Planning Commission Staff Report

Date:	June 9, 2010
Case No.:	5.1236 – CUP / 7.1338 AMM
Type:	Conditional Use Permit / Administrative Minor Modification
Location:	2001 West Garnet Avenue
APN:	668-412-001 and 669-040-006
Applicant:	AES Solar US, LLC
General Plan:	IND (Industrial)
Zone:	E-I (Energy – Industrial)
From:	Craig A. Ewing, AICP, Director of Planning Services
Project Planner:	Ken Lyon, Associate Planner

PROJECT DESCRIPTION:

The applicant has requested a conditional use permit (CUP) for the installation and operation of a 13 megawatt solar energy conversion system (SECS) project. The proposed solar system will be co-located with ten existing wind energy conversion system turbines (WECS) on approximately 77 acres at 2001 West Garnet Avenue; Zone E-I Section 16/T3S/R4E & Section 21/T3S/R4E. An Administrative Minor Modification is included seeking minor reductions in setbacks in accordance with the Zoning Code.

RECOMMENDATION:

That the Planning Commission adopts the Mitigated Negative Declaration as an adequate environmental document for the proposed project and its associated impacts and approves Case 5.1236 CUP; subject to the conditions in the attached draft resolution.

PRIOR ACTIONS:

1. On March 22, 2010 the Architectural Advisory Committee (AAC) reviewed the project and voted 6-0-1 (Parker absent) to recommend approval to the Planning Commission. The committee offered the following comments;

    - Consider providing tours, especially to school children; include informational boards for informing/educating tour groups, adequate parking for a bus and related facilities (applicant noted this may be possible to coordinate at their offices nearby).
    - Consider use of local indigenous (chuperosa, bottlebrush, palo verde, etc); plants that can survive the harsh winds.
    - Consider use of 3/8's inch rock or larger for ground cover/dust control; anything smaller will blow away.

BACKGROUND AND SETTING:

The subject site is an approximately 77-acre parcel located on West Garnet Avenue, west of Indian Canyon Drive. The site is developed with ten existing wind energy conversion system turbines (WECS) that were approved as Case 5.0779 CUP and an Edison substation (known as the Mountain View substation). The project proposes to install approximately 24 acres of fixed-mount solar collectors and related service roadways and structures for inverters, transformers, and other equipment on the vacant land around the existing turbines.

The project site is located on the south side of the I-10 freeway, west of Indian Canyon Drive, north of the Whitewater River wash and north of the Union Pacific railroad right-of-way. The area is zoned Energy-Industrial and is surrounded by existing wind turbine installations. Immediately to the west is an area of unincorporated county land with a small tract of residential uses.

The project site is accessed from West Garnet Avenue, which is the frontage road for the I-10 in this part of the city. Non-paved service roads located between the panels provide access to the panels for routine washing, maintenance and servicing. The panels are designed to be mounted on stationary racks and are located approximately four feet above the ground to minimize scouring of the panel surfaces due to blowsand. The top of the panels are approximately nine feet above grade.

The existing site is proposed to be scraped and cleared of existing vegetation. A twelve foot wide landscaped area is proposed along the Garnet Avenue frontage. It is not proposed to be irrigated. Five parking spaces are proposed for periodic use by service vehicles in a service yard area adjacent to the Mountain View electrical substation, however there are no permanent workers or residents on the parcel. (AES's primary operations office is located approximately 1.5 miles east at 19435 Ruppert Street.) An eight foot high chain link fence with barbed wire at the top is proposed around the perimeter of the site.

A project summary is attached for further description of the project.

Surrounding Land uses:
The project site is located in an industrial area in the northern portion of the City. The western boundary of the site is also the City Limits and the land west of the project site is unincorporated County of Riverside. Existing wind turbines are located on parcels on all sides of the project site. A small cluster of residential uses are located approximately 0.3 mile west of the project site in the County of Riverside.

Table 1: Surrounding Land Uses, Zoning and General Plan Uses

Orientation	Land Use	General Plan	Zoning
North	Wind Turbines	Industrial w/Wind Energy Overlay	E-I
South	Wind Turbines	Open Space Watercourse w/Wind Energy Overlay	Watercourse
East	Wind Turbines	Industrial w/Wind Energy Overlay	E-I
West	Wind Turbines	Open Space Desert (County of Riverside)	County of Riverside

ANALYSIS:

General Plan
The General Plan designation of the subject site is industrial (Ind). The industrial land use designation accommodates a variety of industrial, manufacturing, laboratories, warehouse and other similar uses. The site also lies within the Wind Energy Overlay area. This overlay area is intended to encourage alternative energy generating systems such as Wind Energy Conversion Systems (WECS) and is generally located along the whitewater floodplain in areas designated in the City's General Plan as Open Space Desert, industrial, Watercourse, and Regional Business Center land uses. As such, the project is consistent with the General Plan because it proposes a type of use envisioned for this area of the City.

