



## Planning Commission Staff Report

Date: January 13, 2010

Case No.: 3.3399 – MAJ

Type: Major Architectural

Location: 4817 East Ramon Road

APN: 680-101-003, 680-101-005 & 680-101-023

Applicant: America's Tire Co.

General Plan: IND (Industrial)

Zone: W-M-1 (Service/ Manufacturing with Watercourse prefix)

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

Project Planner: David A. Newell, Associate Planner

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### **PROJECT DESCRIPTION:**

The proposed project is for the construction of a 6,947 square foot retail store for tire sales and installation at 4817 East Ramon Road. The project includes the removal of an existing building for the installation of the parking and landscape areas of the proposed building.

### **RECOMMENDATION:**

That the Planning Commission approve Case No. 3.3399 – MAJ for the construction of a 6,947 square foot building with off-street parking and associated landscaping.

**PRIOR ACTIONS:**

On December 7, 2009, the Architectural Advisory Committee (AAC) reviewed the proposed project and by a vote of 5-0-2 restudied the proposal with the following comments:

1. Elements need to be used in more 'honest' way.
2. Cornice not necessary.
3. Use 'honest' shade elements.

On December 21, 2009, the AAC reviewed the revised elevations and landscape plans and by a vote of 6-0 recommended approval to the Planning Commission with the following comments:

1. Revise southeast corner of building elevation to 'read' better.
2. Window overhangs should be dropped to eight feet above ground and extended for better solar control.
3. An alternative plant material should be considered for the Silverberry and India Hawthorn as they typically do not survive through the summer.
4. The Rosemary should be five gallon size and located thirty-six inches on center.
5. Provide trees on west side of building between columns.

The AAC's action is discussed further in the Analysis portion of the staff report.

**BACKGROUND AND SETTING:**

The subject site is approximately 30,371 square feet in size; there is an existing building on the easterly side of the site which will be demolished to make room for the new development. The location of the new building is proposed on the westerly portion of the site. The new building will be 128 feet by 58 feet, six inches and constructed of split-face CMU and burnished block as well as steel canopies over the window walls for solar control.

**Table 1:** Surrounding General Plan Designations, Zones and Land Uses

	<b>General Plan</b>	<b>Zone</b>	<b>Land Use</b>
North	Airport	A (Airport)	Airport Operations
South	Industrial	W-M-1 (Service / Manufacturing with Watercourse Overlay)	Vacant
East	Industrial	W-M-1 (Service / Manufacturing with Watercourse Overlay)	Gas Station (Shell)
West	Industrial	M-1 (Service / Manufacturing)	Multi-Tenanted Commercial Building

**ANALYSIS:**

The General Plan designation of the site is "IND" (Industrial), which allows for a 0.50 floor area ratio (FAR). The "Industrial" designation states, "*Industrial uses typically*

include research and development parks, light manufacturing, laboratories, and industrial services. Retail commercial uses and offices shall be allowed as ancillary uses to the industrial use to encourage projects that are self-sustaining." The proposed use is a retail store that sells and installs tires. The FAR is 0.31. Therefore, the proposed use and development is consistent with the General Plan.

Zoning and Development Standards

The subject property is located within the "W-M-1" (Service / Manufacturing with a Watercourse prefix) Zone. Pursuant to Section 92.17.01(A)(5)(iii) of the Palm Springs Zoning Code (PSZC), tire shops, including electrical recapping, are a permitted use within the Service / Manufacturing Zone. Staff has analyzed the development standards of the Service Manufacturing Zone with the proposed development in table 2 below.

**Table 2:** Development standards of the "M-1" Zone and the proposed project:

	<b>M-1 Zone Requirements</b>	<b>Proposed Project (approximate for each)</b>
Lot Area	40,000 square feet	30,371 square feet
Lot Width	200 feet	150 feet
Lot Depth	200 feet	202.6 feet
Front Yard	25 feet	27 feet
Landscaping in Front Yard	25% Minimum	50% of front yard setback area
Side Yard	None required	Conforms
Rear Yard	None required	Conforms
Building Height	30 feet maximum	26 feet and 4 inches
Building Coverage	60% maximum	22.87%

*Access and Parking*

Vehicular access to the site is located off of Ramon Road. A twenty-eight foot wide driveway allows adequate vehicular flow on- and off-site. The proposed access driveway continues south on the property and will provide future access to the southerly parcel. The project conforms to the necessary ADA requirements, including accessible pathways, handicapped parking spaces and vehicular access.

Pursuant to Section 93.06.00(D) of the PSZC, the subject use is required to provide four parking spaces plus four (4) spaces for each service bay. The floor plan shows that six service bays are proposed which would require a total of twenty-eight parking spaces. The applicant has proposed twenty-nine standard parking spaces (including two handicap stalls).

