



CITY COUNCIL STAFF REPORT

DATE: April 1, 2009

PUBLIC HEARING

SUBJECT: SWS INVESTMENTS, LLC, REQUESTING APPROVAL OF TENTATIVE PARCEL MAP 34764 TO SUBDIVIDE APPROXIMATELY 10.4 ACRES INTO ELEVEN PARCELS FOR THE PROPERTY LOCATED ON THE NORTH SIDE OF 20TH AVENUE, APPROXIMATELY 700 FEET WEST OF NORTH INDIAN CANYON DRIVE, CASE TPM 34764

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

The City Council will consider a request by SWS Investments, LLC, to subdivide the subject site into eleven parcels and a public cul-de-sac street. No construction or development (except the street) is being proposed at this time.

RECOMMENDATION

1. Open the public hearing and receive public testimony; and
2. Approve Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 34764 TO SUBDIVIDE APPROXIMATELY 10.4 ACRES INTO ELEVEN PARCELS FOR THE PROPERTY LOCATED ON THE NORTH SIDE OF 20TH AVENUE, APPROXIMATELY 700 FEET WEST OF NORTH INDIAN CANYON DRIVE, ZONE M-2, SECTION 15."

PRIOR ACTIONS

On March 11, 2009, the Planning Commission voted 6-0-1 (Ringlein absent) to recommend adoption of the Mitigated Negative Declaration and approval of TPM 34764 to the City Council.

ITEM NO. 1-B.

BACKGROUND

The overall site is approximately 10.4 acres and located along the north side of 20th Avenue, approximately 700 feet west of North Indian Canyon Drive. The subject property is vacant and has a gentle slope from north to south. No structures are proposed at this time. A public cul-de-sac street is proposed through the center of the site with access from 20th Avenue.

Table 1: Surrounding Land Uses, General Plan, Zoning

	Land Use	General Plan	Zoning
North	Federal Express	Regional Business Center	M-2 (Manufacturing)
East	Multi-tenanted Commercial Industrial Center	Regional Business Center	M-2 (Manufacturing)
South	Interstate 10 Freeway	Regional Business Center	M-2 (Manufacturing)
West	Industrial Park	Regional Business Center	M-2 (Manufacturing)

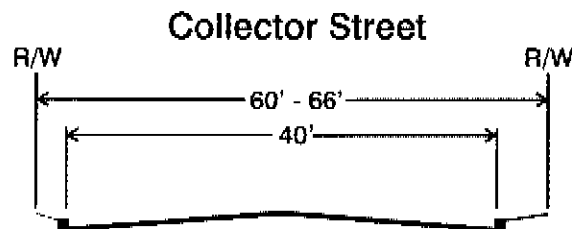
ANALYSIS

General Plan

The subject property is designated RBC (Regional Business Commercial). The intention of the RBC designation is to accommodate a wide variety of business activities in a multi-use environment. Commercial, office, and industrial uses that can be supported by their proximity to the freeway are encouraged in this area. Uses in this area are intended to provide large-scale development opportunities that serve an area larger than the City proper. Commercial uses can include retail establishments, hotels, automobile dealerships, and other uses that serve a regional population. Business parks and industrial uses are also envisioned under this land use designation.

The plan proposes a public cul-de-sac street, which is consistent with a Collector street by the General Plan Circulation Element:

Collector. Collector streets serve mostly local traffic; they are usually comprised of two lanes and carry traffic from secondary and major thoroughfares. On-street parking is permitted on collectors, which can be divided or undivided roadways. Typical right-of-way width for a collector is 60 feet, 66 feet in industrial areas.



The proposed street will be fifty feet wide with an eight foot sidewalk on each side. The total right-of-way provided will be sixty-six feet wide from 20th Avenue to the 'bulb' or end of cul-de-sac. The 'bulb' provides additional right-of-way and exceeds minimum City Engineering standards for turn-a-round.

As designed and proposed, the subdivision is consistent with the General Plan.

Zoning

Pursuant to Section 92.17.1.00 of the Palm Springs Zoning Code (PSZC), the M-2 Zone is "intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing which do not in their maintenance, assembly, manufacture or plant operation create by-products to any degree which will adversely affect the resort-open space environment of the city." The proposed subdivision is to allow for individual ownership of an industrial / commercial lot. Future uses in the subdivision will consist of permitted uses within the M-2 Zone. All future developments in the subdivision will be subject to the development standards of Section 92.17.1.03 of the PSZC.

Tentative Parcel Map

The proposed tentative parcel map will create eleven parcels from the existing four parcels. The proposed parcels will range from approximately 0.65 acres to 1.32 acres in size. Pursuant to Section 92.17.1.03(A) and 92.17.1.03(B) of the PSZC, the M-2 Zone requires that each lot have a minimum of 20,000 square feet with a minimum width of 150 feet and depth of 100 feet. The proposed subdivision proposes eleven parcels and is compared to the PSZC standards in Table 2 below.

Table 2: Proposed Parcels and Sizes

	Proposed (Approximate)			Required		
	Square Feet	Width (Feet)	Depth (Feet)	Square Feet	Minimum Width	Minimum Depth
Parcel 1	33,106	177	190	20,000	150	100
Parcel 2	28,750	150	190	20,000	150	100
Parcel 3	57,499	300	190	20,000	150	100
Parcel 4	28,314	150	190	20,000	150	100
Parcel 5	33,977	213	150	20,000	150	100
Parcel 6	43,124	228	189	20,000	150	100
Parcel 7	28,314	150	189	20,000	150	100
Parcel 8	28,314	150	189	20,000	150	100
Parcel 9	28,314	150	189	20,000	150	100
Parcel 10	28,314	150	189	20,000	150	100
Parcel 11	40,946	218	189	20,000	150	100

The proposed Tentative Parcel Map is consistent with lot development standards in the M-2 Zone. All future structures / buildings will be required to follow the M-2 Zone development standards outlined in Section 92.17.1.03 of the PSZC.


Pursuant to Section 66474 of the Subdivision Map Act, the City Council must make findings before the proposed subdivision is approved. Findings in support of approving the proposed subdivision have been made by the Planning Commission and are included in the attached draft resolution of approval.

ENVIRONMENTAL ASSESSMENT

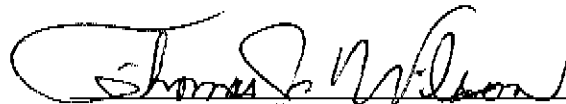
The Planning Department has reviewed this project under the provisions of the California Environmental Quality Act (CEQA). An environmental Initial Study (I.S.) was prepared and a Mitigated Negative Declaration was determined, noting that the project had the potential for significant impacts. These impacts would not be significant in this case because project modifications or mitigation measures incorporated into the Initial Study will reduce impacts to less than significant levels. These mitigation measures are outlined in the Conditions of Approval attached as Exhibit A of the Draft Resolution.

FISCAL IMPACT:

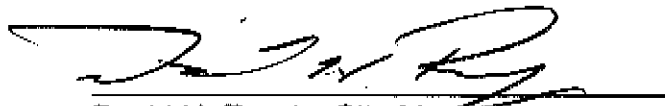
No fiscal impact.



Craig A. Ewing, AICP
Director of Planning Services



Thomas Wilson, Assistant City Manager
Development Services



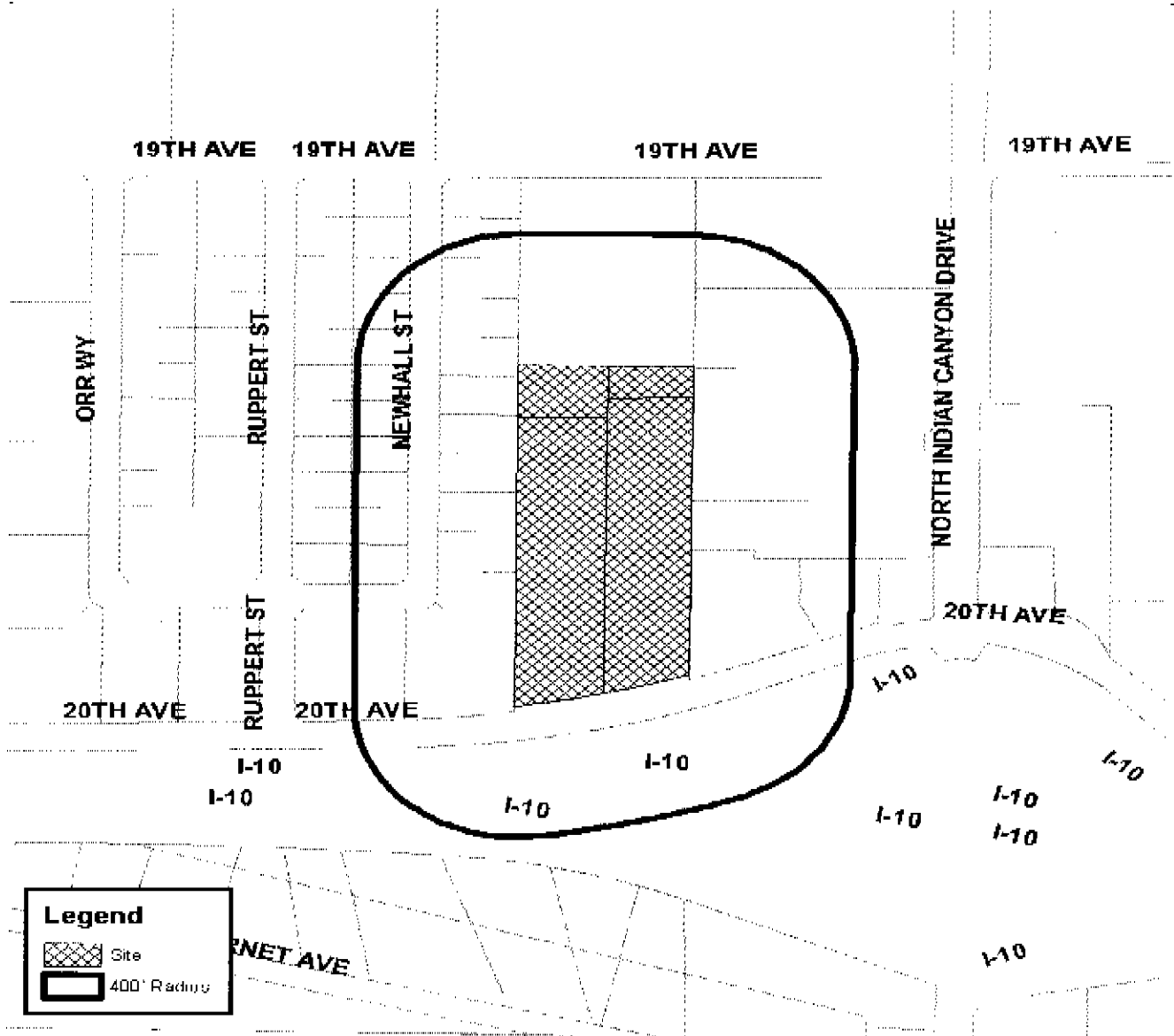
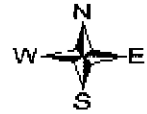
David H. Ready, City Manager

Attachments

1. Vicinity Map
2. Draft Resolution / Conditions of Approval
3. Planning Commission draft Meeting Minutes dated March 11, 2009 (excerpt)
4. Planning Commission Staff Report dated March 11, 2009
5. Reduced copy of Tentative Parcel Map
6. Initial Study



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: TPM 34764

APPLICANT: SWS Investments, LLC

DESCRIPTION: To consider an application by SWS Investments, LLC to subdivide approximately 10.4 acres into eleven parcels for commercial purposes and a public street. No construction or development (except the street) is proposed as part of this project, Zoned M-2, Section 15.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 34764 TO SUBDIVIDE APPROXIMATELY 10.4 ACRES INTO ELEVEN PARCELS LOCATED ON THE NORTH SIDE OF 20TH AVENUE, APPROXIMATELY 700 FEET WEST OF NORTH INDIAN CANYON DRIVE, ZONE M-2, SECTION 15.

WHEREAS, SWS Investments, LLC, ("Applicant") has filed an application with the City pursuant to Section 9.62 of the Municipal Code for a Tentative Parcel Map (Case No. TPM 34764) to subdivide approximately 10.4 acres into eleven parcels on the north side of 20th Avenue, approximately 700 feet west of North Indian Canyon Drive, APN 666-330-035, 666-330-036, 666-330-083 and 666-330-085; and

WHEREAS, the Applicant has filed Tentative Parcel Map 34764 with the City and has paid the required filing fees; and

WHEREAS, said Tentative Parcel Map was submitted to appropriate agencies as required by the subdivision requirements of the Palm Springs Municipal Code, with the request for their review, comments, and requirements; and

WHEREAS, on March 11, 2009, the Planning Commission reviewed the proposed project and voted to recommend approval of the subdivision to the City Council; and

WHEREAS, notice of public hearing of the City Council of the City of Palm Springs to consider TPM 34764 was given in accordance with applicable law; and

WHEREAS, on April 1, 2009, a meeting was held by the City Council in accordance with applicable law; and

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

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

SECTION 1. The City Council has reviewed this project under the provisions of the California Environmental Quality Act (CEQA), and determined that the project had the potential for significant impacts, but that the impacts would not be significant in this case because project modifications and mitigation measures incorporated into the Mitigated Negative Declaration (MND), will reduce impacts to less than significant levels.

SECTION 2. Pursuant to Government Code Section 66473.5, the City Council finds that the proposed subdivision and the provisions for its design and improvement are compatible with the objectives, polices, and general land uses and program provided in the City's General Plan and any applicable specific plan.