Zoning
The project is located in the Energy-Industrial (E-I) zone. Solar Energy Collection Systems (SECS) are permitted in the E-I zone subject to a Conditional Use Permit (CUP) pursuant to PSZC Section 92.17.2.01. The development standards of the zone require setbacks of 50 feet from any property line. Fences may be a maximum of eight feet in height and may be permitted with barbed wire on top for security purposes.

Table 2: Proposed project compared to E-I Zone Development Standards:

	E-I Zone Requirements	Proposed Project
Minimum Lot Size	5 acres	77 acres (conforms)
Minimum Lot width & depth	250 feet x 250 feet	conforms
Maximum Lot Coverage	No limit for energy uses	conforms
Setbacks	Minimum 50 feet	40 feet sides, 45 foot front **(Requires AMM to conform)**
Buildings & landscape	Min 25 feet front yard setback for bldgs & 25% of such front yard shall be	First 15 feet of Garnet Av frontage is landscaped (conforms)

	landscaped	
Fencing	Maximum 8 feet, barbed wire is permitted	8 feet and barbed wire (conforms)
Building Height	30 feet	11 feet for service bldgs (conforms)
Outdoor storage	Adequately screened & enclosed	conforms

Minor Modification. The applicant has submitted a minor modification (AMM) application seeking a 20% reduction in the setbacks, from fifty (50) feet to forty (40) feet for the sides and 50 feet to 45 feet for the Garnet Road front setback. The findings for evaluating Minor Modifications are outlined in PSZC Section 94.06.01 and are analyzed below. With the approval of the AMM, the proposed project conforms to the development standards of the E-I zone as noted above.

Parking
Parking standards are regulated by Section 93.06.00 of the City's Zoning Code. There is no specific quantity of off-street parking prescribed for energy uses. The proposed project has no permanent employees or residents on site however periodic service and maintenance vehicles and workers will access the site on roughly a weekly basis and will use the proposed compacted gravel service roads to access all the panels for routine cleaning, inspection, repair and maintenance. The applicant has proposed an off-site parking area to accommodate five vehicles.

Parking lots are required to be developed with asphalt or concrete surfaces and curbs. The project is proposed with gravel service drives. The parking area is proposed to be constructed with compacted gravel, and thus does not conform to that requirement of the Zoning Code.

Architecture
The control building and other equipment enclosures are simple masonry structures with flat roofs. The buildings are painted neutral colors and are provided with basic security lighting with cut-off angles to control light spillage and glare.

Landscape
The applicant proposes a minimum of landscaping, primarily along the Garnet Avenue frontage. The materials consist of drought and wind tolerant plant species such as palo verde, bottle brush and chuperosa. Within the site, the existing vegetation will be scraped and cleared. Gravel will be laid as a dust control measure on areas between and under the panels, and service roadways are comprised of compacted gravel as well.

REQUIRED FINDINGS:

Minor Modification Findings.
Section 94.06.01(A)(5) provides that setbacks may be reduced up to 20% of the requirement for the zone. The E-I zone requires energy uses to be set back from perimeter property lines by 50 feet. The applicant is seeking a 20% reduction to 40 feet

for the side yard setbacks and a 10% reduction to 45 feet for the front (Garnet Avenue) setback. Before an administrative minor modification may be approved all the following findings must be made:

a). *The requested minor modification is consistent with the general plan, applicable specific plan(s) and overall objectives of the zoning ordinance;*

The request to reduce the side and front yard setback is permitted by the Zoning Code Section 94.06.01. The General Plan also allows minor adjustments in development standards to enhance the overall development of a proposed project. The subject project proposes perimeter gravel service roads and fencing, with the edge of the solar panels proposed at 40 feet from the side property lines and 45 feet from the front property line. The panels are nine feet in height at the upper edge of the racks.

b). *The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the minor modification;*

The surrounding parcels will not be adversely affected as a result of the requested reduction in setbacks because the proposed solar panels are relatively low in height and pose no adverse impact in terms of views, shade or other obstruction or impacts onto adjacent parcels.

c). *The approval or conditional approval of the minor modification will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or in the vicinity; and*

The proposed reduction in side setback of 10 feet and reduction in front setback of 5 feet will pose no adverse impact to persons working or residing on or around the project site. The project is provided with adequate service roads around the entire project site for adequate access and clear space for servicing and maintaining the proposed panels.

d). *The approval of the minor modification is justified by environmental features, site conditions, location of existing improvements, or historic development patterns of the property or neighborhood.*

The project site is an open, industrial area primarily used for the installation of wind turbines (WECS). The environmental features of the site are essentially flat and the surrounding land uses are similar alternative energy producing uses. The development patterns in the area and adjacent uses are compatible and complementary to the proposed solar panel uses; no adverse impact would occur.

Staff has therefore concluded that the requested minor modification to reduce the perimeter side yard setbacks by 20% from 50 feet to 40 feet and the front setback from 50 feet to 45 feet is reasonable and consistent with the findings of the PSZC.