*AAC Action*

The AAC requested five modifications to the plans as part of their final action:

1. Revise southeast corner of building elevation to 'read' better.

2. Window overhangs should be dropped to eight feet above ground and extended for better solar control.
3. An alternative plant material should be considered for the Silverberry and India Hawthorn as they typically do not survive through the summer.
4. The Rosemary should be five gallon size and located thirty-six inches on center.
5. Provide trees on west side of building between columns.

The applicant has agreed to modify the plans based on these comments with the exception of numbers 2 and 5. The applicant would like to extend the overhangs to six feet at twelve feet above the ground and omit the requirement to provide trees on the west side of the building (see attached elevations). Staff is not opposed to these requests since the extended overhangs are located on the north façade of the building and additional trees were planted in the parking areas.

#### *Architecture*

The proposed building is a simple design with various materials that include split face and burnished block, steel canopies and aluminum store front. The colors include mainly light tan and gray with a red band around the upper façade of the building. The proposed color palette reflects colors soft tones that can be found in the surrounding mountains and desert vegetation.

#### **REQUIRED FINDINGS:**

##### *Architectural*

The Zoning Ordinance Section 94.04.00(D)(1-9) provides guidelines for the Architectural review of development projects to determine whether the proposed development will provide a desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance is evaluated and based on consideration of the following:

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas;*

Access throughout the proposed project is designed according to the requirements of the Palm Springs Zoning Code and ADA rules, including accessible pathways, handicapped parking spaces and vehicular access. The building is oriented on the site in a balanced manner to allow for a good circulation and safe ingress and egress to Ramon Road.

2. *Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood /*

*community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

The surrounding developments consist of one and two story commercial and industrial buildings. The proposed development is a one story industrial use that is consistent with surrounding properties.

*3. Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;*

The building is proposed at a height of twenty-six feet and four inches which is below the maximum allowable height of thirty feet. All rooftop mechanical equipment will be screened by a parapet wall. The project conforms to the required setbacks and is under the maximum building coverage permitted by the Zoning Code.

*4. Building design, materials and colors to be sympathetic with desert surroundings; AND*

*5. Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures, which are visible simultaneously; AND*

*6. Consistency of composition and treatment;*

The proposed building is a simple design with various materials that include split face and burnished block, steel canopies and aluminum store front. The colors include mainly light tan and gray with a red band around the upper façade of the building. The proposed color palette reflects soft tones that can be found in the surrounding mountains and desert vegetation. The building is oriented to utilize good solar control with a consistent composition of architectural overhangs and projections.

*7. Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

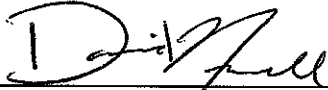
The vacant site contains a scattering of indigenous insignificant shrubbery. There are no specimen trees to preserve. The landscape design proposes drought tolerant trees, shrubs and groundcover. Emitters will deliver water to each individual plant, thereby practicing water efficient irrigation methods.

## **CONCLUSION:**

The proposed project is consistent with the land use policies of the City. Furthermore, the Architectural Advisory Committee recommended approval of the project to the Planning Commission. Therefore, staff is recommending approval of the proposed project subject to the prepared draft Resolution with conditions of approval.

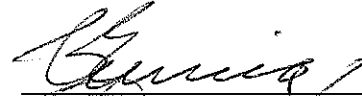
**ENVIRONMENTAL DETERMINATION:**

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is a Categorical Exemption under Section 15332 – In-Fill Development Projects.



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David A. Newell  
Associate Planner



