



Planning Commission Staff Report

Date: February 10, 2010

Case No.: 5.1108- PD 326

Application Type: Time Extension for Planned Development District

Location: 1501-1601 Belardo Road South

Applicant: Wessman Holdings, LLC

Zone: R-3 (Multiple-Family Residential & Hotel Zone), and O-20 (Open Space, 1 dwelling unit / 20 acres)

General Plan: H43/21 (High Density Residential)

APNs: 513-300-003 & 513-300-043

From: Craig Ewing, AICP, Director of Planning Services

Project Planner: Glenn Mlaker, Assistant Planner

PROJECT DESCRIPTION

The applicant, Wessman Holdings LLC. is requesting a one-year time-extension for a previously approved 66-unit clustered town-home residential complex. A Planned Development District application (PD 326) establishing new design and development standards for the project was approved by the Planning Commission on February 14, 2007 and by the City Council on April 18, 2007. A one-year time extension was granted in 2009 by the Planning Commission. This approval will expire on February 14, 2010; hence the request for a one-year time extension.

RECOMMENDATION

That the Planning Commission approve a one-year time extension for PD 326 from February 14, 2010 to February 13, 2011.

PRIOR ACTIONS

On February 14, 2007, the Planning Commission considered the residential project and by a vote of 5-0, adopted the draft Mitigated Negative Declaration and recommended approval of Case 5.1108 / PD 326 to the City Council.

On April 18, 2007, the City Council adopted a final Mitigated Negative Declaration and approved Planned Development District 326 as recommended by the Planning Commission.

On November 19, 2008, the Planning Commission granted a one-year time extension for PD 326 from February 14, 2009 to February 13, 2010.

BACKGROUND AND SETTING

The project site is located at the base of the San Jacinto Mountains lying to the south of Belardo Road. The site is bounded on the east by South Belardo Road and to the west by vacant hillside areas. The sides of the mountains come to the site's south property line, and occupy the northwest portion of the project site.

Table 1: Surrounding Land Uses, General Plan, Zoning

	Land Use	General Plan	Zoning
North	Mobile Park & Apartments	H43/21 (Multi-family Residential)	R-3
East	Hotel, Sopping & Offices	RC (Resort Commercial)	PD-131; PD-52
South	Vacant Hillside	RC (Resort Commercial)	O-20
West	Vacant Hillside	"C" (Conservation)	R-3 & O-20

ANALYSIS

Section 94.03.00(H) of the Zoning Code states that extensions of time for a PD may be allowed by demonstration of good cause. According to Chapter 9.63.110 of the Municipal Code, there are no specific findings or determinations that need to be made to grant the time extension for the PD. The Municipal Code does limit all time extensions to one-year and that requirement is being carried forward in staff's recommendation.

The applicant has requested a one-year time extension to commence construction for Planned Development District 326. The applicant, in the letter of time extension request

PLANNED DEVELOPMENT DISTRICT

dated January 6, 2010, claimed that a principal reason for the time extension request is the current economic environment in the local residential real estate market. Furthermore, according to the applicant, the availability of financing for residential projects of this magnitude has been in sharp decline.

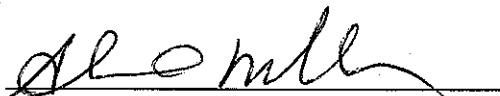
Based on this information, the applicant has demonstrated good cause for seeking an extension and for asserting that construction will commence within the requested period of time extension.

Staff has reviewed the project, surrounding area and underlying zoning regulations and determined that no significant changes have occurred that would suggest that the project is no longer in keeping with the neighborhood or the City's development policies.

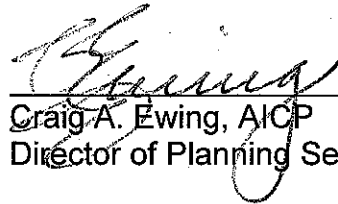
Staff received amended conditions from the Engineering Department. A list of these changes to the Conditions of Approval are as follows: Engineering Conditions - Sanitary Sewer, #23; Grading #29B, 29C, 29D, 29E, 29F, 29G, #32, #32A, #34A, 34B; WQMP #35A, 35B, 35C; Drainage #38; General # 44A; Map #51, 52; Traffic #59.

ENVIRONMENTAL ASSESSMENT

A Mitigated Negative Declaration was previously adopted by the City Council on April 18, 2007 for the project. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, further environmental documentation is not necessary because the changed circumstances of the project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The time extension request would not result in any new environmental impacts beyond those already assessed in the certified environmental impact report.