Conditional Use Permit Findings.
The Conditional Use Permit process outlined in Section 94.02.00 of the Zoning Code requires the Planning Commission to make a number of findings for approval of the permit. Those findings are analyzed by staff in order below:

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

The applicant proposes solar collector uses (solar energy conversion systems (SECS) on an approximately 77 acre site in the E-I zone. Solar collector uses are permitted in the E-I zone subject to a conditional use permit.

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

The E-I zone is intended for the development of alternative energy uses and other incidental industrial uses. The SECS array proposed will augment the production of electrical energy, similar to that of the existing WECS on the site. The General Plan land use designation for the subject parcel is industrial. Solar collector uses are complementary to the existing alternative energy producing industries in and around the project site and are not detrimental to existing or future uses specifically permitted in the zone.

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

The proposed site is approximately 77 acres and the project proposes approximately 24 acres of solar collectors mounted on fixed frames. Service roads and auxiliary buildings are proposed in support of the solar collector installation. The project is proposed with perimeter fencing and security lighting that will conform to the City's outdoor lighting ordinance. Minor adjustments in the setback requirements for the perimeter of the site are within the allowable limits set forth in the Zoning Code under Section 94.06.01 *Minor Modification.*

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

The project is designed to provide adequate access to the public streets via an entrance and service drive off West Garnet Avenue. The project does not produce traffic impacts that would reduce the Level of Service (LOS) for the network of public roads in the vicinity. Therefore the project is consistent with this finding.

That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards. mitigation measures outlined in an environmental assessment.

A draft set of conditions of approval necessary to ensure compliance with the Zoning Ordinance requirements and to ensure the public health, safety and welfare are proposed and included in Exhibit A of this staff report.

CONCLUSION:

The proposed project is consistent with the General Plan and Zoning Code and is recommended for approval by the AAC. The project is consistent with the findings for a Conditional Use Permit and for a Minor Modification for the reduction of perimeter yard setbacks. The project will contribute to the City's growing number of alternative energy industries and provide an additional source of electrical energy generation for the region.

ENVIRONMENTAL DETERMINATION:

This CUP application is considered a project under the definitions of the California Environmental Quality Act (CEQA). The City has evaluated the project under CEQA Guidelines and a Mitigated Negative Declaration has been prepared and circulated for public comment. No comments have been received that would necessitate recirculation of the environmental analysis. Staff believes the analysis is a complete description of the project, its potential adverse impacts and the owner/applicant has agreed in writing to the recommended Mitigation Measures that will reduce any potentially significant impacts to less than significant levels.

NOTIFICATION:

A notice was mailed to all property owners within a four hundred foot radius. As of the writing of this report, no correspondence from the public has been received by staff.