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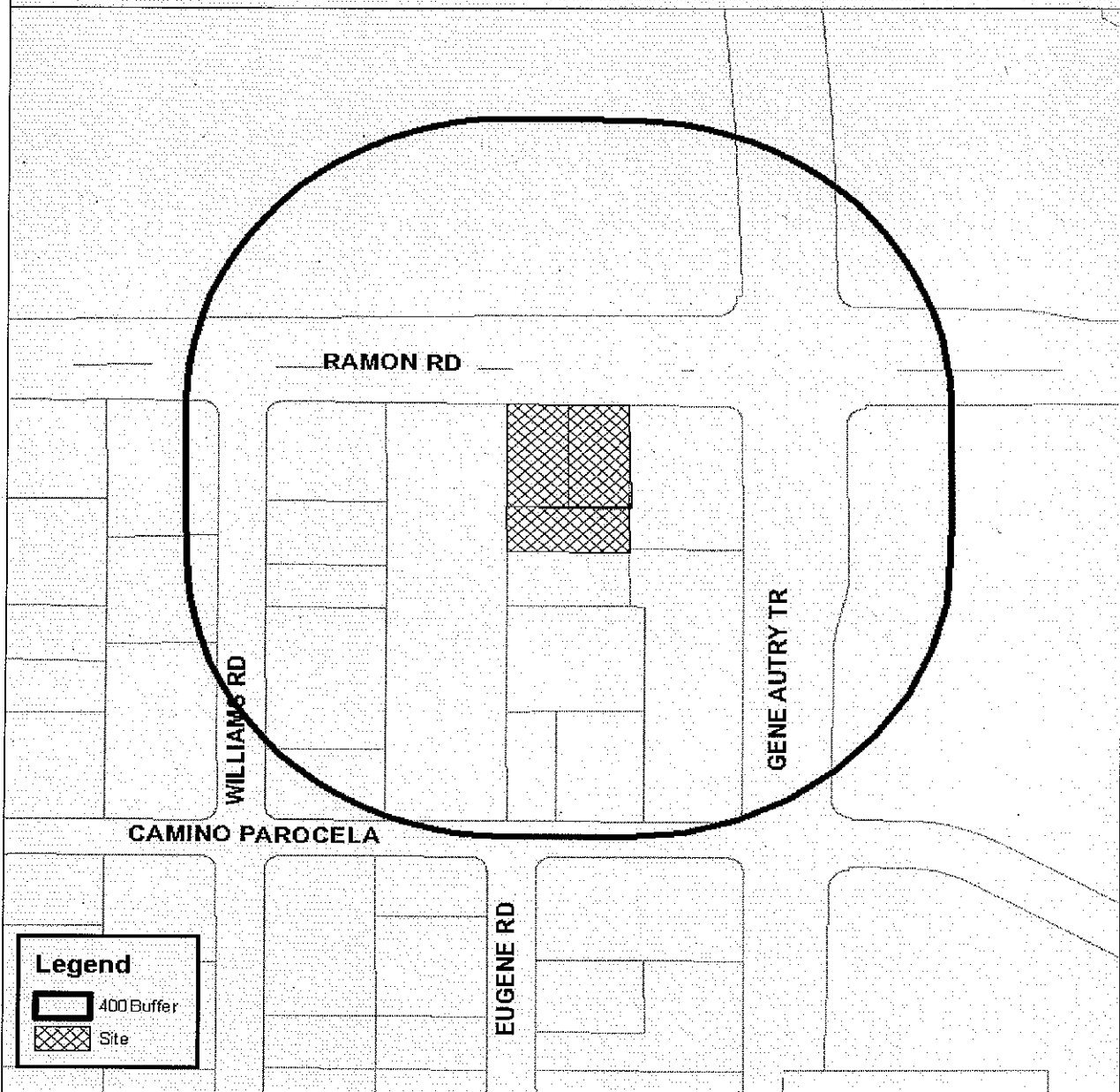
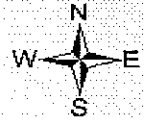
Craig A. Ewing, AICP  
Director of Planning Services

Attachments:



- 400' Radius Map
- Draft Resolution with Conditions of Approval
- Site plan and Elevations



# Department of Planning Services Vicinity Map



**Legend**

-  400 Buffer
-  Site

## CITY OF PALM SPRINGS

**CASE NO:** 3.3399 MAJ

**APPLICANT:** America's Tire

**DESCRIPTION:** Application by America's Tire to construct a 6,947 square foot building for the sale and installation of tires at 4817 East Ramon Road, Zone W-M-1.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 3.3399-MAJ FOR THE CONSTRUCTION OF A TIRE SALES AND INSTALLATION COMMERCIAL BUILDING AT 4817 EAST RAMON ROAD.

WHEREAS, Dan Wainright (the "Applicant") of America's Tire has filed an application with the City pursuant to Section 94.04.00 of the Palm Springs Zoning Code (PSZC) for a Major Architectural application to allow the construction of a 6,947 square foot retail store for the sale and installation of tires at 4817 East Ramon Road, Zone W-M-1, Section 19, APN: 680-101-003, -005, -023; and

WHEREAS, on December 21, 2009, the Architectural Advisory Committee (AAC) reviewed the proposed project and voted 6-0 to recommend approval to the Planning Commission; and

WHEREAS, on January 13, 2010, a public meeting for a Major Architectural application 3.3399-MAJ was held by the Planning Commission in accordance with applicable law; and

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

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: Pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines, this project is Categorically Exempt from environmental assessment because the project involves new construction of a store not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet in floor area.

Section 2: Section 94.04.00(D) of the PSZC provides guidelines for the Architectural review of development projects. Conformance is evaluated, based on consideration of the following:

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking areas;*

Access throughout the proposed project is designed according to the requirements of the Palm Springs Zoning Code and ADA rules, including accessible pathways, handicapped parking spaces and vehicular access. The building is oriented on the site



in a balanced manner to allow for a good circulation and safe ingress and egress to Ramon Road.