Glenn Mlaker
Assistant Planner



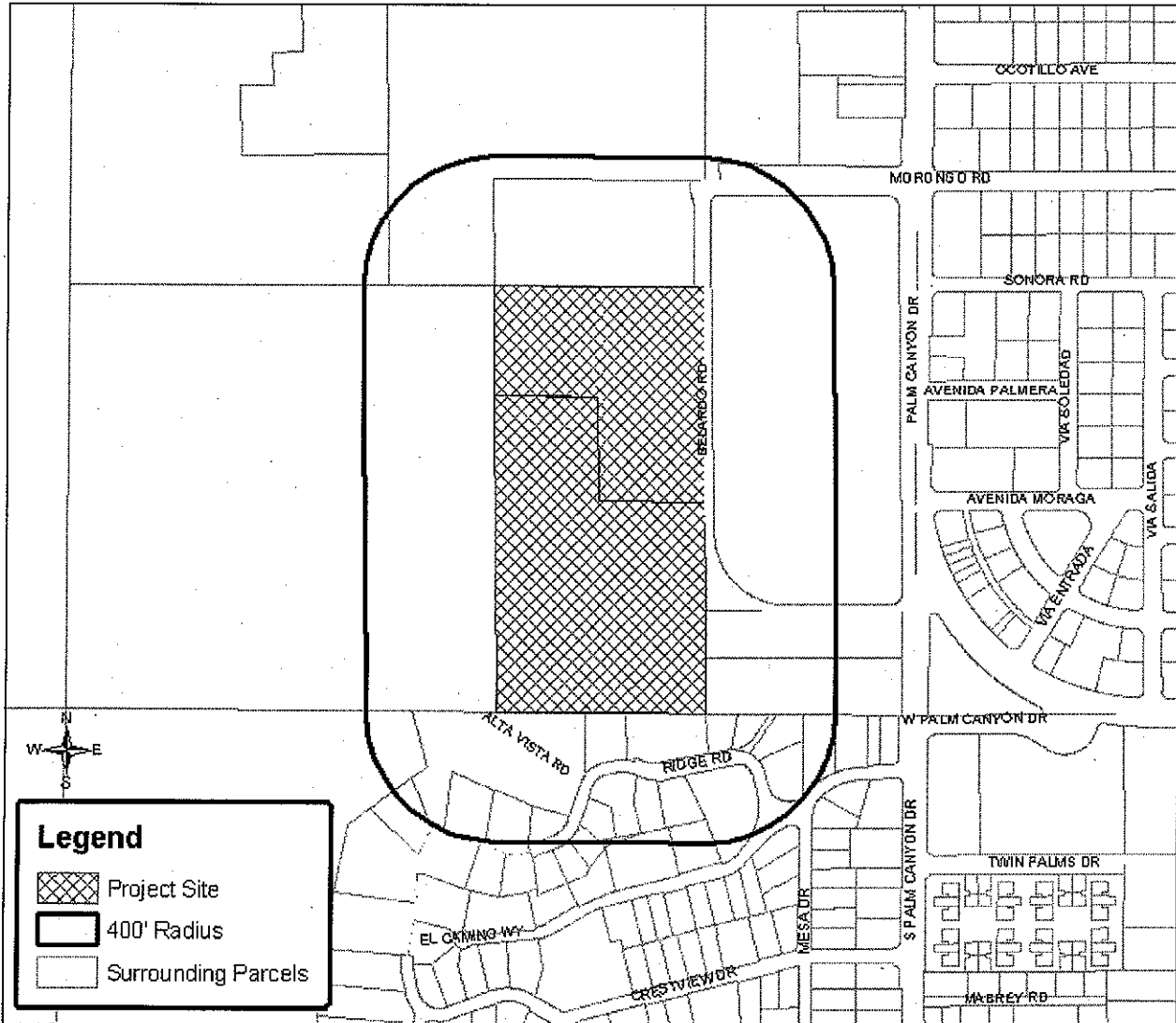
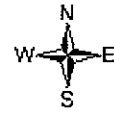
Craig A. Ewing, AICP
Director of Planning Services

ATTACHMENTS:

1. Vicinity Map
2. Draft Resolution
3. Revised Conditions of Approval
4. Letter of request from the applicant dated January 6, 2010



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 5.1108 PD-326

APPLICANT: Wessman Holdings, LLC

DESCRIPTION: To consider a request by Wessman Holdings, LLC, for a one year time extension of Planned Development District for a residential project consisting of 66 townhome units located at 1501-1601 S. Belardo Road, Zoned R-3,O-20 (Multiple-Family Residential-Open Space), Section 22.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A ONE-YEAR TIME EXTENSION FOR PLANNED DEVELOPMENT DISTRICT 326 FROM FEBRUARY 14, 2010 TO FEBRUARY 13, 2011; A PREVIOUSLY APPROVED 66-UNIT CLUSTERED RESIDENTIAL DEVELOPMENT ON AN APPROXIMATELY 6.9-ACRE SITE LOCATED AT 1501-1601 SOUTH BELARDO ROAD, ZONE R-3 AND O20, SECTION 22.

WHEREAS, Wessman Holdings, LLC ("Applicant") has filed an application with the City pursuant to Section 94.04.00(H) and 94.04.00(I)(1) of the Palm Springs Zoning Code and Chapter 9.63.110 of the Palm Springs Municipal Code for a one-year time extension to commence construction for PD 326 located at 1501-1601 South Belardo Road; and

WHEREAS, on February 10, 2010, a public meeting on the application was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the Planning Department has reviewed this project under the provisions of the California Environmental Quality Act (CEQA), and has determined that a time extension request is considered a "project" pursuant to the terms of the California Environmental Quality Act (CEQA). A Final Mitigated Negative Declaration was previously adopted by the City Council on April 18, 2006 for the project. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, further environmental documentation is not necessary because the changed circumstances of the project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The time extension request would not result in any new environmental impacts beyond those already assessed in the certified environmental impact report.