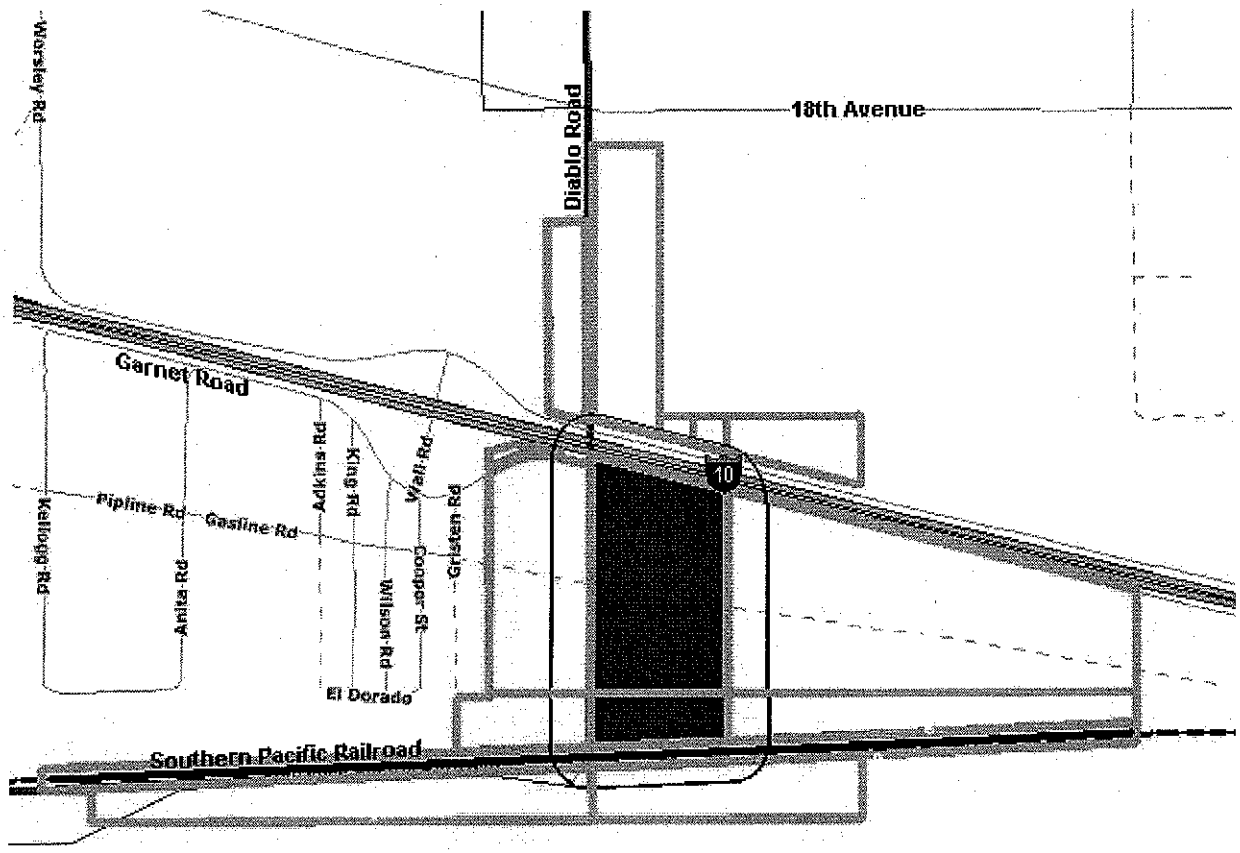
Ken Lyon
Associate Planner

Craig A. Ewing, AICP
Director of Planning Services

Attachments:

1. 400' Radius Map
2. Draft Resolution & Conditions of Approval
3. Reduced Site Plan and Elevations
4. Project Summary Description
5. Environmental Analysis and Mitigated Negative Declaration

Department of Planning Services
Vicinity Map



CITY OF PALM SPRINGS

CASE NOS: 5.1236 CUP and 7.1338 AMM APPLICANT: AES Solar US, LLC	DESCRIPTION: To consider a Conditional Use Permit and Minor Modification for a 13 megawatt solar energy conversion system installation on approximately 77 acres at 2001 West Garnet Avenue, Zone E1

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA FOR APPROVAL OF CASE 5.1236 CUP, A CONDITIONAL USE PERMIT AND CASE 7.1338 AMM A MINOR MODIFICATION FOR REDUCED SETBACKS FOR THE CONSTRUCTION OF A 13 MEGAWATT SOLAR ENERGY CONVERSION SYSTEM INSTALLATION AT 2001 WEST GARNET AVENUE, ZONE E-I, SECTION 16/T3S/R4E & SECTION 21/T3S/R4E

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WHEREAS, AES Solar US, LLC, "applicant", has filed an application with the City pursuant to Section 94.02.00 (Conditional Use Permit) and Section 94.06.01 (Minor Modification) of the Zoning Code for construction of a 13 megawatt solar energy conversion system (SECS); and

WHEREAS, on March 22, 2010, the Architectural Advisory Committee met and voted 6-0-1 (Parker absent) to recommend approval of the project to the Planning Commission; and

WHEREAS, a notice of public hearing for Case 5.1236 CUP / 7.1338 AMMwas given in accordance with applicable law; and

WHEREAS, on June 9, 2010, a public meeting on the application for approval of Case 5.1236 CUP / 7.1338 AMM was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"). An environmental analysis has been completed and a Mitigated Negative Declaration has been prepared in accordance with the guidelines of CEQA; 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 the California Environmental Quality Act (CEQA) Guidelines, the Planning Commission finds that the current environmental assessment for Case 5.1236 CUP / 7.1338 AMM adequately addresses the general environmental setting of the proposed project, its significant environmental impacts, and the mitigation measures related to each significant environmental effect for the proposed project. The Planning

Commission further finds that, with the incorporation of the proposed mitigation measures, potentially significant environmental impacts resulting from this project will be reduced to a level of insignificance and therefore adopts a Mitigated Negative Declaration for the project.

Section 2: Pursuant to PSZC Section 94.06.01 (Minor Modification), the Planning Commission finds as follows:

a). *The requested minor modification is consistent with the general plan, applicable specific plan(s) and overall objectives of the zoning ordinance;*

The request to reduce the side and front yard setback is permitted by the Zoning Code Section 94.06.01. The General Plan also allows minor adjustments in development standards to enhance the overall development of a proposed project. The subject project proposes perimeter gravel service roads and fencing, with the edge of the solar panels proposed at 40 feet from the side property lines and 45 feet from the front property line. The panels are nine feet in height at the upper edge of the racks.

b). *The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the minor modification;*

The surrounding parcels will not be adversely affected as a result of the requested reduction in setbacks because the proposed solar panels are relatively low in height and pose no adverse impact in terms of views, shade or other obstruction or impacts onto adjacent parcels.

c). *The approval or conditional approval of the minor modification will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or in the vicinity; and*

The proposed reduction in side setback of 10 feet and reduction in front setback of 5 feet will pose no adverse impact to persons working or residing on or around the project site. The project is provided with adequate service roads around the entire project site for adequate access and clear space for servicing and maintaining the proposed panels.

d). *The approval of the minor modification is justified by environmental features, site conditions, location of existing improvements, or historic development patterns of the property or neighborhood.*

The project site is an open, industrial area primarily used for the installation of wind turbines (WECS). The environmental features of the site are essentially flat and the surrounding land uses are similar

alternative energy producing uses. The development patterns in the area and adjacent uses are compatible and complementary to the proposed solar panel uses; no adverse impact would occur.

