilities, schools, rehabilitation centers, playgrounds, convalescent centers, child-care centers, retirement homes, and athletic facilities among others. Existing surrounding uses to the proposed hotel site include other hotel establishments and commercial uses to the north, east, and south. Existing residential uses in the vicinity of the proposed hotel site include single-family homes approximately 330 feet east and high density uses approximately 450 feet west (west of Belardo Road). These residential uses are deemed to include sensitive receptors.

During construction, the project is expected to produce temporary and localized emissions, which based on the Air Quality Study's modeling results would not exceed the SCAQMD mass thresholds of significance. As previously discussed, the project applicant is required to comply with the City's Fugitive Dust Control ordinance by preparing a project-specific dust control plan. The plan will outline required activities and best management practices for preventing or reducing temporary emissions from reaching any substantial concentrations. Examples of best available dust control measures include constructing a temporary fence with wind screen to prevent propagation of emissions, utilizing properly maintained equipment, maintaining stabilized soil, and constructing track-out prevention devices at construction access points. These standard practices are consistent with the SCAQMD Rule 403 and 403.1 and the Coachella Valley Best Available Control Measures (CVBACM), as identified in the SCAQMD publication Coachella Valley Fugitive Dust Control Handbook. Fugitive dust control measures that are required to comply with the City Municipal Code are generally not considered mitigation by the SCAQMD. Similarly, compliance with applicable SCAQMD Rules and Regulations is not considered mitigation by the SCAQMD.

During the life of the project, activities and operations related to the proposed hotel and parking lot uses are not expected to generate emissions concentrations that exceed the SCAQMD mass thresholds. Less than significant impacts are anticipated.

**Mitigation Measures: None**

- e) Create objectionable odors affecting a substantial number of people?

**Discussion:**

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Objectionable odors can be associated with toxic or non-toxic emissions. While offensive odors seldom cause physical harm, they can be unpleasant and lead to considerable annoyance and distress among the public. The SCAQMD has compiled a list of facilities and operations that tend to produce offensive odors. Examples of such facilities that commonly generate odors include wastewater treatment plants, sanitary landfills, composting/green waste facilities, recycling facilities, petroleum refineries, chemical manufacturing plants, painting/coating operations, rendering plants, and food packaging facilities. Some land uses and populations are considered more likely to experience concern over odors. These include retirement homes, residences, schools, playgrounds, child-care centers, and athletic facilities among others.

The proposed development is not located near any facility known for generating objectionable odors and the proposed hotel will not introduce facilities that would generate objectionable odors affecting a substantial number of people. Construction activities (within the permitted hours) are anticipated to generate short-term odor emissions due to the use of construction equipment, materials management and asphalt paving. Such odors would only be detectable in localized areas and would quickly disperse below detectable levels as distance from the construction site increases. Future hotel operations, which will serve the existing restaurant and recreation area, are not expected to generate emissions that would be sufficient to affect a substantial number of people or result in a nuisance as defined by SCAQMD Rule 402. Therefore, impacts from objectionable odors are expected to be less than significant.

**Mitigation Measures:** None

**IV. BIOLOGICAL RESOURCES -- Would the project:**

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

**Discussion:**

The project site is located in the Plaza del Sol shopping center, predominately surrounded by commercial, residential development and adjoining parking lot area. The project proposes a 3-story, 66-unit hotel that would incorporate the existing and currently closed restaurant and pool located at the northeast corner of the project site. As a result, the current commercial development that defines the project site does not provide conditions that would support natural vegetative communities or habitats, including the presence of plant or animal species given special status by government agencies. The project site does not have known biotic elements, corridors or communities. Based on the City of Palm Springs General Plan, the project site is not identified in a Biological Sensitive or Conservation Area. The project site is within the Agua Caliente Tribal Habit Conservation Plan (THCP). According to the THCP plan, the project site is not within a conservation area or identified as having biological resources. The project will be required to pay the THCP Valley Floor Planning Area Fee (VFPA), to mitigate potential impacts from project development. Less than significant impacts are expected as a result of project implementation.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Mitigation Measures: None**

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?
- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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**Discussion:**

The property does not contain or is it adjacent to any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. No blue-line stream corridors or desert washes are found within the project boundary. As previously discussed, the project site is developed and located within the existing Plaza del Sol shopping center and is surrounded by an adjacent parking lot and commercial/office facilities. The proposed project is consistent with the surrounding development and no impacts are expected to any riparian habitat or other sensitive natural communities.

**Mitigation Measures: None**

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
|  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:**

The project has been heavily impacted by development for a number of years, first as a trailer park and now the current Plaza del Sol shopping center. The project site does not contain nor is it adjacent to federally protected wetlands, marshes or other drainage features. Therefore the project will not result in the direct removal, filling or other hydrological interruption to any of these resources. The projects onsite storm drain improvements include a catch basin to prevent the direct discharge and hydro modification impacts of runoff into the local municipal separate storm sewer system and any downstream receiving waters. No impacts are expected as a result of project implementation.

**Mitigation Measures: None**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:**

The project is situated in an existing shopping center in an urbanized area of the City and as previously discussed, has been impacted by development for a number of years. The project is not located on or near any existing drainages that would support wildlife corridors. The existing commercial development does not provide the natural habitat conditions that would be suitable for wildlife. No impacts are expected to the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.

**Mitigation Measures:** None

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:**

The developed project site does not support natural vegetation communities or habitats. Existing vegetation has been established based on landscape design. Project implementation would protect the existing landscape in place, particularly the existing Date Palms and Palo Verde trees. Therefore, no conflict with any local policies or ordinances for protecting biological resources would result from project implementation. No impacts are anticipated.

**Mitigation Measures:** None

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:**

The project lies within the boundary of Tribal HCP, which outlines policies for conservation of habitats and natural communities. The proposed development is not anticipated to conflict with this Habitat Plan. The proposed project is not within a designated Conservation Area and there are no protected biological resources on the property as recognized by the THCP. The project will be required to pay the THCP Valley Floor Planning Area fee, which helps support the acquisition of conservation lands to permanently protect and manage Coachella Valley threatened or endangered species. Based on these provisions, the applicable fees would be collected prior to issuance of a building permit. Since the

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Less Than Significant Impact

No Impact

project will comply with the THCP, no impacts are expected to result from project implementation.

Mitigation Measures: None

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Discussion:

The project site has been previously disturbed for many years, the USGS Topographic Map for Palm Springs shows the site was previously used as a trailer park from 1955-1979 and by 1992 the Plaza del Sol shopping center was constructed and most, if not all, remnants of the former mobile home park have been removed. The Plaza del Sol presently includes four commercial/office buildings, two vacant areas, a parking lot with 351 parking stalls; utility infrastructure and landscape improvements.

As defined by CEQA §15064.5 (b), "substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alternation of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired". The project site is not listed in a local, state or national register of historical resources. Moreover, according to the Cultural Resources section of the City of Palm Springs General Plan, the property is located outside the designated areas likely to contain Prehistoric or Archaeological resources (General Plan Figures 5-5, 5-6) and does not contain or is adjacent to previously identified historic resources as defined by California Code of Regulations, Section 15064.5. No impacts related to historic resources are expected.

Mitigation Measures: None

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Discussion:

The project site lies in an area not recognized as sensitive for Prehistoric/Archaeological Resources according to Figures 5-5, and 5-6 of the City's General Plan. The City of Palm Springs has an extensive past and present Native American population. The City's General Plan lays out policies to protect, preserve or reduce impacts on these archaeological resources. Additionally, the Agua Caliente Tribal Historic Office also ensures the protection and preservation of Tribal archaeological resources. As previously discussed, the site has been heavily disturbed for a number of years with residential uses and the current Plaza del Sol shopping center. The proposed project will utilize the existing footprint of the Hacienda Cantina & Beach Club which is presently unoccupied; the proposed hotel is approximately 29,712 square feet and would be constructed where the bocce courts and open grass area are today. The existing development/disturbance of the project site reduces the possibility of uncovering archaeological resources since the soil has previously been graded when the former Hacienda Cantina & Beach Club



Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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pool/bar and associated improvements were constructed. Therefore, no impacts to archaeological resources are anticipated.

**Mitigation Measures: None**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:**

Per the Riverside County Land Information System, the property is recognized for having a low potential for Paleontological Sensitivity. Areas recognized for having “low” potential have a reduced likelihood of containing significant non-renewable paleontological resources, including vertebrate or significant invertebrate fossils. Moreover, the site is not recognized as a unique paleontological or a unique geologic features. The site has been heavily disturbed for a number of years with residential uses and the current Plaza del Sol shopping center. As previously discussed, the proposed project will utilize the existing footprint of the Hacienda Cantina & Beach Club; the proposed hotel would be constructed where the bocce courts and open grass area are today. The existing development/disturbance of the project site reduces the possibility of uncovering paleontological resources since the soil has previously been graded during the construction of the former Hacienda Cantina & Beach Club. Therefore, no impacts to paleontological resources are anticipated.

**Mitigation Measures: None**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Would the project cause a substantial change in the significance of a Tribal cultural resource as defined in Public Resource Code 21074? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:**

Public Resource Code 21074 identifies “Tribal cultural resources” as “Sites, features, places, cultural landscapes, sacred places and object with cultural value to a California Native American Tribe” and that are either included or determined to be eligible for inclusion on the national, state, or local register of historic resources, or that are determined by the lead agency, in its discretion, to be significant when taking into consideration the significance of the resource to a Californian Native American Tribe. The project is in a zoned PD-131 with a Commercial Overlay and part of the Plaza del Sol shopping center. As discussed throughout this this section, the current development/disturbance of the project site reduces the possibility of uncovering Tribal resources since the soil has been previously been graded when the Plaza del Sol shopping center was constructed and again when the pool was added as part of the Hacienda Cantina & Beach Club. The project is proposing a 66-room hotel with additional parking facilities and minor modifications to the existing restaurant. The current bocce courts will be removed and replaced with the hotel. All new development will comply with the existing regulations that are in place to protect historic resources as well as policies found in the Palm Springs General Plan. No impacts to Tribal Resources are anticipated.

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

**Mitigation Measures: None**

- e) Disturb any human remains, including those interred outside of formal cemeteries?

**Discussion:**

The proposed project is not anticipated to disturb any human remains, including those interred outside of formal cemeteries. The California Health and Safety Code, Section 7050.5, and the CEQA Guidelines Section 15064.5 require that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlay adjacent remains, until the County Coroner has examined the remains. If the coroner determines the remains to be those of Native American, or has reason to believe that they are those of Native American, the coroner shall contact by telephone within 24 hours the Native American Heritage Commission. Less than significant impacts are anticipated.

**Mitigation Measures: None**

**VI. GEOLOGY AND SOILS -- Would the project:**

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

**Discussion:**

According to the Alquist-Priolo Earthquake Fault Zones designated by the California Division of Mines and Geology, the project site is not located within a designated fault zone. The closest known potentially active faults are located approximately 7 miles to the north. These faults are recognized as the Southern segments of the San Andreas Fault System and the Garnet Hill Fault. Furthermore, the City of Palm Springs Safety Element Seismic Hazards Map (Figures 6-1) does not designate the project site as being on or near an Alquist-Priolo Earthquake Fault Zone. There are no known active or possibly active faults with potential impacts associated with fault rupture indicated on the site or in the immediate vicinity. No impacts are expected relative to fault rupture as delineated on Alquist-Priolo Maps or substantial evidence of a known fault.

**Mitigation Measures: None**

- ii) Strong seismic ground shaking?

**Discussion:**

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Seismic activity is typical of the Coachella Valley and rest of Southern California and has the potential to generate intense seismic shaking during the design life of the project. However, through compliance with seismic safety provisions of the California Building Code (CBC,) the proposed facilities will be constructed in a manner that reduces or eliminates the risk of seismic hazards (Title 24, California Code of Regulations). Furthermore, remedial grading and construction to the most current CBC guidelines and seismic design coefficients will work to reduce exposure of people or structures to adverse effects associated with ground shaking during an earthquake to the greatest extent possible. Less than significant impacts are expected.

**Mitigation Measures: None**

iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:**

According to the City of Palm Springs General Plan Seismic Hazards Map (Figure 6-1), the project is located in an area of the City with Low Liquefaction Susceptibility. This designation applies to areas with Fine-grained granular sediments susceptible to liquefaction but with groundwater depths greater than 50 feet. Liquefaction requires groundwater levels within 50 feet of the ground surface. Less than significant impacts are expected.

**Mitigation Measures: None**

iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:**

The site itself and surrounding lands are predominantly level and would not be susceptible to landslides. According to the City of Palm Springs General Plan Landslide Susceptibility Map (Figure 6-2), the project site does not lie within an area of the City with susceptibility to impacts associated with landslides. No impacts are expected.

**Mitigation Measures: None**

b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:**

The City of Palm Springs General Plan Wind Hazard Zone Map and Geologic Map (Figures 6-3, 6-4) identifies the site as being in an area with a High Wind Erodibility Rating with an Older Alluvial Gravel and Sand soil composition. Soil stabilization will be required during site disturbing activities. At project build out, the property will be developed or landscaped, reducing the possibility for wind erosion.

The proposed project will involve grading activities for an area less than one acre, which will be performed according to an engineered grading plan approved by the City. The plan will include measures to control water and wind-born erosion. The project is expected to implement (throughout all

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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construction activities) standard construction best management practices to reduce potential erosion impacts during the period of grading and construction. As a standard condition, if construction conditions result in an increase of the temporary disturbed surface area to one acre or greater, the project proponent will be required to implement a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the State's most current Construction General Permit (CGP) (Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ). Standard City procedures require the developer to comply with South Coast Air Quality Management District's (SCAQMD) Rule 403 and 403.1, which prompt the requirement for preparation and implementation of a Fugitive Dust (PM10) Control Plan to establish temporary perimeter controls and soil stabilization measures to prevent erosion and sediment track out. Windborne erosion is further discussed within the Air Quality section of this document. Additional discussion relative to waterborne erosion is found in the Hydrology and Water Quality section of this document. Following implementation of standard conditions, less than significant impacts are expected.

**Mitigation Measures: None**

- c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:**

The City of Palm Springs Safety Element, as discussed previously, does not indicate that the site is susceptible to geologic hazards including liquefaction, landslides, lateral spreading and collapse. Although subsidence has been documented in the eastern Coachella Valley, it is not known to occur in the upper valley or the project vicinity. Less than significant impacts are anticipated.

**Mitigation Measures: None**

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:**

Expansive soils owe their characteristics to the presence of swelling clay materials. The project site consists of older alluvial gravel and sand which is not an expansive soil. Less than significant impacts are anticipated related to expansive soils.

**Mitigation Measures: None**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:**

Sewer service is provided in the vicinity by the City of Palm Springs. The project will connect to the public sewer system and no septic tanks or alternative waste water disposal systems are proposed. No impacts are expected.

**Mitigation Measures:** None

**VII. GREENHOUSE GAS EMISSIONS --Would the project:**

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:**

Greenhouse gases (GHG) are a group of gases that trap solar energy in the Earth's atmosphere, preventing it from becoming too cold and uninhabitable. Common greenhouse gases in the Earth's atmosphere include: water vapor, carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), ozone, and to a lesser extent chlorofluorocarbons. Carbon dioxide is the main GHG thought to contribute to climate change. Carbon dioxide reflects solar radiation back to Earth, thereby trapping solar energy and heat within the lower atmosphere. Human activities (such as burning carbon-based fossil fuels) create water vapor and CO2 as byproducts, thereby impacting the levels of GHG in the atmosphere.

To address the long-term adverse impacts associated with global climate change, implementation of *The Governor's Executive Order S-3-05* would reduce greenhouse gas (GHG) emissions in California 80 percent below 1990 levels or 90 percent below current levels by the year 2050. Achieving this objective would contribute to efforts being made around the globe to stabilize the global climate by capping GHG concentrations.

With the passage of the California Global Warming Solutions Act of 2006 (Assembly Bill 32) in California, environmental documents for projects pursuant to CEQA are required to analyze greenhouse gases and assess the potential significance and impacts of GHG emissions. Additionally, the City of Palm Springs adopted their Climate Action Plan (CAP) that includes policies that apply to new development for the reduction of GHGs.

However, there is currently no statewide adopted threshold for GHG emissions. Although the SCAQMD has adopted an interim significance threshold for GHG emissions, it applies only to those industrial (stationary source) projects where the SCAQMD is the lead agency. The SCAQMD has adopted a screening threshold of 3,000 MTCO2e per year for stationary source emissions for small land use projects. Although CARB has not identified an interim GHG significance threshold for residential or commercial sector projects to date, it is recommended that a threshold be developed based on the

Potentially Significant Impact      Less Than Significant with Mitigation Incorporated      Less Than Significant Impact      No Impact

implementation of stringent performance standards or equivalent mitigation measures addressing energy use, transportation, water use, waste and construction.

CalEEMod (The California Emissions Estimator Model/CalEEMod Version 2013.22) was utilized to estimate the long-term operational air pollutant emissions and the greenhouse gas emissions that would result from the implementation of the proposed project. The annual GHG emissions associated with the operation of the proposed hotel is 651.1002 CO<sub>2</sub>e per year as summarized in Table VII-1. Direct and indirect operational emissions associated with the project are compared with the SCAQMD threshold significance for small land use projects, which is 3,000 MTCO<sub>2</sub>e per year. Less than significant impacts are expected.

**Table VII-1  
Greenhouse Gas Annual Emissions Summary**

	Emissions (metric tons per year)			
	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	Total CO <sub>2</sub> E
Area	2.0500e-003	1.0000e-005	0.0000	2.1700e-003
Energy	277.0141	0.0101	3.5100e-003	278.3149
Mobile Sources	647.1144	0.0143	0.0000	347.4144
Waste	7.3341	0.4334	0.0000	16.4361
Water Usage	7.3610	0.0549	1.3500e-003	8.9327
<b>Total CO<sub>2</sub>E (All Sources)</b>				<b>651.1002</b>

Source: CalEEMod™ output.

Note: Totals obtained from CalEEMod and may not total 100% due to rounding.

**Mitigation Measures: None**

- b) Conflict with an applicable plan. Policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Discussion:**

California’s Global Warming Solutions Act of 2006 (AB32) required the California Air Resources Board (CARB) to establish a greenhouse gas (GHG) emissions cap for the year 2020 and adopt the mandatory reporting rules for significant sources of GHG. The SCAQMD adopted the interim GHG significance threshold for stationary/industrial sources on December 5, 2008 which applies to projects where the SCAQMD is the lead agency. Additionally, the City of Palm Springs has adopted a Climate Action Plan (CAP) to help reduce greenhouse gas emissions or support reduction strategies resulting from development. The project will implement energy efficient methods such as low flow appliances (including toilets, shower heads) drought tolerant landscape and other water conservation methods.