*2. Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood / community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;*

The surrounding developments consist of one and two story commercial and industrial buildings. The proposed development is a one story industrial use that is consistent with surrounding properties.

*3. Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment;*

The building is proposed at a height of twenty-six feet and four inches which is below the maximum allowable height of thirty feet. All rooftop mechanical equipment will be screened by a parapet wall. The project conforms to the required setbacks and is under the maximum building coverage permitted by the Zoning Code.

*4. Building design, materials and colors to be sympathetic with desert surroundings; AND*

*5. Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures, which are visible simultaneously; AND*

*6. Consistency of composition and treatment;*

The proposed building is a simple design with various materials that include split face and burnished block, steel canopies and aluminum store front. The colors include mainly light tan and gray with a red band around the upper façade of the building. The proposed color palette reflects soft tones that can be found in the surrounding mountains and desert vegetation. The building is oriented to utilize good solar control with a consistent composition of architectural overhangs and projections.

*7. Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials;*

The vacant site contains a scattering of indigenous insignificant shrubbery. There are no specimen trees to preserve. The landscape design proposes drought tolerant trees, shrubs and groundcover. Emitters will deliver water to each individual plant, thereby practicing water efficient irrigation methods.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Major Architectural application (Case 3.3399-MAJ),

subject to those conditions set forth in the attached Exhibit A, which are to be satisfied unless otherwise specified.

ADOPTED this 13th day of January, 2010.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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Craig A. Ewing, AICP  
Director of Planning Services

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

EXHIBIT A

Case 3.3399 MAJ  
America's Tire

4817 East Ramon Road

January 13, 2010

**CONDITIONS OF APPROVAL**

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

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

**ADMINISTRATIVE CONDITIONS**

- ADM 1. Project Description. This approval is for the project described per Case 3.3399-MAJ, except as modified by the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division, except as modified by the conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 3.3399-MAJ. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City

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

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

- ADM 10. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code.

### **ENVIRONMENTAL ASSESSMENT CONDITIONS**

- ENV1 Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Permit Fee (LDMF) 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.
- ENV2 Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$64 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Exemption. Action on this application shall not be considered final until such fee is paid (projects that are Categorically Exempt from CEQA).

### **PLANNING DEPARTMENT CONDITIONS**

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Refer to Chapter 8.60 of the Municipal Code for specific requirements.
- PLN 3. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00.
- PLN 4. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar

reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as off-white, beige or tan. Bright white should be avoided where possible.

- PLN 5. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 6. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 7. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 8. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 9. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 10. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.

#### **POLICE DEPARTMENT CONDITIONS**

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

#### **BUILDING DEPARTMENT CONDITIONS**

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

#### **ENGINEERING DEPARTMENT CONDITIONS**

##### **STREETS**

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

- ENG 2. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.

#### RAMON ROAD

- ENG 3. Dedicate an additional 10 feet of right-of-way as necessary to extend the eastbound right-turn lane along the project frontage.
- ENG 4. Remove existing street improvements as necessary to construct a 28 feet wide driveway approach located approximately 40 feet west of the eastern property line of the project site, in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 5. Remove the existing driveway approach and replace with street improvements in accordance with applicable City standards.
- ENG 6. Remove and reconstruct existing street improvements as necessary to extend the eastbound right-turn lane approximately 60 feet in accordance with applicable City standards.
- ENG 7. Construct pavement with a minimum pavement section of 5 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to clean sawcut edge of pavement along the project frontage, in accordance with City of Palm Springs Standard Drawing No. 110 and 347. 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 8. All broken or off grade street improvements shall be repaired or replaced.

#### ON-SITE

- ENG 9. The minimum pavement section for all on-site pavement shall be 2½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

#### SANITARY SEWER

- ENG 10. All sanitary facilities shall be connected to the public sewer system.

## GRADING

ENG 11. Submit a Precise Grading and Paving Plan prepared by a California registered civil engineer to the Engineering Division for review and approval. The Precise Grading and Paving Plan shall be approved by the City Engineer prior to issuance of grading permit. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at [www.AQMD.gov](http://www.AQMD.gov). A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Precise Grading and Paving plan.

- a) The first submittal of the Precise Grading and Paving Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; a copy of the associated Hydrology Study/Report; and a copy of the project-specific Water Quality Management Plan.

ENG 12. Prior to approval of a Grading Plan or issuance of a Grading Permit, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

ENG 13. In accordance with an approved PM-10 Dust Control Plan, perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance



of Grading Permit, and immediately prior to commencement of grading operations.