The Planning Commission has therefore concluded that the requested minor modification to reduce the perimeter side yard setbacks by 20% from 50 feet to 40 feet and the front setback from 50 feet to 45 feet is reasonable and consistent with the findings of the PSZC.

Section 3: Pursuant to PSZC Section 94.02.00 (Conditional Use Permit), the Planning Commission finds as follows:

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

The applicant proposes solar collector uses (solar energy conversion systems (SECS) on an approximately 77 acre site in the E-I zone. Solar collector uses are permitted in the E-I zone subject to a conditional use permit.

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

The E-I zone is intended for the development of alternative energy uses and other incidental industrial uses. The SECS array proposed will augment the production of electrical energy, similar to that of the existing WECS on the site. The General Plan land use designation for the subject parcel is industrial. Solar collector uses are complementary to the existing alternative energy producing industries in and around the project site and are not detrimental to existing or future uses specifically permitted in the zone.

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

The proposed site is approximately 77 acres and the project proposes approximately 24 acres of solar collectors mounted on fixed frames.

Service roads and auxiliary buildings are proposed in support of the solar collector installation. The project is proposed with perimeter fencing and security lighting that will conform to the City's outdoor lighting ordinance. Minor adjustments in the setback requirements for the perimeter of the site are within the allowable limits set forth in the Zoning Code under Section 94.06.01 *Minor Modification.*

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

The project is designed to provide adequate access to the public streets via an entrance and service drive off West Garnet Avenue. The project does not produce traffic impacts that would reduce the Level of Service (LOS) for the network of public roads in the vicinity. Therefore the project is consistent with this finding.

5) *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards. mitigation measures outlined in an environmental assessment.*

A set of conditions of approval necessary to ensure compliance with the Zoning Ordinance requirements and to ensure the public health, safety and welfare are proposed and included in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case 5.1236-CUP / 7.1338 AMM, for the construction of a 13 megawatt solar energy conversion system at 2001 West Garnet Avenue, subject to the attached conditions set forth in Exhibit A.

ADOPTED this ___ day of _____, 2010.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST: CITY OF PALM SPRINGS, CALIFORNIA

_____

Craig A. Ewing, AICP
Director of Planning Services

RESOLUTION NO._____

EXHIBIT A

Case 5.1236 CUP / 7.1338 AMM A Conditional Use Permit and Minor Modification for a 13 MW solar energy conversion system at

2001 West Garnet Avenue
June 9, 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 (5.1236 CUP); except as modified with the approved Mitigation Monitoring Program and the conditions below;

ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped (_____), including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.

ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.

ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.

ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1236 CUP. 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 this Conditional Use Permit shall be valid for a period of two (2) years from the effective date of the approval. Once constructed, the Conditional Use Permit, provided the project has remained in compliance with all conditions of approval, does not have a time limit.

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. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).

ADM 11. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers

ENVIRONMENTAL ASSESSMENT CONDITIONS

ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.

ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.

ENV 3. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply. The applicant shall submit a signed agreement that the mitigation measures outlined as part of the negative declaration or EIR will be included in the plans prior to Planning Commission consideration of

the environmental assessment. Mitigation measures are defined in the approved project description.

ENV 4. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.

ENV 5. Cultural Resource Site Monitoring. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)

a). A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. 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.

b). Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

PLANNING DEPARTMENT CONDITIONS

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

PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs

Municipal Code and any state water efficiency ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the Desert Water Agency that they are in conformance with the State Water Efficient Landscape Ordinance. Refer to Chapter 8.60 of the Municipal Code for specific requirements. (See Chapter 8.60.020 for exemptions)

PLN 3. Conditions Imposed from AAC Review. The applicant shall incorporate the following comments from the review of the project by the City's Architectural Advisory Committee:

a. Consider use of local indigenous (chuperosa, bottlebrush, palo verde, etc); plants that can survive the harsh winds.
b. Consider use of 3/8's inch rock or larger for ground cover/dust control; anything smaller will blow away.

PLN 4. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.

PLN 5. Flat Roof Requirements. Roof materials on flat roofs 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 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. (add any additional conditions imposed by the Planning Commission or City Council here).

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

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

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

STREETS

ENG 1. The Engineering Division recommends deferral of off-site improvement items (identified as "***Deferred***") at this time due to lack of full improvements in the immediate area. The owner(s) shall execute a street improvement covenant agreeing to construct all required street improvements upon the request of the City of Palm Springs City Engineer at such time as deemed necessary. The covenant shall be executed and notarized by the property owner(s) prior to approval of the Grading Plan or issuance of grading or building permits. A current title report; or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A covenant preparation fee in effect at the time that the covenant is submitted shall be paid by the applicant prior to issuance of any grading or building permits.

ENG 2. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.