The project is consistent with current General Plan and zoning policies and is not anticipated to conflict with the plan and policies established under Assembly Bill 32, Senate Bill 375 or Senate Bill 97. Therefore, less than significant impacts are expected.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Mitigation Measures: None**

**VIII. HAZARDS AND HAZARDOUS MATERIALS --Would the project:**

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:**

The Code of Federal Regulations (CFR Title 40, Part 261) defines hazardous materials based on ignitability, reactivity, corrosivity, and/or toxicity properties. The State of California defines hazardous materials as substances that are toxic, ignitable or flammable, reactive and/or corrosive, which have the capacity of causing harm or a health hazard during normal exposure or an accidental release. As a result, the use and management of hazardous or potentially hazardous substances is regulated under existing federal, state and local laws. Hazardous wastes require special handling and disposal methods to reduce their potential to damage public health and the environment. Manufacturer's specifications also dictate the proper use, handling, and disposal methods for the specific substances.

Construction of the proposed project is expected to involve the temporary management and use of oils, fuels and other potentially flammable substances. The nature and quantities of these products would be limited to what is necessary to carry out construction of the project. Some of these materials would be transported to the site periodically by vehicle and would be stored in designated controlled areas on a short-term basis. When handled properly by trained individuals and consistent with the manufacturer's instructions and industry standards, the risk involved with handling these materials is considerably reduced. The contractor will be required to identify a controlled staging area within the project limits for storing materials and equipment, and will be required to implement best management practices to assure that impacts are minimized and that any minor spills are immediately and properly remediated.

Hotel uses, as proposed, do not typically involve the routine transport, use or disposal of hazardous materials in quantities or a manner that would pose a threat to the project and surroundings. Operation of the proposed facilities would involve the handling and application of cleaning agents, building maintenance products, paints and solvents, and similar items would be stored on-site. These potentially hazardous materials would not be present in sufficient quantities to pose a significant hazard to public health and safety or the environment. Less than significant impacts are anticipated.

**Mitigation Measures: None**

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:**

As noted previously, hazardous materials are not typically present in large quantities for restaurants or

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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hotels. The storage and use of these materials would be subject to existing federal, State, and local regulations, including the California Health and Safety Code, and Title 19 California Code of Regulations Section 2729, which establish minimum requirements for business emergency plans. Such regulations require that businesses provide emergency response plans, procedures, training, recordkeeping and disclosure of materials stored or used on-site. Therefore, accident conditions involving the release of hazardous materials are unlikely. Less than significant impacts are expected to result from project implementation.

**Mitigation Measures: None**

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

**Discussion:**

The project site is not located within ¼ mile of an existing or proposed school. The nearest school to the project site is the Cahuilla Elementary School located approximately 0.4 miles northeast of the project site. The nature of the project would not involve the use or handling of hazardous substances in quantities or conditions that would result in the release of hazardous emissions, materials or waste. No impacts to schools are anticipated.

**Mitigation Measures: None**

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**Discussion:**

Record searches on the project property were performed within multiple database platforms compiled pursuant to Government Code 65962.5 and its subsections. The resources consulted included GeoTracker, EnviroStor and the EPA Enforcement and Compliance History Online (ECHO).

GeoTracker is a database maintained by the State of California Water Resources Control Board that provides online access to environmental data. It serves as the management system for tracking regulatory data on sites that can potentially impact groundwater, particularly those requiring groundwater cleanup and permitted facilities, such as operating underground storage tanks and land disposal sites.

EnviroStor is a database maintained by the State of California Department of Toxic Substances Control (DTSC). The EnviroStor database identifies sites with known contamination or sites for which there may be reasons to investigate further. It includes the identification of formerly contaminated properties that have been released for reuse; properties where environmental deed restrictions have been recorded to



Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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prevent inappropriate land uses; and risk characterization information that is used to assess potential impacts to public health and the environment at contaminated sites.

Moreover, the ECHO database focuses on inspection, violation, and enforcement data for the Clean Air Act (CAA), Clean Water Act (CWA) and Resource Conservation and Recovery Act (RCRA) and also includes Safe Drinking Water Act (SDWA) and Toxics Release Inventory (TRI) data.

In June of 2016, a search was performed on all three database platforms. The search results did not identify any records or sites in connection with the project property. The GeoTracker and EnviroStor database results did not identify any Leaking Underground Storage Tank (LUST) Cleanup Sites, Land Disposal Sites, Military Sites, DTSC Hazardous Waste Permits, DTSC Cleanup Sites, or Permitted Underground Storage Tanks on or around the project property. No impacts are anticipated.

**Mitigation Measures: None**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:**

The project is not located within two miles of an airport. The Palm Springs International Airport is located approximately 2.2 miles to the northeast. No impacts are anticipated related to this issue.

**Mitigation Measures: None**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:**

The project is not within the vicinity of a private airstrip. No impacts are expected.

**Mitigation Measures: None**

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:**

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Under the City’s General Plan, Safety Element “Disaster Preparedness, Response and Recovery” section, the City of Palm Springs participates in the Standard Emergency Management System (SEMS). Depending on the type of emergency, several different agencies may be called in to assist with emergency response, agencies that can be expected as part of an emergency response include, medical, fire and rescue, police, public works, and coroner. In preparation for potential disasters, the City of Palm Springs participates in the Federal Emergency Management Agency’s (FEMA) Community Emergency Response Training (CERT) program. The CERT program provides residents the skills and knowledge to prepare and respond to a disaster by providing basic fire suppression, select and set up treatment areas, employ basic treatments for various injuries, and search and rescue efforts. Additionally, the general plan states that all new projects incorporate adequate egress systems into project design and that they are evaluated to ensure that proper police and fire protection is available.

The proposed project will not physically interfere with an emergency evacuation or response plan. The location of the proposed hotel site has two nearby existing vehicular access points: one on Morongo Road to the north and one on South Palm Canyon Drive to the east. Project implementation will require site plan review by the City of Palm Springs Planning and Engineering departments and by the City’s Fire and Police departments. The project will comply with the adopted California Building Code and California Fire Code. These provisions include construction standards for new buildings, road widths and configurations designed to accommodate the passage of fire trucks and engines, and requirements for minimum fire flow rates for water mains. Site specific emergency response requirements include installation of approved automatic fire sprinklers with fire flow rates which are determined on density and intensity of uses. Other measures include the use of fire resistant construction materials such as stucco and fire resistant roof materials to reduce the degree of fire damage. Less than significant impacts are anticipated.

**Mitigation Measures: None**

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

**Discussion:**

The project site is located in a developed area of the City and a portion is surrounded by developed parcels. The immediate vicinity of the project’s site is not adjacent to or intermixed with areas susceptible to wildland fires. The Riverside County RCIP and City of Palm Springs General Plan EIR indicate the project area is not within the Very High Severity Zone, and the site is listed as being in a Non-Very High Fire Hazard Severity Zone on the Cal Fire Map Local Responsibility Area (LRA) Map for Western Riverside County. The project site is not located near or adjacent to any wildfire areas. Less than significant impacts are anticipated.

**Mitigation Measures: None**

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**IX. HYDROLOGY AND WATER QUALITY -- Would the project:**

- a) Violate any water quality standards or waste discharge requirements?

**Discussion:**

The Clean Water Act (CWA) of 1972 establishes regulations pertaining to the discharge of pollutants to waters of the U.S. from point sources. Subsequent amendments to the CWA in 1987 established a framework for regulating non-point source stormwater discharges under the National Pollutant Discharge Elimination System (NPDES). In the State of California, the State Water Resources Control Board (SWRCB) and nine California Regional Water Quality Control Boards (RWQCBs) administer the regulation, protection and administration of water quality pursuant to the NPDES. Their regulations encompass storm water discharges from construction sites, municipal separate storm sewer systems (MS4s), and major industrial facilities. The proposed Project is located within the Whitewater River Watershed in the Colorado River Region (Region 7). The City of Palm Springs is a Permittee of the Whitewater River Watershed MS4. Individual projects, like the proposed development, are required to comply with these existing regulations.

The proposed hotel project will result in a temporary and permanent disturbance area of less than one acre. As a result, it does not reach the 1-acre threshold prompting the requirement of coverage under the State's most current Construction General Permit (CGP) (Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ). However, the project is expected to implement standard construction best management practices to reduce potential impacts to surface water quality during the period of construction. Erosion prevention, good site housekeeping, proper waste management, and proper material handling and storage will be required from the project during construction. These activities will only be allowed within the established project limits (less than one acre). As a standard condition, if unforeseen construction conditions result in an expansion of the temporary disturbed surface area to one acre or greater, the project proponent will be required to implement a Storm Water Pollution Prevention Plan (SWPPP).

During construction, the project will also be required to comply with South Coast Air Quality Management District's (SCAQMD) Rule 403 and 403.1, which prompt the requirement for preparation and implementation of a Fugitive Dust (PM10) Control Plan. Although implementation of the Fugitive Dust Control Plan largely pertains to air quality, it also helps prevent violation of water quality standards and wastewater discharge requirements through the requirement of perimeter controls and soil stabilization measures to prevent sediment erosion and track out. The concurrent implementation of the required SWPPP and Dust Control Plan plans will prevent the potential construction-related impacts to water quality at the site and its surroundings, therefore resulting in less than significant impacts.

The proposed hotel site is located within the confines of the existing Hacienda Cantina & Beach Club, which has previously been improved with engineered on-site storm drain facilities. The system includes multiple drainage inlets and piped conveyances. Any volume of storm water that is not infiltrated or treated within the property is conveyed to the existing Palm Springs Lateral Line 28B, a 48-inch reinforced concrete pipe maintained by Riverside County Flood Control (RCFC) as part of the Revised

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Master Drainage Plan for the Palm Springs Area. The proposed hotel and parking lot will be implemented according to a Precise Grading and Drainage Plan. The preliminary plans identify additional storm drain facilities, including catch basins with filter and infiltration components to handle any additional runoff generated by the project's impervious surfaces. Consistent with the current stormwater management on-site, only runoff in excess of the system's capacity will be conveyed into the existing Line 28B facility. Moreover, the Project proponent will be required to develop and implement a Project-Specific Water Quality Management Plan (WQMP) to comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. The Project-Specific WQMP will identify a strategy of site design, source controls, and treatment controls with a maintenance and monitoring program that, throughout the life of the project, will address post-construction runoff quality and quantity. The site plan, grading, and storm drain design of the project will be factored in the Project-Specific WQMP development. Less than significant impacts are anticipated.

**Mitigation Measures: None**

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:**

The Desert Water Agency (DWA) is the primary domestic water supplier for the City of Palm Springs and the project area, which includes the Hacienda Cantina & Beach Club. DWA operates according to an Urban Water Management Plan (2011 UWMP) to help plan for current and future water demands. Project implementation of 66 hotel rooms, parking lot facilities, and modifications to the existing restaurant will result in an incremental increase in the use of water resources in an area that has been planned to encourage visitor accommodations and services. The proposed development will be expected to implement water conservation measures to reduce impacts to public water supplies. These measures include low-flow plumbing fixtures and drought-tolerant (native) outdoor landscaping. The project site presently does not host any groundwater recharge facilities and will not disturb any area within the Whitewater River Flood Plain that could alter natural, in-river recharge patterns. Less than significant impacts are anticipated.

**Mitigation Measures: None**

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

**Discussion:**

The project is located within a commercial plaza that does not have any existing natural drainages, such as streams or rivers that would be affected through an alteration or increase in erosion or siltation, on- or off-site. Presently, the pattern of runoff in the project area is governed by the existing engineered improvements that include surface and piped conveyances into the existing underground Lateral Line 28B of the Master Drainage Plan for the Palm Springs Area.

The proposed hotel and parking lot facilities will result in a conversion of pervious to impervious land cover through the introduction of hardscape, rooftops, and asphalt in an area of less than one acre. Such alteration would typically result in a site-specific increase in the amount and rate of stormwater runoff. To prevent changes to local drainage conditions (patterns, quantities, or velocities) that can potentially result in an increase in erosion and sedimentation impacts, the project will incorporate engineered storm drain facilities. The proposed precise grading and drainage design will dictate the conveyance (surface and piped flows) from the project's impervious land cover into multiple inlets equipped with filtration and infiltration features to promote dewatering. The design will allow for the distribution of runoff with the intent to reduce or manage velocity, concentration, and quantity of runoff. The design and maintenance of these facilities, along with non-structural source control measures, will be reflected in a Project Specific WQMP, which will be subject to review and approval by the City Engineer. As a result of these improvements, the Project will not result in storm runoff discharge conditions that would impact the existing stormwater drainage system, any local drainage courses, or result in any substantial increases in erosion or siltation. Less than significant impacts are anticipated.

**Mitigation Measures: None**

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

**Discussion:**

The project area does not have any existing natural drainages, such as streams or rivers. Presently, the pattern of runoff in the project area is governed by the existing engineered improvements that include surface and piped conveyances into the existing underground Lateral Line 28B of the Master Drainage Plan for the Palm Springs Area. Line 28B and the subsequent Line 28 are designed to convey storm

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flows into the existing Tahquitz Creek Flood Control Channel to the northeast. The project of less than one acre will include the necessary storm drain facilities to properly manage the storm water runoff generated on-site. Any runoff volume and rate in excess of the system's capacity will be conveyed into the existing Lateral Line 28B of the Master Drainage Plan for the Palm Springs Area. The project's relatively small area and incremental increases in imperviousness are not expected to result in surface runoff conditions that would result in flooding on- or off-site. Less than significant impacts are anticipated

**Mitigation Measures: None**

- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

**Discussion:**

The project proponent is required to prepare and submit a Project-Specific WQMP for review and approval by the City Engineer prior to issuance of a grading or building permit. The WQMP addresses the implementation of operational best management practices necessary to accommodate project runoff and to comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit.

The Project-Specific WQMP will identify the necessary site design, source controls, and treatment controls with a maintenance and monitoring program that throughout the life of the project will address post-construction runoff quality and quantity. The site plan, grading design and storm drain design are factored in the Project-Specific WQMP development. Through this required compliance, the project helps prevent impacts to the local receiving waters and avoids project violations to the established water quality standards and waste discharge requirements. The Project-Specific WQMP also outlines the required maintenance practices necessary to ensure that the water quality facilities remain effective during the life of the project. Less than significant impacts relative to the substantial degradation of water quality are expected.

**Mitigation Measures: None**

- f) Otherwise substantially degrade water quality?

**Discussion:**

The project is expected to reduce potential impacts to water quality by complying with the relevant regulatory programs during construction and throughout the life of the project (operation). Compliance will involve the development of detailed plans to demonstrate the appropriate implementation, recordkeeping and monitoring activities that address the water quality objectives and prevent any violations.

Potentially Significant Impact

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Less Than Significant Impact

No Impact

The proposed project is expected to implement standard construction best management practices to reduce potential impacts to surface water quality during the period of construction. Erosion prevention, good site housekeeping, proper waste management, and proper material handling and storage will be required from the project during construction within the project confines. Any discharge of non-stormwater flows from the site, such as sediment-laden runoff, is prohibited. As a standard condition, if construction conditions result in an expansion of the temporary disturbed surface area to one acre or greater, the project proponent will be required to implement a Storm Water Pollution Prevention Plan (SWPPP).

As previously discussed, the development and implementation of operational best management practices pursuant to a Project-Specific WQMP will comply with the most current standards of the Whitewater River Region Water Quality Management Plan for Urban Runoff and the Whitewater River Watershed MS4 Permit. The Project-Specific WQMP will identify a strategy of site design, source controls, and treatment controls with a maintenance and monitoring program to address post-construction runoff quality and quantity. Therefore, the project helps prevent impacts to the local receiving waters and avoids project violations to the established water quality standards and waste discharge requirements. Less than significant impacts relative to the substantial degradation of water quality are expected.

**Mitigation Measures: None**

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

**Discussion:**

The proposed project does not involve permanent housing facilities, but will involve transient occupancy by guests. The Federal Emergency Management Agency (FEMA) evaluates potential flood hazards for the City. The FEMA Flood Insurance Rate Maps (FIRMs) serve as the basis for identifying those potential hazards and determining the need for and availability of federal flood insurance. According to FIRM panel 06065C1566G, effective August 28, 2008, the entire project and its immediate surroundings are located in an area subject to the 0.2 percent annual chance flood (Zone X Shaded). Based on the FIRM definition, this zone applies to areas protected from the 1-percent-annual-chance flood by a levee, areas within the 0.2-percent-annual-chance floodplain, areas of the 1-percent-annual-chance flooding where average depths are less than 1 foot, areas of 1-percent-annual-chance flooding where the contributing drainage area is less than 1 square mile. No Base Flood Elevations or depths are shown within this zone. Stormwater runoff generated by the project would be managed by a storm drainage system that ties into existing facilities within the City's Master Drainage Plan. The proposed improvement plans will be subject to agency review and approval to ensure that the proposed grading and drainage conditions are acceptable to the City's standards. Development of the project will not place structures or housing within a 100-year flood hazard area. Less than significant impacts are anticipated.

**Mitigation Measures: None**

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

**Discussion:**

As previously mentioned, the proposed hotel and parking lot facilities will be implemented within an existing commercial plaza, which is not located within a 100-year flood hazard area; therefore, the project would not impede or redirect 100-year food flows. No impacts are anticipated.

**Mitigation Measures:** None

- i) Expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam?

**Discussion:**

Flood and dam inundation hazards within the City are identified in the Safety Element of the Palm Springs General Plan. Specifically, the Flood Hazards map (Figure 6-5) identifies a series of zones that are prone to inundation hazards. The project is located outside of the Tachevah Creek Detention Reservoir Dam failure inundation pathway. Therefore, the project will not introduce people or structures in an area with risk of flooding resulting from the failure of a levee or dam. No impacts are anticipated.

**Mitigation Measures:** None

- j) Inundation by seiche, tsunami, or muflow?

**Discussion:**

The proposed project is not located near a levee or dam. The project site is not located near areas with the potential for inundation by seiche, tsunami, or mudflow. Therefore, no impacts are expected.

**Mitigation Measures:** None

**X. LAND USE AND PLANNING - Would the project:**

- a) Physically divide an established community?

**Discussion:**

The project site sits on the northern half of a 17-acre parcel within the Plaza del Sol shipping center. The project proposes a 3-story, 66-room hotel adjacent to the now closed Hacienda Cantina & Beach Club. The property is zoned PD-131 with an underlying zoning of C-1(Retail Business). Hotels are permitted in this zone, subject to R-3 (Multi-family Residential & Hotel) development standards. The site is also within the R (Resort) overlay zone, which was established in certain parts of the city to encourage visitor



Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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accommodations and services. Surrounding land uses include various hotel establishments to the north and south, additional hotel and commercial to the east, and high density residential to the west. The proposed project will incorporate the existing restaurant and pool; the west end of the restaurant will be modified to house the hotel lobby, provide meeting spaces and back of house facilities. The east portion of the restaurant will remain as is with a new outdoor patio. The existing pool will be utilized for hotel guest and also open to the public. The proposed project is consistent with the surrounding land uses and the city's Land Use and Zoning designations and would not physically divide an established community. Therefore, no impacts relative to dividing an established community are anticipated.