- ENG 14. 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 15. 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 16. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 17. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 18. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 19. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan. The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

## WATER QUALITY MANAGEMENT PLAN

ENG 20. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property or public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.

ENG 21. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Property Owner Association Covenants, Conditions, and Restrictions (CC&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to the issuance of any grading or building permits.

ENG 22. Prior to issuance of certificate of occupancy, the applicant shall:

- a) Demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications;
- b) Demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions: and,
- c) Demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners/occupants (where applicable).

## DRAINAGE

ENG 23. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property.

ENG 24. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to Ramon Road. Provisions for the interception of nuisance water from

entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.

ENG 25. This project will be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating stormwater runoff, will be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).

ENG 26. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

#### GENERAL

ENG 27. 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 28. All proposed utility lines shall be installed underground.

- ENG 29. 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 30. 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 31. The original improvement plans prepared for the proposed development and approved by the City Engineer shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 32. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 33. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.
- ENG 34. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

#### MAP

- ENG 35. An application for a Lot Line Adjustment of the existing parcels identified as Assessor's Parcel No. (APN) 680-101-003, APN 680-101-005, and APN 680-101-023 shall be submitted to and approved by the City Engineer prior to issuance of a building permit. The commercial building and associated parking areas shall be located on a single parcel. A copy of a current title report and copies of record documents shall be submitted with the application for the lot line adjustment(s). The application(s) shall be submitted to and approved by the City Engineer prior to issuance of building permit.

#### TRAFFIC

- ENG 36. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.

- ENG 37. Install a 24 inch stop sign, stop bar, and "STOP" legend for traffic exiting the development onto Ramon Road in accordance with City of Palm Springs Standard Drawing Nos. 620-625.
- ENG 38. 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 39. 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.
- ENG 40. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

#### **FIRE DEPARTMENT CONDITIONS**

- FID 1. Fire Department Conditions are based on the 2007 California Fire Code. These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan received November 17, 2009. Additional requirements may be required at that time based on revisions to site plans.
- FID 2. **Combustible Storage (CFC 315.3):** Outside storage of combustible materials shall not be located within 10 feet (3048 mm) of a property line.
- FID 3. **Storage Height in Open Areas (CFC 315.3.2):** Storage in open areas shall not exceed 8 feet in height.
- FID 4. **Roadway Dimensions:** Private streets shall have a minimum width of at least 20 feet, pursuant to California Fire Code 503.2.1 however, 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**, unless otherwise allowed by the City engineer.
- FID 5. **Buildings and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and

shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

- FID 6. **Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW) and shall be surfaced so as to provide all-weather driving capabilities.
- FID 7. **Turning radius (CFC 503.2.4):** The required turning radius of a fire apparatus access road shall be determined by the fire code official. Fire access road turns and corners shall be designed with a minimum inner radius of 25 feet and an outer radius of 43 feet throughout the entire storage facility. Radius must be concentric.
- FID 8. **Fire Lane Marking (CFC 503.3):** Approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.
- FID 9. **Premises Identification (CFC 505.1):** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4" high with a minimum stroke width of 0.5".
- FID 10. **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 11. **Key Box Required to be Installed (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official.
- Secured emergency access gates serving apartment, town home or condominium complex courtyards must provide a key box in addition to association or facility locks. The nominal height of Knox lock box installations shall be 5 feet above grade. Location and installation of Knox key boxes must be approved by the fire code official.
- FID 12. **Key Box Contents:** The Knox key box shall contain keys to all areas of ingress/egress, alarm rooms, fire sprinkler riser/equipment rooms, mechanical

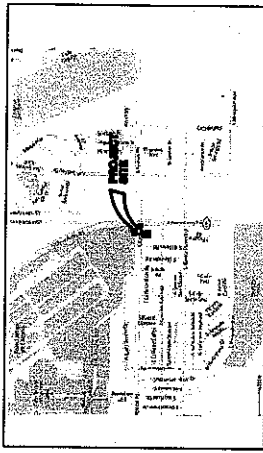
rooms, elevator rooms, elevator controls, plus a card containing the emergency contact people and phone numbers for the building/complex.