ENG 3. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits. ***Deferred***

W. GARNET AVENUE

ENG 4. Dedicate an additional 28 feet to provide the ultimate street right-of-way width of 88 feet along the entire frontage.

ENG 5. Construct 6 inch curb and gutter, 32 feet from centerline along both sides, and along the entire frontage, in accordance with City of Palm Springs Standard Drawing No. 200. ***Deferred***

ENG 6. Construct a 6 inch concrete driveway, unless otherwise approved by the City Engineer, from the property line to the edge of pavement.

ENG 7. Construct a minimum 24 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 201. ***Deferred***

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

ENG 9. Remove existing pavement and construct full width pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to edge of proposed gutter along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 110 and 330. ***Deferred***

ENG 10. All broken or off grade street improvements shall be repaired or replaced.

ON-SITE

ENG 11. Access roads shall be designed and constructed at a minimum width of 24 feet, have approved all-weather surfacing sufficient to support an emergency vehicle weighing 73,000 pounds gross vehicle weight, and as required in accordance with Section 902.2.2.2 of the California Fire Code. Access roads shall be centered within a 33 feet clear space without any encroachment by fences or equipment in accordance with the details shown on the approved site plan. At locations in which two access roads intersect, the turning radius at the edge of the roadways shall be 35 feet.

SANITARY SEWER

ENG 12. Sanitary sewer service is not available to the property; the applicant shall coordinate required sanitary sewer service with Mission Springs Water District.

GRADING

ENG 13. Submit a Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

a) A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and

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

b) 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 14. Prior to approval of the 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.

ENG 15. 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 16. 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 17. 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 18. To control fugitive dust control emissions during future operations of the solar facility and to reduce the project's operation dust emissions to below a level of significance, the project shall be required to complete soil stabilization efforts outside of the landscaped areas. The soil stabilization efforts could include the reestablishment of low growing native vegetation under and between the panels to obtain a vegetative cover equivalent to the existing condition; or applying long-term chemical stabilizers or placing gravel surfacing under and between the solar panels as necessary to control long-term emissions of fugitive dust during high wind events. In addition, the project shall install stabilization over the internal roads with gravel or routine applications of chemical stabilizers as outlined in the City's guidelines (Palm Springs Municipal Code Section 8.50.02) and application for preparing a Fugitive Dust Control Plan. Additional stabilization measures may be required by the City in the future.

ENG 19. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters. ***Deferred***

ENG 20. A 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 permit.

ENG 21. Projects causing soil disturbance of one acre or more, must comply with either the General Permit for Stormwater Discharges Associated with Construction Activity or the General Permit for Stormwater Discharges Associated with Construction Activity from Small Linear Underground/Overhead Projects, and shall prepare and implement a stormwater pollution prevention plan (SWPPP). 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.

ENG 22. In accordance with City of Palm Springs Municipal Code, Section 8.50.025 (c), the applicant shall post with the City a cash bond of two thousand dollars ($2,000.00) per disturbed acre for mitigation measures for erosion/blowsand relating to this property and development.

ENG 23. 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 24. 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 25. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building foundation.

ENG 26. 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 27. 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 adjacent property or public streets is prohibited. Construction of operational BMP's shall be incorporated into the Grading Plan.

ENG 28. 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 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 29. Prior to issuance of certificate of occupancy or final City approvals, the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

ENG 30. For industrial facilities subject to the General Permit for Stormwater Discharges Associated with Industrial Activity as defined by Standard Industrial Classification (SIC) code, prior to issuance of certificate of occupancy, the applicant shall demonstrate that General Permit coverage has been obtained by providing a copy of the Notice of Intent submitted to the SWRCB and a copy of the notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing.

DRAINAGE

ENG 31. 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. Provide a hydrology study to determine the volume of off-site tributary flow entering the site and required stormwater runoff mitigation measures for the proposed development. If off-site drainage is co-mingled with on-site drainage, then both shall be treated. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study.

ENG 32. 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).

GENERAL

ENG 33. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115.

ENG 34. All proposed utility lines shall be installed underground except for overhead power lines connecting the plant to the existing electrical substation.

ENG 35. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.

ENG 36. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

ENG 37. The original improvement plans prepared for the proposed development and approved by the City Engineer shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

ENG 38. 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 39. 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. ***Deferred***

ENG 40. 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.

TRAFFIC

ENG 41. As determined by the Preliminary Traffic Memorandum submitted by Aztec (dated January 12, 2010), the following mitigation measure will be required:

a) During the construction of the project, advance temporary "Trucks Entering" signs shall be installed at the W. Garnet Avenue intersections with N. Indian Canyon Drive and Wall Road, to notify motorists of the potential for higher than normal turning movements entering and exiting the project site. As necessary, flaggers shall be utilized to stop motorists while oversized vehicles enter and exit the project site.

ENG 42. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. ***Deferred***

ENG 43. 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 44. 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. These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan dated and received on 1/14/2010. Additional requirements may be required at that time based on revisions to site plans.

FID 2. Fire Department Conditions were based on the 2007 California Fire Code. Four complete sets of plans for fire alarm and fire protection systems must be submitted at time of the building plan submittal.