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.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves a one-year time extension for PD 326 from February 14, 2010 to February 13, 2011.

ADOPTED this 10th day of February, 2010.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services

Exhibit A

Case No. 5.1108 – PD-326/ TTM 34580
The Edge at Belardo

Belardo Road South
REVISED CONDITIONS OF APPROVAL

February 10, 2010

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.

PROJECT SPECIFIC CONDITIONS

- 1. Prior to the submittal of Final Development plans, the applicant shall be required to adjust Lot E and Lot 66 northerly of the site to avoid encroachment into the O-20 zone area.**
- 2. Prior to City Council approval, the applicant shall be required to include a public trail along the westerly boundary of the site on the Final Development Plans and the Final Map.**
- 3. The maximum building height within this development shall be limited to 30.6 feet. *(Added by the City Council on April 18, 2007).***

PLANNING DEPARTMENT:

1. The proposed development of the premises shall conform to all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, or any other City Codes, ordinances and resolutions which supplement the zoning district regulations.
2. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case No. 5.1108 / Tentative Tract Map 34580. 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 Conditions of Approval abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

3. That the property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation sidewalks, bikeways, parkways, 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.
4. Pursuant to Fish and Game Code Section 711.4 a filing fee of \$64.00 is required. This project has a de minimus impact on fish and wildlife, and a Certificate of Fee Exemption shall be completed by the City and two copies filed with the County Clerk. This application shall not be final until such fee is paid and the Certificate of Fee Exemption is filed. Fee shall in the form of a money order or cashier's check payable to Riverside County.
5. Prior to issuance of a building permit, Fringe Toed Lizard Mitigation fees shall be submitted.
6. 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 or industrial projects, 1/4% for new residential subdivisions, or 1/4% for new individual single-family residential units constructed on a lot located in an existing subdivision 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 Services 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.

7. Pursuant to Park Fee Ordinance No. 1632 and in accordance with Government Code Section 66477 (Quimby Act), all residential development shall be required to contribute to mitigate park and recreation impacts such that, prior to issuance of residential building permits, a parkland fee or dedication shall be made. Accordingly, all residential development shall be subject to parkland dedication requirements and / or park improvement fees. The parkland mitigation amount shall be based upon the cost to inquire and fully improve parkland. The applicant shall submit a property appraisal to the Planning Services Department for the purposes of calculating the Park Fee. The Park Fee payment and/or parkland dedication shall be completed prior to the issuance of building permits.

Environmental Assessment

8. 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 mitigated negative declaration will be included in the Planning Commission consideration of the environmental assessment. Mitigation measures are as follows:
 - MM 111-1** Earth-moving activities on the project site shall be suspended during first and second stage ozone episodes or when winds exceed 25 MPH, pursuant to the Coachella Valley PM10 State Implementation Plan and SCAQMD Rule 403.1.
 - MM 111-2** Adequate watering techniques shall be employed on the project site to mitigate the impact of construction-generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day, as part of the construction specifications.
 - MM 111-3** Any construction access roads to the project site shall be paved as soon as possible and cleaned after each work day. The maximum vehicle speed limit on unpaved road surfaces shall be 15 mph.
 - MM 111-4** All trucks shall maintain at least two feet of freeboard.
 - MM 111-5** Trucks hauling dirt, sand, soil or other loose dirt material off-site, shall be covered and washed off before leaving the site.

- MM 111-6** Adjacent streets shall be swept if silt is carried over to adjacent public thoroughfares.
- MM 111-7** As part of the construction specifications, any vegetative ground cover to be utilized on-site shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize wind erosion of the soil.
- MM 111-8** Construction operations affecting off-site roadways shall be scheduled for off-peak traffic hours and shall minimize obstruction of through traffic lanes.
- MM V-I** As there is always a possibility of buried cultural and paleontological resources in a project area, should buried cultural deposits be encountered, the developer shall contact the Director of Planning Services. Following consultation, the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to investigate the find. If necessary, the qualified archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval. Human remains discovered shall be handled consistent with state law provisions.
- MM XI-I** The project applicant shall demonstrate that all on-site residential units shall be designed to meet the City of Palm Springs noise standards (65 CNEL in outside activity areas and 45 CNEL in interior living areas). The project applicant shall demonstrate compliance through the submittal of building and site improvement plans that provide details regarding sound barrier heights, additional insulation and building materials used to maintain interior noise levels, building and window orientation, and other measures to reduce noise exposure levels to City noise standards. A qualified noise consultant shall be retained to ensure that project and building designs will meet City noise exposure standards. Evidence of compliance with this mitigation measure shall be provided to the City prior to the issuance of any building permits.
- MM XI-2** The developer shall provide a disclosure to prospective future owners of condominiums that the project meets the minimum code standards, but that noise is likely to be audible.