**Mitigation Measures: None**

- 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?

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**Discussion:**

The project is a 3-story hotel with 66-rooms and zoned PD-131 with an underlying zoning of C-1 (Retail Business). Hotels are permitted in this zone, subject to R-3 (Multi-family Residential & Hotel) development standards. The site is also within the R (Resort) overlay zone, which was established in certain parts of the city to encourage visitor accommodations and services. As previously discussed, the project will incorporate the existing restaurant and pool previously known as the Hacienda Cantina & Beach Club. Minor modifications will be done to the west end of the existing restaurant which will house the hotel lobby, meeting rooms and back of house facilities. The proposed hotel is 3-stories with an approximate height of 34 feet. High-rise buildings up to 100 feet are permitted on Indian Land and in this zone subject to a PD approval. The project will meet the requirements of the R-3 development standards. Its operation and physical characteristics will not conflict with any of the City's land use and zoning or other regulatory policies. The project's location is compatible with the surrounding neighborhood and less than significant impacts are anticipated.

**Mitigation Measures: None**

- e) Conflict with any applicable habitat conservation plan or natural community conservation plan?

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**Discussion:**

As previously stated, the project site is located within an existing commercial center and proposes to construct a 3-story, 66-unit hotel that would incorporate the now vacant Hacienda Cantina & Beach Club. The project lies within the boundary of the Tribal HCP, which outlines policies for conservation of habitats and natural communities. The proposed development is not anticipated to conflict with this

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Habitat Plan. The project will be required to pay the THCP Valley Floor Planning Area fee, which helps supports the acquisition of conservation lands to permanently protect and manage Coachella Valley threatened or endangered species. Based on these provisions, the applicable fees would be collected prior to issuance of building permit. Since the project will comply with the THCP, no impacts are expected to result from project implementation.

**Mitigation Measures: None**

**XI. MINERAL RESOURCES -- Would the project:**

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

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**Discussion:**

In accordance with the Surface Mining and Reclamation Act of 1975 (SMARA), mineral land classification maps and reports have been developed to assist in the protection and development of mineral resources. Local agencies, including the City of Palm Springs, utilize the existing information on mineral classifications for land use and plan development and decision making.

According to the Palm Springs General Plan the project and its surroundings are located within the Mineral Resource Zone 3 (MRZ-3), which applies to areas where the significance of mineral deposits cannot be evaluated from the available data. The project is located in an existing commercial setting surrounded by other commercial and residential development; therefore, project implementation would not result in the loss of any known mineral resources that are considered important to the Coachella Valley Regions or residents of California. No impacts are expected related to the loss of availability of known mineral resources.

**Mitigation Measures: None**

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

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**Discussion:**

Mineral resources that are known to exist in the Coachella Valley region primarily consist of sand and gravel (aggregate) typically deposited along and near local drainages. Aggregate material is deemed necessary to the local building industry as a component of asphalt, concrete, road base, stucco and plaster. Local or regional construction industries tend to be dependent on readily available aggregate deposits within reasonable distance to the market region. The project site is not recognized as a mineral resource recovery site delineated in the County of Riverside General Plan, City of Palm Springs General Plan or the resource maps prepared pursuant to SMARA. No impacts are expected as a result of project implementation.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Mitigation Measures:** None

**XII. NOISE --** Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

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**Discussion:**

Noise is defined as unwanted sound that disrupts normal activities or that diminishes the quality of the environment. It is usually caused by human activity that adds to the existing acoustic setting of a locale. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). Everyday sounds normally range from 30 dB (very quiet) to 100 dB (very loud). The human ear does not respond uniformly to sounds at all frequencies, being less sensitive to low and high frequencies than to medium frequencies that correspond with human speech. In response to this, the A-weighted noise level or scale has been developed to correspond better with peoples' subjective judgment of sound levels. This A-weighted sound level is called the "noise level" referenced in units of dB(A). Noise levels in the City's General Plan are quantified on the basis of the Community Noise Equivalent Level (CNEL), which is a measurement scale that sets appropriate levels of noise based on land use types. CNEL is a 24 hour weighted scale that considers the more sensitive time periods in the evenings and at night, and weights them accordingly. Sensitive receptors, such as residences and schools, have a lower acceptable CNEL level than commercial or business park noise levels.

Goals and policies regarding land use compatibility with noise are identified in the Noise Element of the Palm Springs 2007 General Plan. The Noise Element contains guidelines for land use compatibility with various community noise exposure levels to permit noise concerns to be incorporated in the land use planning process and prevent future noise incompatibilities. Community noise levels are identified as "normally acceptable", "conditionally acceptable", "normally unacceptable", or "clearly unacceptable" for each land use category. Hotel uses are considered normally acceptable in areas where the exterior noise exposure does not exceed 65 CNEL, conditionally acceptable where the community noise exposure does not exceed 70 CNEL, normally unacceptable where noise exposure does not exceed 80 CNEL and clearly unacceptable where noise exposure levels exceed 80 CNEL. For hotel uses, the noise levels in interior habitable areas cannot exceed 45 dBA CNEL. The City's General Plan also provides a variety of collected data and modeled noise impacts, some of which are represented in the projected noise contours for the City's roadways and freeways at General Plan buildout. Motor vehicle traffic generally represents a major source of continuous noise due to engine vibration, exhaust system and the interaction of tires with the roadway. The noise produced along a roadway is influenced by traffic volume, average speed and the percentage of trucks in the traffic composition.

The proposed project involves a 66-room, 3-story hotel building to an existing development known as Hacienda Cantina & Beach Club, within the Plaza del Sol commercial center. The hotel site is located at the southwest corner of Morongo Road and South Palm Canyon Drive. Existing uses on the north side of Morongo Road include a hotel (Cambridge Inn) and a recreational vehicle park (Parkview Mobile

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Estates). Uses on the east side of South Palm Canyon Drive include a hotel (Musicland Hotel) and other commercial establishments. The existing uses to the south, within the Plaza del Sol, include a parking lot and a retail store (Stein Mart). The west side of Belardo Road is developed with residential uses, particularly Tahquitz Mesa Villas (apartments) and Dakota (single-family).

The project site exposed to noise levels by the surrounding uses, principally traffic noise from South Palm Canyon Drive where the posted speed limit is 40 miles per hour. According to the project-specific Focused Traffic Analysis, the existing average daily traffic volume for South Palm Canyon Drive is twenty-two thousand vehicles per day. The City's General Plan daily traffic conditions forecast indicate a 2025 Average Daily Traffic of twenty-two thousand vehicles per day for South Palm Canyon Drive. Based on the General Plan Noise Element's Future Roadway Community Noise (2025) Equivalent Level (CNEL) Noise Contours (Figure 8-5), the proposed hotel site is located between the 60 and 65 CNEL noise contour associated with those traffic conditions. The existing noise level is therefore considered an existing normally acceptable noise condition for hotel uses because it does not exceed 65 CNEL. Based on the project-specific Focused Traffic Analysis, the proposed project is expected to contribute approximately one hundred daily trips to South Palm Canyon Drive and three hundred trips along Morongo Road between South Palm Canyon Drive and the project's north driveway. The project would not contribute increases in traffic volume adjacent to sensitive land uses. Buildings with standard construction usually achieve an outdoor to indoor noise reduction of between 20 and 25 dB. Therefore it is expected that the hotel uses will have an acceptable indoor noise environment and that existing buildings will not be subject to increases in noise exceeding the indoor standards.

The construction activities of the Project are expected to generate a short-term noise increases compared to the existing levels. Two types of noise impacts are anticipated during future construction activities. First, the transport of workers and equipment to the site would incrementally increase noise levels along the local roadways leading to and from the site. Second, the noise will be generated by the actual on-site construction activities. The loudest construction noise is generally the grading phase, when more heavy equipment is used more consistently on a site. Noise levels are periodic and decrease significantly with distance, thus having less impact on sensitive receptors at greater distances.

The potential for off-site noise impacts are further reduced by the Palm Springs Noise Ordinance (Municipal Code Section 11.74.041) and the Palm Springs Construction Site Regulations (Chapter 8.04.220). The Construction Site Regulations outlined in Municipal Code Chapter 8.04.220, limit the hours of construction work between 7:00 am and 7:00 pm Mondays through Fridays, 8:00 am to 5:00 pm Saturdays, and no work is permitted on Sundays and Holidays. In addition to the construction hour limitations, the following common industry standard practices will help reduce short-term noise impacts: All construction equipment, fixed or mobile, should be equipped with properly operating and maintained mufflers and the engines should be equipped with shrouds.

Only approved haul routes shall be used to minimize exposure of sensitive receptors to potential adverse levels from hauling operations. All construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires. Construction activities will be limited to the hours prescribed in the City Noise Ordinance, which are limited to the less sensitive daytime hours.

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Active work areas must be properly delineated to prevent construction-related circulation from occurring beyond the permitted areas or in unpermitted access points. The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all project construction. With these practices in place, no violations of the existing noise standards are anticipated.

Operation of the proposed hotel is expected to marginally increase the noise levels in the existing establishments. The Hacienda Cantina & Beach Club previously has operated with permitted live entertainment activities (musicians and DJs) in the wall-confined outdoor recreation area. While the entertainment activities represented an existing source of ambient noise, these were subject to various restrictions to ensure that the hours of operation and sound systems complied with the City’s Noise Ordinance. For example, the previously allowed hours of live music entertainment in the pool area were limited to the hours of 8:00 AM to 6:00 PM seven days a week. All instruments were required to have limited amplification. All amplification equipment was required to be oriented away from residential communities. Noise levels were required to be maintained to a level where customers could conduct a normal conversation.

The activities were subject to the City’s Noise Ordinance, which included a limit of 60 dBA from 7:00AM to 6:00PM, 55 dBA from 6:00PM to 10:00PM and 50 dBA from 10:00PM to 7:00 AM. The existing establishment is presently closed, but is anticipated to resume operations after project implementation. It is expected that if future live entertainment activities resume at the complex and outside of the proposed hotel, they will be subject, at a minimum, to the previously established restrictions pertaining to noise. Independent of the visitor activities and live music events, the proposed hotel will operate with a management team that would establish the appropriate activity restrictions to prevent Noise Ordinance violations and disturbances to guests. Moreover, the proposed three-story hotel structure would function as an informal noise barrier between the outdoor recreation area activities on the east side of the structure, and the existing properties located west of the hotel. Less than significant impacts are anticipated.

**Mitigation Measures: None**

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

**Discussion:**

Groundborne vibration, also referred to as earthborne vibration, can be described as perceptible rumbling, movement, shaking or rattling of structures and items within a structure. Groundborne vibration can generate a heightened disturbance in residential areas. These vibrations can disturb structures and household items while creating difficulty for residential activities such as reading or other tasks. Although groundborne vibration is sometimes perceptible in an outdoor environment, it is not generally deemed a problem as it is when this form of disturbance is experienced inside a building. Groundborne vibration can be measured in terms of amplitude and frequency or vibration decibels (VdB). Trains, buses, large trucks and construction activities that include pile driving, blasting, earth moving and heavy vehicle operation commonly cause these vibrations. Other factors that influence the

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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disturbance of groundborne vibration include distance to source, foundation materials, perimeter controls, soil and surface types.

Construction of the project within the existing Plaza del Sol will involve the temporary operation of vehicles and equipment that could result in localized, short-term vibration increases during the permitted hours of construction established by the City. All construction equipment staging will be located within the temporary construction limits in the existing Plaza del Sol while vehicular and equipment access to the construction site would be restricted to only the approved points that minimize disturbance to local traffic. After construction and during operation, the proposed hotel development would not typically involve activities that would be expected to generate excessive vibration impacts. The live entertainment activities that have previously occurred in the Hacienda Cantina & Beach Club have been subject to activity restrictions pertaining to hours of operation and limited sound amplification to comply with the City's Noise Ordinance. Adherence to the City's Noise Ordinance will continue to be a measure to restrict noise and vibration generation resulting from the future operations. Moreover, it is anticipated that future hotel management will implement the necessary live activity restrictions and policies to prevent guests from being exposed to vibration disturbances during sensitive hours. Less than significant impacts are anticipated.

**Mitigation Measures: None**

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

**Discussion:**

Long-term increases in noise resulting from the proposed development are anticipated to be primarily attributed to mobile sources along the access roadways in the Project area. Project-related generation of daily vehicle trips along the local access roadways, Morongo Road to the north and South Palm Canyon Drive to the east, are expected to result in an incremental increase in ambient noise. Ambient noise will also be attributed to vehicular circulation within the existing commercial plaza parking lot areas. The permanent hotel operations are not expected to contribute a substantial permanent increase in noise levels. Less than significant impacts are anticipated.

**Mitigation Measures: None**

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

**Discussion:**

Project implementation would result in short-term increases in noise levels during construction of the proposed project. However, the City's Municipal Code limits the time period that construction activities may occur, as specified by the City's Noise Control Ordinance. Construction is expected to occur only during the less sensitive daylight hours, when construction noise is less perceptible.

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The proposed hotel and supporting facilities will be situated within an existing establishment that has previously been permitted to accommodate live music entertainment in a pool area enclosed by a wall and landscaping. These visitor accommodations have resulted in periodic events that result in noise increases during established hours. However, these events have been subject to compliance with the City's Noise Ordinance. It is expected that if future live entertainment activities resume at the complex and outside of the proposed hotel, they will be subject to all established ordinances pertaining to noise. Coordination will be required to ensure that the premises and events conform to all applicable regulations of the Palm Springs Zoning Ordinance, including matters pertaining to the City's Noise Ordinance. Independent of the periodic live events, the proposed hotel will operate with a management team with the task of implementing the appropriate activity restrictions and policies to prevent excessive temporary, periodic, or impulsive noise increases and to maintain an inviting setting for guests and the surroundings. The City of Palm Springs has the authority to place and enforce restrictions on private activities that generate excessive or intrusive noise. With the required compliance, less than significant impacts are anticipated.

**Mitigation Measures: None**

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

**Discussion:**

The project is located approximately 2.2 miles from the Palm Springs International Airport and is located outside of the 70, 65 and 60 CNEL noise contours associated with this facility. Furthermore, the Palm Springs Airport Land Use Plan does not identify the project as being within its planning area. Less than significant impacts are expected.

**Mitigation Measures: None**

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**Discussion:**

The project is not located within the vicinity of a private airstrip. No impacts are expected

**Mitigation Measures: None**

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XIII. POPULATION AND HOUSING – Would the project:**

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

**Discussion:**

The project applicant seeks an amendment to the existing Planned Development Permit (PDP 131) to construct a 66-room, 3-story hotel adjacent to the former Hacienda Cantina & Beach Club. Project implementation would involve removing the existing bocce courts adjacent to the pool and replacing them with the 29,172 square foot hotel. The west side of the restaurant will be remodeled to house the hotel’s lobby, meeting space and back of house facilities. The project does not include the construction of any new residential units. The project complies with the existing zoning and surrounding land uses and is expected to be developed in a single phase and provide employment to approximately 40 employees. The proposed project may encourage relocation for employment; however, the number of employees would be relatively minor. As previously stated, the project does not have a residential component and no new extensions of roads or other infrastructure will be associated with the project. Therefore, no impacts to population growth are anticipated.

**Mitigation Measures: None**

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

**Discussion:**

The project site is located in the northeast corner of a 17-acre parcel designated by the General Plan and Zoning for commercial use and is part of the Plaza del Sol shopping center. There are no residential uses on the project site and the project does not propose any residential uses that would necessitate the construction of replacement housing. No impacts relative to displacing existing housing are expected.

**Mitigation Measures: None**

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**Discussion:**

The proposed project will not involve demolition activities of existing structures or residences. There are no residential properties or complexes on the 17-acre parcel. No replacement housing will be required. Therefore, no impacts are anticipated.

**Mitigation Measures: None**



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**XIV. PUBLIC SERVICES**

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?                                                                                       

**Discussion:**

The Palm Springs Fire Department (PSFD) provides a full range of fire protection services 24 hours a day 7 days a week. The department operates four fire stations that cover 96 square miles with a daily staff of 16 firefighters. The stations are strategically located throughout the City to maintain the standard response time of five minutes or less. The nearest station to the project site is Station No. 444, located at 1300 S. La Verne Way and is approximately 1.4 miles away. This station primarily covers the south portion of the city and per communication with PSFD, would be the first responder to the project site. This station is equipped with two fire engines and one quick attack; the station is staffed with one firefighter, one engineer and one Captain.

The PSFD also maintains cooperative mutual aid agreements with Cal/Fire and Cathedral City Fire Department, to assist in suppressing fire or controlling emergency incidents. Mutual-aid is an agreement among emergency responders to lend assistance across jurisdictions provided resources are available and is not to the detriment of their own service areas.

The proposed hotel will increase the demand for fire services; however, due to the close proximity of fire services to the project site, and the projects various points of access, adequate response times of 5-minutes or less would be met.

The project will be required to implements all applicable and current California Fire Code Standards and shall be reviewed and approved by City and Fire officials to ensure adequate fire service and safety as a result of project implementation. Therefore, less than significant impacts are anticipated.

**Mitigation Measures: None**

Police protection?                                                                                       

**Discussion:**

Police services are provided to the City by the Palm Springs Police Department (PSPD). The department currently has 93 sworn police officer positions, which includes the Chief, 2 Captains, 4 Lieutenants, 14 sergeants, and 72 officers. The PSPD is headquartered at 200 South Civic Drive and also has a Downtown substation for bicycle patrol at 105 S. Indian Canyon Drive.

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The project proposes a 3-story, 66-unit hotel room which would increase the demand for police services; however, this demand is not expected to hinder the City's ability to provide police protection and emergency services. The project provides emergency vehicle access points, and ample lighting. Additionally, it will be designed with defensible space components which will aid with the security of the project. Furthermore, the project design will undergo review by City and Police staff to ensure adequate service and service times are met. Therefore, less than significant impacts are anticipated.

**Mitigation Measures: None**

Schools?

**Discussion:**

The proposed project lies within the Palm Springs Unified School District (PSUSD). Development of the project would not create a direct demand for school services. The project is proposing a 3-story, 66-unit hotel, employment generated by the project would not be expected to draw a substantial number of new residents that would generate school age children requiring public education. Although the project will not add to the demand of school services, the project proponent will pay the required developer fee in place at the time of permits to PSUSD. Less than significant impacts to school services are expected.

**Mitigation Measures: None**

Parks?

**Discussion:**

The City of Palm Springs owns and maintains approximately 156 +/- acres of parkland and has a mix of specialty parks, local parks and neighborhood and community parks. As previously discussed, the project proposes a 3-story, 66-room hotel, and would incorporate the existing pool of the former Hacienda Cantina & Beach Club. The pool will be available to hotel guests and open to the public. The proposed project would not create additional demand for public park facilities, nor result in the need to modify existing or the construction of new park facilities. No impacts are expected to parks.

**Mitigation Measures: None**

Other public facilities?

**Discussion:**

No increase in demand for government services or other public facilities is expected beyond those discussed in this section. No impacts are expected.