- FID 13. **Fire Hydrant Flow and Number of Fire Hydrants (CFC 508.5):** Fire hydrants shall be provided in accordance with CFC Appendix III-B for the protection of buildings, or portions of buildings, hereafter constructed. The required fire hydrant flow for this project is 1500 GPM with fire sprinklers. Fire flow will be determined as per (CFC Appendix B) and one available fire hydrant must be within 250 feet from any point on your lot street frontage. (CFC Appendix C)
- FID 14. **Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.
- FID 15. **Water Plan (CFC 501.3 & 901.2):** A water plan for on-site and off-site is required and shall include underground private fire main for fire sprinkler riser(s), public fire hydrant(s), Double Check Detector Assembly, Fire Department Connection and associated valves.
- FID 16. **Identification (CFC 510.1):** Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.
- FID 17. **NFPA 13 Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA 13, 2002 Edition, except the seismic bracing and restraints shall comply with NFPA 13, 2007 Edition using Cp of 0.74 and I/r Ratio of 200. No portion of the fire sprinkler system shall be installed prior to plan approval. Prior to final approval of the installation, contractor shall submit a completed Contractors Material and Test Certificate for Aboveground Piping to the Fire Department. (16.1 NFPA 13, 2002 Edition and 10.10 NFPA 24, 2002 Edition)
- FID 18. **Audible Water Flow Alarms (CFC 903.4.2):** An approved audible sprinkler flow alarm (Wheelock horn/strobe # MT4-115-WH-VFR with WBB back box or equal) shall be provided on the exterior of the building in an approved location. An approved audible sprinkler flow alarm (Wheelock horn/strobe # MT4-115-WH-VFR with WBB back box or equal) to alert the occupants shall be provided in the interior of the building in a normally occupied location.

- FID 19. **Valve and Water-Flow Monitoring (CFC 903.4):** All valves controlling the fire sprinkler system water supply, and all water-flow switches, shall be electrically monitored. All control valves shall be locked in the open position. Valve and water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station.
- FID 20. **Fire Extinguisher Requirements (CFC 906):** Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.
- FID 21. **Fire Hydrant & FDC Location (CFC 912.2):** A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases.
- FID 22. **Fire Department Connections (CFC 912.2.1 & 912.3):** Fire Department connections shall be visible and accessible, have two 2.5 inch NST female inlets, and have an approved check valve located as close to the FDC as possible. All FDC's shall have KNOX locking protective caps. Contact the fire prevention secretary at 760-323-8186 for a KNOX application form.
- FID 23. **Fire Alarm System:** Fire alarm system is required and installation shall comply with the requirements of NFPA 72, 2002 Edition.
- FID 24. **High Piled Storage:** If materials to be stored are anticipated to exceed 12 feet in height, additional requirements will be required. All high piled storage shall comply with Chapter 23 in the 2007 CFC. Contact the fire department plans examiner for more detailed requirements.

**END OF CONDITIONS**





VICINITY MAP

**PROJECT DATA**

**CLIENT:** AMERICAN TIRE

**PROJECT NO.:** 101-032

**PROJECT NAME:** AMERICAN TIRE

**PROJECT ADDRESS:** 4817 E. RAMON ROAD, PALM SPRINGS, CA 92264

**PROJECT DESCRIPTION:** CONCEPTUAL SITE PLAN FOR THE RECONSTRUCTION AND IMPROVEMENT OF THE EXISTING AMERICAN TIRE BUILDING AND THE ADJACENT PARCELS TO THE SOUTH AND WEST.

**PROJECT PHASES:**

- PHASE A: PRELIMINARY DESIGN AND PERMITTING
- PHASE B: GROUNDWORK AND CONSTRUCTION OF THE EXISTING BUILDING
- PHASE C: CONSTRUCTION OF THE NEW BUILDING AND LANDSCAPING