- MM XI-3** All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.
- MM XI-4** All construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires.
- MM XI-5** Stockpiling and vehicle staging areas shall be located in the southern portion of the site.
- MM XI-6** Parking, refueling and servicing operations for all heavy equipment and on-site construction vehicles shall be located in the southern portion of the site.
- MM XI-7** Stationary construction equipment shall be placed such that emitted noise is directed away from noise-sensitive receptors.
- MM XI-8** Construction activities on-site shall take place only during the hours between 7:00 a.m. and 8:00 p.m., as specified by the Palm Springs Noise Ordinance (11.74.041), to reduce noise impacts during more sensitive time periods. The Construction Site Regulations (Chapter 8.04.220) also identify specific limits on hours of operation for construction equipment as not between 5 p.m. and 8 a.m. if the noise produced is of such intensity or quality that it disturbs the peace and quiet of any other person of normal sensitivity.
- MM XVI-1** Use of low water landscaping which would include an irrigation system designed to provide water separately for each plant group should be encouraged. The application of irrigation technology such as tensiometers, drip or micro spray system and quality time clocks is also highly recommended. The California Health and Safety code requires that all new buildings constructed in California use water closets and associated flushometers which use no more than 1.0 gallons/flush.
9. The developer shall reimburse the City for the City's costs incurred in monitoring the developer's compliance with the conditions of approval and mitigation monitoring program, including, but not limited to inspections and review of developers operations and activities for compliance with all applicable dust and noise operations, and cultural resource mitigation. This condition of approval is supplemental and in addition to normal building permit and public improvement permits that may be required pursuant to the Palm Springs Municipal Code.

CC&R's

10. The applicant prior to issuance of building permits shall submit three (3) sets of a draft declaration of covenants, conditions and restrictions (CC&R's) to the Director of Planning Services for approval in a form to be approved by the City Attorney, to be recorded prior to certificate of occupancy. The CC&Rs shall be submitted with a list of the adopted conditions of approval and an indication of where applicable conditions are addressed in the CC&Rs. The CC&R's shall be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances.
11. The applicant shall submit to the City of Palm Springs, a deposit in the amount of \$3,500 for the review of the CC&R's by the City Attorney. A filing fee, in accordance with the fee schedule adopted by the City Council, shall also be paid to the City Planning Services Department for administrative review purposes.

Final Design

12. Final landscaping, irrigation, exterior lighting, and fencing plans shall be submitted for approval by the Department of Planning Services, prior to issuance of a building permit. Landscape plans shall be approved by the Riverside County Agricultural Commissioner's Office prior to submittal. All landscaping located within the public right of way or within community facilities districts must be approved by the Public Works Director and the Director of Parks and Recreation.
13. An exterior lighting plan in accordance with Zoning Ordinance Section 93.21.00, Outdoor Lighting Standards, shall be submitted for review and approval by the Director of Planning Services prior to the issuance of building permits. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be submitted for approval prior to issuance of a building permit. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of the hillside is permitted.

Public Safety CFD

14. The Project will bring a significant number of additional residents to the community. The City's existing public safety and recreation services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic, and other safety services and recreation, library, cultural services are near capacity. Accordingly, the City may determine to form a Community Services District under the

authority of Government Code Section 53311 et seq., or other appropriate statutory or municipal authority. Developer agrees to support the formation of such assessment district and shall waive any right to protest, provided that the amount of such assessment shall be established through appropriate study and shall not exceed \$500 annually with a consumer price index escalator. The district shall be formed prior to sale of any lots or a covenant agreement shall be recorded against each parcel, permitting incorporation of the parcel in the district.

General Conditions Code Requirements

15. The project is subject to the City of Palm Springs Water Efficient Landscape Ordinance. The applicant shall submit an application for Final Landscape Document Package to the Director of Planning Services for review and approval prior to the issuance of a building permit. Refer to Chapter 8.60 of the Municipal Code for specific requirements.
16. Prior to issuance of a grading permit, a Fugitive Dust and Erosion Control Plan shall be submitted and approved by the Building Official. Refer to Chapter 8.50 of the Municipal Code for specific requirements.
17. The grading plan shall show the disposition of all cut and fill materials. Limits of site disturbance shall be shown and all disturbed areas shall be fully restored or landscaped.
18. Separate architectural approval and permits shall be required for all signs. A detailed sign program shall be submitted for review and approval by the Planning Commission prior to issuance of building permits.
19. All materials on the flat portions of the roof shall be earth tone in color.
20. All roof mounted mechanical equipment shall be screened from all possible vantage points both existing and future per Section 93.03.00 of the Zoning Ordinance. The screening shall be considered as an element of the overall design and must blend with the architectural design of the building(s). The exterior elevations and roof plans of the buildings shall indicate any fixtures or equipment to be located on the roof of the building, the equipment heights, and type of screening. Parapets shall be at least 6" above the equipment for the purpose of screening.
21. No exterior downspouts shall be permitted on any facade on the proposed building(s) which are visible from adjacent streets or residential and commercial areas.
22. Perimeter walls shall be designed, installed and maintained in compliance with the corner cutback requirements as required in Section 93.02.00.D.