**Mitigation Measures: None**

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XV. RECREATION**

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

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**Discussion:**

As previously discussed the project proposes a 3 story, 66-room hotel. It is surrounded on all sides by commercial and residential uses. No residential land uses are proposed and employment generated by the project would not cause a substantial increase to the existing neighborhoods or regional parks. No impacts related to the increased use of existing neighborhood and regional parks or other recreational facilities are expected.

**Mitigation Measures:** None

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:**

The construction of the hotel within the commercial shopping center will not involve a recreational facility. No construction or expansion of other recreational facilities is required for project implementation and not impacts are anticipated.

**Mitigation Measures:** None

**XVI. TRANSPORTATION/TRAFFIC -- Would the project:**

- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system(i.e., result in a substantial increase in the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:**

According to the Belardo Hotel Project Focused Traffic Analysis prepared by Kunzman Associates, the proposed development is projected to generate approximately 589 daily vehicle trips, 45 of which will occur during the morning peak hour and 47 of which will occur during the evening peak hour.

The proposed Hotel development is expected to result in an increase in the use of local circulation system compared to the current inactive condition of the Hacienda Cantina & Beach Club. However the

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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proposed project will be located within an existing commercial center and will repurpose a previously active restaurant into the hotel lobby, restaurant and meeting rooms. The Focused Traffic Analysis indicates that the study area intersections are currently operating at acceptable levels of service (LOS) and will continue to operate at acceptable levels following construction of the project.

The Focused Traffic Analysis provides the following adjacent roadway improvement recommendations that reflect standard conditions:

Construct South Palm Canyon Drive from Morongo Road to Sonora Road at its ultimate half-section width as a Major Thoroughfare (100 foot right-of-way) including landscaping and parkway improvements in conjunction with development, as necessary.

Construct Morongo Road from the west project boundary to South Palm Canyon Drive at its ultimate half section width as a Collector (60 to 66 foot right-of-way) including landscaping and parkway improvements in conjunction with development at necessary.

The Traffic Analysis additionally states that as is the case for any roadway design, the City of Palm Springs should periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory.

Improvement plans will be reviewed and approved by the City of Palm Springs prior to issuance of the grading permit. Following implementation of standard conditions impacts are anticipated to be less than significant.

**Mitigation Measures: None**

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or Highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:**

The Riverside County Transportation Commission (RCTC) is the appointed county congestion management agency for the County of Riverside. The 2011 Congestion Management Program (CMP) is set forth to directly link land use, transportation, and air quality, thereby prompting reasonable growth management programs that will effectively utilize new transportation funds, alleviate traffic congestion and related impacts, and improve air quality.

In coordination with the Congestion Management Program (CMP), the Coachella Valley Association of Governments (CVAG) has implemented a valley-wide traffic monitoring program. Traffic count information obtained in CVAG's 2011 Traffic Census Report in conjunction with the CMP data indicates that there are no deficiencies near the project. Project implementation is not anticipated to conflict with the implementation or performance of the regional CMP.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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As mentioned previously, the Focused Traffic Analysis indicates that the study area intersections are currently operating at acceptable levels of service (LOS) and will continue to operate at acceptable levels following construction of the project. Less than significant impacts are anticipated.

**Mitigation Measures: None**

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

**Discussion:**

The proposed project is not of such a size or nature to cause noticeable changes in air traffic levels, patterns or a change in traffic location. The development of the proposed project will have no impact on the facilities or operations of regional airports, and will not result in a change in air traffic patterns, including an increase in traffic levels. The project is located more than 2 miles southwest of the Palm Springs International Airport. The proposed development will not affect the operations of the airport nor create substantial safety risks. No impacts are anticipated.

**Mitigation Measures: None**

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**Discussion:**

The project site plan has been incorporated into an existing Commercial development and has been designed according to City standards. It provides a private internal circulation system without sharp curves or dangerous intersections that is subject to review and approval by the City Traffic Engineer during standard City review processes. The project entry consists of a two existing primary access points. The northern access is provided on Morongo Road, while the eastern boundary provides the 2<sup>nd</sup> primary access on South Palm Canyon Drive. Automobiles would be the main vehicle type generated by the project, which is consistent with the existing traffic in the area. Consequently, the project design will not substantially increase vehicular hazards.

City design guidelines will be considered for the development of the proposed project not to create a substantial increase in hazards due to a design feature. As indicated within the Focused Traffic Analysis, site distance at the project accesses shall comply with standard California Department of Transportation and City of Palm Springs site distance standards. The final grading, landscaping and street improvement plans shall demonstrate that site distance standards are met. Such plans must be reviewed by the City and approved prior to issuance of grading permits.

Proposed parking and circulation plans will be reviewed by the Fire and Police Departments to assure that driveways and roads are adequate for emergency vehicles. A construction plan will be required to

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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assure that the project does not interfere with emergency access during construction activities. Less than significant impacts are expected.

**Mitigation Measures: None**

e) Result in inadequate emergency access?                                                                     

**Discussion:**

The project has been reviewed by the Palm Springs Fire and Police Departments as a standard part of the City’s review process. Access points comply with emergency access requirements. Review and approval of the site design by these agencies insure that impacts related to emergency access are less than significant.

As mentioned in the Focused Traffic Analysis, on-site signing and striping should be implemented in conjunction with detailed construction plans for the project site. Following review and approval of access elements, less than significant impacts are anticipated.

**Mitigation Measures: None**

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?                                                                     

**Discussion:**

The project is not expected to conflict with the adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities.

SunLine Transit operates bus routes along South Palm Canyon Drive and will provide public transit access to the proposed project. The use of local transit services by future project users is expected to be a less than significant impact. The project design is not anticipated to decrease the performance or safety of public transit, bicycle, or pedestrian facilities.

The proposed project would improve pedestrian mobility by incorporating internal sidewalks and pedestrian walkways within the project site. These would be reviewed and constructed in conformance with City safety standards.

These and other improvements resulting from the project are expected to enhance, rather than obstruct or conflict with, the City’s established goals on bicycle transportation or with any existing facilities. Less than significant impacts are anticipated.

**Mitigation Measures: None**

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

**XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:**

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

**Discussion:**

The project falls under the Desert Water Agency (DWA) sewer service area. Public sewer and water is provided to the project area by DWA. The project is currently served by existing infrastructure served by a 24" sewer main located in S. Palm Canyon Drive along the project frontage. DWA contracts with Veolia North America for wastewater treatment. The company operates a 10.9-MGD trickling-filter wastewater treatment plant, five pump stations and 265 mile collection system. The project proposes a 66-room hotel with parking facilities and a minor modification of the existing restaurant. Wastewater generated by the project is expected to be minimal and would not exceed wastewater treatment requirements of the State Regional Water Quality Control Board (SRWQCB) (Colorado River Basin). In addition, City and other local and governmental agency review will ensure compliance with all current and applicable wastewater treatment requirements. Less than significant impacts are expected.

**Mitigation Measures: None**

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

**Discussion:**

Desert Water Agency (DWA) provides domestic water and wastewater service in the project vicinity. The site is currently utilized as the Plaza del Sol shopping center and is served by existing utilities. The project proposes to connect to the existing infrastructure and will undergo review by DWA and City staff to ensure wastewater capacity and compliance with the current wastewater treatment requirements. Additionally, sewer installation, and connection fees in place at the time of development will be collected by DWA. No new or expanded treatment facilities are anticipated from project implementation. Less than significant impacts are expected from project implementation.

**Mitigation Measures: None**

- c) 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?

**Discussion:**

The City of Palm Springs and the Riverside County Flood Control District are responsible for the management of regional drainage in the area, including streams, tributaries, and areas that experience significant sheet flow flooding. Both entities are authorized to conduct flood control planning and

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Impact

construction of drainage improvements. The City of Palm Springs conducts flood control in accordance with its Master Drainage Plan. According to FIRM panel 06065C1566G, effective August 28, 2008, the entire project and its immediate surroundings are located in an area subject to the 0.2 percent annual chance flood (Zone X Shaded). Based on the FIRM definition, this zone applies to areas protected from the 1-percent-annual-chance flood by a levee, areas within the 0.2-percent-annual-chance floodplain, areas of the 1-percent-annual-chance flooding where average depths are less than 1 foot, areas of 1-percent-annual-chance flooding where the contributing drainage area is less than 1 square mile. No Base Flood Elevations or depths are shown within this zone. Stormwater runoff generated by the project would be managed by a storm drainage system that ties into existing facilities within the City's Master Drainage Plan. The proposed improvement plans will be subject to agency review and approval to ensure that the proposed grading and drainage conditions are acceptable to the City standards. Therefore, less than significant impacts are expected.

**Mitigation Measures: None**

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

**Discussion:**

The Desert Water Agency is the primary domestic water supplier for the City of Palm Springs. DWA currently provides potable water to the City of Palm Springs and the project site. DWA operates 29 wells and 359 miles of pipeline and serves about 71,000 people. The agency utilizes 28 reservoirs with the capacity to store 59 million gallons. Project implementation of 66 hotel rooms, parking lot facilities, and modifications to the existing restaurants will result in an incremental increase in the use of water resources. The proposed hotel will connect into existing infrastructure without the need for off-site line extensions, and the project will comply with the existing water management program in place. Therefore, no new infrastructure will be required as a result of project implementation and less than significant impacts are expected.

**Mitigation Measures: None**

- e) 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?

**Discussion:**

As discussed previously, the project will receive sanitary sewer service from the City of Palm Springs. The project will connect to existing infrastructure in the area; wastewater is transported to Veolia North America's treatment plant at 4375 E. Mesquite Drive. This facility operates a 10.9 MGD trickling-filter wastewater treatment plant, five pump stations and 265 mile collection system. Service demand generated by the proposed project is expected to be incremental and not anticipated to significantly



Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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impact the demand for wastewater treatment. Sewer connection fees and other facility fees would be collected to aid in financing any needed capacity solutions. Therefore, less than significant impacts are anticipated.

**Mitigation Measures: None**

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

**Discussion:**

Solid waste disposal and recycling services for the City of Palm Springs are provided by Palm Springs Disposal Services. Waste collected from the proposed project will be hauled to the Edom Hill Transfer Station. Waste from the Edom Hill Transfer Station is currently transported to the Lambs Canyon Landfill. The Lambs Canyon Landfill is permitted by the California Department of Resources Recycling and Recovery to accept 5,000 tpd of solid waste. The Lambs Canyon Landfill has a permitted total capacity of 33,041,000 cubic yards with an estimated permitted closure date of April, 2021. Less than significant impacts are anticipated as a result of project implementation.

**Mitigation Measures: None**

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

**Discussion:**

The City of Palm Springs has a franchise agreement with Palm Springs Disposal Services to serve the solid waste disposal needs of the City, including this project. All solid waste activities are carried out in compliance with the State, Federal and local statutes regulating solid waste. The project is not anticipated to hinder or impede future compliance. Temporary construction activities are also regulated by federal, state and local statutes and are expected to abide by these requirements. No impacts are expected relative to solid waste statutes and regulations.

**Mitigation Measures: None**

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:**

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

**Discussion:**

As concluded in the Biological and Cultural Resources sections of this document, the proposed project expansion would result in no impacts or less than significant impacts to these resources. The project is compatible with the City of Palm Springs General Plan land use designation and its surroundings. The project will not significantly degrade the overall quality of the region's environment, or substantially reduce the habitat of a wildlife species, case a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare of endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. No impacts are expected.

**Mitigation Measures: None**

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

**Discussion:**

The proposed project and its location is found to be adequate and consistent with existing federal, state and local policies and is a consistent land use with the City of Palm Springs General Plan and Zoning. Approval and implementation of the proposed project will result in less than significant impacts related to cumulatively considerable impacts.

**Mitigation Measures: None**

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Discussion:**

The proposed project will not result in impacts related to environmental effects that will cause substantial adverse effects on human beings. The project has been designed to comply with established design guidelines and current building standards. The City's review process will ensure that applicable guidelines are being followed. Standard conditions and project design features incorporated into the project will reduce impacts to less than significant.

**Mitigation Measures:** None

# Attachment 4

121 Prefontaine Pl. S.  
Seattle WA 98104



CHRIS PARDO DESIGN  
ELEMENTAL ARCHITECTURE

1555 S Palm Canyon Drive Suite D202  
Palm Springs CA 92262

## JUSTIFICATION LETTER

February 18, 2016

CITY OF PALM SPRINGS  
Department of Planning Services  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

"The Belardo Hotel"  
APN 513-300-038  
Palm Springs, CA

"The Belardo Hotel" is an addition of a 66 room, 3 story, 29,712 Sq. Ft. hotel building to an existing project known as the Hacienda Beach Club and Cantina. The hotel is located at 1555 S Palm Canyon Dr. Palm Springs, CA 92264 on the corner of Palm Canyon Dr. and Morongo Rd. in Palm Springs. Currently, the restaurant and the pool, cabanas, and bocce courts are closed. The hotel will be built where the bocce courts are exist today. The existing restaurant building and pool areas to remain. The existing building will be modified on the West end to accommodate the hotel lobby, meeting spaces, and B.O.H. The East portion of the existing building to remain a restaurant with new outdoor patio. The proposed hotel consists of 66 350 SQ. Ft. rooms. Each room will have its own private balcony. Half of the rooms face the mountains and the other half faces the pool. Since the existing Bocce courts will be demolished, a new bocce court will be built and is located on the site plan. The existing pool and cabanas will remain. The building's design is: clean and modern with dynamic forms that will fit nicely into the aesthetic of Palm Springs.

We believe that this project provides a healthy and fun destination for vacationers at close proximity to downtown Palm Springs. The architecture is consistent with the modern appeal that Palm Springs is best known for. The Materials are smooth white stucco and anodized aluminum.

The project provides the city with an appealing architecture and uses on a lot that is no longer being utilized. Furthermore, this project provides a new and exciting use with very little impact to the existing site and context.

If there are any questions or further information needed please don't hesitate to contact me.

Thank you for your consideration.

Sincerely,

Daniel Botten  
Chris Pardo Design: Elemental Architecture  
Daniel@elementalarchitecture.com

RECEIVED

FEB 23 2016

PLANNING SERVICES  
DEPT. OF PLANNING

3.39371

# Attachment 5

## Terri Hintz

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**From:** Jay Thompson  
**Sent:** Monday, May 02, 2016 3:37 PM  
**To:** Flinn Fagg; Terri Hintz  
**Subject:** FW: RE-SUBMIT COMMENT LETTER DATED 04.04.16  
**Attachments:** COMMENT LTR 2016.04.04 AAC Pardo Hotel J.Deertrack .pdf

**From:** Judy Deertrack [<mailto:judydeertrack@gmail.com>]  
**Sent:** Monday, May 02, 2016 2:31 PM  
**To:** Jay Thompson  
**Subject:** RE-SUBMIT COMMENT LETTER DATED 04.04.16

Dear Jay:

Please resubmit my earlier letter of April 4th, together with a copy of this email, into the file.

I talked with the planner on this case, and I was told that this hotel lot was not subdivided to create appropriate lot boundaries to run the ratios, measurements, and development standards for the Ordinance 92.04.03 only because (unlike the Downtown Plan - with its subdivided lots) it was not necessary because there were no interior streets running through the hotel.

That isn't the purpose of creating a proper lot for the development. The project description is a 34-foot 66-room hotel! That leaves parking, landscaping, and the hotel itself as the component of this development. THAT is the project, and THAT is what should have determined the lot boundaries. These interior lots need to be subdivided!

Otherwise, the staff report assessment simply classifies this as an amendment to the PDD, and then ignores every operating part of the PDD -- like Hacienda Cantina, and Steinmart, and a bunch of retail, and the remaining (lot??) for another commercial building -- and deals ONLY WITH THE HOTEL AS THOUGH IT IS ISOLATED, AND COMPARES IT TO THE EXTERIOR BOUNDARIES OF THE PDD. So anything goes!

This hotel should have been on a subdivided lot in order to run the ratios on setbacks, stepbacks, height, open space, density, hotel rooms per square footage of the lot -- all of this.

If the City is going to ignore the siting of the hotel and pretend none of these standards have to be met because the outer limits of the PDD is the measuring point -- then we have created an absurdity!

Palm Springs could place fifteen buildings about five feet apart from one another, and logically, every single one of those buildings would be classified as compatible with the R-3 hotel / commercial standards.

AND the Dakota Project is a single family residential that creates a 24-foot height requirement. The Planner told me the SFR standard was not used because a PDD was approved on Dakota. SFR is

- **SFR! What does the PDD permit type have to do with the classification of the residential type for purposes of the height restrictions?!**

**This is embarrassing. This city needs to start operating according to laws and its ordinances, and it is overdue. I want to come in and talk with the Planning Department, and I will be meeting with City Council on this. It has to stop!**

**Judy Deertrack  
760 325 4290**



NEW BUSINESS AGENDA

Judy Deertrack  
1333 South Belardo Road, Apt 510  
Palm Springs, CA 92264

Monday, April 4, 2016

*Item 4*  
*44-16*  
*AAC Mtg*  
*—*

Planning Commission  
City of Palm Springs, CA

**NEW BUSINESS AGENDA ITEM 4. DEVELOP GOOD: CHRIS PARDO DESIGN ON BEHALF OF JOHN WESSMAN (LESSEE) FOR THE CONSTRUCTION OF A 66-ROOM, THREE-STORY HOTEL BUILDING WITHIN THE PLAZA DEL SOL SHOPPING COMPLEX LOCATED AT 1555 SOUTH PALM CANYON DRIVE (CASE 3.3937 MAJ AND 5.0177 PD-131 AMEND). (DN)**

To the Honorable Planning Commission:

I am a resident of the City of Palm Springs. My residence address is at Tahquitz Mesa Villa, on the western boundary of the Project Site, or PDD-131, and I am accordingly within the area of impact of the project.

(1) My first concern is that there have been no meetings with residents that live on the periphery of this project. That omission occurred with the Hacienda Cantina Project, but was corrected upon appeal, and the Developer met with the residents of Tahquitz Mesa Villa, the RV Park to the northwest, and the mobile home park to the north of the project. I am requesting that the City treat both projects similarly, since both projects were processed under PD 131, and immediately arrange for meetings with residents.

(2) The application for a three-story 66-room hotel, with parking and amenities is a MAJOR REVISION to PD-131, and should be handled as such. This project review should entail a complete review of all surrounding projects on the seventeen (17) acre parcel, particularly because the city and the developer chose not to subdivide the lots within the interior of PD-171. Therefore, when calculating the lot sizing, such as open space, parking, set backs, step backs, and floor area ratio, the existence of the other projects are not taken into consideration in the staff report, but are given only cursory review. I encourage the City to use integrated design review, because that certainly impacts its CEQA requirements.