SECTION 3. Pursuant to Section 66474 of the Subdivision Map Act, the City Council finds:

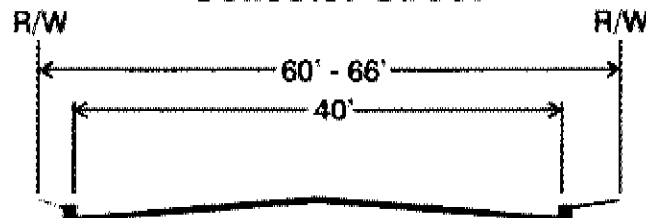
- a. *The proposed Tentative Parcel Map is consistent with all applicable general and specific plans.*

The subject property is designated RBC (Regional Business Commercial). The intention of the RBC designation is to accommodate a wide variety of business activities in a multi-use environment. Commercial, office, and industrial uses that can be supported by their proximity to the freeway are encouraged in this area. Uses in this area are intended to provide large-scale development opportunities that serve an area larger than the City proper. Commercial uses can include retail establishments, hotels, automobile dealerships, and other uses that serve a regional population. Business parks and industrial uses are also envisioned under this land use designation.

The plan proposes a public cul-de-sac street, which is consistent with a Collector street by the General Plan Circulation Element:

Collector. Collector streets serve mostly local traffic; they are usually comprised of two lanes and carry traffic from secondary and major thoroughfares. On-street parking is permitted on collectors, which can be divided or undivided roadways. Typical right-of-way width for a collector is 60 feet, 66 feet in industrial areas. (See figure 4-2 below from the General Plan Circulation Element)

**Figure 4-2 Typical Street Cross Section
Collector Street**



The proposed street will be fifty feet wide with an eight foot sidewalk on each side. The total right-of-way provided will be sixty-six feet wide from 20th Avenue to the 'bulb' or end of cul-de-sac. The 'bulb' provides additional right-of-way and exceeds minimum City Engineering standards for turn-a-round.

The proposed subdivision is consistent with the General Plan.

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

The proposed tentative parcel map is a request for the creation of eleven parcels from the existing four parcels. The proposed parcels will range from approximately 0.65 acres to 1.32 acres in size. Pursuant to Section 92.17.1.03(A) and 92.17.1.03(B) of the PSZC, the M-2 Zone requires that each lot have a minimum of 20,000 square feet with a minimum width of 150 feet and depth of 100 feet. The proposed subdivision proposes eleven parcels that all conform to these standards. Therefore, the proposed Tentative Parcel Map is consistent with lot development standards in the M-2 Zone. All future structures / buildings will be required to follow the M-2 Zone development standard outlined in Section 92.17.1.03 of the PSZC.

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

The project site has a slight slope from north to south. This is consistent with other properties in the vicinity, and each site contains adequate developable building area. There are no known bodies of water, ravines, or significant topographic features on the subject property.

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

The Mitigated Negative Declaration prepared for the site determined that the impacts of the project will be less than significant to traffic, aesthetics, animals or plants. As stated earlier, there are no known bodies of water on the subject property and therefore no fish will be disturbed.

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

The design of the proposed subdivision meets all development criteria outlined by the Palm Springs Zoning Code. Furthermore, all future development will be required to be consistent with the Palm Springs Zoning Code.

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

There are no known public easements across the subject property; therefore, the design of the subdivision will not conflict with any public easements for access through or use of the property. The subdivision will provide a public street that allows access to each proposed lot.

SECTION 4. The City Council adopts the Mitigated Negative Declaration for Case Number Tentative Parcel Map 34764 and directs staff to file the associated Notice of Determination.

SECTION 5. The City Council approves Case Number Tentative Tract Map 34764, subject to the Conditions of Approval attached hereto as Exhibit A.

ADOPTED this 1st day of April, 2009.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on _____, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

EXHIBIT A
CITY COUNCIL
CONDITIONS OF APPROVAL

TPM 34764

SWS Investments, LLC
10.4 acres on the north side of 20th Avenue,
Approximately 700 feet west of North Indian Canyon Drive

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 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. The site shall be subdivided in accordance with the approved plans on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.
- ADM 2. 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 3. Tentative Map. This approval is for Tentative Parcel Map 34764 located on the north side of 20th Avenue, approximately 700 feet west of North Indian Canyon Drive (APN: 666-330-035, 666-330-036, 666-330-083 & 666-330-085), date stamped October 9, 2008. This approval is subject to all applicable regulations of the Subdivision Map Act, the Palm Springs Municipal Code, and any other applicable City Codes, ordinances and resolutions.
- ADM 4. 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 TPM 34764. 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 5. 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 6. Time Limit on Approval. Approval of the Tentative Tract Map (TTM) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be approved pursuant to Code Section 9.63.110. Such extension shall be required in writing and received prior to the expiration of the original approval.
- ADM 7. 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 8. 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.

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Permit Fee (LDME) required. All projects within the City

of Palm Springs are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.

ENV 2. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the negative declaration will be included in the plans prior to Planning Commission consideration of the environmental assessment. Mitigation measures are as follows:

MM V-1 Should buried or other cultural resources be discovered during any ground disturbing activities, all work in the area shall be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the resources. Should the archaeologist determine the cultural resources to be significant, the following shall occur at the expense of the applicant:

1. Archeologically significant finds shall be appropriately collected and deposited under supervision of an archeologist certified by the County of Riverside.
2. Any significant findings shall be documented and presented to the State Historic Preservation Office (SHPO), Bureau of Indian Affairs (BIA), the Agua Caliente Band of Cahuilla Indians and the City, and shall be resolved to their satisfaction.
3. Copies of any cultural resources documentation generated in connection with this project shall be given to the Agua Caliente Band of Cahuilla Indians for inclusion into the Agua Caliente Cultural Register. Copies shall also be presented to the City for inclusion in the project file.

MM V-2 An Approved Cultural Resource Monitor or multiple monitors as indicated by the Agua Caliente Tribal Historic Preservation Office shall be present during any survey and/or ground disturbing activities at the expense of the applicant.

MM VIII-1 The project shall implement the recommendations of the Hydrology Report prepared by Peter G. Ringeis for Sanborn A/E, Inc. in July 2008 in conjunction with standard review and conditioning by the City of Palm Springs Engineering Department.

POLICE DEPARTMENT CONDITIONS

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

ENGINEERING DEPARTMENT CONDITIONS

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

STREETS

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

- ENG 2. Existing street plans for Lot "A" are approved and on file (see Files 15-3-4-15, 15-3-4-16, approved 6/6/07). The approved street plans shall be revised to reflect the proposed drainage outlet located at the north end of the cul-de-sac, and submitted to the Engineering Division for review and approval. The revised street improvement plans shall be approved by the City Engineer prior to approval of a Parcel Map.

LOT "A" (PUBLIC STREET)

- ENG 3. Dedicate street right-of-way of 66 feet along the entire proposed street frontage, along with right-of-way appropriate to accommodate the proposed cul-de-sac, together with a property line - corner cut backs at the northwest and northeast corners of the intersection of Lot "A" and 20th Avenue, in accordance with City of Palm Springs Standard Drawing No.105.

- ENG 4. Construct an 8 inch curb and gutter, 25 feet both sides of centerline along the entire frontage, with a 35 feet radius curb return and spandrel at the northwest and northeast corner of the intersection of Lot "A" and 20th Avenue, in accordance with City of Palm Springs Standard Drawing No. 200 and 206.

- ENG 5. Construct an 8 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.

- ENG 6. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, within Lot "A", in accordance with City of Palm Springs Standard Drawing No. 110. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 7. All required street improvements for Lot "A" shall be completed prior to approval of a Parcel Map, or shall be secured pursuant to a subdivision improvement agreement approved with approval of a Parcel Map.

20TH AVENUE

ENG 8. Construct an 8 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.

ENG 9. Construct an 8 feet wide cross gutter at the intersection of 20th Avenue and Lot "A" with a flow line parallel with and located 43 feet north of the centerline of 20th Avenue, in accordance with City of Palm Springs Standard Drawing No. 200 and 206.

ENG 10. Construct a Type A curb ramp meeting current California State Accessibility standards at the northeast and northwest corners of the intersection of Lot "A" and 20th Avenue, in accordance with City of Palm Springs Standard Drawing No. 212.

ENG 11. All broken or off grade street improvements shall be repaired or replaced.

ENG 12. All required street improvements for 20th Avenue shall be completed prior to approval of a Parcel Map, or shall be secured pursuant to a subdivision improvement agreement approved with approval of a Parcel Map.

SANITARY SEWER

ENG 13. Submit public sewer improvement plans prepared by a California registered civil engineer to Mission Springs Water District (MSWD) for review and approval. The plans shall be approved by MSWD prior to approval of a Parcel Map.

ENG 14. Construct public sewer improvements, in accordance with sewer improvement plans approved by Mission Springs Water District (MSWD). A private sewer lateral shall be installed to each proposed parcel for future connection of private on-site sewer systems to the public sewer, as MSWD.

ENG 15. All required sewer improvements within Lot "A" shall be completed prior to approval of a Parcel Map, or shall be secured pursuant to a subdivision improvement agreement approved with approval of a Parcel Map.

ENG 16. Development of this property is subject to an existing Environmental Constraint Sheet for Parcel Map No. 16,885 filed with Riverside County, Book 4, Page 65. The following environmental constraint note shall apply to development of parcels proposed within Tentative Parcel Map 34764:

"This property is subject to sheet flow storm runoff. Buildings shall be flood proofed by elevating building pads a minimum of 18 inches above the adjacent flowline of drainage swales or surrounding ground surface. Substantial area shall be provided between buildings to allow passage of storm flows." In accordance with the approved Hydrology Study for Tentative Parcel Map 34764, dated July 7, 2008, the proposed top of curb profile for Lot "A" has been established one (1) foot below existing adjacent grade, providing a minimum of twenty (20) inches from flowline of gutter to existing adjacent grade. The Grading Plan prepared for Tentative Parcel Map 34764 shall establish pad elevations for Parcels 1, 2, 3, 4, 7, 8, 9, 10, and 11 with an elevation equal to or above existing grade to ensure compliance with the environmental constraint note. Pad elevations for Parcels 5 and 6 shall be established at an elevation a minimum of eighteen (18) inches above the depth of stormwater runoff flow passing through the proposed drainage outlet located at the north end of the cul-de-sac.

ENG 17. Prior to construction, a Fugitive Dust Control Plan shall be prepared by the applicant and/or its contractor and submitted to the Engineering Division for review and approval. The applicant and/or its 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 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 construction.

ENG 18. Prior to construction, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate

scheduling of Tribal monitors during construction, and to arrange payment of any required fees associated with Tribal monitoring.

- ENG 19. In accordance with an approved PM-10 Dust Control Plan, perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Permit, and immediately prior to commencement of construction.
- ENG 20. 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 21. 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 22. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 23. Notice of Intent to comply with the California General Construction Stormwater Permit (Water Quality Order 99-08-DWQ as modified December 2, 2002) is required for the proposed development via the California Regional Water Quality Control Board (Phone No. (760) 346-7491). A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a construction permit.
- ENG 24. Projects that must comply with either the General Permit for Stormwater Discharges Associated with Construction Activity or the General Permit for Stormwater Discharges Associated with Construction Activity from Small Linear Underground/Overhead Projects shall prepare and implement a stormwater pollution prevention plan (SWPPP).
- ENG 25. In accordance with City of Palm Springs Municipal Code, Section 8.50.025 (c), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 26. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an

integral part of the plans for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division prior to issuance of a construction permit.

- ENG 27. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved plans shall be certified by a California registered geotechnical or civil engineer, certifying that all construction was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided.
- ENG 28. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for permits 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 issuance of a construction permit (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

DRAINAGE

- ENG 29. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. A Hydrology Study for Tentative Parcel Map 34764, dated July 7, 2008, shall be referenced for design of future development within Tentative Parcel Map 34764.
- ENG 30. A concrete drainage structure approved by the City Engineer shall be constructed at the north end of Lot "A" within Parcel 5 as necessary to accept and convey off-site stormwater runoff into Lot "A" in accordance with the approved Hydrology Study for Tentative Parcel Map 34764.
- ENG 31. Measures to retain increased stormwater runoff on-site have been deferred for implementation with development of each individual parcel within Tentative Parcel Map 34764. Requirements for the construction of on-site stormwater runoff retention improvements for each parcel shall be noticed by a statement on the parcel map, with the following note: "For all stormwater runoff falling on each individual parcel, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by development of each individual parcel. A hydrology study shall be prepared to determine the volume of increased stormwater runoff due to development of the parcel,

and to determine required on-site stormwater runoff mitigation measures for the parcel. No off-site retention facility exists to contain increased stormwater runoff from development of each parcel. Construction of on-site retention facilities will be required as a condition to develop each individual parcel.”

GENERAL

- ENG 32. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.
- ENG 33. On phases or elements of construction following initial site grading (e.g., sewer, storm drain, or other utility work requiring trenching) associated with this project, the applicant shall be responsible for coordinating the scheduled construction with the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. Unless the project site has previously been waived from any requirements for Tribal monitoring, it is the applicant's responsibility to notify the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, for any subsequent phases or elements of construction that might require Tribal monitoring. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during construction, and to arrange payment of any required fees associated with Tribal monitoring. Tribal monitoring requirements may extend to off-site construction performed by utility companies on behalf of the applicant (e.g. utility line extensions in off-site streets), which shall be the responsibility of the applicant to coordinate and arrange payment of any required fees for the utility companies.
- ENG 34. All proposed utility lines shall be installed underground.

- ENG 35. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 36. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
- ENG 37. 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.
- ENG 38. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF).

MAP

- ENG 39. A Parcel Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Parcel Map to the Engineering Division as part of the review of the Map.
- ENG 40. Dedicate a drainage easement within Parcel 5 as necessary to accept and convey off-site stormwater runoff into Lot "A" in accordance with the approved Hydrology Report for Tentative Parcel Map 34764.
- ENG 41. Dedicate a twenty-two (22) feet wide drainage easement adjacent to Lot "A" right-of-way, as necessary to provide a one hundred ten (110) feet wide drainage pathway for acceptance and conveyance of offsite stormwater runoff in accordance with the approved Hydrology Study for Tentative Parcel Map 34764.
- ENG 42. In accordance with Government Code Section 66411.1, the Tentative Parcel Map is a subdivision of five or more lots (parcels), and is subject to construction of all required public improvements. Prior to approval of a Parcel Map, all required public improvements shall be completed to the satisfaction of the City Engineer, or shall be secured by a subdivision

improvement agreement in accordance with Government Code Section 66462.