23. The design, height, texture and color of buildings, fences and walls shall be submitted for review and approval prior to issuance of building permits.
24. The street address numbering/lettering shall not exceed eight inches in height.
25. Construction of any residential unit shall meet minimum soundproofing requirements prescribed pursuant to Section 1092 and related sections of Title 25 of the California Administrative Code. Compliance shall be demonstrated to the satisfaction of the Director of Building and Safety
26. Prior to the issuance of building permits, locations of all telephone and electrical boxes must be indicated on the building plans and must be completely screened and located in the interior of the building

ENGINEERING DEPARTMENT:

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

STREETS

1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
2. Submit street improvement plans prepared by a California Registered Civil Engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.
3. The applicant shall be required to construct asphalt concrete paving for streets in two separate lifts. The final lift of asphalt concrete pavement shall be postponed until such time that on-site construction activities are complete, as may be determined by the City Engineer. Paving of streets in one lift prior to completion of on-site construction will not be allowed, unless prior authorization has been obtained from the City Engineer. Completion of asphalt concrete paving for streets prior to completion of on-site construction activities, if authorized by the City Engineer, will require additional paving requirements prior to acceptance of the street improvements, including, but not limited to: removal and replacement of damaged asphalt concrete pavement, overlay, slurry seal, or other repairs, as required by the City Engineer.

BELARDO ROAD

4. Dedicate a half street right-of-way of 30 feet along the entire frontage, together with property line - corner cut backs at either side of the four street intersections in accordance with City of Palm Springs Standard Drawing No. 105.
5. Dedicate abutters rights of access to Belardo Road along the entire frontage of the project, excluding approved access points.
6. Construct a 6 inch curb and gutter, 20 feet west of centerline along the entire frontage, with 25 feet radius curb returns and spandrels at the northwest and southwest corners of the intersection of Belardo Road and "A" Street, "H" Street, "I" Street, and "J" Street, in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
7. Construct a 6 feet wide cross gutter with a flow line parallel with and 20 feet west of the centerline of Belardo Road, at the intersection of Belardo Road and "A" Street, "H" Street, "I" Street, and "J" Street, in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
8. Construct two driveway approaches, one shown as "K" Street for the benefit of access to Lot 65 and the centerline of the second driveway (for the benefit of access to Lot 66) located approximately 95 feet southerly of the centerline of "K" Street, in accordance with City of Palm Springs Standard Drawing No. 201.
9. Construct a 5 feet wide sidewalk behind the curb along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
10. Construct Type A curb ramps meeting current California State Accessibility standards either side of the four street intersections, in accordance with City of Palm Springs Standard Drawing No. 212.
11. Construct 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, from edge of proposed gutter to centerline of pavement along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 110 and 315. 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.
12. Construct off-site street improvements consisting of curb and gutter, and asphalt concrete pavement, to match the southerly end of proposed

improvements associated with Tentative Tract Map 34580 and the westerly end of existing improvements located adjacent to the parcel identified by APN 513-300-014.

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

ON-SITE PRIVATE STREETS

14. Dedicate an easement for public utility purposes, including sewers, with the right of ingress and egress for service and emergency vehicles and personnel over the proposed private streets.
15. Street "K" is not approved. A private driveway shall be constructed for benefit of access to Lot 65.
16. Street "A" shall have a minimum travel way width of 32 feet, and shall be constructed with standard 6 inch curb and gutter, a wedge curb, or other approved curbs along both sides of the street, as necessary to accept and convey on-site stormwater runoff to the drainage system, in accordance with applicable City standards.
17. Streets "B" through "J" shall have a minimum travel way width of 24 feet, and shall be constructed with standard 6 inch curb and gutter, a wedge curb, or other approved curbs along both sides of the streets, as necessary to accept and convey on-site stormwater runoff to the drainage system, in accordance with applicable City standards.
18. Construct a modified knuckle at the intersection of "F" Street and "H" Street to provide more maneuvering area and sight distance for vehicles at this intersection, as approved by the City Engineer. Install traffic calming improvements, such as speed humps or decorative pavers. Final engineering and other details associated with traffic calming improvements shall be subject to the review and approval by the City Engineer.
19. 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.
20. Parking shall be restricted along both sides of the 24 feet wide private streets and along one side of the 32 feet wide private street, as necessary to maintain a 24 feet wide clear two-way travel way. Regulatory Type R26

"No Parking" signs or red curb shall be installed along the private streets as necessary to enforce parking restrictions. A Home Owners Association shall be responsible for regulating and maintaining required no parking restrictions, which shall be included in Covenants, Conditions, and Restrictions required for the development.