(3) For purposes of height, floor area ratio, open space, density, and view shed impacts, the City and the Developer have chosen not to subdivide the interior lot, but use the exterior boundaries of PD-131 as the lot boundaries. This gives inaccurate and artificial evaluation of density impacts. I highly recommend that the City create interior lot boundaries that reference the actual project description, function, uses, and impacts of the hotel itself. In fact, I question whether this might be legally required in order for the High-Rise Ordinance (93.04) to be effective. The Downtown Project is divided into lots. Upon inquiry, planning staff says that is because the Downtown Plan has interior streets and this does not, but the real issue is whether the failure to subdivide by project function distorts the purpose and function of the limitations on density stemming from the use of the High-Rise Ordinance, or Ord. 93.04.

(4) The City claims that this hotel project allows heights to 100 feet because these are Indian Lands. Although the staff report does not state it is allotted lands, upon verbal request, I was told these are

lands under a Master Lease. However, I question the policy and practice of allowing heights of 100 feet on lands that serve no tribal purpose or lands that do not really involve tribal jurisdiction. It is an irrational standard (equal protection issue) to prohibit height on Indian fee lands (in non-Indian ownership), but set a 100 foot limit on lands that happen to be under a Tribal Master Lease. The distinction is irrational and has no bearing upon land use impacts. They should be handled the same, at the regular general plan standard of 30 feet, before the High Rise Ordinance applies.

(5) The staff report states that building height under Ord. 93.04 is affected by proximity to low density residential. The Dakota Project is classified as R-1 (even though it is a PDD). It might or might not be classified as low density, but I think at the least this should be properly assessed and pointed out in the staff report table, and a specific finding made on whether the Dakota Project triggers the height limitation.

(6) There should be a comprehensive parking study. None has been updated since the construction of Hacienda Cantina, and now the hotel. This parking applies to the whole of the projects, including Steinmart, a series of commercial retail projects, a vacant lot, a restaurant – and where is the total parking picture? The parking analysis is missing.

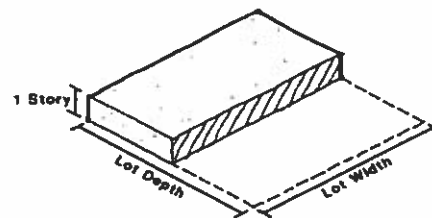
Thank you for your kind attention.

Judy Deertrack

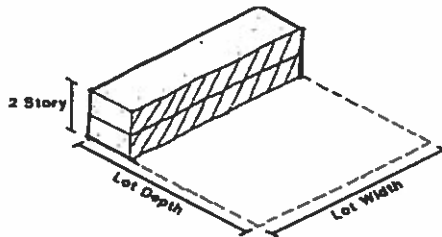
include areas within parking structures or outdoor open storage areas. Figure 2-1 illustrates the FAR calculation concept.

Actual density (residential uses) and FAR (nonresidential uses) ranges are determined on a parcel-specific basis. Density and FAR are based on adjusted gross acreage, which takes out acres associated with right-of-way.

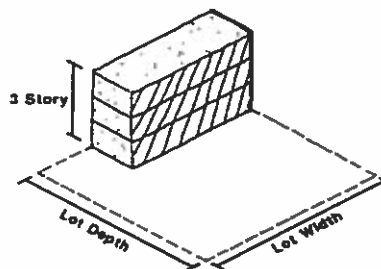
Site considerations, such as topography or location, and City policies and regulations, such as development standards in the Zoning Code, may place additional requirements on a property that could prevent the site from achieving the maximum density or intensity established within this General Plan.



Building covers 50 percent (21,780 sq. ft.) of parcel and is only one story high.



Building covers 25 percent (10,890 sq. ft.) of parcel, but is two stories high.



Building covers 16.6 percent (7,260 sq. ft.) of parcel and is now three stories high.

**Floor Area Ratio Example (FAR = 0.50):** On a one-acre parcel (43,560 sq. ft.), a maximum FAR of 0.50 equates to a total building area of 21,780 sq. ft., in either a 1-, 2-, or 3-story configuration (43,560 sq. ft. multiplied by 0.50 equals 21,780 sq. ft.). Note how coverage (building footprint) varies significantly as the building height changes to yield an identical FAR.

**Figure 2-1 Sample Floor Area Ratio**



CHRIS PARDO DESIGN  
ELEMENTAL ARCHITECTURE

Flinn Fagg  
City of Palm Springs

**Re: Belardo Hotel – Develop Good LLC**

Dear Flinn,

In response to Ms. Deertracks letter dated May 2<sup>nd</sup>. The PDD being amended covers the entire mixed use center of which the current project is a part. While Ms. Deertrack prefers that it be processed in a certain way, specifically, subdividing the center, there is no legal requirement do so. The PDD property works together, as a mixed use development. The current amendment adds hotel uses to that mix, however, such an additional use does not dictate the requirement that the property be subdivided. Her suggested "worst case" of 15 buildings all 5 feet from each other is not possible as the PDD is evaluated as a whole and prevents such a suggested abuse. The fact that the Dakota project is 24 feet in height has no bearing on the proposed project, as height is determined either through zoning or, as in this case, through the PDD process.

Allowing 100 feet in height on Indian lands has been a standard that has been in place for more than 30 years in the City of PS. If Ms. Deertrack has problems with the policy, she needs to take it up with the tribal council, but she cannot change the policy on an ad hoc basis in order to stop this project.

The project sits in the resort overlay "The economic growth and development of the city of Palm Springs is dependent in large part on the impact of the millions of people who visit the community each year seeking the recreational activities, a pleasant convention environment and relaxation for which Palm Springs has become known. The "R" resort overlay zone is intended primarily to provide for accommodations and services for these visitors"

*Chris Pardo Design· Elemental Architecture*  
1520 11<sup>th</sup> Avenue, Studio G  
1122 East Pike Street, PO Box 843  
Seattle, WA 98112  
206· 329· 1654

*Initial*

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The siteplan/design meets all codes and was designed to be sensitive to setbacks, in-scale with the shopping center and provide a buffer to the neighborhood. The restaurants are now scaled to a residential size and will become a strong connection along Palm Canyon.

The project as proposed not only will act as a physical sound barrier but also substantially reduces the overall occupancy of the existing project. The Hacienda (or even the Cedar Creek Inn) is oversized for today's consumers, its almost impossible to be successful with a 8K+ sqft restaurant with an indoor capacity of over 500 people, outdoor the pool area had a capacity of over 2004. The hotel by integrating it into the restaurant reduces the restaurants sqft by half and its occupancy below 200 (reduction of 300 people), the hotel going in the grass area reduces the pool area capacity to 240. So the demands on the parking lot, the amount of traffic that will be coming and going to the Belardo have decreased by 80%. This alone increases pedestrian safety and reduces noise. To that point, a large reduction of road noise and music levels is created by the placement of the building and by the nature of my hotel group.

Just like Arrive I only chose to invest my time and money because I feel like it is a very positive addition consistent with the heritage and character of Palm Springs. My office is directly behind the Hacienda and experience what it is like being in the parking area everynight I leave my office. I have had to call the police four times because there was someone actively using drugs on my stair landing so I couldn't even leave my office. After the businesses close there is an invasion of homeless despite the security guards. That's when I started thinking about the old restaurant building. A hotel does a number of very positive things to this shopping center and surrounding residences. I run my hotels very well and I attract a positive group of customers. The hotel will provide "eyes" on the street even during after hours from my employees and my guests, I have witnessed a dramatic change in our block up at Arrive since I opened it two months ago. We have had almost all of the vagrant issues disappear. In addition the surrounding businesses have seen a large increase in sales and have chosen to upgrade their spaces. We expect to have the same results with this modern influenced boutique hotel.

Thank you for your time

Chris Pardo

Co-Founder  
Develop Good, LLC  
Arrive Hotels & Resorts  
Chris Pardo Design: Elemental Architecture

*Chris Pardo Design: Elemental Architecture  
1520 11<sup>th</sup> Avenue, Studio G  
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Seattle, WA 98112  
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*Initial*

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# AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-004-2016-033

July 12, 2016

[VIA EMAIL TO:david.newell@palmsprings-ca.gov]

Palm Springs  
Mr. David A. Newell  
3200 E Tahquitz Canyon Way  
Palm Springs, CA 92262

**Re: Belardo Hotel, MAJ 3.3937 & 5.0177**

Dear Mr. David A. Newell,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Belardo Hotel project. A records check of the ACBCI cultural registry revealed that the project area is within the boundaries of the ACBCI Reservation. The ACBCI THPO requests the following:

\*The presence of an approved Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.

\*Before ground disturbing activities begin please contact the Tribal Historic Preservation Office to arrange cultural monitoring. The phone number for monitoring services is 760-699-6981.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6907. You may also email me at [acbc-thpo@aguacaliente.net](mailto:acbc-thpo@aguacaliente.net).

Cordially,

*Patricia Garcia-Peterson*

Pattie Garcia  
Director  
Tribal Historic Preservation Office  
AGUA CALIENTE BAND  
OF CAHUILLA INDIANS

RECEIVED  
CITY OF PALM SPRINGS

2016 AUG -3 AM 8:49

Dear James Thompson,

When I receive letters because I'm in a radius of projects on the map they have my street name down as Avenida Moraga. It is actually East Avenida Palmera. Not a big deal.

I am all for the project. I have the 18 units on E Ave Palmera and my main home is at 277 W El Portal in The Mesa. I have been concerned about the South side of town. I guess I'm jealous of all of the activity happening on the North side.

I think there will be a lot of negative comments at the meeting. I wonder if it is because of the project or because it is a Wessman project. I am concerned about the Hacienda sitting there vacant for years. A 3 story hotel set behind, and incorporating the Hacienda would not be as imposing as one right on the main street. It would block some of the views from the Hacienda, but the views looking South from that area are wonderful.

People will also think 3 stories and the West Elm structure. Thirty Four feet in height is a lot different than having 18-20 foot ceilings per floor.

I'm sure most of the comments you receive will be negative. I am very positive with this coming to fruition. I'm guessing that Chris Pardo will be involved and will knock it out of the park.

Thank you,



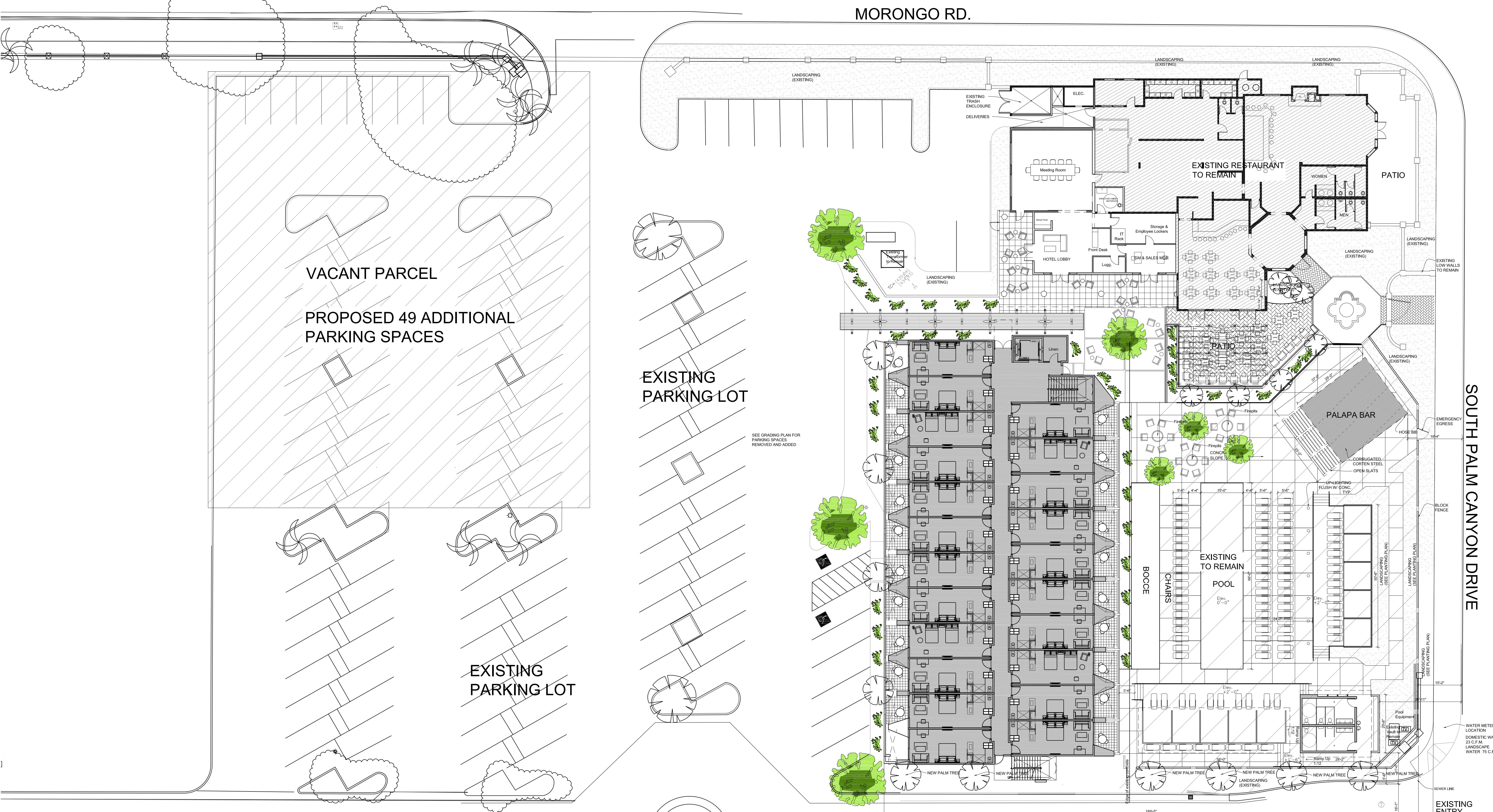
Dennis Walsh

# Attachment 6



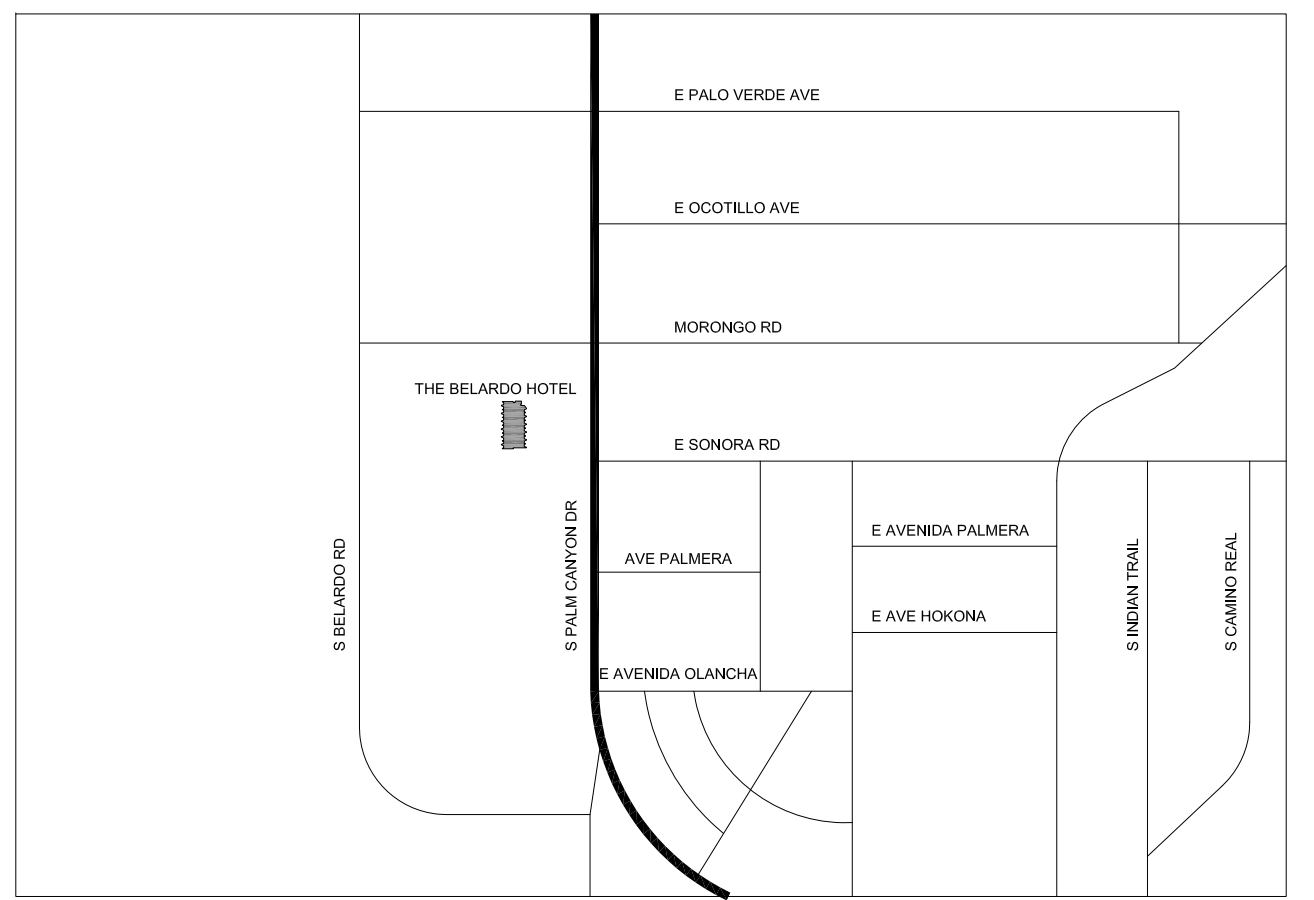
REVISIONS		
No.	Date	Description

MORONGO RD.



**Architectural Site Plan**  
SCALE: 1/16" = 1'-0"

VICINITY MAP



**GENERAL / SPECIFIC PLAN**  
GENERAL PLAN CITY OF PALM SPRINGS  
APN: 513-300-038

**LOT AREA:**  
756,205 Sq. Ft. (17.4 ACRES)

**ZONING CLASSIFICATION**  
EXISTING ZONING: PD (INDIAN LAND)

**BUILDING DATA**

GROSS AREA	
1ST FLOOR	9904 Sq. Ft.
2ND FLOOR	9904 Sq. Ft.
3RD FLOOR	9904 Sq. Ft.
<b>TOTAL</b>	<b>29,712 Sq. Ft.</b>

**LEGAL DESCRIPTION**  
INDIAN LAND  
SECTION 22 TOWNSHIP 4 SOUTH RANGE 4 EAST

- NOTES**
- THE EXISTING RESTAURANT WILL BE OPEN TO THE PUBLIC.
  - THE EXISTING RESTAURANT'S WEST SIDE WILL BE REMODELED TO HOUSE THE HOTEL LOBBY, MEETING ROOMS, AND B.O.H.
  - THE EXISTING POOL AND POOL BAR WILL BE PRIMARILY FOR HOTEL GUESTS BUT OPEN TO THE GENERAL PUBLIC.