FID 3. **Access During Construction (CFC 503):** Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall

have an all weather driving surface and support a minimum weight of 73,000 lbs.

FID 4. **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 5. **Fire Department Access:** Minimum width of 24' Fire Department Access Roads shall be provided and maintained in accordance with (Sections 503 CFC) along the perimeter and interior roadways.

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. **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 8. **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. Radius must be concentric.

FID 9. **Security Gates (CFC 503.6):** The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained at all times. Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position. Secured automated vehicle gates or entries shall utilize approved Knox access switches as required by the fire code official. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch) when required by the fire code official.

FID 10. **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.

FID 11. **Location of Knox boxes:** A Knox box shall be installed at every locked gate. Boxes shall be mounted at 5 feet above grade. Show location of boxes on plan elevation views. Show requirement in plan notes.

FID 12. The small buildings to be built on this property site are beyond the five-minute fire department emergency response time as defined in Section 202. An approved automatic fire sprinkler system is required in any building, regardless of gross fire area. Based on the specific use of this facility, the non combustible building materials such as steel or concrete block and the absence of water at this project the Palm Springs Fire Department will not require the installation of an automatic fire sprinkler system but will require an alternative clean agent extinguishing system as per NFPA 2001, *Standard on Clean Agent Fire Extinguishing Systems.*

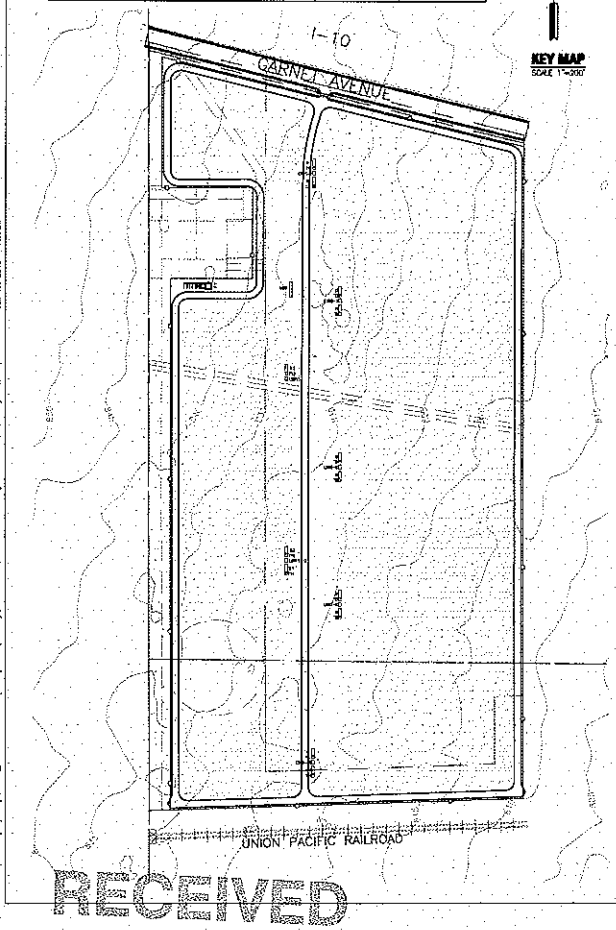
END OF CONDITIONS

Aerial Photo Simulation – View towards northwest

Photo Simulation – View from Garnet Avenue toward south (landscaping not shown)

MOUNTAIN VIEW SOLAR PV PLANT - 13MW
CITY OF PALM SPRINGS
RIVERSIDE COUNTY, CA

SITE ACREAGE		
DESCRIPTION	AREA (SF)	% OF SITE
NEW BUILDINGS (NOT INCLUDING PV PANELS)	5,383	0.2%
NEW PV PANELS	1,025,216	31.0%
EXISTING SUBSTATION FENCED AREAS	46,771	1.4%
NEW GRAVEL ROADS	250,931	7.6%
NEW LANDSCAPE AREA	16,332	0.5%
EXISTING DIRT ROAD (TO REMAIN)	55,000	1.7%
OPEN AREA (INCLUDING COLLECTOR PATHWAYS)	1,912,598	57.7%
TOTAL	3,312,211	100.0%



LEGAL DESCRIPTION

PARCEL 1: (APN: 668-412-001-4)

THAT PORTION OF THE WEST HALF OF THE WEST HALF OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SAN BERNARDINO MERIDIAN, IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING SOUTH OF HIGHWAY 99.