SANITARY SEWER

21. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.
22. Submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.
23. Construct an 8 inch V.C.P. sewer main across the entire on-site private street frontages located 5 feet from centerline or as required by the City Engineer and connect to the extended public sewer system in Belardo Road. All sewer mains constructed by the applicant and to become part of the public sewer system shall be digitally video recorded by the City prior to acceptance of the sewer system for maintenance by the City. ~~A computer disc of the video recording shall be provided to the City Engineer for review.~~ Any defects of the sewer main shall be removed, replaced, or repaired to the satisfaction of the City Engineer prior to acceptance.
24. The proposed connection of the sewer system to the existing private sewer manhole in Belardo Road, and the existing private sewer system across the Plaza Del Sol Shopping Center is not approved. The existing on-site private sewer system in the Plaza Del Sol Shopping Center is not an approved public sewer system. As necessary to provide public sewer service to Tentative Tract Map 34580, the applicant shall extend an 8 inch V.C.P. sewer main in Morongo Road from the existing terminal sewer manhole located approximately 100 feet east of South Palm Canyon Drive extending westerly to Belardo Road; and in Belardo Road from Morongo Road extending southerly across the entire Belardo Road frontage of the property. An alternative sewer alignment, within public rights-of-way, may be approved by the City Engineer. The existing on-site private sewer system servicing the Plaza Del Sol Apartments, located on the property identified by APN 513-300-045, shall be connected to the extended public sewer system within Belardo Road. The terminal manhole and 8 inch V.C.P. private sewer main extending to Belardo Road from the Plaza Del Sol Shopping Center shall be removed to a point within the Plaza Del Sol Shopping Center, as required by the City Engineer.

25. Dedicate a 15 feet wide sewer easement across Lot 37. The required sewer easement shall be located entirely within Lot 37, and over the extended sewer main within "G" Street to Belardo Road. The common lot line between Lots 37 and 44 shall be adjusted to accommodate the required sewer easement.
26. The easement across Lot 37 shall be kept clear and free of any and all obstructions to allow for the continued operation and maintenance of the public sewer main within the easement. Construction of permanent structures, swimming pools and equipment, or other improvements determined to be an obstruction of the public sewer easement shall not be allowed. Planting of large trees or other planting material with invasive or deep root structures shall be restricted. Access to the public sewer easement from Belardo Road and "G" Street shall be maintained, including, if necessary, 15 feet wide gates with lock and access provided to the City of Palm Springs.
27. Provisions for maintenance of the public sewer easement, acceptable to the City Engineer, shall be included in the Codes, Covenants, and Restrictions (CC&R's) required for this development. Notice shall be clearly included in the CC&R's defining the restrictions of development within the easement across Lot 37. The CC&R's shall advise the property owners of the City's right to enter the site, clear and remove any and all improvements and/or obstructions within the easement, and give the City the right to charge all costs incurred in enforcing this provision to the owners of Lot 37. The CC&R's shall also advise the property owners of the fact that the City is not required to replace in like kind, any landscaping or other improvements within the public sewer easement in the event repair or replacement of the existing sewer main is required, and that the City shall be limited to leaving the property in a rough graded condition following any such repair or replacement.

GRADING

28. Single family residential Lot 66 shall be relocated out of Lot E and adjacent open space. Grading for Lot 66 into the adjacent hillside and open space lot shall be eliminated. A grading plan submitted to the City Engineer for review and approval shall incorporate this restriction.
29. 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. ~~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. 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.

- b. 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 Tentative Tract Map; a copy of current Title Report; a copy of Soils Report; and a copy of the associated Hydrology Study/Report, and a copy of the project-specific Water Quality Management Plan.
- c. Prior to approval of a Grading Plan, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.
- d. 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.

- e. 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.
 - f. 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.
 - g. Prior to issuance of grading permit, the applicant shall provide verification to the City that the fee has been paid to the Agua Caliente Band of Cahuilla Indians in accordance with the Tribal Habitat Conservation Plan (THCP).
30. In accordance with the Geologic Evaluation for Rock Fall Hazard Report prepared by Earth Systems, dated June 9, 2006, the following mitigation measures shall be required:
- a. The proposed retaining wall along the toe of slope of the mountains shall be utilized as a debris wall. The wall shall have a minimum of 2 feet of freeboard with a v-channel constructed on the slope-facing side to manage stormwater runoff. The v-channel shall require routine maintenance to clean accumulated debris that may roll or wash down the slope and collect behind the wall. Provisions for maintenance of the v-channel shall be included in the Codes, Covenants, and Restrictions (CC&R's) required for this development.
 - b. Structure setbacks from the toe of slope shall be a minimum of 10 feet from the toe of slope.
31. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
32. ~~A National Pollutant Discharge Elimination System (NPDES) stormwater permit, issued from the California Regional Water Quality Control Board (Phone No. 760-346-7491) is required for the proposed development. A copy of the executed permit shall be provided to the City Engineer prior to issuance of a grading permit.~~ Notice of Intent to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board

(Phone No. (760) 346-7491). A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.