- ENG 43. Upon approval of a parcel map, the parcel map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file (e00), DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

TRAFFIC

- ENG 44. 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 45. Install a 30 inch stop sign, stop bar, and "STOP" legend at the intersection of Lot "A" and 20th Avenue in accordance with City of Palm Springs Standard Drawing Nos. 620-625.
- ENG 46. Install a street name sign at the intersection of Lot "A" and 20th Avenue, in accordance with City of Palm Springs Standard Drawing Nos. 620 through 625.
- ENG 47. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated September 26, 2006, or subsequent editions in force at the time of construction.

FIRE DEPARTMENT CONDITIONS

- FID 1. **Impact Fees:** In order to ensure that the availability of adequate fire and emergency medical services to the Development, the Applicant shall participate and contribute in any fee program, assessment district, community

facilities district, or any other public financing that includes the Development as a part thereof as the City in its discretion may adopt or establish. This obligation shall be evidenced by a covenant running with the land and in a form approved by the City Attorney prior to approval of the final map.

- FID 2. **Plot Plan:** Prior to completion of the project, a 8.5"x11" plot plan shall be provided to the fire department. This shall clearly show all access points & fire hydrants.
- FID 3. **Road Design:** Fire apparatus access roads shall be designed and constructed as all weather capable and able to support a fire truck weighing 73,000 pounds GVW. (503.2.3 CFC) The minimum inside turning radius is 25 feet, with an outside radius of 43 feet.
- FID 4. **Fire Department Access:** Fire Department Access Roads shall be provided and maintained in accordance with (Sections 503 CFC)
- **Minimum Access Road Dimensions:**
 1. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, a greater width for private streets may be required by the City engineer to address traffic engineering, parking, and other issues. The Palm Springs Fire Department requirements for two-way private streets, is a minimum width of 24 feet is required for this project, unless otherwise allowed by the City engineer. No parking shall be allowed in either side of the roadway.
 2. Roads must be 30 feet wide when parking is not allowed on only one side of the roadway.
 3. Roads must be 40 feet wide when parking is not restricted.
- FID 5. **Turn-Around Requirements:** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. (503.2.4 CFC) The City of Palm Springs has two approved turn around provisions. One is a cul-de-sac with an outside turning radius of 43 feet from centerline. The other is a hammerhead turnaround meeting the Palm Springs Public Works and Engineering Department standard dated 9-4-02.
- FID 6. **Water Systems and Hydrants:** Underground water mains and fire hydrants shall be installed, completed, tested and in service prior to the time when combustible materials are delivered to the construction site. (508 CFC). Installation, testing, and inspection will meet the requirements of NFPA 24 1995 edition. Prior to final approval of the installation, contractor shall submit a completed Contractor's Material and Test Certificate to the Fire Department. (9-2.1 NFPA 24 1995 edition)
- FID 7. **Fire hydrant systems:** Following Fire Department selection of hydrant locations, plans and specifications for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction. (508.5

CFC). All fire hydrants shall be installed in accordance with Mission Springs Water District specifications and standards. No landscape planting, walls, fences, signposts, or aboveground utility facilities are permitted within 3 feet of fire hydrants, or in line with hose connections.

END OF CONDITIONS

David Newell, Associate Planner, provided background information as outlined in the staff report dated March 11, 2009.

Chair Hochanadel opened the public hearing:

-Hugh Carson, applicant, stated that he was previous owner of The Blue Guitar and was not aware of the restrictions imposed by the conditional use permit.

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

M/S/C (Conrad/Donenfeld, 7-0) The Conditional Use Permit to remain in effect and allow continued operation, subject to the following conditions:

-A one (1) year review with consideration of modification or revocation of the Conditional Use Permit.

-The Conditional Use Permit to be subject to modification or revocation by the Planning Commission if three (3) or more noise complaints are received or at Commission request.

A recess was taken at 3:58 p.m.

Commissioner Ringlein left at 3:59 p.m. for the remainder of the meeting.

The meeting resumed at 4:09 p.m.

3B. Case TPM 34764 - An application by SWS Investments, LLC, to subdivide approximately 10.4 acres into eleven parcels for commercial purposes and a public street located on the north side of 20th Avenue approximately 700 feet west of North Indian Canyon Drive, Zone M-2, Section 23, APN: 666-330-035, -036, -083 and -085. (Project Planner: David A. Newell, Associate Planner)

David Newell, Associate Planner, provided background information as outlined in the staff report dated March 11, 2009.

Chair Hochanadel opened the public hearing:

-John Sanborn, Sanborn A/E, was available for questions from the Commission.

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

M/S/C (Scott/Caffery, 6-0, 1 absent/Ringlein) To recommend that the City Council adopt a Mitigated Negative Declaration and approve Tentative Parcel Map 34764, as amended:

-Revisions to Engineering Conditions #17 - #28, to reflect that grading applies to the street construction.

4. STUDY SESSION:

4A. Discussion: Initiation of Zone Text Amendment - Definition of Building Height

Director Ewing provided background information as outlined in the memorandum dated March 11, 2009.

The Commission discussed and/or commented on the inclusion of retaining walls as a part of the height calculation. Staff suggested this may best added to the hillside exemption than in the definition of basic building height.

Commissioner Conrad requested architectural appurtenances be addressed in the height definition and maintained to the minimum height.

Staff noted that a separate section called "exceptions to heights" addresses architectural appurtenances and will be brought to the Commission for further review.

M/S/C (Conrad/Scott, 6-0, 1 absent Ringlein) To initiate the Zone Text Amendment regarding the definition of building height.

5. PLANNING COMMISSION COMMENTS:

Commissioner Donenfeld noted that he would not be in attendance for the meeting of March 25, 2009.

Chair Hochanadel expressed his condolences to Diane Bullock's family.

5A. Memorandum from Chair regarding Selection of Candidate for the Architectural Advisory Committee.

Chair Hochanadel summarized his memo on the recruitment of a new member to the Architectural Advisory Committee and urged the Commission to encourage people to submit an application. There were no objections to allowing an additional month to the recruitment period.



Planning Commission Staff Report

Date: March 11, 2009

Case No.: TPM 34764

Application Type: Tentative Parcel Map

Location: Northside of 20th Avenue, approximately
700 west of North Indian Canyon Drive

Applicant: SWS Investments, LLC

Zone: M-2 (Manufacturing Zone)

General Plan: RBC (Regional Business Center)

APN: 666-330-035, 666-330-036,
666-330-083 & 666-330-085

From: Craig A. Ewing, AICP, Director of Planning Services

Project Planner: David A. Newell, Associate Planner

PROJECT DESCRIPTION

The applicant is proposing the subdivision of approximately 10.4 acres into eleven parcels for commercial purposes and a public street. No construction or development (except the street) is proposed as part of this project.

RECOMMENDATION

That the Planning Commission recommends the adoption of the Mitigated Negative Declaration (MND) by the City Council and approval of the proposed Tentative Parcel Map as submitted.

BACKGROUND AND SETTING

The overall site is approximately 10.4 acres and located along the north side of 20th Avenue, approximately 700 feet west of North Indian Canyon Drive. The subject property is vacant and has a gentle slope from north to south. No structures are proposed at this time. A public cul-de-sac street is proposed through the center of the site with access from 20th Avenue.

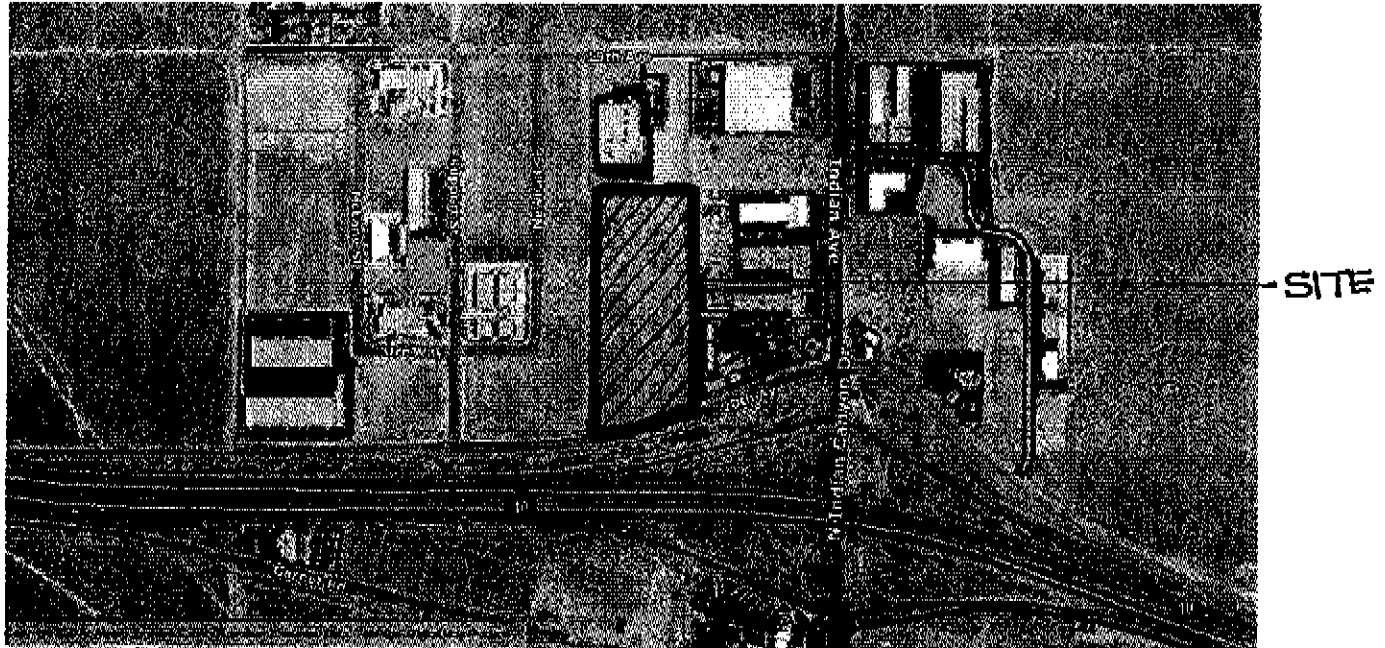


Table 1: Surrounding land uses, General Plan, Zoning

	Land Use	General Plan	Zoning
North	Federal Express	Regional Business Center	M-2 (Manufacturing)
East	Multi-tenanted Commercial Industrial Center	Regional Business Center	M-2 (Manufacturing)
South	Interstate 10 Freeway	Regional Business Center	M-2 (Manufacturing)
West	Industrial Park	Regional Business Center	M-2 (Manufacturing)

ANALYSIS

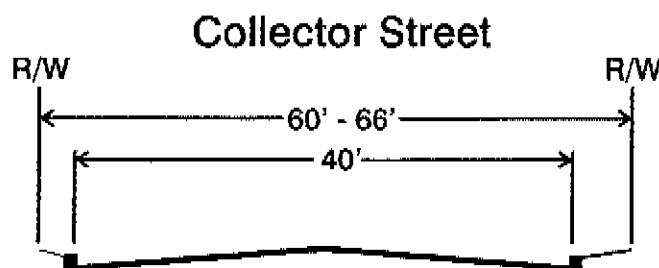
General Plan

The subject property is designated RBC (Regional Business Commercial). The intention of the RBC designation is to accommodate a wide variety of business activities in a multi-use environment. Commercial, office, and industrial uses that can be supported by their proximity to the freeway are encouraged in this area. Uses in this area are intended to provide large-scale development opportunities that serve an area larger than the City proper. Commercial uses can include retail establishments, hotels,

automobile dealerships, and other uses that serve a regional population. Business parks and industrial uses are also envisioned under this land use designation.

The plan proposes a public cul-de-sac street, which is consistent with a Collector street by the General Plan Circulation Element:

Collector. Collector streets serve mostly local traffic; they are usually comprised of two lanes and carry traffic from secondary and major thoroughfares. On-street parking is permitted on collectors, which can be divided or undivided roadways. Typical right-of-way width for a collector is 60 feet, 66 feet in industrial areas.



The proposed street will be fifty feet wide with an eight foot sidewalk on each side. The total right-of-way provided will be sixty-six feet wide from 20th Avenue to the 'bulb' or end of cul-de-sac. The 'bulb' provides additional right-of-way and exceeds minimum City Engineering standards for turn-a-round.

As designed and proposed, the subdivision is consistent with the General Plan.

Zoning

Pursuant to Section 92.17.1.00 of the Palm Springs Zoning Code (PSZC), the M-2 Zone is "intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing which do not in their maintenance, assembly, manufacture or plant operation create by-products to any degree which will adversely affect the resort-open space environment of the city." The proposed subdivision is to allow for individual ownership of an industrial / commercial lot. Future uses in the subdivision will consist of permitted uses within the M-2 Zone. All future developments in the subdivision will be subject to the development standards of Section 92.17.1.03 of the PSZC.

Tentative Parcel Map

The proposed tentative parcel map is a request for the creation of eleven parcels from the existing four parcels. The proposed parcels will range from approximately 0.65 acres to 1.32 acres in size. Pursuant to Section 92.17.1.03(A) and 92.17.1.03(B) of the

PSZC, the M-2 Zone requires that each lot have a minimum of 20,000 square feet with a minimum width of 150 feet and depth of 100 feet. The proposed subdivision proposes eleven parcels and is compared to the PSZC standards in Table 2:

Table 2: Proposed Parcels and Sizes

	Proposed (Approximate)			Required		
	Square Feet	Width (Feet)	Depth (Feet)	Square Feet	Minimum Width	Minimum Depth
Parcel 1	33,106	177	190	20,000	150	100
Parcel 2	28,750	150	190	20,000	150	100
Parcel 3	57,499	300	190	20,000	150	100
Parcel 4	28,314	150	190	20,000	150	100
Parcel 5	33,977	213	150	20,000	150	100
Parcel 6	43,124	228	189	20,000	150	100
Parcel 7	28,314	150	189	20,000	150	100
Parcel 8	28,314	150	189	20,000	150	100
Parcel 9	28,314	150	189	20,000	150	100
Parcel 10	28,314	150	189	20,000	150	100
Parcel 11	40,946	218	189	20,000	150	100

The proposed Tentative Parcel Map is consistent with lot development standards in the M-2 Zone. All future structures / buildings will be required to follow the M-2 Zone development standard outlined in Section 92.17.1.03 of the PSZC.