**DESIGNER:** BERGMAN ARCHITECTURE

**DATE:** 09-25-09

**SCALE:** 1" = 10'-0"

**PROJECT LOCATION:** 4817 E. RAMON ROAD, PALM SPRINGS, CA 92264

**PROJECT AREA:** 1.2 ACRES

**PROJECT ZONING:** C-1

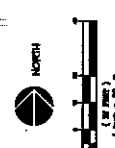
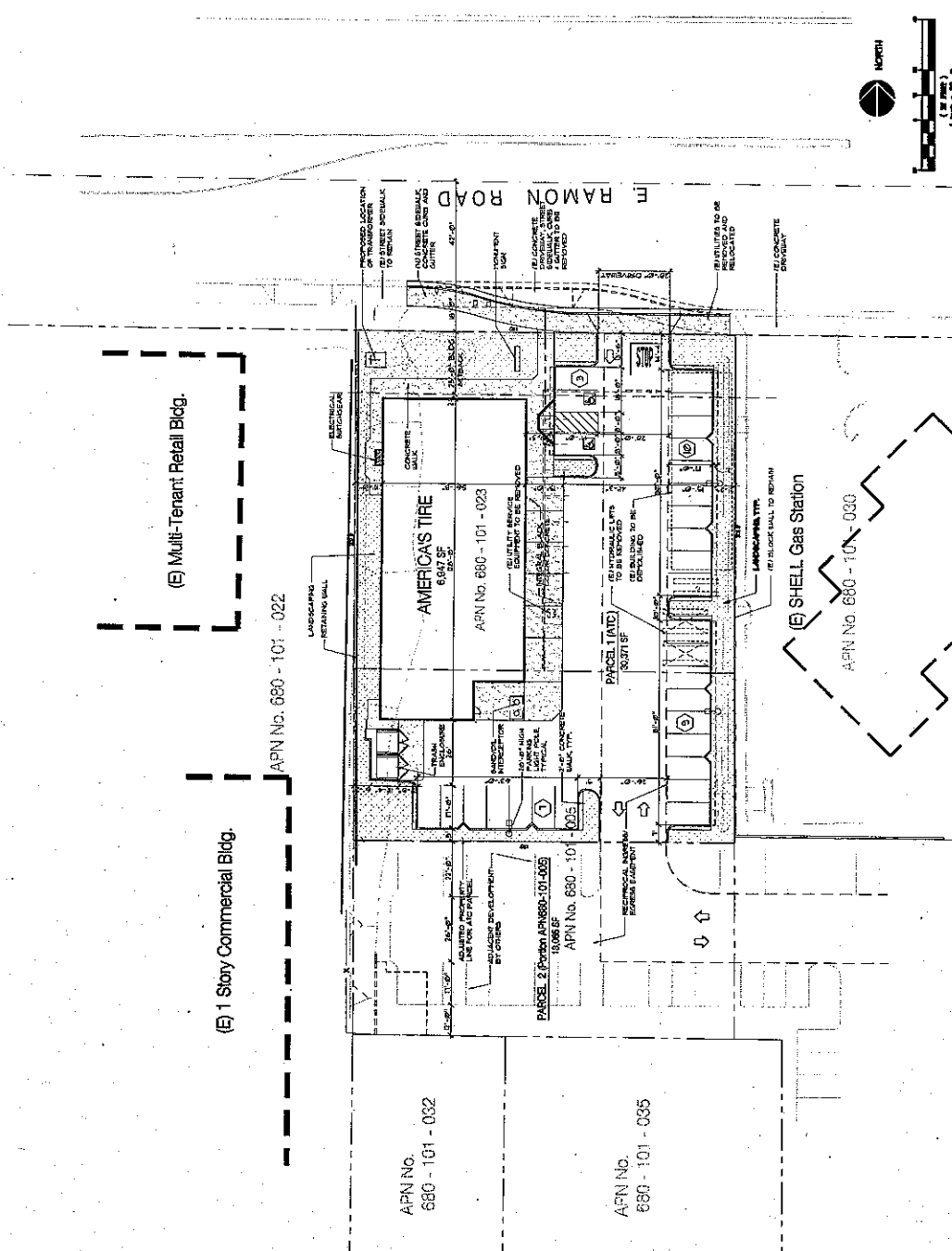
**PROJECT STATUS:** PRELIMINARY DESIGN

**PROJECT CONTACT:** WILLIAM AMBER, ARCHITECT

**PROJECT PHONE:** 951-255-0000

**PROJECT FAX:** 951-255-0000

**PROJECT WEBSITE:** WWW.THEBERGMAN.COM



ALT. 1R-B (6 Bay)

**AMERICAN'S TIRE**

AMERICAN'S TIRE IS A REGISTERED TRADEMARK OF AMERICAN TIRE COMPANY, INC. ALL RIGHTS RESERVED. THE DESIGN AND CONSTRUCTION OF THIS BUILDING IS SUBJECT TO THE APPROVAL OF THE PALM SPRINGS CITY PLANNING DEPARTMENT. THE DESIGN AND CONSTRUCTION OF THIS BUILDING IS SUBJECT TO THE APPROVAL OF THE PALM SPRINGS CITY PLANNING DEPARTMENT.

**BERGMAN ARCHITECTURE**

WILLIAM AMBER, ARCHITECT

10101 E. RAMON ROAD, SUITE 100

PALM SPRINGS, CA 92264

951-255-0000

WWW.THEBERGMAN.COM

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**CONCEPTUAL SITE PLAN**

**4817 E. RAMON ROAD**

**PALM SPRINGS, CA 92264**

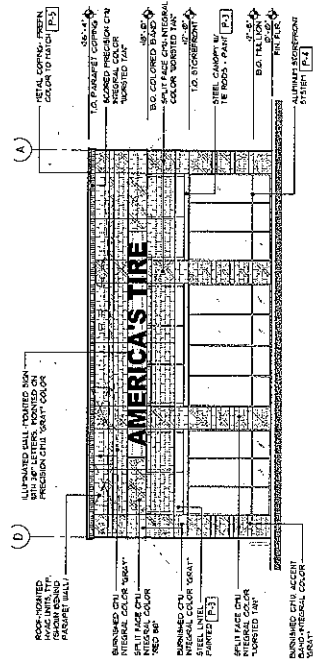
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**DATE 9-25-09**