- 32A Projects causing soil disturbance of one acre or more, must comply with either the General Permit for Stormwater Discharges Associated with Construction Activity, and shall prepare and implement a stormwater pollution prevention plan (SWPPP). Where applicable, the project applicant shall cause the approved final project-specific WQMP to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
33. 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.
34. A soils report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the soils report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- 34A 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.
- 34B The applicant shall provide pad elevation certifications to the Engineering Division prior to issuance of certificate of occupancy.

WATER QUALITY MANAGEMENT PLAN

35. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles

Counties" (RIFA Form CA-1) prior to approval of the Precise Grading Plan. The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

- 35A 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.
- 35B Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association and/or 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.
- 35C 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.

DRAINAGE

36. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. The applicant shall obtain approval from Riverside County Flood Control & Water Conservation District (RCFC) for

connection of proposed storm drain improvements to the existing regional flood control system identified as Palm Springs Line 28-B. Verification of the capacity of Palm Springs Line 28-B for the additional stormwater runoff accepted and conveyed by Tentative Tract Map 34580 shall be determined, subject to review and approval by RCFC and the City Engineer. RCFC approval shall be required for any connection of proposed storm drain facilities to the existing RCFC facility. The applicant shall be required to obtain an Encroachment Permit from RCFC for connection of proposed storm drain improvements to Palm Springs Line 28-B. A copy of the Encroachment Permit shall be provided to the City Engineer, prior to approval of on-site storm drain improvement plans.

37. The Preliminary Hydrology Report for Tentative Tract No. 34580, prepared by Hunsaker & Associates, Inc., dated July 26, 2006, shall be finalized to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final storm drain system sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the final hydrology report by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology report. In the event additional capacity is unavailable within Palm Springs Line 28-B, the applicant shall be required to revise the Hydrology Report to identify additional stormwater runoff mitigation measures necessary to contain the increased stormwater runoff generated from Tentative Tract Map 34580.
38. This project ~~may~~ 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, ~~may~~ 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. ~~If required, such~~ 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.
39. ~~Submit storm drain improvement plans for all on-site storm drainage system facilities for review and approval by the City Engineer.~~

40. Construct drainage improvements, including but not limited to catch basins, and storm drain lines, for drainage of on-site streets, as described in the Preliminary Hydrology Report for Tentative Tract No. 34580, prepared by Hunsaker & Associates, Inc., dated July 26, 2006 (as amended). The hydrology report for Tentative Tract Map 34580 shall be amended to include catch basin sizing and storm drain pipe sizing, and other specifications for construction of required on-site storm drainage improvements.
41. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.
42. Reserve easements for storm drainage purposes over Lots 32, 36, 49, 57, and 61 (or others, as may be required) for those portions of the on-site private storm drain system that cross individual lots.
43. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$7,271.00 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit. Drainage fees may be waived upon verification of prior costs paid related to the construction of the Palm Springs Storm Drain Line, Lateral 28B.

GENERAL

44. 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 applicant 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.

- 44A 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.
45. All proposed utility lines shall be installed underground.
46. 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.
47. 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.
48. 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.
49. 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.
50. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed per City of Palm Springs Standard Drawing No. 904.

MAP

51. The recreation area (Lot ~~66~~ 67) shall be identified as a non-numbered "lettered" lot on the final map, and shall be reserved for common space, recreation or other purposes.
52. Lot ~~E~~ F shall be dedicated to the City, including all rights, title and interest, for conservation of the hillside for open space purposes.
53. A Final 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 Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.
54. A copy of draft Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations. The CC&R's shall be approved by the City Attorney prior to approval of a Final Map.
55. Upon approval of a final map, the final 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

56. Install a 30 inch stop sign, stop bar, and "STOP" legend for traffic exiting the development at the intersection of "A" Street, "H" Street, "I" Street, and "J" Street in accordance with City of Palm Springs Standard Drawing Nos. 620-625.

57. Install a street name sign at all street intersections in accordance with City of Palm Springs Standard Drawing Nos. 620-625.
58. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks. Minimum clearance on public sidewalks shall be provided by either an additional dedication of a sidewalk easement (if necessary) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the Belardo Road frontage of the subject property.
59. Construction signing, lighting and barricading shall be provided ~~for on all projects~~ 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 ~~State of California, Department of Transportation, "Manual of Traffic Controls for Construction and Maintenance Work Zones" dated 1996, 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.
60. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

Waste Disposal:

1. Trash cans shall be screened from view and kept within fifty (50) feet of the street.

Police Department:

1. Developer shall comply with Article II of Chapter 8.04 of the Palm Springs Municipal Code.

Building Department:

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

FIRE DEPARTMENT:

Plot Plan:

1. Prior to completion of the project, a 8.5"x11" plot plan and an electronic CAD version shall be provided to the fire department. This shall clearly show all access points, fire hydrants, knox box locations, fire department connections, unit identifiers, main electrical panel locations, sprinkler riser and fire alarm locations. Large projects may require more than one page.