REQUIRED FINDINGS

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

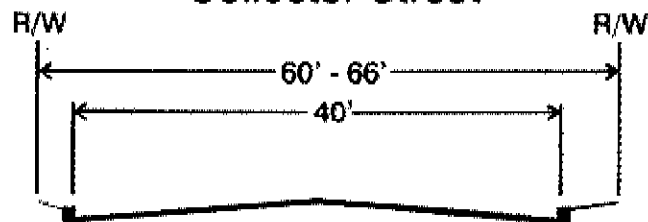
- a. *The proposed Tentative Parcel Map is consistent with all applicable general and specific plans.*

The subject property is designated RBC (Regional Business Commercial). The intention of the RBC designation is to accommodate a wide variety of business activities in a multi-use environment. Commercial, office, and industrial uses that can be supported by their proximity to the freeway are encouraged in this area. Uses in this area are intended to provide large-scale development opportunities that serve an area larger than the City proper. Commercial uses can include retail establishments, hotels, automobile dealerships, and other uses that serve a regional population. Business parks and industrial uses are also envisioned under this land use designation.

The plan proposes a public cul-de-sac street, which is consistent with a Collector street by the General Plan Circulation Element:

Collector. Collector streets serve mostly local traffic; they are usually comprised of two lanes and carry traffic from secondary and major thoroughfares. On-street parking is permitted on collectors, which can be divided or undivided roadways. Typical right-of-way width for a collector is 60 feet, 66 feet in industrial areas. (See figure 4-2 below from the General Plan Circulation Element)

**Figure 4-2 Typical Street Cross Section
Collector Street**



The proposed street will be fifty feet wide with an eight foot sidewalk on each side. The total right-of-way provided will be sixty-six feet wide from 20th Avenue to the 'bulb' or end of cul-de-sac. The 'bulb' provides additional right-of-way and exceeds minimum City Engineering standards for turn-a-round.

The proposed subdivision is consistent with the General Plan.

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

The proposed tentative parcel map is a request for the creation of eleven parcels from the existing four parcels. The proposed parcels will range from approximately 0.65 acres to 1.32 acres in size. Pursuant to Section 92.17.1.03(A) and 92.17.1.03(B) of the PSZC, the M-2 Zone requires that each lot have a minimum of 20,000 square feet with a minimum width of 150 feet and depth of 100 feet. The proposed subdivision proposes eleven parcels that all conform to these standards. Therefore, the proposed Tentative Parcel Map is consistent with lot development standards in the M-2 Zone. All future structures / buildings will be required to follow the M-2 Zone development standard outlined in Section 92.17.1.03 of the PSZC.

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

The project site has a slight slope from north to south. This is consistent with other properties in the vicinity, and each site contains adequate developable building area. There are no known bodies of water, ravines, or significant topographic features on the subject property.

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

The Mitigated Negative Declaration prepared for the site determined that the impacts of the project will be less than significant to traffic, aesthetics, animals or plants. As stated earlier, there are no known bodies of water on the subject property and therefore no fish will be disturbed.

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

The design of the proposed subdivision meets all development criteria outlined by the Palm Springs Zoning Code. Furthermore, all future development will be required to be consistent with the Palm Springs Zoning Code.

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

There are no known public easements across the subject property; therefore, the design of the subdivision will not conflict with any public easements for access through or use of the property. The subdivision will provide a public street that allows access to each proposed lot.

ENVIRONMENTAL ASSESSMENT

The Planning Department has reviewed this project under the provisions of the California Environmental Quality Act (CEQA). An environmental Initial Study (I.S.) was prepared and a Mitigated Negative Declaration was determined, noting that the project had the potential for significant impacts. These impacts would not be significant in this case because project modifications or mitigation measures incorporated into the Initial Study reduce impacts to less than significant levels. These mitigation measures are outlined in the Conditions of Approval attached as Exhibit A of the draft Resolution.

The environmental document (I.S.) was distributed to federal, state and local agencies for review and comments. No written comments were received from agencies or concerned citizens as of the writing of this report.

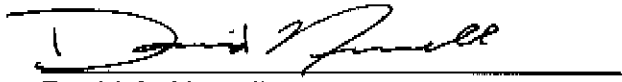
A Notice of Intent to adopt the Mitigated Negative Declaration (MND) was noticed and published on February 19, 2009.

CONCLUSION:

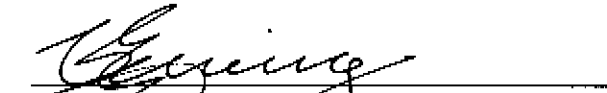
Based on the above analysis, Staff finds the project to be consistent with the General Plan and the Palm Springs Zoning Code. Staff recommends that the Planning Commission recommend adoption of the Mitigated Negative Declaration and approval of Tentative Parcel Map 34764 by the City Council.

NOTIFICATION

A public hearing notice was advertised and was mailed to all property owners within 400 feet of the subject property. As of the writing of this report, staff has not received any comment.



David A. Newell
Associate Planner



Craig A. Ewing, AICP
Director of Planning Services

ATTACHMENTS

1. Vicinity Map
2. Tentative Parcel Map 34764
3. Draft Resolution / Conditions of Approval
4. Initial Study

IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
TENTATIVE PARCEL MAP NO. 34764

BEING A SUBDIVISION OF PARCELS 2 AND 3 OF LOT LINE ADJUSTMENT NO. 04-01 RECORDED 06/27/74 AS INSTRUMENT NO. C7-4358 ALSO BEING A PORTION OF PARCEL MAP NO. 16885 AS RECORDED IN PARCEL MAP BOOK 128 AT PAGE 74/75, RIVERSIDE COUNTY RECORDS BEING A PORTION OF THE S.W. 1/4 OF SECTION 15, T.25, R.4E., S.E.S. & 4.

JULY 2009

SANBORN A/E, Inc.

OWNER INFORMATION

OWNER: SANBORN A/E, Inc.
 27100 EAST JACOBINO DR.
 BULWARK #1
 PALMDALE, CA 93550
 (818) 481-7000

UTILITIES

WATER: METRO WATER DISTRICT
 5055 FORT WARDEN CA
 WATER: PALM SPRINGS WATER DISTRICT
 13250 FORT WARDEN CA
 GAS: SOUTHERN CALIFORNIA GAS COMPANY
 14200 CENTRAL AVENUE
 PALM SPRINGS, CA 92262
 TELEPHONE: SBC COMMUNICATIONS
 1200 W. WARE HWY
 PALM SPRINGS, CA 92264
 TELEVISION: THE HARBOR
 1200 W. WARE HWY
 PALM SPRINGS, CA 92264

SCHOOL DISTRICT INFORMATION

PALM SPRINGS UNIFIED SCHOOL DISTRICT
 1000 W. WARE HWY
 PALM SPRINGS, CA 92264

ASSESSOR'S PARCEL NUMBER

APN: 03-013-003-000-001
 2000 THOMAS GUIDE LOCATION
 PAGE 736 - 04

AREA INFORMATION

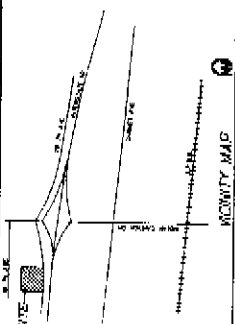
TOTAL NO. OF PARCELS: 63
 TOTAL NO. OF LOTTED LOTS: 7
 THE PROJECT, INCLUDING COVINGS
 THE ENTIRE COMPASSED OASHP
 TOTAL GROSS AREA: 1,017 ACRES
 LOT "A" IS FOR P.A.C. STREET
 APPROX. LOT SIZE: 8,000 SQ
 FEET

GENERAL NOTES

1. CONSIDER INTERVAL = 1 FOOT
2. ALL SLORES ARE 2:1 PLATTER
3. LOT DIMENSIONS SHOWN HEREIN ARE APPROXIMATE
 AND ARE NOT TO BE USED FOR CONVEYANCE
 PURPOSES WITHOUT FURTHER SURVEY
4. THE LOCATION OF ALL EXISTING UTILITIES SHOWN ON
 THIS MAP ARE APPROXIMATE
5. ALL EXISTING ROAD ALLEYS SETBACK LINES ARE 20'
 ALL NEW ROAD ALLEYS SETBACK LINES ARE 10'
 ALL EXISTING DRIVEWAY SETBACK LINES ARE 5'
 THE LOCATIONS OF ALL EXISTING UTILITIES SHALL BE BY
 VISUAL SURVEY AND WATER DISTRICT
6. THE METHOD OF SURVEY DESCRIBED WILL BE BY
 JACOBS SURVEYING INC. DISTRICT
7. SHOWN AS A 10' WIDE DRIVEWAY ON AN ADJACENT LOT

LAND USE INFORMATION

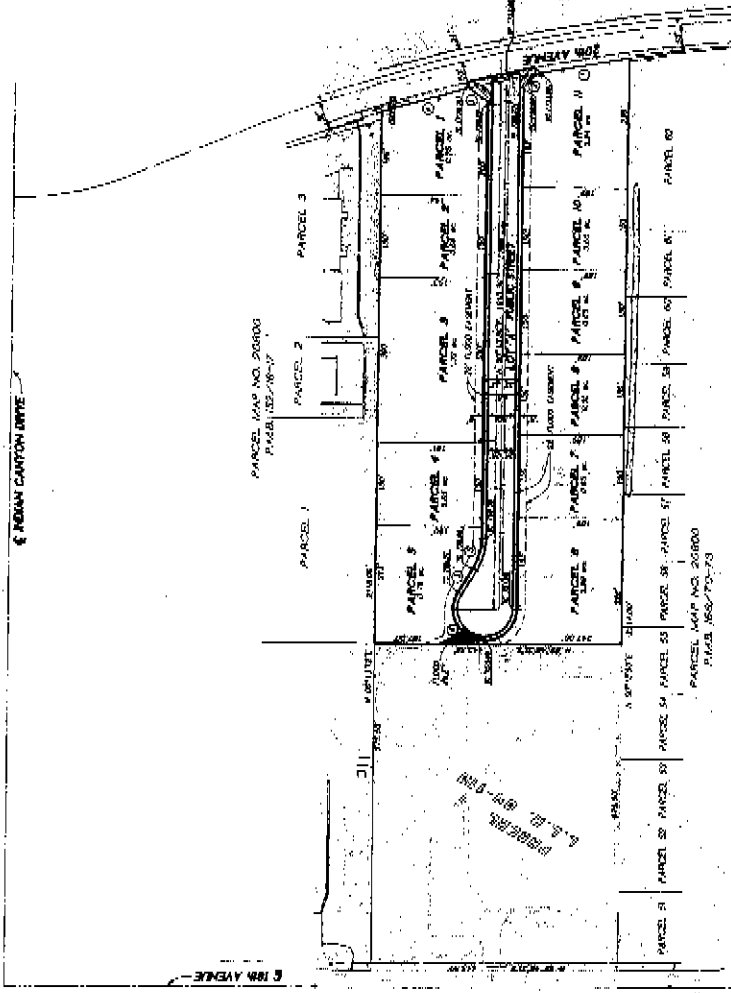
EXISTING ZONING: R-10
 PROPOSED ZONING: R-10
 COUNTY CONTROLLED LAND USE: NORTH: M-2 DEVELOPMENT PER-60
 EAST: R-10C
 WEST: M-2 DEVELOPMENT



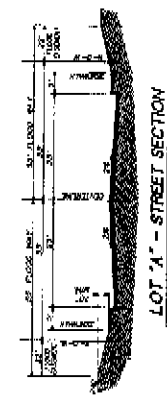
SHEET 1
 OF 1 SHEET
 SCALE: AS SHOWN

Sanborn A/E, Inc.
 27100 EAST JACOBINO DR.
 BULWARK #1
 PALMDALE, CA 93550
 (818) 481-7000

Sanborn A/E, Inc.
 27100 East Jacobino Dr.
 Bulwark #1
 Palmdale, CA 93550
 (818) 481-7000



NO.	DESCRIPTION	AREA (SQ. FEET)	PERCENT
1	1.2731'	2792.0	0.27
2	1.2731'	2792.0	0.27
3	1.2731'	2792.0	0.27
4	1.2731'	2792.0	0.27
5	1.2731'	2792.0	0.27
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62	1.2731'	2792.0	0.27
63	1.2731'	2792.0	0.27



INITIAL STUDY
MITIGATED NEGATIVE DECLARATION
FOR
TPM 34764
SWS INVESTMENTS, LLC



Prepared by:
The City of Palm Springs
January 2009

ENVIRONMENTAL CHECKLIST FORM**1. Project title:**

Industrial Subdivision by SWS Investments, LLC
Case TPM 34764

2. Lead agency name and address:

City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, California 92262

3. Contact person and phone number:

David A. Newell, Associate Planner
(760) 323-8245 ext. 8763

Edward O. Robertson, Principal Planner
(760) 323-8245 ext. 8766

4. Project location: (See Exhibit 1, Regional Map and Exhibit 2, Vicinity Map)

North side of 20th Avenue, approximately 700 feet ~~west~~^{east} of North Indian Canyon Drive
APN(s): 666-330-035, 666-330-036, 666-330-083 and 666-330-085
Being a subdivision of parcels 2 and 3 of lot line adjustment No. 04-01 recorded 05/07/04 as instrument No. 0344356. also being a portion of parcel map No. 16885 as recorded in parcel map book 126 at page 74/75, Riverside County records being a portion of the S.W. ¼ of Section 15, T.3S., R.4E., S.B.B.&M.