SOUTH PALM CANYON DRIVE



**EXISTING PLANTING LEGEND**

PLANTING SIZE	SCIENTIFIC NAME	COMMON NAME
CDM	CERCIDIUM 'DESERT MUSEUM'	DESERT MUSEUM
JA	JACARANDA MO-IMOSFOLIA	JACARANDA TREE
OL	OLEA EUROPAEA	OLIVE TREE
QP	ARECASTRUM ROMANOFIANUM	QUEEN PALMS
PD	PHOENIX DACTYLIFERA OR CERCIDIUM 'DESERT MUSEUM'	DATE PALM OR DESERT MUSEUM
CH	WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM
OL	OLEA EUROPAEA	OLIVE TREE
QP	ARECASTRUM ROMANOFIANUM	QUEEN PALMS
PD	PHOENIX DACTYLIFERA OR CERCIDIUM 'DESERT MUSEUM'	DATE PALM OR DESERT MUSEUM
CH	WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM

**EX SHRUBS PLANTING SIZE**

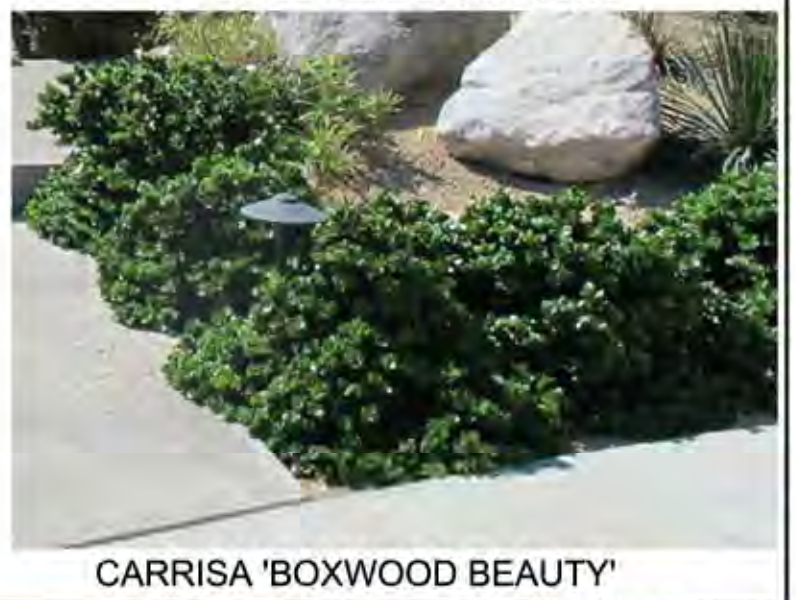
PLANTING SIZE	SCIENTIFIC NAME	COMMON NAME
AA	AGAVE AMERICANA	CENTURY PLANT
BO	BOUGAINVILLEA BARBARA KARST	BOUGAINVILLEA
FB	FICUS BENJAMINA	FICUS
PV	PITTIOSPORUM VARIEGATA	PITTIOSPORUM
TC	TECOMA CAPENSIS	TECOMA
CB	CARISSA 'BOXWOOD BEAUTY'	BOXWOOD BEAUTY
CG	CARISSA 'GREEN CARPET'	GREEN CARPET
CG	LANTANA MONTEVIDENSIS	PURPLE LANTANA
CG	LANTANA 'NEW GOLD'	NEW GOLD LANTANA
CG	LANTANA WHITE	WHITE LANTANA
NA	NANDINA DOMESTICA	HEAVENLY BAMBOO
JO	CAESALPINIA 'LITTLE JOHN'	LITTLE JOHN
EX BK	BOUGAINVILLEA BARBARA KARST	BOUGAINVILLEA
EX CI	CALLIANDRA INAEQUILATERA	PINK POWDER PUFF

**PLANTING LEGEND**

PLANTING SIZE	SCIENTIFIC NAME	COMMON NAME
10	36"-BOX Multi tr.	CERCIDIUM 'DESERT MUSEUM'
15	10" HT. SKINNED	WASHINGTONIA HYBRID
15	18" HT. Diamond cut	OR PHOENIX DACTYLIFERA
14	24"-BOX	CHAMAEROPS HUMILIS
11	15-GAL	AGAVE AMERICANA
15	15-GAL	AGAVE 'QUEEN VICTORIA'
16	5-GAL	ALOE BLUE ELF
14	5-GAL	CARISSA 'BOXWOOD BEAUTY'
14	5-GAL	CARISSA 'GREEN CARPET'
15	15-GAL	HESPERALOE PARVIFOLIA
28	15-GAL ESP W/WIRES	CALLIANDRA INAEQUILATERA
15	15-GAL	LITTLE OLLIE DWARF OLIVE
3	3"-5" DIA. Boulders to match existing	
CG	2" DEPTH 38" MINUS COMPACTED DECOMPOSED GRANITE TO MATCH EXISTING	

**PLANTING NOTES**

- PLANTING AREAS TO RECEIVE A 2" MIN. LAYER OF DECOMPOSED GRANITE.
- PLANT QUANTITIES INDICATED IN THE PLANT LIST ARE FOR CONTRACTOR'S CONVENIENCE ONLY. CONTRACTOR TO VERIFY PLANT QUANTITIES PER PLAN PRIOR TO BID. CONTRACTOR TO PROVIDE AND INSTALL ALL PLANTS INDICATED PER PLAN.
- ALL TREES WITHIN FIVE FEET OF PAVING SHALL BE INSTALLED WITH APPROVED DEEP ROOT BARRIER.
- CONTRACTOR TO REMOVE 2165 SQ.FT. OF LAWN ALONG MORONGO ROAD.



LANDSCAPE ARCHITECTURAL SERVICES BY:  
**DESERT MODERN**  
 LANDSCAPE DESIGN

LANDSCAPE PLANS FOR  
**THE BELARDO HOTEL PALM CANYON DR.**  
 APN # 513-300-038  
 PALM SPRINGS, CALIFORNIA

DESERT MODERN LANDSCAPE DESIGN

REVISION  
 04-14-16

SCALE: 1/16"=1'-0"

SHEET  
**L-1.0**



CHRIS PARDO DESIGN  
ELEMENTAL ARCHITECTURE

121 Prefontaine Pl. S.  
Seattle WA 98104  
[206] 329-1654  
1555 N. Palm Canyon Drive  
Suite D 202  
Palm Springs, CA

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**The Belardo  
Hotel  
Palm Canyon  
Dr.**  
Palm Springs, CA  
APN# 513-300-038

**SCHEMATIC  
DESIGN**  
**NOT FOR CONSTRUCTION**

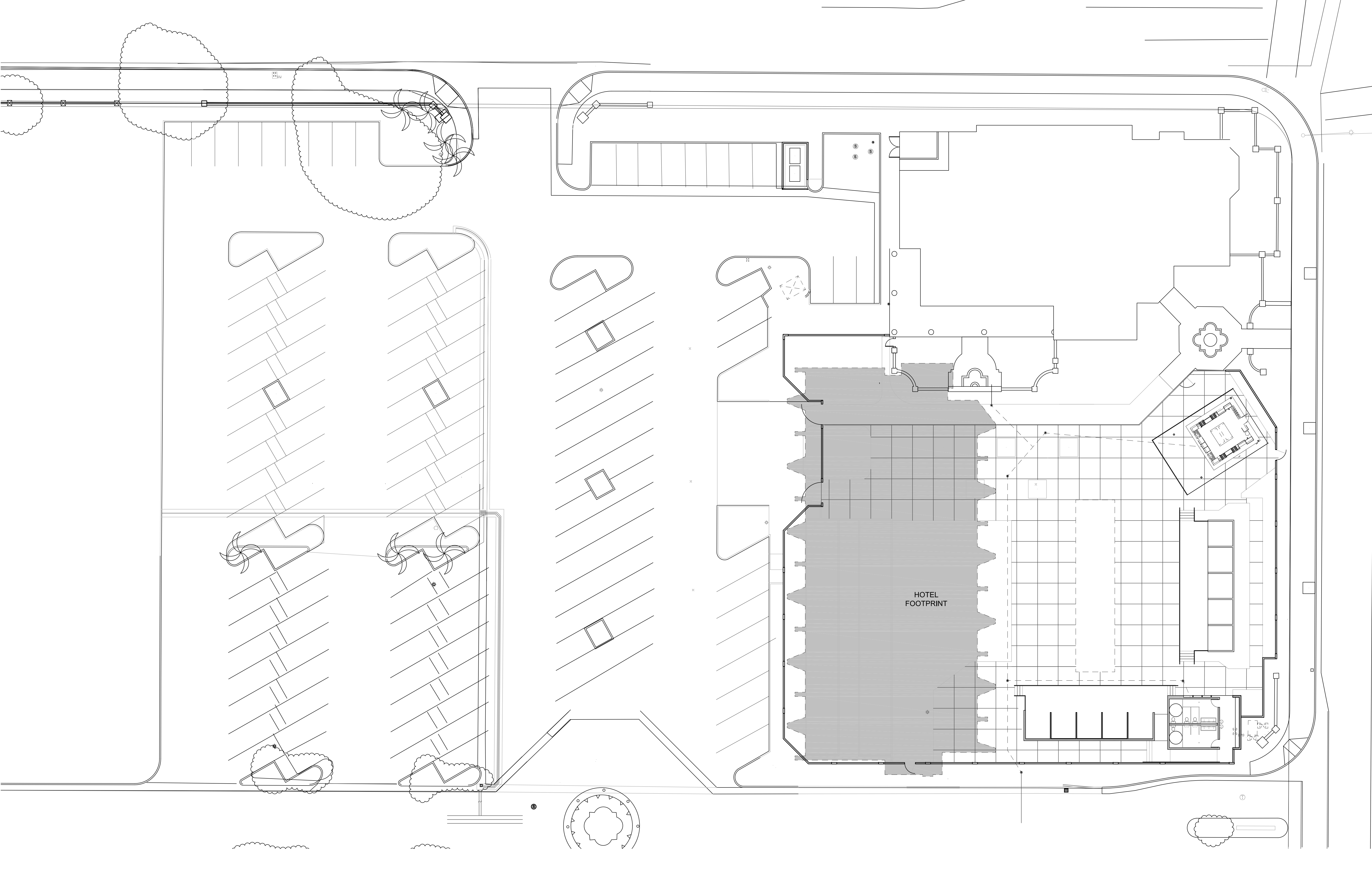
REVISIONS		
No.	Date	Description

Existing Site  
Plan

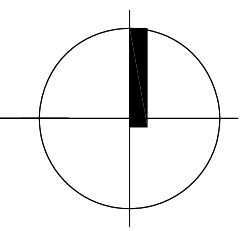
DATE 02.11.16

**A1.1**

SHEET



**Existing Site Plan**  
SCALE: 1/16" = 1'-0"





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REVISIONS		
No.	Date	Description

Project Data

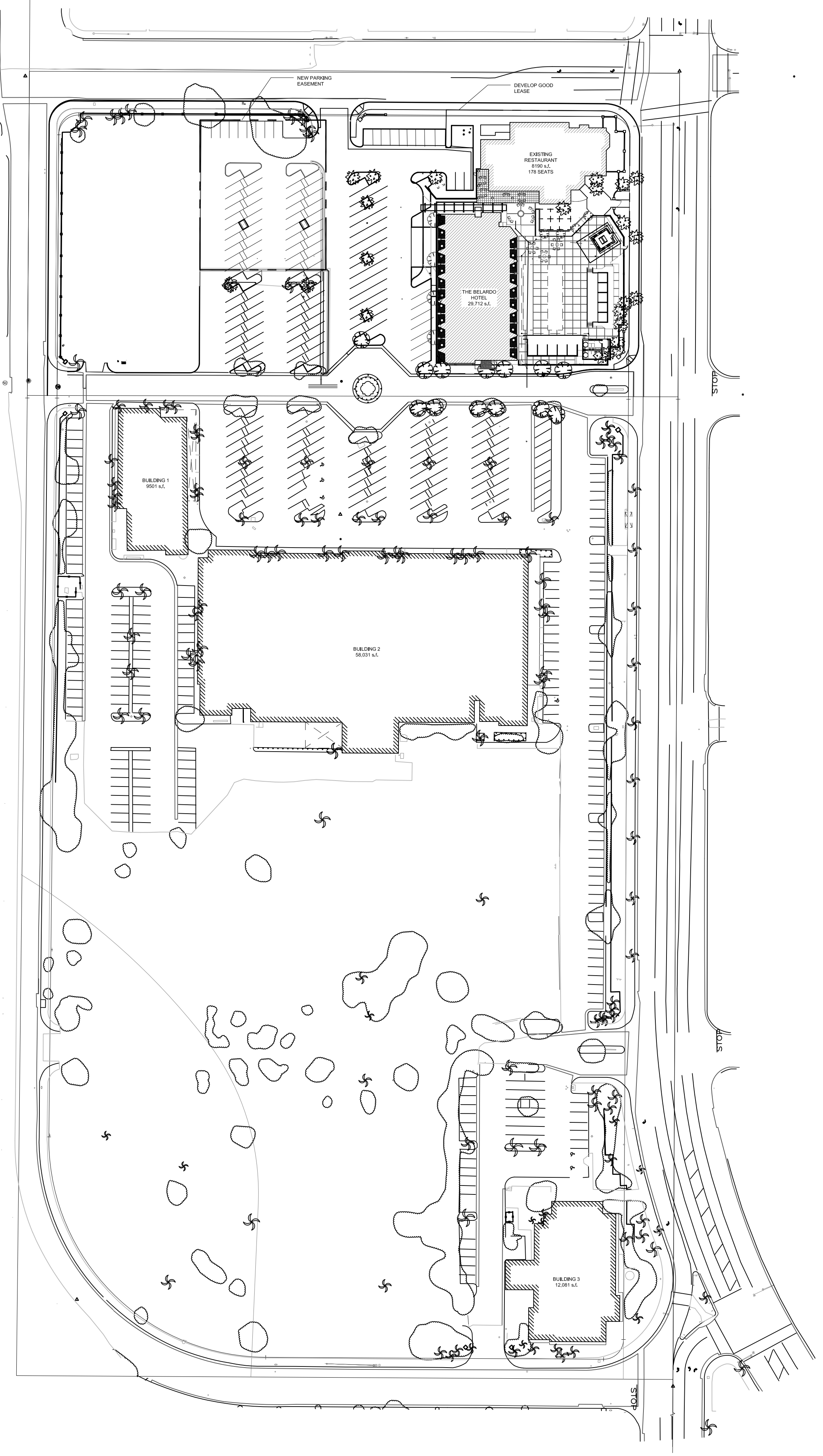
DATE 03.31.16

**A1.2**

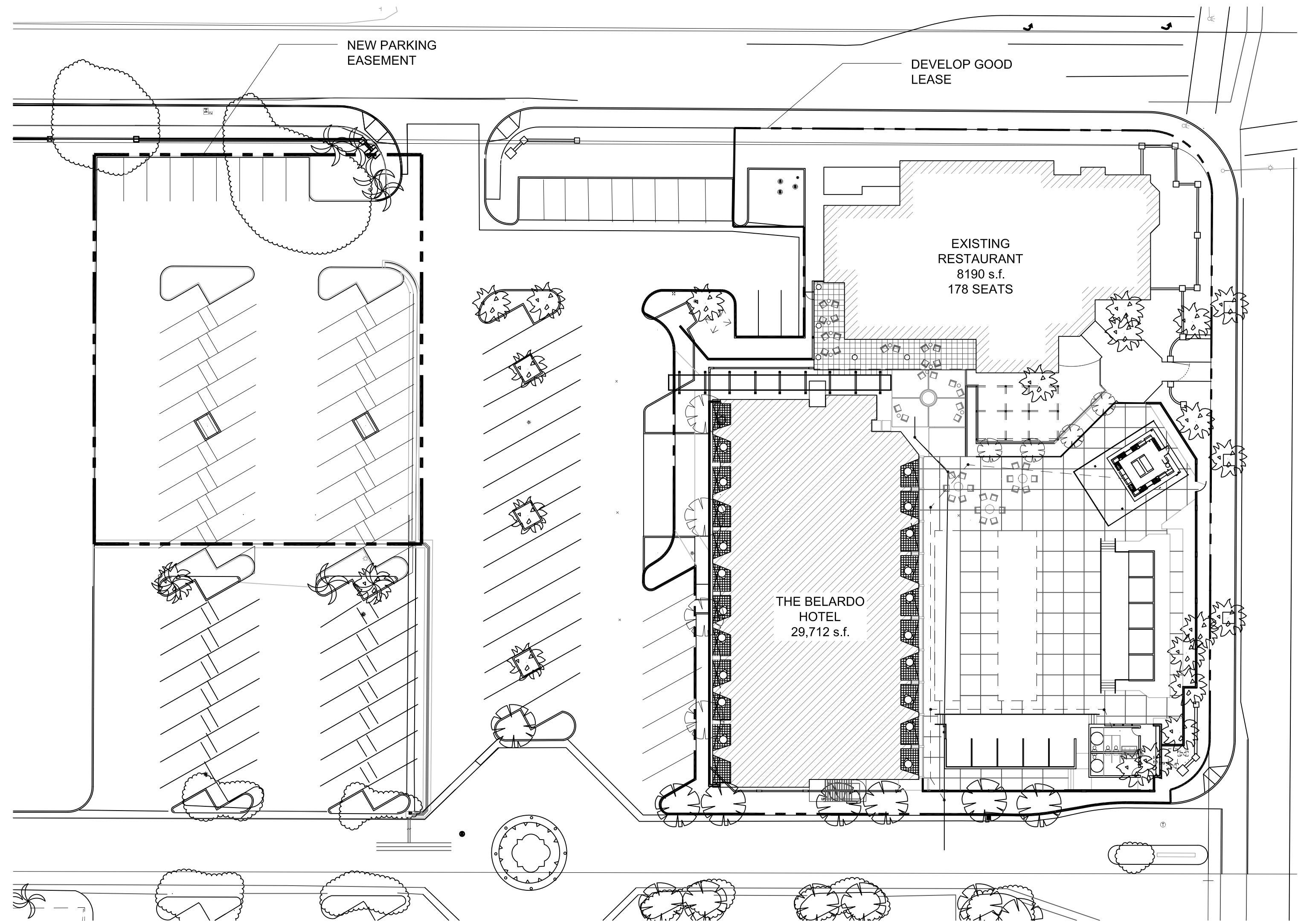
SHEET

# Overall Project Data - The Belardo Hotel

OVERALL PROJECT AREA:	756,205 Sq. Ft. (17.4 ACRES)	
<b>BUILDING FOOTPRINT:</b>		
HOTEL	9,904 Sq. Ft.	
EXISTING RESTAURANT	8,190 Sq. Ft.	
EXISTING BUILDING 1	9501	
EXISTING BUILDING 2	58,031	
EXISTING BUILDING 3	12,081	
<b>TOTAL BUILDING FOOTPRINT:</b>	<b>97,985 Sq. Ft.</b>	<b>13%</b>
<b>STREETS AND DRIVES:</b>	<b>234,406 Sq. Ft.</b>	<b>31%</b>
<b>OPEN SPACE:</b>	<b>298,412 Sq. Ft.</b>	<b>39%</b>
<b>LANDSCAPE:</b>	<b>69,600 Sq. Ft.</b>	<b>9%</b>
<b>HARDSCAPE:</b>	<b>55,802 Sq. Ft.</b>	<b>8%</b>