Public Safety CFD

2. The Project will bring a significant number of additional residents to the community. The City's existing public safety and recreation services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic, and other safety services and recreation, library, cultural services are near capacity. Accordingly, the City may determine to form a Community Services District under the authority of Government Code Section 53311 et seq, or other appropriate statutory or municipal authority. Developer agrees to support the formation of such assessment district and shall waive any right to protest, provided that the amount of such assessment shall be established through appropriate study and shall not exceed \$500 annually with a consumer price index escalator. The district shall be formed prior to sale of any lots or a covenant agreement shall be recorded against each parcel, permitting incorporation of the parcel in the district.

Premises Identification:

3. Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. (901.4.4 CFC)

Residential Smoke Detector Installation:

4. Provide Residential Smoke Detectors. Detectors shall receive their primary power from the building wiring, and shall be equipped with a battery backup. (310.9.1.3 CBC) In new construction, detectors shall be interconnected so that operation of any smoke detector causes the alarm in all smoke detectors within the dwelling to sound. (2-2.2.1 NFPA 72) Provide a note on the plans showing this requirement.

Fire Sprinklers Required:

5. An automatic fire sprinkler system is required by local ordinance. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13D, 1999 edition, as modified by local ordinance. The contractor should submit fire sprinkler plans when the building plans are submitted. This allows concurrent review of the fire sprinkler and building plans.

Fire Flow:

6. Fire flow will be 1000 gallons per minute with the installation of fire sprinklers.

Access:

7. Fire department access roads shall be provided so that no portion of the exterior wall of the first floor of any building will be more than 150' from such roads. CFC 902.2.1

Fire Apparatus Grade requirements:

8. The gradient of fire apparatus access roads shall not exceed 12%. (902.2.2.6 CFC)

Road Design:

9. 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. (902.2.2.2 CFC) The minimum inside turning radius is 30 feet, with an outside radius of 45 feet.

Fire Department Access:

10. Fire Department Access Roads shall be provided and maintained in accordance with Sections 901 and 902 CFC. (902.1 CFC)

- **Minimum Access Road Dimensions:**

1. Private streets shall have a minimum width of at least 20 feet, pursuant to California Fire Code 902.1 **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. No parking shall be allowed in either side of the roadway.

Vertical Fire Apparatus Clearances:

11. Palm Springs fire apparatus require an unobstructed vertical clearance of not less than 13 feet 6 inches. (902.2.2.1 CFC)

Turn-Around Requirements:

12. 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. (902.2.2.4 CFC) The City of Palm Springs has two approved turn around provisions. One is a cul-de-sac with an outside turning radius of 45 feet from centerline. The other is a hammerhead turnaround meeting the Palm Springs Public Works and Engineering Department standard dated 9-4-02.

NOTE: On 5/16/2006 the hammerhead turnaround on "A" Street and "E" Street have been revised and approved by the fire department to the following dimensions:

- "A" Street will be a minimum of 24' wide.

- The hammerhead proceeding south on "E" Street will be 30' wide and 25' in length from the centerline of "A" Street.
- The hammerhead proceeding north on "E" street will be 30' wide and 35' in length from the centerline of "A" Street.
- "E" Street proceeding north will be reduced at the end of the hammerhead from a 30' width to a 24'width.

Fire hydrant systems:

13. 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. (901.2.2.2 CFC). All fire hydrants shall be installed in accordance with DWA 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.

Water Systems and Hydrants:

14. 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. (903 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)

Fuel Modification:

15. A landscaping plan showing a fuel modification zone is to be submitted to this department for approval.

Eaves and Overhangs:

16. All roof eaves and porch overhangs are to be covered with noncombustible building materials.

Construction site Security and Protection:

Fencing Required:

17. Construction site fencing with 20 foot wide access gates is required for all combustible construction over 5,000 square feet. Fencing shall remain intact until buildings are stuccoed or covered and secured with lockable doors and windows. (8.04.260 PSMC)

Fire Apparatus Access Gates:

18. Entrance gates shall have a clear width of at least 15 feet and be equipped with a frangible chain and padlock. (8.04.260 PSMC)

Access Gate Obstructions:

19. Entrances to roads, trails or other access ways, which have been closed with gates and barriers, shall be maintained clear at all times. (902.2.4.1 CFC).

END OF CONDITIONS

JAN 07 2010

**PLANNING SERVICES
DEPARTMENT**

January 6th, 2010

City of Palm Springs
Planning Department of Palm Springs
P.O. Box 2743
Palm Springs, 92263

Attention: Edward Robertson

Re: PD-326 / TTM 34580 Extension

Dear Edward:

As discussed during our meeting in December 2009 we would like to extend PD - 326 associated with our TTM 34580 for 12 months to April 17th 2011. It is our understanding that current state law has automatically extended TTM 34580 to April 17th 2011.

The current economic environment is not supportive to start construction on this project in 2010, which is the reason for a request to extend the PDD.

Please let us know when we can expect to be scheduled for a Planning Commission hearing in this matter. Enclosed please find a check in the amount of \$881.00 to process the requested extension.

If you should have any question please do not hesitate to contact me at 760-325-3050

Sincerely,



Michael Braun

Senior Vice President

in brown + wessman development.com

5.1108