5. Project sponsor's name and address:

SWS Investments, LLC
1751 North Batavia Street
Orange, CA 92865

Ken Ogden
714-289-0055 ext. 225

6. General Plan: (See Exhibit 3, Land Use Designations)

Regional Business Center (RBC) – Generally located at the Indian Canyon Drive and Gene Autry Trail interchanges north of the Southern Pacific Railroad and adjacent to the I-10 Freeway. The Regional Business Center area is intended to accommodate a wide variety of business activities in a multi-use environment. Commercial, office, and industrial uses that can be supported by their proximity to the freeway are encouraged in this area. Uses in this area are intended to provide large-scale development opportunities that serve an area larger than the City proper. Commercial uses can include retail establishments, hotels, automobile dealerships, and other uses that serve a regional population. Business parks and industrial uses are also envisioned under this land use designation.



7. **Zoning:**

M-2 (Industrial) – The "M-2" manufacturing zone is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing which do not in their maintenance, assembly, manufacture or plant operation create by-products to any degree which will adversely affect the resort-open space environment of the city.

8. **Description of project:** (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The proposed project is the subdivision of approximately 10.4 acres into eleven commercial parcels and a public street. No construction or development (except the street) is proposed as part of this project. The following table summarizes each of the proposed lot sizes:

Table 1: Proposed Subdivision Lot Sizes

Parcel	Proposed Square footage (acreage)
1	33,105.6 (0.76)
2	28,749.6 (0.66)
3	57,499.2 (1.32)
4	28,314 (0.65)
5	33,968 (0.78)
6	43,124.4 (0.99)
7	28,314 (0.65)
8	28,314 (0.65)
9	28,314 (0.65)
10	28,314 (0.65)
11	40,946.4 (0.94)
Lot A (Public Street)	74,052 (1.7)

9. **Surrounding land uses and setting:**

Surrounding Zoning, General Plan designations and current land use are described in Table 2.

Table 2: Surrounding Land Uses and Setting

Location	Zoning	General Plan	Current Land Use
North	M-2	Regional Business Center	Federal Express
East	M-2	Regional Business Center	Multi-tenanted Commercial Buildings & Hotel
South	M-2	Regional Business Center	Interstate 10 Freeway
West	M-2	Regional Business Center	Vacant and Industrial Offices

Sources: City of Palm Springs General Plan, City of Palm Springs Zoning Code

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

- None



Exhibit 1: Regional Map

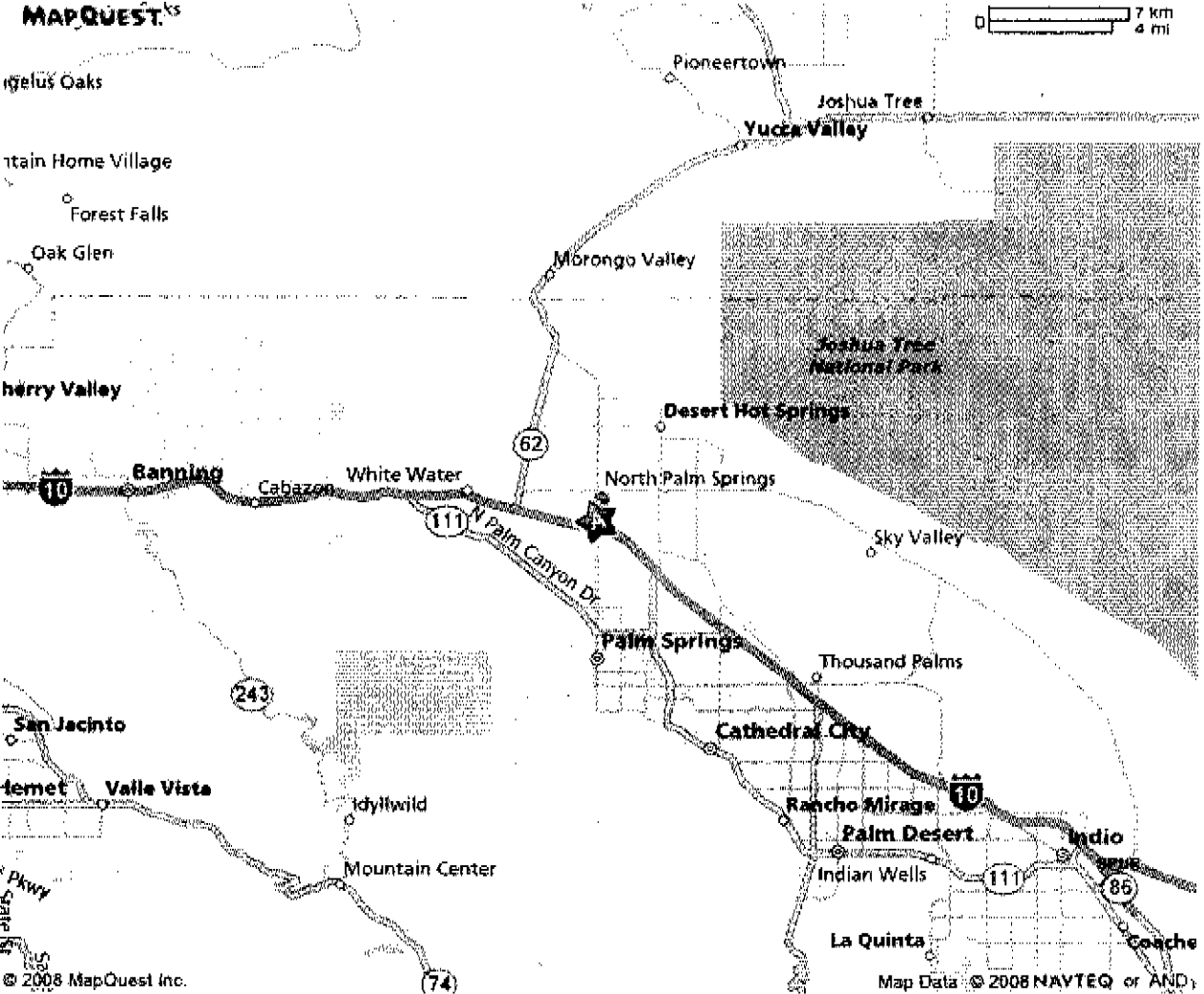


Exhibit 2: Vicinity Map



Department of Planning Services Vicinity Map

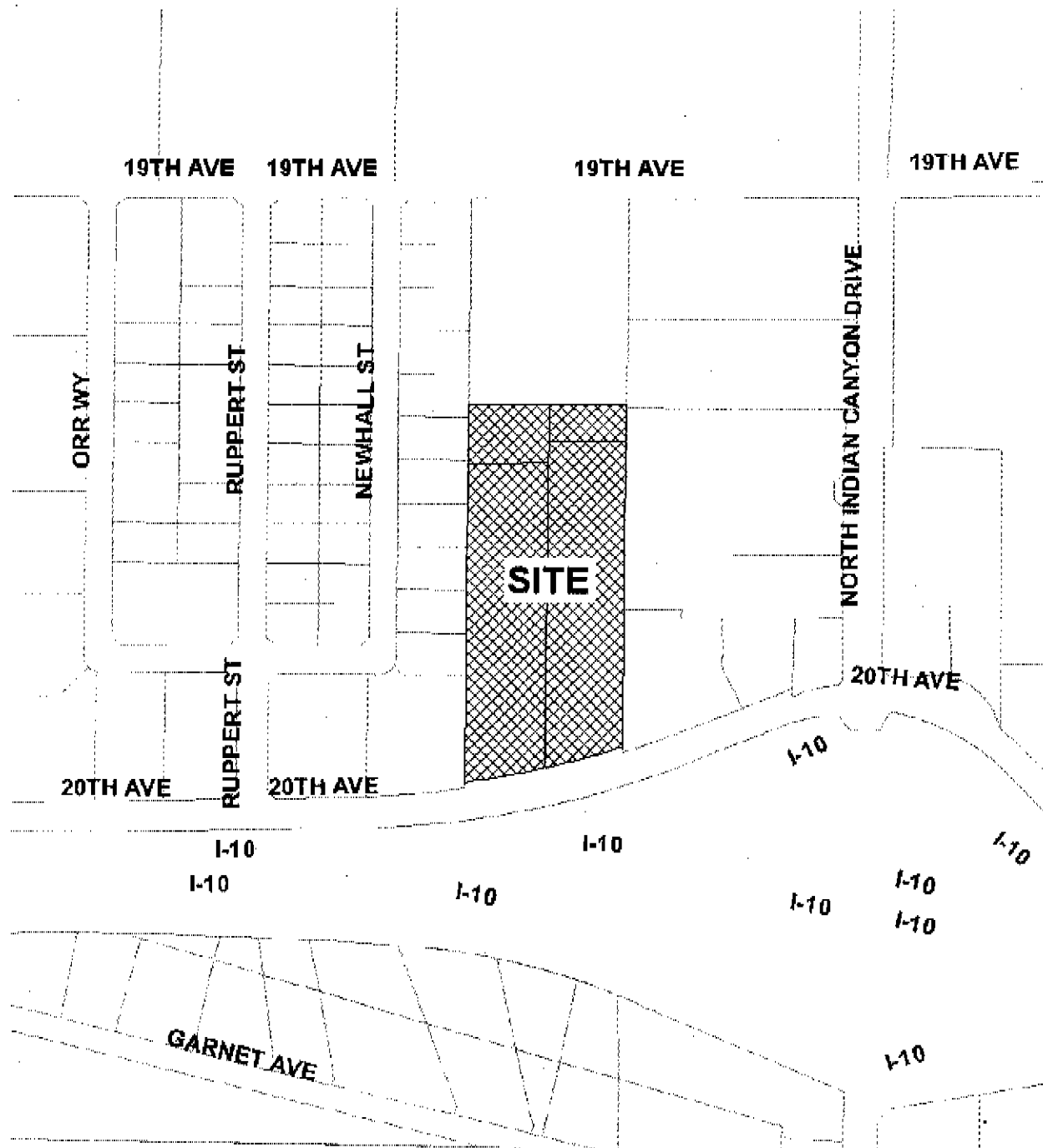
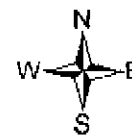
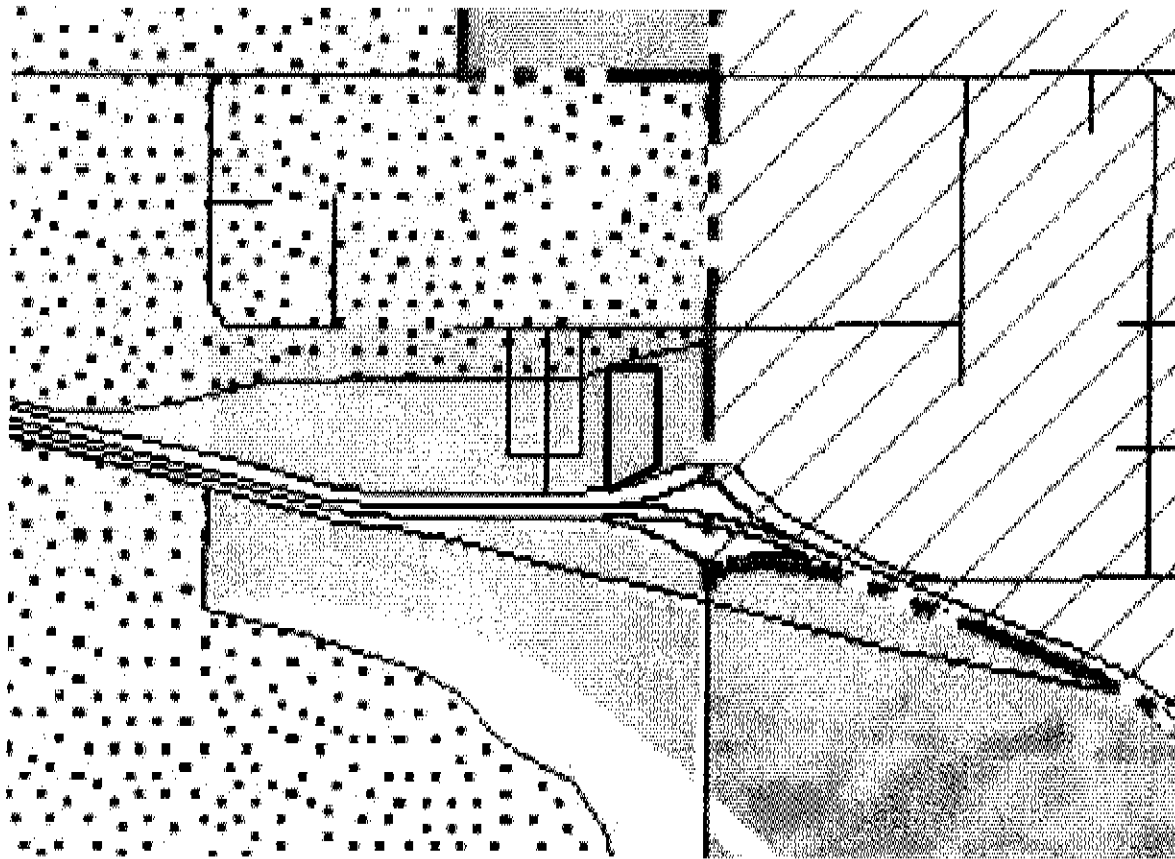


Exhibit 3: Land Use Designations



— Site Boundaries

↑
N
NTS

- | | |
|--|---|
| Estate Residential (0 - 2.0 du/ac) | School |
| Very Low Density Residential (2.1 - 4.0 du/ac) | Public/Utilities |
| Low Density Residential (4.1 - 6.0 du/ac) | Airport |
| Medium Density Residential (6.1 - 15.0 du/ac) | Open Space - Mountain (1 du/40 ac) |
| High Density Residential (15.0 - 30.0 du/ac) | Open Space - Conservation (1 du/20 ac) |
| Small Hotel | Open Space - Parks/Recreation |
| Tourist Resort Commercial | Open Space - Water |
| Neighborhood/Community Commercial | Desert (1 du/10 ac) |
| Central Business District | Special Policy Area |
| Regional Commercial | Watercourse Zone |
| Mixed Use/Multi-Use | Wind Energy Overlay |
| Office | City Boundary |
| Industrial | Sphere of Influence |
| Regional Business Center | Potential Future Sphere of Influence Expansion Area |
| Public/Quasi-Public | Specific Plan |

Source: City of Palm Springs General Plan Land Use Map



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 checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" 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 | |



INITIAL STUDY – MITIGATED NEGATIVE DECLARATION

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

David A. Newell
Associate Planner

Date

Edward O. Robertson
Principal Planner

Date



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 "Earlier Analyses," as described in (5) below, 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.