**Parking Plan**  
SCALE: Not to Scale



**Enlarged Parking Plan**  
SCALE: Not to Scale

**PEDESTRIAN CIRCULATION**  
SCALE: Not to Scale



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REVISIONS

No.	Date	Description

**Parking  
Analysis**  
DATE 03.31.16

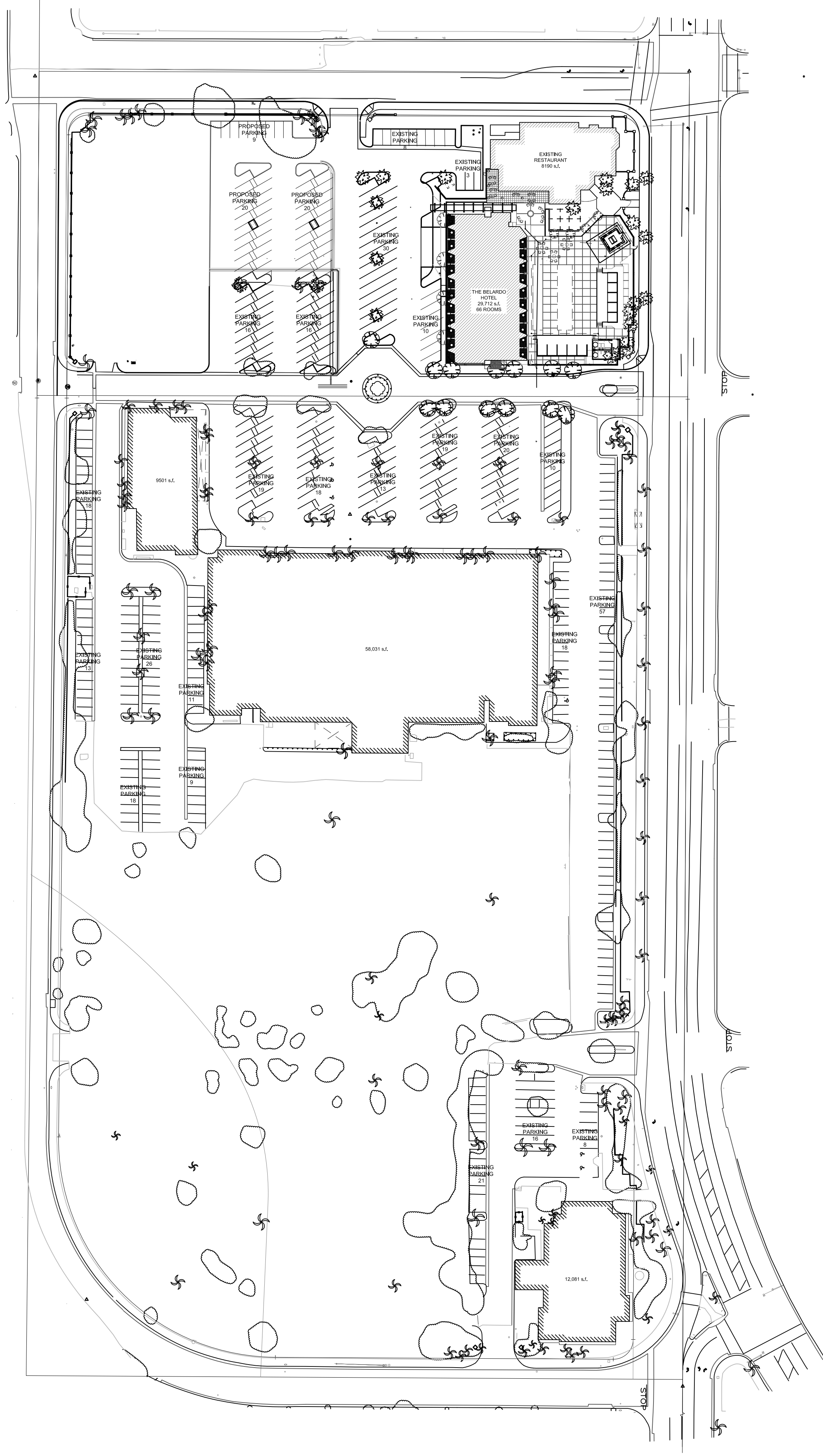
**A1.3**  
SHEET

# Parking Study - The Belardo Hotel

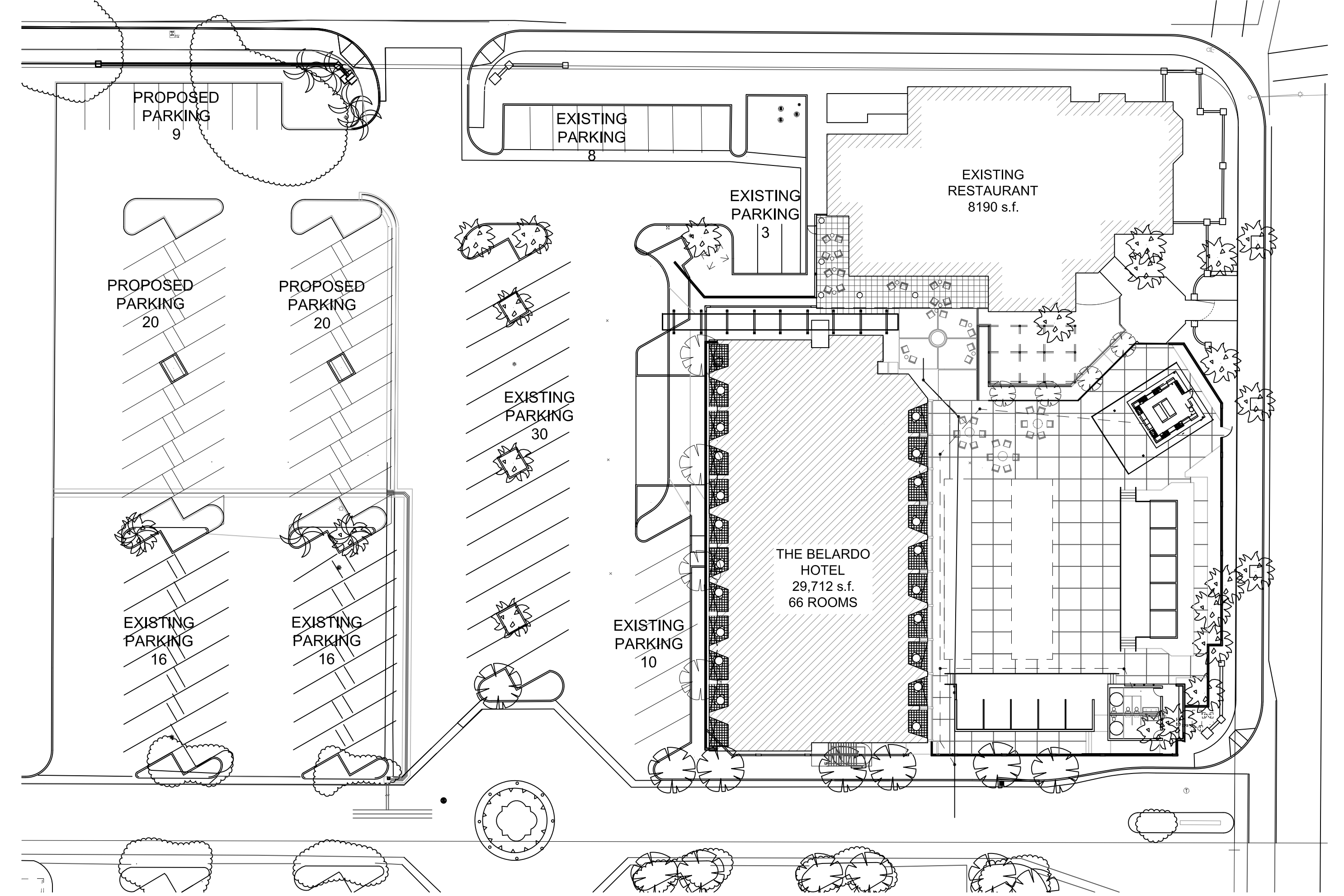
The current requirements for a shopping complex that exceeds 20,000 - square feet in size are as follows:  
Mixed - use Developments (with a gross floor area exceeding twenty thousand (20,000) square feet, including retail but excepting the CBC zone).  
One (1) space for each two hundred and fifty (250) square feet of gross floor area. Additional parking need to be provided for restaurants;  
provided that, no more than twenty - five (25) percent of the total floor area of the whole complex is devoted to restaurant use.

- a. The percentage of floor area devoted to restaurant uses without additional parking may be increased by the planning commission where it finds that the nature of the use will not require increased parking, that other adequate arrangements exist to satisfy the parking demand or that other similar factors exist.

Hotel: 66 Rooms	
-First 50 rooms: 1 Space per each room	50
-Remaining Rooms (16):	12
<b>Total</b>	<b>62 Spaces</b>
Commercial Space: 1 Space per 250 gross floor area @ 87,803	351
Required Parking (See above):	413
Current number of parking spaces:	401
Parking Spaces Added:	49
<b>Total Parking Spaces when complete:</b>	<b>450 Spaces</b>



**Parking Plan**  
SCALE: Not to Scale



**Enlarged Parking Plan**  
SCALE: Not to Scale

**PEDESTRIAN CIRCULATION**  
SCALE: Not to Scale

# Circulation Diagrams



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REVISIONS

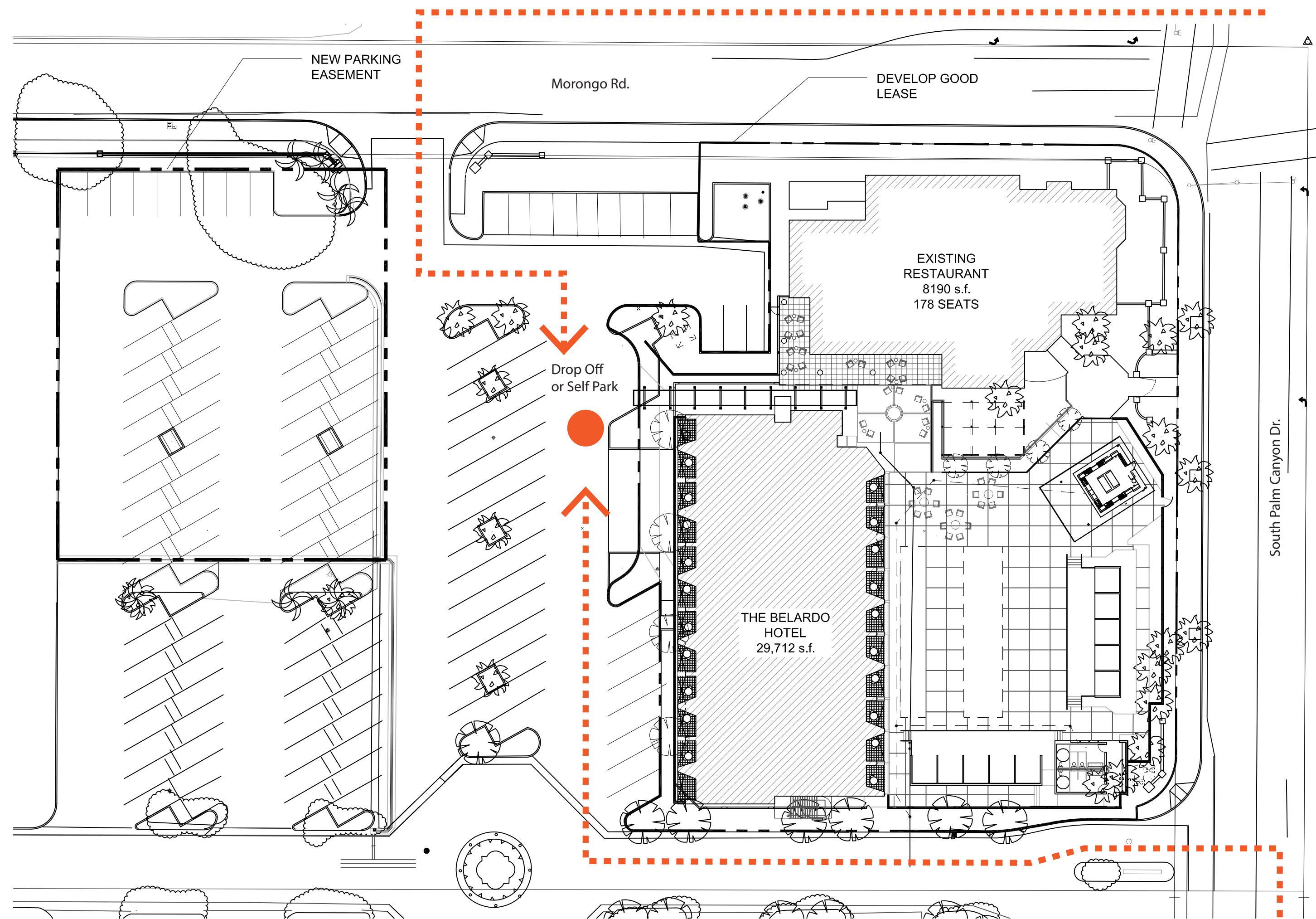
No.	Date	Description

Circulation  
Diagrams

DATE 03.31.16

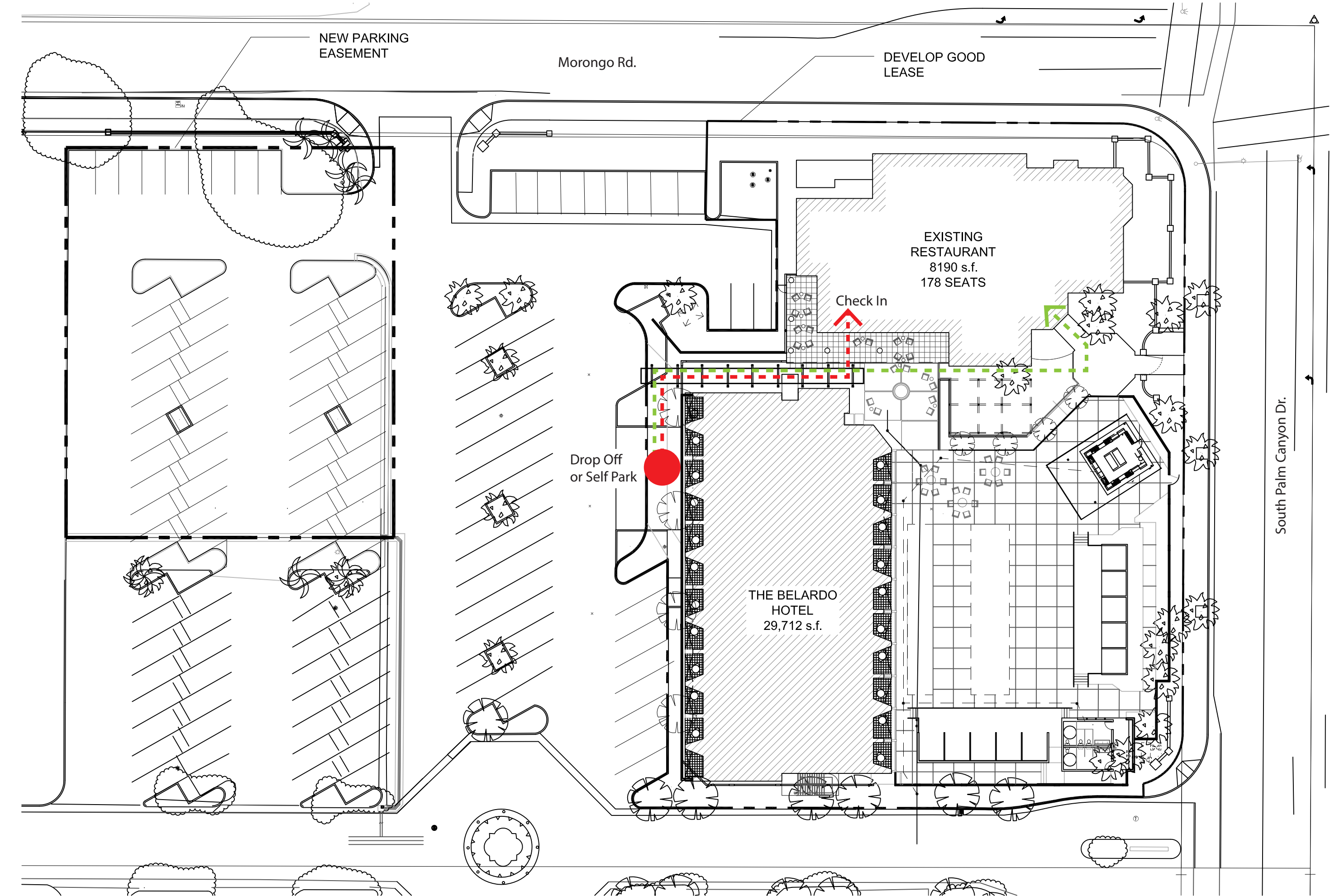
**A1.4**

SHEET



**PEDESTRIAN CIRCULATION**  
SCALE: Not to Scale

----- Vehicular Circulation



**PEDESTRIAN CIRCULATION**  
SCALE: Not to Scale

----- Hotel Circulation  
----- Restaurant Circulation



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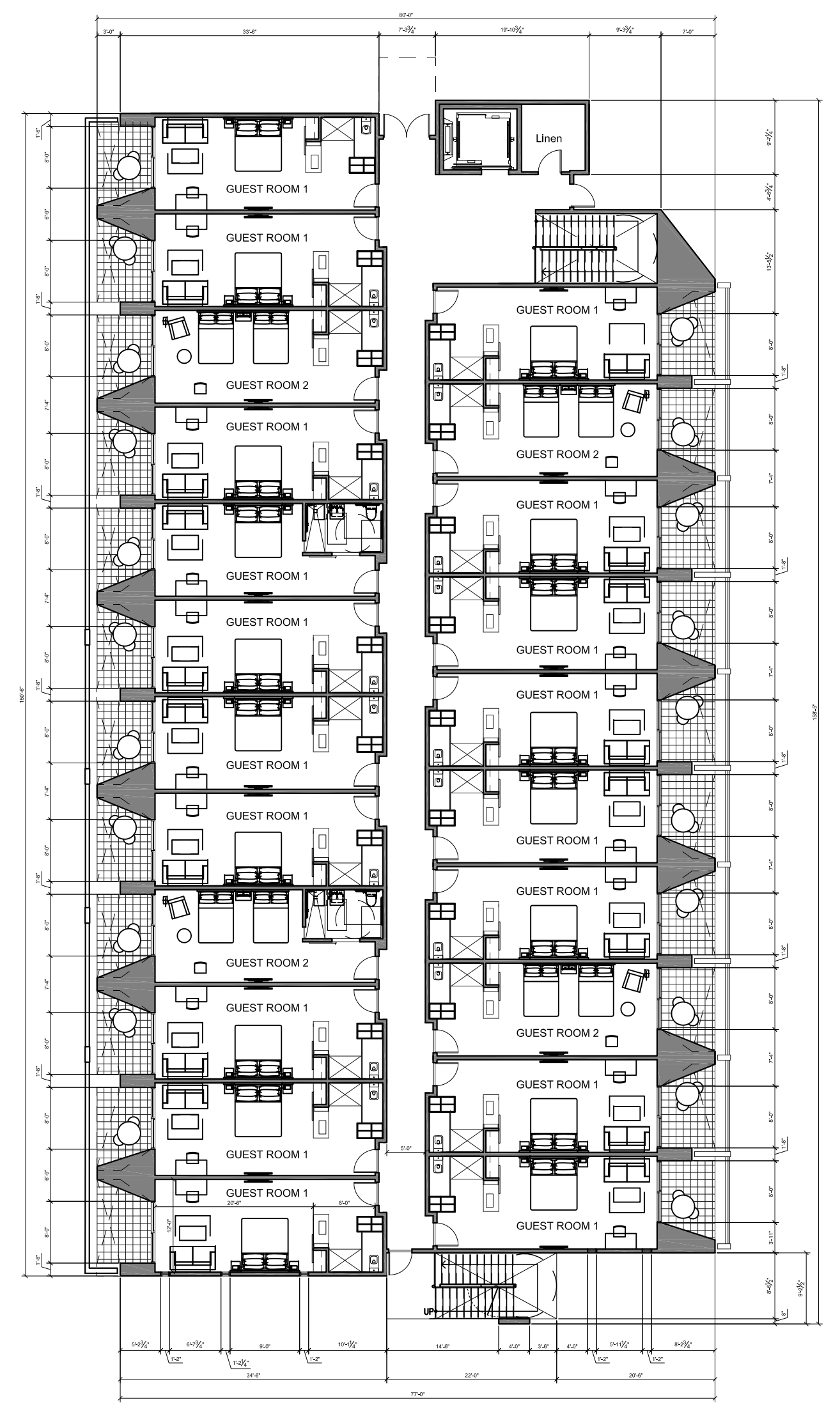
REVISIONS		
No.	Date	Description