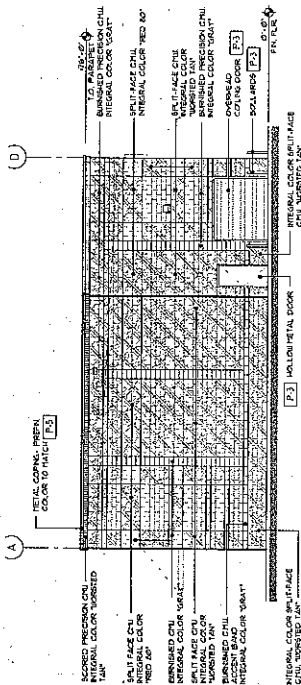
REV #1 10/07/09

REV #2 10/20/09

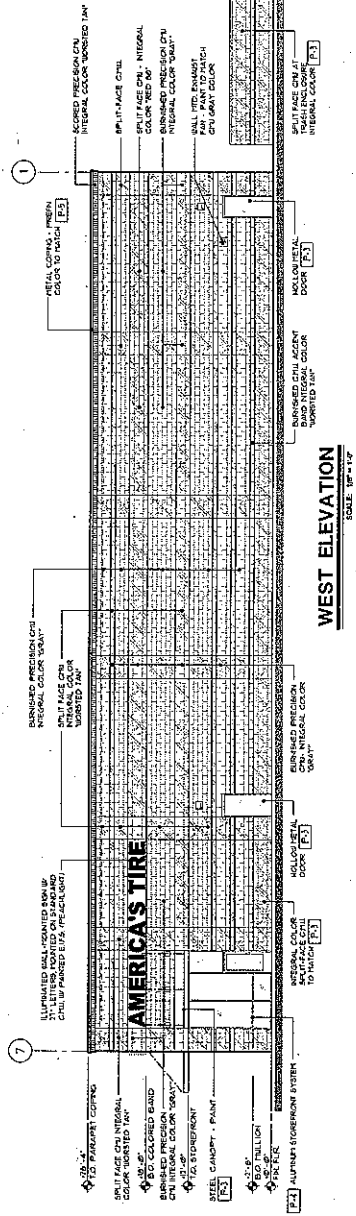
PAINT SCHEDULE	
P-1	SC PANT #1 BERRY BROWN CLAMOR "BURBURY"
P-2	SC PANT #44 BOTTLE BRN "BLACK LIGHT"
P-3	SC PANT #43 BOTTLE BRN "WORSTED TAN"
P-4	MANUFACTURER'S STANDARD COLOR - "BRASSER RED"
P-5	FACTORY PAINTS / COLOR TO MATCH "ITAL"



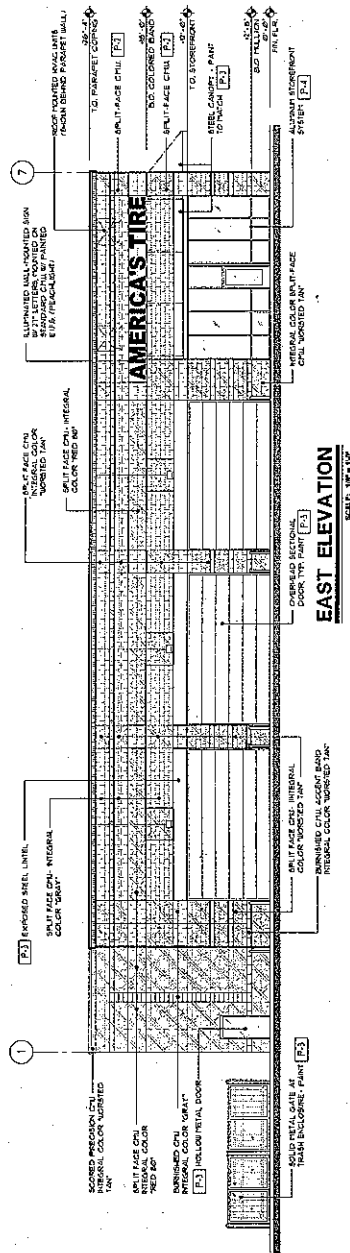
**NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



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



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



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

**AMERICA'S  
TIRE**

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**CONCEPTUAL ELEVATIONS**

**4817 E. RAMON ROAD  
PALM SPRINGS, CA 92264**

**JOB # A0665**

**DATE: 9-25-09**

REVISION #1: 12-1-09

REVISION #2: 12-29-09

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