INITIAL STUDY – MITIGATED NEGATIVE DECLARATION

- 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



	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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** The subdivision does not propose any construction at this time and would not impact any view of scenic vistas. The project would have no impacts to scenic vistas.
- b) **No Impact.** The project is proposed on vacant raw land with gentle slope. The project location, after review of photographs and site visits, does not appear to include any substantial scenic resources. The project is not located on a state designated scenic highway. The project would have no impacts to scenic resources.
- c) **No Impact.** The project consists of the subdivision of vacant land. There are no buildings proposed at this time. Any future development will be required to conform to the Palm Springs Zoning Code Development Standards. The site is surrounded by developed and graded properties, as well as properties that are similar in size to the proposed subdivision lots. Therefore, the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings.
- d) **No Impact.** The only physical change as part of this project is the street improvements. No structures are proposed that would result in new sources of light or glare that would adversely affect day or nighttime views in the area. No impact would occur.



INITIAL STUDY – MITIGATED NEGATIVE DECLARATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** The proposed site is located in an area that does not contain prime, unique, or farmland of statewide importance. Therefore, no impact would occur.
- b) **No Impact.** No Williamson Act Contracts are located on the project site. Furthermore, no Williamson Act Contracts are located in the immediate vicinity of the project site. Therefore, no impacts to Williamson Act Contracts would occur.
- c) **No Impact.** This land is subdivided and is not zoned for agricultural uses, nor is it anticipated to be converted to an agricultural uses. The project will have no impact.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **No Impact.** The project is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD Governing Board adopted the 2007 Air Quality Management Plan (AQMP) on June 1, 2007. The Final 2007 AQMP proposes policies and measures currently contemplated by responsible agencies to achieve federal standards for healthful air quality in the Basin and those portions of the Salton Sea Air Basin (formerly named the Southeast Desert Air Basin) that are under District jurisdiction (namely, Coachella Valley). This Final Plan builds upon the approaches taken in the 2003 AQMP for the South Coast Air Basin for the attainment of the federal ozone air quality standard. However, this Final Plan highlights the significant amount of reductions needed and the urgent need to identify additional strategies, especially in the area of mobile sources, to meet all federal criteria pollutant standards within the timeframes allowed under federal Clean Air Act.

The 2007 General Plan Environmental Impact Report states that the Palm Springs General Plan is consistent with the AQMP (5.3-11). The project is consistent with the General Plan; therefore, there will be no conflict with the 2007 AQMP.

b-c) **Less Than Significant Impact.** Ambient air quality standards for ozone, carbon monoxide (CO), nitrogen dioxide (NO2), sulfur dioxide (SO2), particulate matter (PM10 and PM2.5), and lead (Pb) have been set by both the California State and Federal governments. The State has also set standards for sulfate and visibility. The ambient air quality standards for each of these pollutants are summarized in Table 3 below:



Table 1
State and Federal Ambient Air Quality Standards

Ambient Air Quality Standards							
Pollutant	Averaging Time	California Standards ¹		Federal Standards ²			
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷	
Ozone (O ₃)	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry	
	8 Hour	0.070 ppm (137 µg/m ³)		0.075 ppm (147 µg/m ³)			
Respirable Particulate Matter (PM ₁₀)	24 Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	20 µg/m ³		—			
Fine Particulate Matter (PM _{2.5})	24 Hour	No Separate State Standard		35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	15.0 µg/m ³			
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m ³)	None	Non-Dispersive Infrared Photometry (NDIR)	
	1 Hour	20 ppm (23 mg/m ³)		35 ppm (40 mg/m ³)			
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		—			
Nitrogen Dioxide (NO ₂)	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)	Gas Phase Chemiluminescence	0.053 ppm (100 µg/m ³)	Same as Primary Standard	Gas Phase Chemiluminescence	
	1 Hour	0.18 ppm (339 µg/m ³)		—			
Sulfur Dioxide (SO ₂)	Annual Arithmetic Mean	—	Ultraviolet Fluorescence	0.030 ppm (80 µg/m ³)	—	Spectrophotometry (Pararosaniline Method)	
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (365 µg/m ³)			
	3 Hour	—		—			0.5 ppm (1300 µg/m ³)
	1 Hour	0.25 ppm (555 µg/m ³)		—			—
Lead ⁸	30 Day Average	1.5 µg/m ³	Atomic Absorption	—	Same as Primary Standard	High Volume Sampler and Atomic Absorption	
	Calendar Quarter	—		1.5 µg/m ³			
	Rolling 3-Month Average ²	—		0.15 µg/m ³			
Visibility Reducing Particles	6 Hour	Extinction coefficient of 0.23 per kilometer — visibility of ten miles or more (0.07 — 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape		No Federal Standards			
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography				
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence				
Vinyl Chloride ⁹	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography				

See footnotes on next page ...

For more information please call ARB-PIC at (916) 322-1990

California Air Resources Board (11/17/08)



1. California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter—PM10, PM2.5, and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard.
Contact U.S. EPA for further clarification and current federal policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent procedure which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.
8. The ARB has identified lead and vinyl chloride as "toxic air contaminants" with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
9. National lead standard, rolling 3-month average: final rule signed October 15, 2008.

The table above shows the most recent data related to State and Federal Ambient Air Quality Standards. The AQMP states,

In 2005, the (South Coast Air) Basin exceeded federal and state standards for ozone, PM10, and PM2.5. The Salton Sea Air Basin areas continued to exceed standards for ozone and PM10. Maximum concentrations of PM2.5 and ozone exceeded the federal standards by the widest margins nationwide. In 2005, carbon monoxide concentrations did not exceed the standards anywhere in the Basin for the third consecutive year. Maximum concentrations for nitrogen dioxide, sulfur dioxide, sulfate, and lead continued to remain below the state and federal standards.

The SCAQMD has established significance thresholds for operational and construction-related emissions. Daily and quarterly thresholds are established. Since a project's quarterly emissions are determined by averaging over a 3-month period (including only actual working days), it is possible to not exceed the quarterly thresholds while exceeding the daily thresholds shown in Table 4. An air quality model was prepared by the City using the URBEMIS 9.2.4 program. This program extrapolates air quality data based on project parameters for demolition, grading, construction, and operational actions. The maximum daily unmitigated operational and construction emission results from that model have been included in Table 4.

Table 2
Emissions Significance Threshold Criteria (Pounds/Day)

Pollutant	CO	ROG	NOx	SO2	PM10
Operational Emissions	64.72	6.09	9.19	0.06	9.98
Pounds/Day	550	55	100	150	150
Construction Emissions	14.12	3.63	26.52	0.01	43.61
Pounds/Day	550	75	100	150	150

The model indicates that none of the thresholds for significance will be surpassed by project emissions. Impacts are anticipated to be less than significant.

- d) **No Impact.** The site is surrounded by existing industrial parks. The closest sensitive receptors (residential uses) to the site are 1.25 miles to the north with additional sensitive receptors 2 miles west and 2 miles northwest of the site. With a predominant wind direction from the west, any



INITIAL STUDY – MITIGATED NEGATIVE DECLARATION

potential odors will move east away from nearby sensitive receptors. Surrounding land uses are industrial in nature and are not considered to be sensitive. Therefore, no impact to sensitive receptors will occur.

- e) **No Impact.** The project does not propose any uses at this time; however, any future use that is industrial in nature and has potential to cause odor impacts will be subject to the City's Zoning Code, specifically Section 92.16.04(F)(1): *"The emission of obnoxious odors of any kind shall not be permitted."* Therefore, no impact will occur due to objectionable odors.



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

The project site is located within an existing Industrial Zone. The site has been previously disturbed and is surrounded by existing industrial developments. There are no riparian habitats or other sensitive natural communities on the subject site. There are no wetlands, as defined by Section 404, located on the project site or within the general vicinity of the property. There are no known sensitive species around the project site. The nearest conservation area, as defined by the Multiple Species Habitat Conservation Plan (MSHCP), is the Whitewater Canyon Conservation Area, which is located south of the I-10 Freeway. This project is located north of I-10 and will not conflict with the MSHCP.

- a) **No Impact.** The project site has been previously disturbed; the project will have no substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species, since there are none at the location.
- b) **No Impact.** Riparian habitat is not located on-site. The site does contain sand fields; however these sand fields are stabilized due to low-vegetation growth and urban influence.
- c) **No Impact.** There are no federally protected wetlands on the project site. No impact will occur.



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- d) **No Impact** Although the site is vacant, it does not provide substantial opportunities for wildlife movement. The site is surrounded by existing industrial development. There will be no impacts.
- e) **No Impact.** The City of Palm Springs has no local policies or ordinances dealing with biological resources. The project will have no impact on local ordinance protecting biological resources.
- f) **No Impact.** The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. According to the Coachella Valley Multi-Species Habitat Conservation Plan, the subject property is outside the conservation areas.



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

- a) **No Impact.** CEQA defines specific criteria for significant historical and archaeological resources in Section 15064.5 of the Guidelines. Criteria include eligibility for or placement on California Register of Historical Resources and resources that are important to the history or culture of California. The project site does not include any structures, roads or other historical features, as it has never been developed. No impact to historical resources will occur.
- b) **Less Than Significant Impact.** CEQA defines specific criteria for significant historical and archaeological resources in Section 15064.5 of the Guidelines. No visible or known archaeological sites are present on the project site. Impacts may occur if archaeological resources are uncovered during ground disturbing activities. Mitigation has been included which requires the presence of a cultural resources monitor to assess for buried archeological and to help ensure that any uncovered resources are properly handled. Impacts to archeological resources will be less than significant after implementation of mitigation measures.

Mitigation Measure

MM V-1

Should buried or other cultural resources be discovered during any ground disturbing activities, all work in the area shall be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the resources. Should the archaeologist determine the cultural resources to be significant, the following shall occur at the expense of the applicant:

1. Archeologically significant finds shall be appropriately collected and deposited under supervision of an archeologist certified by the County of Riverside.
2. Any significant findings shall be documented and presented to the State Historic Preservation Office (SHPO), Bureau of Indian Affairs (BIA), the Agua Caliente Band of Cahuilla Indians and the City, and shall be resolved to their satisfaction.
3. Copies of any cultural resources documentation generated in connection with this project shall be given to the Agua Caliente Band of Cahuilla Indians for inclusion into the Agua Caliente Cultural Register. Copies shall also be presented to the City for inclusion in the project file.



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MM V-2 An Approved Cultural Resource Monitor or multiple monitors as indicated by the Agua Caliente Tribal Historic Preservation Office shall be present during any survey and/or ground disturbing activities at the expense of the applicant.

- c) **Less Than Significant Impact with Mitigation Incorporated.** The site does not encompass any unique geologic features. The site is relatively flat, with a minor slope from north to south. Cultural resources, including paleontological resources, are not anticipated to occur as indicated in Section V.b above. Mitigation measures MM V-1 and MM V-2 has been included should cultural resources be uncovered during ground disturbing activities. Impacts to paleontological and geological resources will be less than significant after mitigation incorporation.
- d) **Less Than Significant Impact with Mitigation Incorporated.** Buried remains are not anticipated to be located on-site, as indicated in Section V.b above. However, the chance for cultural resources to be uncovered is always present; therefore mitigation measures MM V-1 and MM V-2 have been included to mitigate any impacts to buried cultural resources, including interred remains.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The nearest known active fault is the Banning branch (southern branch) of the San Andreas fault, which is located in the northern portion of the site. Movement along the Banning fault appears to have offset an older alluvial deposit right-laterally in the vicinity of the site. Additionally, there has been movement (up to the northeast) along the fault. North of the site within the San Geronimo Pass, the Banning fault accommodates reverse (thrust) movement along the foothills of the San Bernardino Mountains.

As defined by the California Geologic Survey (CGS), an active fault is one that has had surface displacement within the Holocene Epoch (roughly the last 11,000 years). The CGS has defined a potentially active fault that has been active during the Quaternary Period (approximately the last 1,600,000 years).