Floor Plans

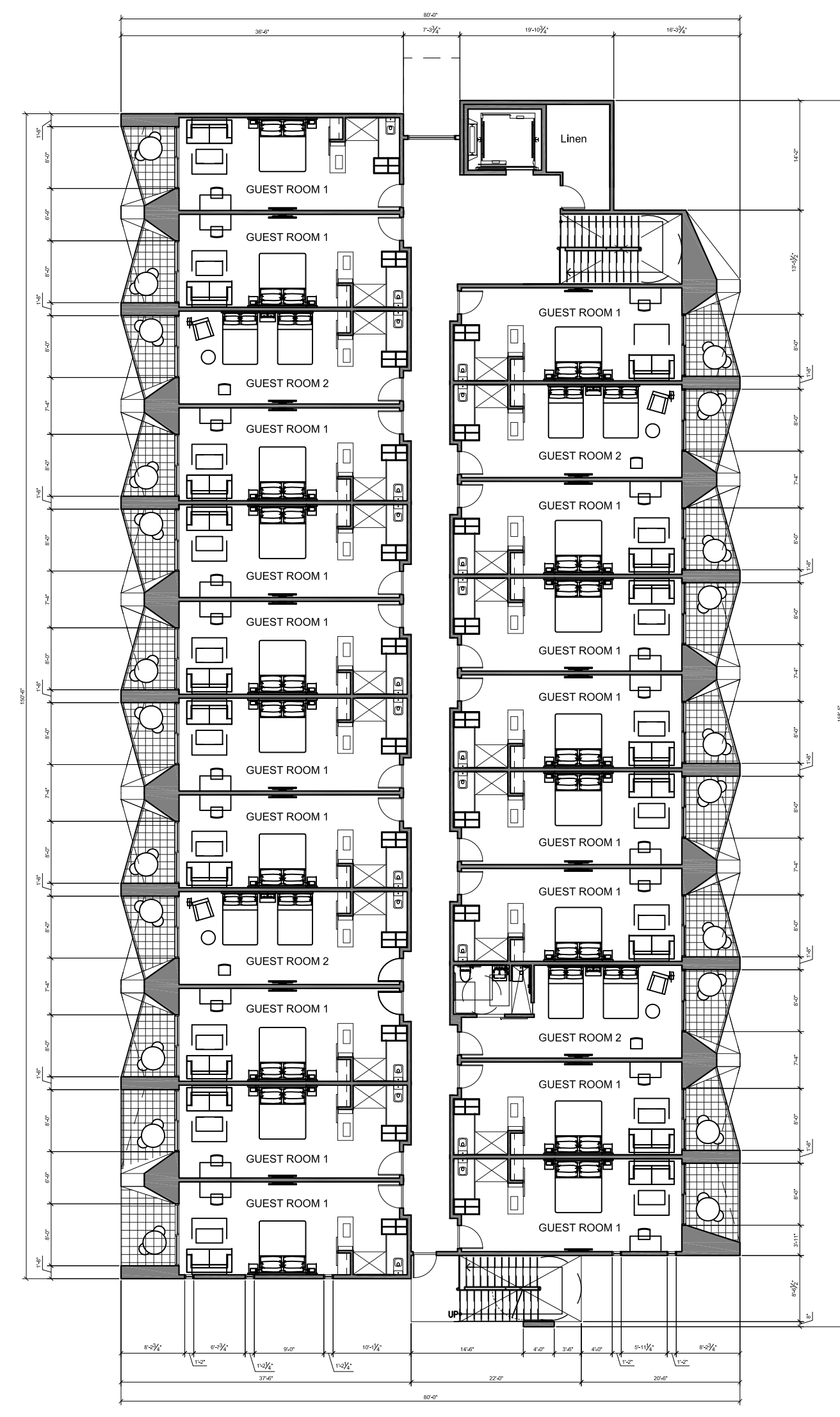
DATE 02.11.16

**A2.0**

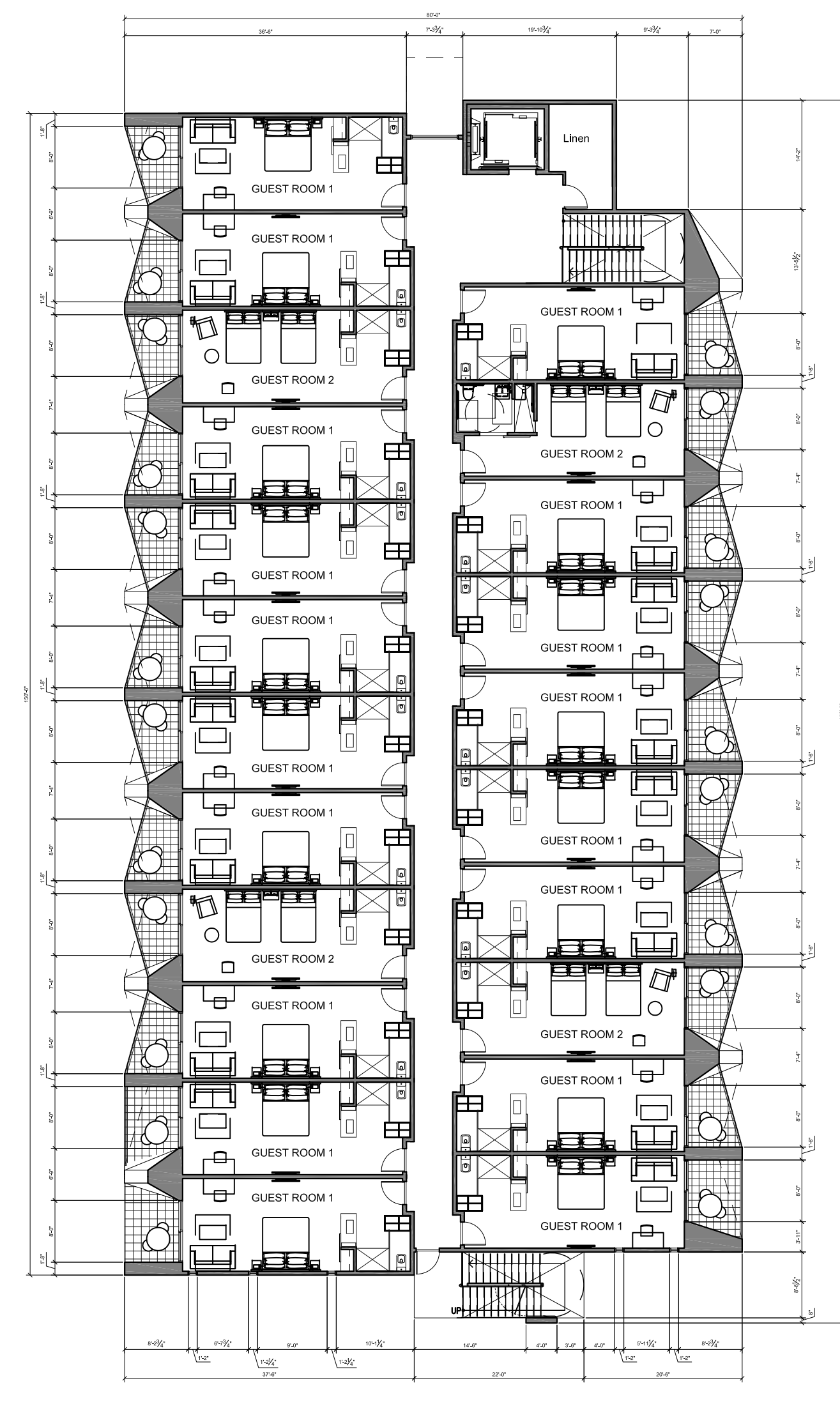
SHEET



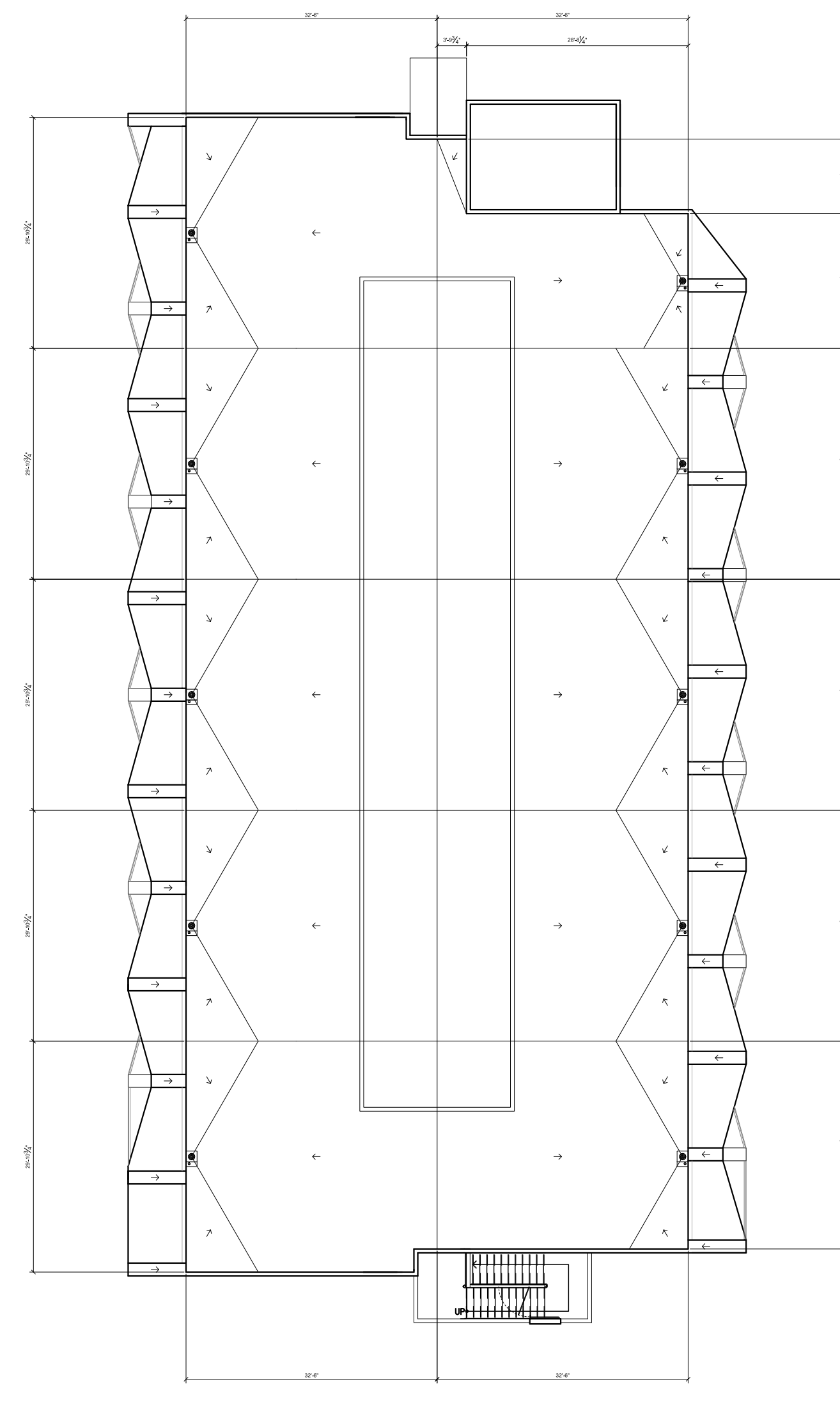
1 The Belardo Hotel - First Floor 22 Keys  
SCALE: 1/16" = 1'-0"  
9904 sqft



2 The Belardo Hotel - Second Floor 22 Keys  
SCALE: 1/16" = 1'-0"  
9904 sqft



3 The Belardo Hotel - Third Floor 22 Keys  
SCALE: 1/16" = 1'-0"  
9904 sqft



4 The Belardo Hotel - Roof Plan  
SCALE: 1/16" = 1'-0"



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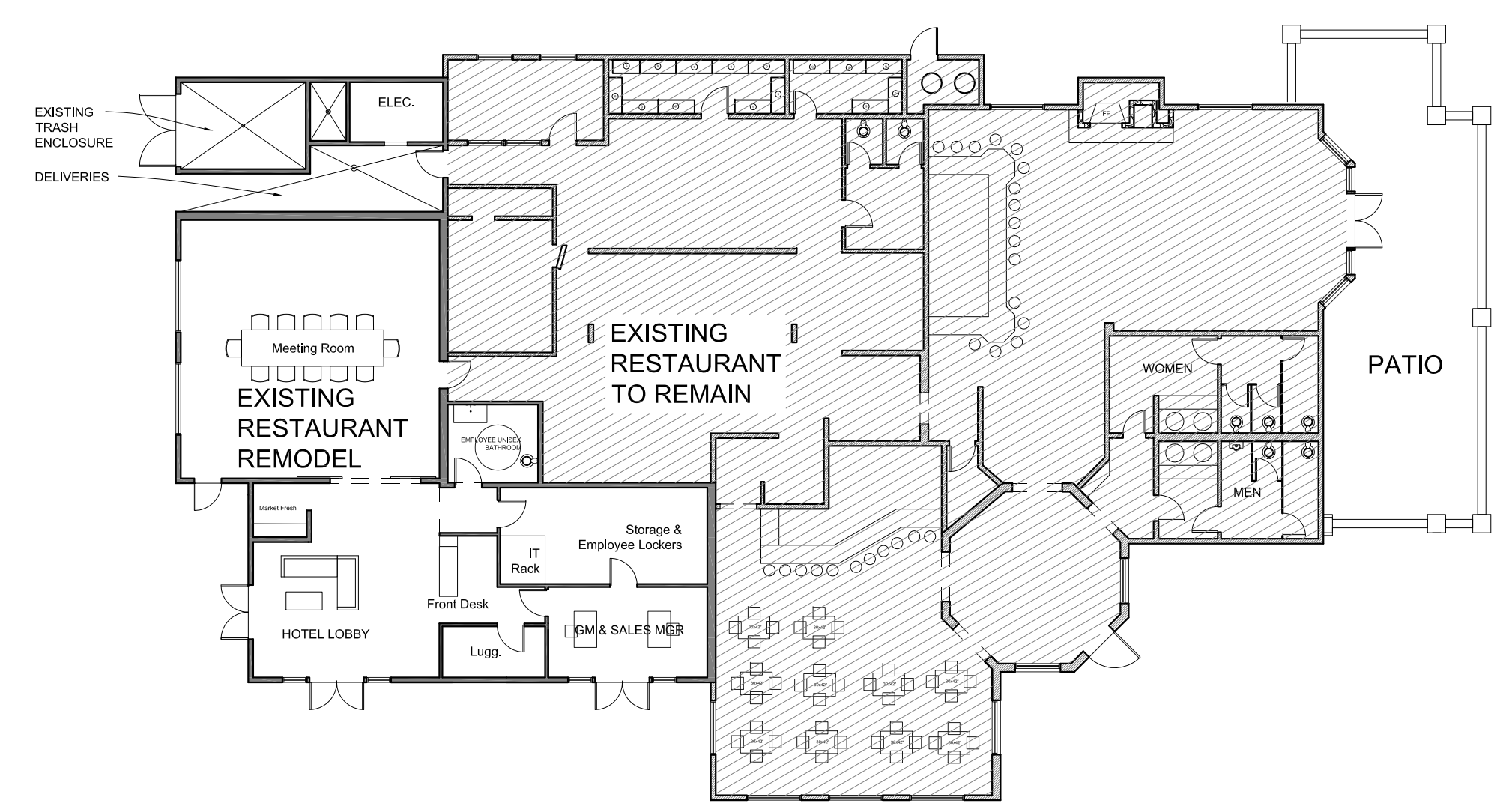
REVISIONS		
No.	Date	Description

Roof Plan

DATE 03.31.16

**A2.1**

SHEET



① Existing Restaurant to Remain and Remodel  
SCALE: 1/16" = 1'-0"

Existing to Remain:	5,890 sqft
Existing to be remodeled:	2,578 sqft
<b>Total</b>	<b>8,468 sqft</b>



**SCHEMATIC DESIGN**  
**NOT FOR CONSTRUCTION**

REVISIONS		
No.	Date	Description

Elevations

DATE 03.31.16

**A3.0**



1 The Belardo Hotel - North Elevation  
 SCALE: 1/8" = 1'-0"



2 The Belardo Hotel - South Elevation  
 SCALE: 1/0" = 1'-0"



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3 The Belardo Hotel - East Elevation  
SCALE: 1/8" = 1'-0"



4 The Belardo Hotel - West Elevation  
SCALE: 1/8" = 1'-0"

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DESIGN**  
**NOT FOR CONSTRUCTION**

REVISIONS		
No.	Date	Description

Elevations  
DATE 03.31.16

**A3.1**