These definitions are used in delineating Earthquake Fault Zones (EFZ) as mandated by the Alquist-Priolo Geologic Hazard Zones Act of 1972 and as subsequently revised as the Alquist-Priolo Earthquake Fault Zoning. The intent of the act was to require fault investigations on sites located within Special Study Zones to preclude new construction of habitable structures across the trace of active faults. The northern portion of the site is located within the EFZ for the Banning branch of the San Andreas fault. (Leighton)



- a-i) **Less than Significant Impact.** The closest active fault to the site is the Banning branch of the San Andreas Fault that lies approximately 0.7 miles north-northeast of the site. The site is not located within a designated Alquist-Priolo Zone. No known active faults cross the site. Impacts are anticipated to be less than significant.
- a-ii) **Less than Significant Impact.** The City of Palm Springs is located in a seismically active region. The Uniform Building Code (UBC) has designated the Palm Springs area as a Seismic Zone 4, the highest rating available, due to its proximity to major active faults (particularly the San Andreas Fault to the north). The project site is anticipated to be subject to ground shaking similar to other projects and development in the area. The UBC requires specific design criteria for construction in the Seismic Zone 4, which the project will be subject to. Impacts due to seismic ground shaking will be less than significant after adherence to standard conditions and the Uniform Building Code.
- a-iii) **Less Than Significant Impact.** The General Plan EIR states that liquefaction typically occurs within the upper 50 feet of the surface, when saturated, loose, fine- to medium-grained soils (sand and silt) are present (5.6-24). The regional ground water maps and ground water data indicate that shallow ground water conditions do not exist locally, nor have they existed according to recent historical data.
- Ground failure may also occur when excessive ground water is removed from under a site, a process known as subsidence or seismically induced settlement. The General Plan EIR indicates that the City of Palm Springs has no evidence of groundwater-induced subsidence occurring or having occurred (Environmental 5.6-10).
- a-iv) **No Impact.** There are no steep or unstable slopes within the general vicinity of the project site. Therefore, the potential for landslide impacts is negligible. No impacts from landslides will occur.
- b) **Less than Significant Impact.** Loss of topsoil and erosion are expected during construction of the project. Erosion may impact water and air resources if not properly addressed. Construction projects in the City are subject to Section 9.60.040 (On-Site Development) of the Municipal Code, requiring wind and water erosion to be addressed. In addition, the project is subject to the South Coast Air Quality Management District's (SCAQMD) Rule 403 for the control of Fugitive Dust and are required to submit a certified PM10 plan to the City, per Section 8.50.022 (Construction and Demolition Activities) of the City's Municipal Code. Erosion due to water is addressed by the requirements of the Stormwater General Permit and the implementation of BMPs. Impacts will be less than significant after implementation of standard provisions.
- c) **Less than Significant Impact.** The project site is not suspected to contain extensive subsurface boulders or other deleterious materials; as such materials are generally located in the soils of alluvial fans and near the base of mountains. Impacts will be less than significant.
- d) **Less Than Significant Impact.** Expansive soils in the City are unlikely to occur, due to the granular nature of the dominant alluvial soils. (Environmental 5.6-9) Expansive soils are characterized as "cracked" or have "popcorn" like texture when dry. These types of soils may change shape considerably depending on moisture content and thereby can cause damage to structures and flat-work when constructed upon. The project site is not anticipated to contain such soils. Project impacts due to expansive soils are anticipated to be less than significant after implementation of standard provisions.
- e) **Less than Significant Impact.** The proposed project site is located in an undeveloped area that currently is not served by the City of Palm Springs wastewater disposal system. While there is no development proposed at this time, a septic tank would be required to handle future wastewater. Therefore, impacts due to the ability for project soils to support a septic system will be less than significant.



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

- a) **No Impact.** The project consists of an industrial park subdivision. No uses are proposed as part of this project. However, future uses that involve the transport, use or disposal of hazardous materials would be evaluated under separate environmental review. No impacts due to the transport, use or disposal of hazardous materials will occur.
- b) **No Impact.** See discussion in VII.a above. Additionally, the proposed subdivision provides a street that meets minimum requirements for proper access and turn-a-round to each parcel. No impacts due to accidental release of hazardous materials into the environment will occur.
- c) **No Impact.** There are no existing or proposed schools within a ¼ mile radius of the project site. No impacts to schools due to the handling of hazardous waste will occur.



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- d) **No Impact.** A review of a number of resources finds that the project site is not listed as a hazardous materials site. Resources examined include the USEPA's EnviroMapper software (Envirofacts) and the Right-To-Know Network's Master Area Report for the City of Palm Springs (Right). These databases indicate that the project site is not listed as a superfund site or a site with a history of contamination. The project site has never been developed, so it is unlikely that the site is substantially contaminated. Therefore, no impacts due to site contamination will occur.
- e) **No Impact.** The project site is not located within an airport land use plan or within two miles of a public airport. No impacts due to airport operations are anticipated.
- f) **No Impact.** The project is not within the vicinity of a private airport. No impacts from private airstrip compatibility issues will occur.
- g) **Less than Significant Impact.** The City of Palm Springs Emergency Plan was established to address planned response to extraordinary emergency situations associated with natural disasters and technological incidents. The Plan focuses on operational concepts relative to large-scale disasters, which can pose major threats to life and property requiring unusual emergency responses. The project will not impede the ability for the Plan to be executed, in that the project will not cause substantial population growth nor will the project interfere with infrastructure necessary to implement the Plan. Impacts will be less than significant to the implementation of the City of Palm Springs Emergency Plan.
- h) **No Impact.** The proposed project is not located in an area with a potential for significant wildland fires. The project is industrial in nature. No impacts due to wildland fires are anticipated.



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

- a) **Less than Significant Impact.** The project will create minor impervious surfaces that will accumulate pollutants and discharge them into the City's storm drain system. The project and its associated storm water discharges are subject to the provisions of the City's National Pollution Discharge Elimination System (NPDES) permit, which requires the City to reduce discharges of pollutants into waterways. The City's NPDES permit is codified as Section 8.70 (Stormwater Management and Discharge Controls) and includes provisions for construction and new development. The project is also required to obtain coverage under the State's General Permit for Stormwater Discharges Associated with Construction Activities, in that the project site is one (1) acre or greater in size. Both of these regulations require the implementation of Best Management Practices (BMPs) to prevent and eliminate pollutant contributions to storm water systems, thereby preventing pollution of down-



stream waterways. The project is also subject to the Section 15.28 (Sewer Use Regulations) of the City's Municipal Code which regulates discharges into the City's wastewater system. After implementation of standard regulations for water and wastewater discharges, the impacts will be less than significant.

- b) **Less than Significant Impact.** Implementation of the proposed project would incrementally increase groundwater consumption, but would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The project is consistent with the General Plan and therefore was evaluated as such during the water assessment prepared for the General Plan. Furthermore, Mission Springs Water District (MSWD) was asked to comment on the proposed project and determine if service will be available. MSWD stated their water capacity and facilities will adequately serve the proposed subdivision and future development. Impacts to groundwater supplies will be less than significant.
- c) **Less than Significant Impact.** The project will alter existing, on-site drainage patterns due to the new access street and future development of the site; however the site does not include any streams or rivers. Erosion and siltation may occur during the grading process. However, as indicated in section (a) above, the project is subject to construction BMPs that will prevent and/or eliminate discharges of sediments into waterways. Impacts due to erosion and siltation will be less than significant.
- d) **Less than Significant Impact with Mitigation Incorporated.** The project will alter existing site drainage patterns and does not include any streams or rivers. Impacts may occur if changes in drainage patterns cause on- or off-site flooding. A Hydrology Study was prepared by Peter G. Ringeis for Sanborn A/E, Inc. in July 2008 which presents data for distribution of flow patterns. According to this study, the site is located within Zone "B" designation of the FEMA Flood Insurance Rate Map. Zone "B" are areas between limits of 100 year and 500 year flood; or certain areas subject to 100 year flooding with average depths less than one foot or where contributing drainage area is less than one square mile; or areas protected by levees from the base flood. Additionally, Riverside County Flood Control and Water Conservation District had added requirements to this project's previous Parcel Map (16885) through the use of an environmental constraint sheet: "Buildings shall be floodproofed by elevating the building pad a minimum of 18 inches above the adjacent flow line of the drainage swales or surrounding ground surface" and "Substantial area shall be provided between buildings to allow the passage of storm flows from north to south."

This particular site is located on the south side of the Fed-Ex Ground facility which fronts on 19th Avenue. The low point in 19th Avenue occurs at the entrance to the Fed-Ex site. Off-site flow, from north of 19th Avenue, is directed southerly through the Fed-Ex site and exits onto the northerly end of the proposed P.M. No 34764 street. The Fed-Ex site was designed to retain the storm water runoff generated onsite by a 100 year storm. Because of this retention capability, flows from lesser frequency storms will not flow onto the project site. Flows from higher frequency storms, however, will have to be considered. The Hydrology Study prepared by Peter G. Ringeis for Sanborn A/E, Inc. in July 2008, states that this flow was taken into account in the design of the project street; the tops of the curbs will be depressed a minimum of one foot below the existing grades. The Hydrology Study states, "since the street is the "adjacent drainage swale" the flow line will be 20 inches below the existing grade when the 8" curbs are accounted for. With the building set backs from the street, a flow through pathway approximately 110 feet wide will be provided."

After implementation of the recommendations of the project Hydrology Study and review and conditioning by the City's Engineering Department, impacts due to on- and off-site flooding from drainage diversion will be less than significant after mitigation.

Mitigation Measures

MM VIII-1 The project shall implement the recommendations of the Hydrology Report prepared by Peter G. Ringeis for Sanborn A/E, Inc. in July 2008 in conjunction with standard review and conditioning by the City of Palm Springs Engineering Department.

- e) **Less than Significant Impact.** The incremental increases in stormwater runoff for a 100 year storm, due to the development of the site, will have to be retained onsite. A combination of above ground



retention basins and subsurface will be used to provide required storage capacity. These factors will prevent on- and off-site flooding from occurring. After implementation of the recommendations of the project Hydrology Study and review and conditioning by the City's Engineering Department, impacts due to on- and off-site flooding from drainage diversion will be less than significant after mitigation.

- f) **Less than Significant Impact.** The project is not anticipated to otherwise impact water quality outside those areas discussed above. The project is subject to mitigation measures and standard provisions to prevent impacts to water quality. Impacts to water quality from other project sources are anticipated to be less than significant.
- g) **No Impact.** The project does not include housing; therefore no housing will be placed in a 100-year flood zone. No impact will occur.
- h) **No Impact.** No 100-year flood hazard areas were identified on the project site; therefore, no impact will occur.
- i) **No Impact.** The project site is not located in a 100- or 500-year flood zone and is located in an area of minimal flooding. There are no dams or levees in the area. Therefore, the facility will not expose people or structures to significant risk of loss, injury or death involving flooding or failure of a levee or dam.
- j) **No Impact.** The City of Palm Springs is not located in an area subject to seiche, tsunami or mudflow. A seiche is a large wave produced in an enclosed or partially enclosed body of water (i.e., a lake) while a tsunami is a large wave produced in an open body of water. The City is located a great length from the Pacific Ocean and the Salton Sea. The project site is not subject to mudflows in that it is not located in a flood zone. Therefore, no impacts from seiche, tsunami or mudflows will occur.



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

- a) **No Impact.** The project site is vacant. The project is surrounded by industrial development and industrial parks. No communities will be divided or removed as a result of the project. Impacts due to the division of a community will not occur.
- b) **No Impact.** The project is consistent with the City of Palm Springs General Plan and Zoning Code. The project will not conflict with any adopted regulation or policy utilized for the mitigation of environmental effects. No impact will occur.
- c) **No Impact.** See Section IV.f, above.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** The project does not lie in an area of known mineral resources. The City's General Plan EIR indicates that the project is in a Mineral Resource Zone (MRZ) -3 as designated by the State's Surface Mining and Reclamation Act (SMARA). (Environmental 5.10-3) MRZ-3 zones are areas for which the significance of mineral resources cannot be determined. The majority of the urbanized area of the City is designated MRZ-3. As such, no impact to a known mineral resource will occur.
- b) **No Impact.** The site is not located in an area designated as a locally important mineral resources recovery area. Therefore, no impact will occur.



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

a) **Less Than Significant Impact.** The project is subject to Section 11.74 (Noise Ordinance) of the City's Municipal Code. Section 11.74.031(2) indicates that the noise limits in Table 4 apply to the project:

Table 3: Industrial Noise Level Limits

Time	dB(A)
7:00 am – 6:00 pm	70
6:00 pm – 10:00 pm	60
10:00 pm – 7:00 am	55

Source: City of Palm Springs Municipal Code

The above referenced provisions are applicable to industrial interiors. Exterior standards are not established for industrial development in the City. The major source of noise impacts to the project site will occur from transportation generated noise. The latest noise analysis for Interstate 10 and the railroad to the south has been prepared in conjunction with the City's General Plan Update. Data in the Noise Element of the Draft General Plan indicates that project development will be exposed to noise exterior noise in excess of 70 dBA (Planning 8-17). The City's General Plan indicates that noise levels between 70 dBA and 85 dBA are normally acceptable for industrial uses. Therefore, impacts will be less than significant.



Noise due to construction is likely to temporarily impact noise standards in the area. However, the site and all parcels surrounding the site are vacant. Noise impacts due to construction activities will be less than significant due to the lack of receptors.

- b) **Less than Significant Impact.** The project will not create permanent groundborne vibrations. Impacts from groundborne vibrations are possible during construction activities however the impacts are not anticipated to be significant and will be temporary. There are no known sources of groundborne vibrations present in the vicinity of the project. Impacts due to groundborne vibrations will be less than significant.
- c) **Less than Significant Impact.** The project is an industrial development consistent with the City's General Plan and Zoning Code. The project will increase ambient noise levels in the area; however these increases are not anticipated to be substantial. The area has been planned for Regional Business and Industrial; therefore, ambient noise levels consistent with industrial development are to be expected. Impacts to ambient noise levels are anticipated to be less than significant.
- d) **Less than Significant Impact.** Noise levels in the area will be increased due to construction of the street and any future buildings. These noise levels would be temporary and periodic. Property surrounding the project site is industrial and commercial. Ambient noise levels will increase minimally due to operation of the project. However, due to the proximity to the freeway, these impacts are unlikely to exceed the noise levels created by Interstate 10. Impacts are anticipated to be less than significant.
- e) **No Impact.** The project is not within the boundaries of the Palm Springs International Airport Land Use Compatibility zone. No impact will occur.
- f) **No Impact.** The project is not within two (2) miles of a private airstrip. No impact will occur.



INITIAL STUDY – MITIGATED NEGATIVE DECLARATION

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

- a) **No Impact.** The project does not include residential development and therefore will not directly increase population growth. The project will provide a new cul-de-sac street for the subdivision; however, the resulting subdivision will not induce substantial population growth, as demonstrated in a similar subdivision to the west. The project is consistent with the General Plan; therefore any increases in population have been accounted for in the General Plan EIR. No impact to population growth will occur.
- b) **No Impact.** The project is proposed on vacant land and will not displace or destroy any housing units. No impact will occur.
- c) **No Impact.** The project is proposed on vacant land and will not displace any people. No impact will occur.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES. 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 following public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** Fire protection within the incorporated boundaries and sphere of influence of the City are provided by the City of Palm Springs Fire Department. Contract agreements also make the fire protection services of the County of Riverside and other agencies available for large scale emergencies. The department includes five (5) strategically placed stations that work to keep response times under five (5) minutes. (Planning 6-50) Station No. 443 is located closest to the project site at 590 East Racquet Club. Station No. 443 is equipped as follows:

- 1 Pierce Quantum Engine -- 1 Engineer / 1 Captain / 1 Firefighter
- 1 Beck Telesquirt -- Manned as needed
- Trench Rescue Truck -- Manned as needed

The project will increase the need for fire protections services slightly; however, the need will not unduly burden existing fire protection resources. In addition, the City requires projects to participate in Community Facility Districts to offset increased costs for public services. No new fire stations or other large scale facilities will need to be constructed in conjunction with this project. Impacts to the provision of fire protection services will not occur.

- b) **No Impact.** Police services are provided by the City of Palm Springs. The department employs 96 sworn officers and 62 non-sworn officers. The department strives to achieve an emergency response time of five (5) minutes and a non-emergency response time of 30 minutes. (Planning 6-49) Although the project will increase the need for police protection services, this need is not anticipated to be substantial. The City requires projects to participate in Community Facility Districts to offset increased costs for public services. No new police facilities will need to be constructed as a result of this project. Impacts due to the provision of police services will not occur.
- c) **No Impact.** The project will increase the need for school services indirectly by increasing the job base. The Leroy F. Green School Facilities Act of 1998, which governs a school district's authority to levy school impact fees, will assist in mitigating impacts to schools. California Government Code Sections 65995(h) and 65996(b) note that payments of fees provide full and complete school facilities mitigation. The project proponent will be required to pay the mandated school fees in place at the time that building permits are issued, to offset the impacts to the school district. No new school facilities will need to be constructed as a result of this project. Impacts due to the provision of school facilities will not occur.
- d) **No Impact.** The project will not directly increase the population in the area and therefore will not directly increase the use of parks and/or recreation facilities in the vicinity or region. Minor increases to population due to job creation have been accounted for in the City's General Plan, which the project is consistent with. No new park facilities will need to be constructed as a result of this project. Impacts due to the provision of parks will not occur.



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- e) **No Impact.** No impacts to other public facilities or public services are anticipated.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities, or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** The project will not directly increase the population in the area and therefore will not directly increase the use of parks and/or recreation facilities in the vicinity or region. Minor increases to population due to job creation have been accounted for in the City's General Plan, which the project is consistent with. Therefore, no impact will occur.
- b) **No Impact.** The project does not include the construction or expansion of recreational facilities. No impact will occur.



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

- a) **No Impact.** The project is not anticipated to generate an increase in traffic that would be substantial in relation to the existing traffic load and capacity of the surrounding street system. There will be no impact.
- b) **No Impact.** The closest roadway designated by the Riverside County Transportation Commission is Interstate 10 and Highway 62, as noted in the Congestion Management Program. The project is not anticipated to significantly affect this roadway. No impact will occur.
- c) **No Impact.** No impacts to air traffic patterns will occur.
- d) **Less Than Significant Impact.** Intersection and driveway designs are proposed to be in accordance with City standards. Sharp curves or dangerous intersections are not proposed. Hazards due to roadway design and uses are anticipated to be less than significant.
- e) **No Impact.** The subdivision proposes a fifty foot wide cul-de-sac street, which provides access to each parcel. The street has provides adequate turn-around capabilities for emergency vehicles. The project will have adequate emergency access. No impact will occur.
- f) **No Impact.** No parking is required at this time. Any future development is required to provide parking spaces based on the Palm Springs Zoning Code. No impact will occur.
- g) **No Impact.** The project does not conflict with any adopted policy promoting multi-modal transportation. No impact will occur.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **Less than Significant Impact.** The City of Palm Springs provides wastewater treatment to properties located within its boundaries. The City owns, and operates, one wastewater treatment plant (WWTP) located at 4375 Mesquite Avenue. The plant has a capacity of approximately 10.9 million gallons per day (mgd) and demands typically range from 7 to 8 mgd. The project will connect to the City's wastewater treatment system. The plant is regulated by the California Regional Water Quality Control Board, and standard permitting and monitoring ensure that treatment requirements for waste discharges are not exceeded. The project will have minimal impacts to the capacity of the City's WWTP and is subject to the standard requirements of the City. The project will not affect the treatment plant's ability to meet the requirements of the RWQCB. Impacts will be less than significant.
- b) **No Impact.** The project will not require the expansion of the City's wastewater treatment facilities or the construction of new facilities. No impact will occur.
- c) **No Impacts.** The project will not connect to the City's existing storm drain system. Stormwater will be conveyed across the site in sheet flows. Incremental increases in stormwater discharges will be required to be retained on-site. No impact will occur to the City's storm drain system.
- d) **Less than Significant Impact.** The City is served by three ground water subbasins: Whitewater River, Mission Creek, and Indio (Environmental 5.16-1). The project is serviced by the Mission Springs Water District (MSWD). MSWD obtains most of its water supply from groundwater. MSWD has stated it has adequate capacity to serve the proposed project. Additionally, any future construction will be required to follow the City's Water Efficient Landscaping Ordinance, Chapter 8.60, and implement water conservation techniques through the installation of desert native and



INITIAL STUDY – MITIGATED NEGATIVE DECLARATION

drought tolerant landscaping. Impacts due to the availability of water are anticipated to be less than significant.

- e) **No Impact.** Project wastewater will not be serviced by a wastewater treatment facility. The project will be serviced by a septic tank. No impacts to the City's wastewater treatment facility will occur.
- f) **No Impact.** The project will be serviced Palm Springs Disposal Services (PSDS). PSDS has stated it has sufficient capacity to serve the proposed project. No impact will occur.
- g) **No Impact.** Solid waste generated by the proposed project would be collected by Palm Springs Disposal Services.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. 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 wild-life population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** No impacts are anticipated to fish or wildlife habitat nor does the project threaten to eliminate a plant or animal. It will not restrict the range of a rare or endangered plant or animal and will not eliminate important examples of California history or prehistory.
- b) **No Impact.** No cumulative impacts have been identified in regards to the project. No cumulative impacts will occur.
- c) **No Impact.** The project does not rise to the level of having impacts to humans, since it does not involve relocation or displacement of any established community. Additionally, the proposed project area has been previously disturbed by the development of adjacent properties. No impacts will occur.



List of Preparers

- City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, California 92262
(760) 323-8245

Edward O. Robertson
Principal Planner

David A. Newell
Associate Planner

List of Persons and Organizations Consulted

References

- 1) California Department of Health Services. California Medical Waste Management Program. www.dhs.ca.gov/ps/ddwem/environmental/Med_Waste/default.htm [June 26, 2007]
- 2) California Native Plant Society. Inventory of Rare and Endangered Plants: *Astragalus crotalariae*. [September 6, 2007]
- 3) City of Palm Springs. City of Palm Springs Environmental Impact Report. December 2007
- 4) City of Palm Springs. City of Palm Springs General Plan. 2007 & PSZC, 2004
- 5) City of Palm Springs. City of Palm Springs Municipal Code. 2005
- 6) City of Palm Springs. City of Palm Springs Zoning Code. 2004
- 7) Federal Emergency Management Agency. Flood Insurance Rate map 06065C0895G. August 28, 2008.
- 8) Sanborn A/E, Inc. Hydrology Study prepared by Peter G. Ringeis. July 7, 2008.
- 9) Right-To-Know. RTK NET Master Area Report, 92240, North Palm Springs, CA, All. [October 24, 2008]
- 10) Riverside County Airport Land Use Commission. Riverside County Airport Land Use Compatibility Plan. 2004
- 11) Riverside County Congestion Management Plan. Riverside County Transportation Commission. December 12, 2007.
- 12) Riverside County. General Plan. October 7, 2003
- 13) United States Environmental Protection Agency. Envirofacts Data Warehouse, Palm Springs, California. [October 24, 2008]
- 14) United States Geologic Survey. Palm Springs, CA 7.5 Minute Series Quadrangle. 1957



**CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION**



CITY CLERK'S DEPARTMENT
James Thompson, City Clerk

Meeting Date: April 1, 2009
Subject: SWS Investments, LLC

AFFIDAVIT OF MAILING

I, Kathie Hart, CMC, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on March 20, 2008, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (43 notices)

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

Handwritten signature of Kathie Hart in cursive.

Kathie Hart, CMC
Chief Deputy City Clerk

AFFIDAVIT OF PUBLICATION

I, Kathie Hart, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on March 21 2009.

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

Handwritten signature of Kathie Hart in cursive.

Kathie Hart, CMC
Chief Deputy City Clerk

AFFIDAVIT OF POSTING

I, Dolores Strickstein, Secretary, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board and in the Office of the City Clerk on March 20, 2009.

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

Handwritten signature of Dolores Strickstein in cursive.

Dolores Strickstein
Secretary

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

TENTATIVE PARCEL MAP 34764
SWS INVESTMENTS, LLC
LOCATED ON THE NORTHSIDE OF 20TH AVENUE
APPROXIMATELY 700 FEET WEST OF NORTH INDIAN CANYON DRIVE

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of April 1, 2009. The City Council meeting begins at 6:00 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of this hearing is to consider an application by SWS Investments, LLC to subdivide approximately 10.4 acres into eleven parcels for commercial purposes and a public street. No construction or development (except the street) is proposed as part of this project, Zoned M-2, Section 23.

ENVIRONMENTAL DETERMINATION: Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, an Initial Study was prepared and a Notice of Intent to adopt a Mitigated Negative Declaration was sent to applicable agencies and published on February 19, 2009 in the Desert Sun for a 20-day review period ending March 10, 2009.

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this project are available for public review at City Hall between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

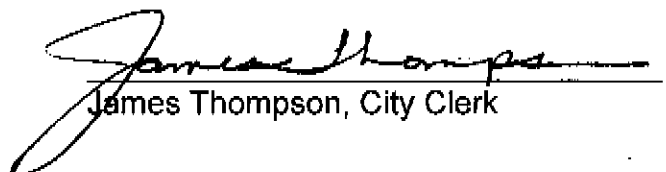
COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

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

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

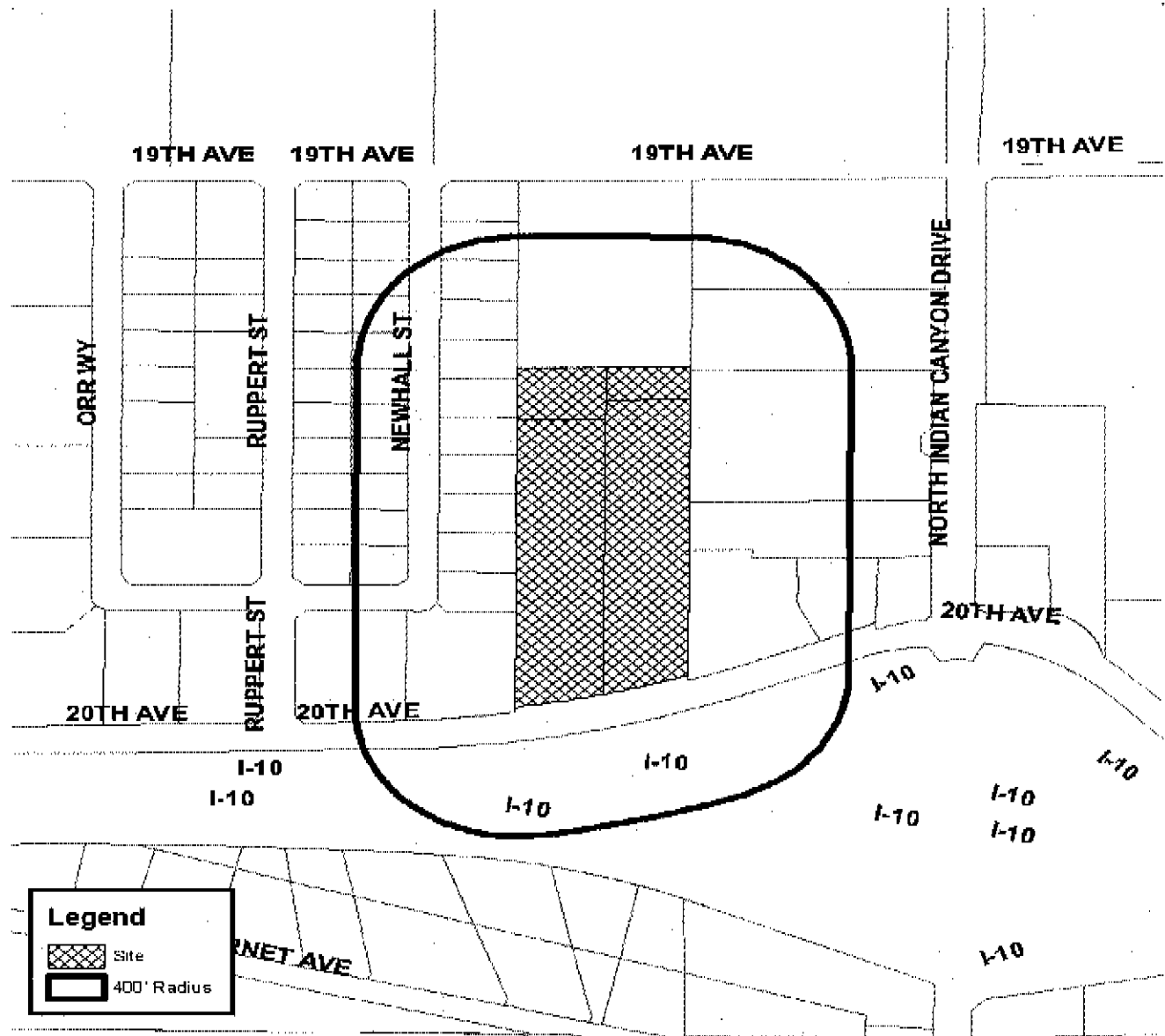
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to David A. Newell, Department of Planning Services, at (760) 323-8245.

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


James Thompson, City Clerk



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: TPM 34764

APPLICANT: SWS Investments, LLC

DESCRIPTION: To consider an application by SWS Investments, LLC to subdivide approximately 10.4 acres into eleven parcels for commercial purposes and a public street. No construction or development (except the street) is proposed as part of this project, Zoned M-2, Section 23.