EXCEPT THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED JANUARY 4, 1966 AS INSTRUMENT NO. 816, OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SECTION 16 WITH THE SOUTHWEST TERMINUS OF COURSE "A" AS DESCRIBED IN DEED TO THE STATE OF CALIFORNIA RECORDED JULY 19, 1950 IN BOOK 1190, PAGE 266, OFFICIAL RECORDS; THENCE ALONG SAID WEST LINE SOUTH 0°10'30" EAST, 44.61 FEET;
THENCE SOUTH 77°26'15" EAST, 156.80 FEET;
THENCE ALONG A TANGENT CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 9,965.00 FEET THROUGH AN ANGLE OF 1°08'45" AN ARC DISTANCE OF 199.29 FEET;
THENCE SOUTH 76°17'30" EAST, 1,003.02 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 16;
THENCE ALONG SAID EAST LINE NORTH 0°04'07" WEST, 85.90 FEET TO ITS INTERSECTION WITH COURSE "B" AS DESCRIBED IN SAID DEED TO THE STATE OF CALIFORNIA;
THENCE ALONG SAID COURSE "B" NORTH 76°17'30" WEST, 10.00 FEET TO THE SOUTHWESTERLY LINE OF THE PARCEL OF LAND DESCRIBED IN SAID DEED TO THE STATE OF CALIFORNIA;
THENCE ALONG SAID SOUTHWESTERLY LINE NORTH 39°39'54" WEST, 33.52 FEET;
THENCE ALONG A SOUTHERLY LINE OF SAID STATE OF CALIFORNIA PARCEL OF LAND NORTH 76°17'30" WEST, 1,292.49 FEET TO THE NORTHEAST TERMINUS OF SAID COURSE "A";
THENCE SOUTHWESTERLY ALONG SAID COURSE "A", 52.04 FEET TO THE POINT OF BEGINNING.

PARCEL 2: (APN: 669-040-006-7)

THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING NORTH OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY.

INDEX OF SHEETS

LEGEND

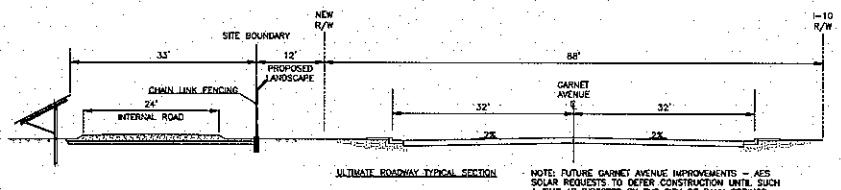
- PROPERTY BOUNDARY
- SECTION LINE
- UNION PACIFIC RAILROAD
- ROW EASEMENT LINE
- EXISTING WIND TURBINE & TRANSFORMER
- NEW CHAIN LINK FENCE
- PV PANELS
- EXISTING ELECTRICAL LINES
- EXISTING GAS LINES
- EXISTING FIBER OPTIC LINES
- NEW BUILDINGS (TYP)
- LIGHTING W/ SECURITY SYSTEM
- LIGHTING FOR BUILDING (200-LUX)
- LIGHTING FOR PARKING (10-LUX)

T = STEP-UP TRANSFORMER BUILDING (13)
I = INVERTER BUILDING (13)
MSW = MEDIUM VOLTAGE SWITCHGEAR BUILDING (1)
LSW = LOW VOLTAGE SWITCHGEAR BUILDING (7)
C = CONTROL BUILDING (1)

1 1MW FIELD ID #

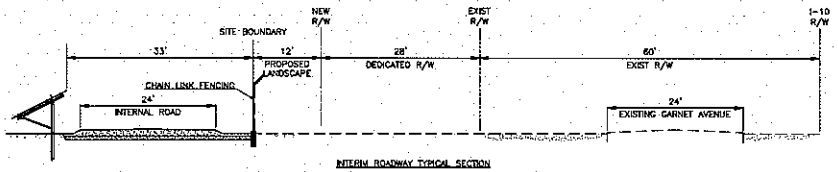
EASEMENTS & RIGHTS-OF-WAYS			
ITEM#	DOC. #	DOC. AREA	DESC.
(1)	2003892090	33,015 SF	TRANSMISSION, DATA & ACCESS
(2)	2003892090	12,197 SF	SUBSTATION
(3)	2003892090	40,923 SF	ACCESS
(4)	2001217208	20,625 SF	SUBSTATION EASEMENT
(12)	2001133368	5,480 SF	EASEMENT AGREEMENT
(13)	2001133368	56,310 SF	EASEMENT AGREEMENT
(14)	2001133368	14,580 SF	EASEMENT AGREEMENT
(15)	2001133368	90,890 SF	MET TOWER EASEMENT
(16)	2001133368	37,526 SF	ACCESS EASEMENT
(18)	458351	76.906 Ac.	WIND ENERGY EASEMENT
(24)	271939	20,625 SF	SOUTHERN CALIFORNIA ELECT. EASEMENT
(25)	271939	11,212 SF	SOUTHERN CALIFORNIA ELECT. EASEMENT
(26)	221496	110,235 SF	SEAWEST ENERGY & ALTECH LEASE
(30)	144696	22,094 SF	SOUTHERN CALIFORNIA GAS CO. ROW
(33)	867240	22,094 SF	SOUTHERN CALIFORNIA GAS CO. ROW

* FOR LOCATION OF EASEMENTS & RIGHTS-OF-WAYS SEE SITE PLAN - SHEET 2



ULTIMATE ROADWAY TYPICAL SECTION

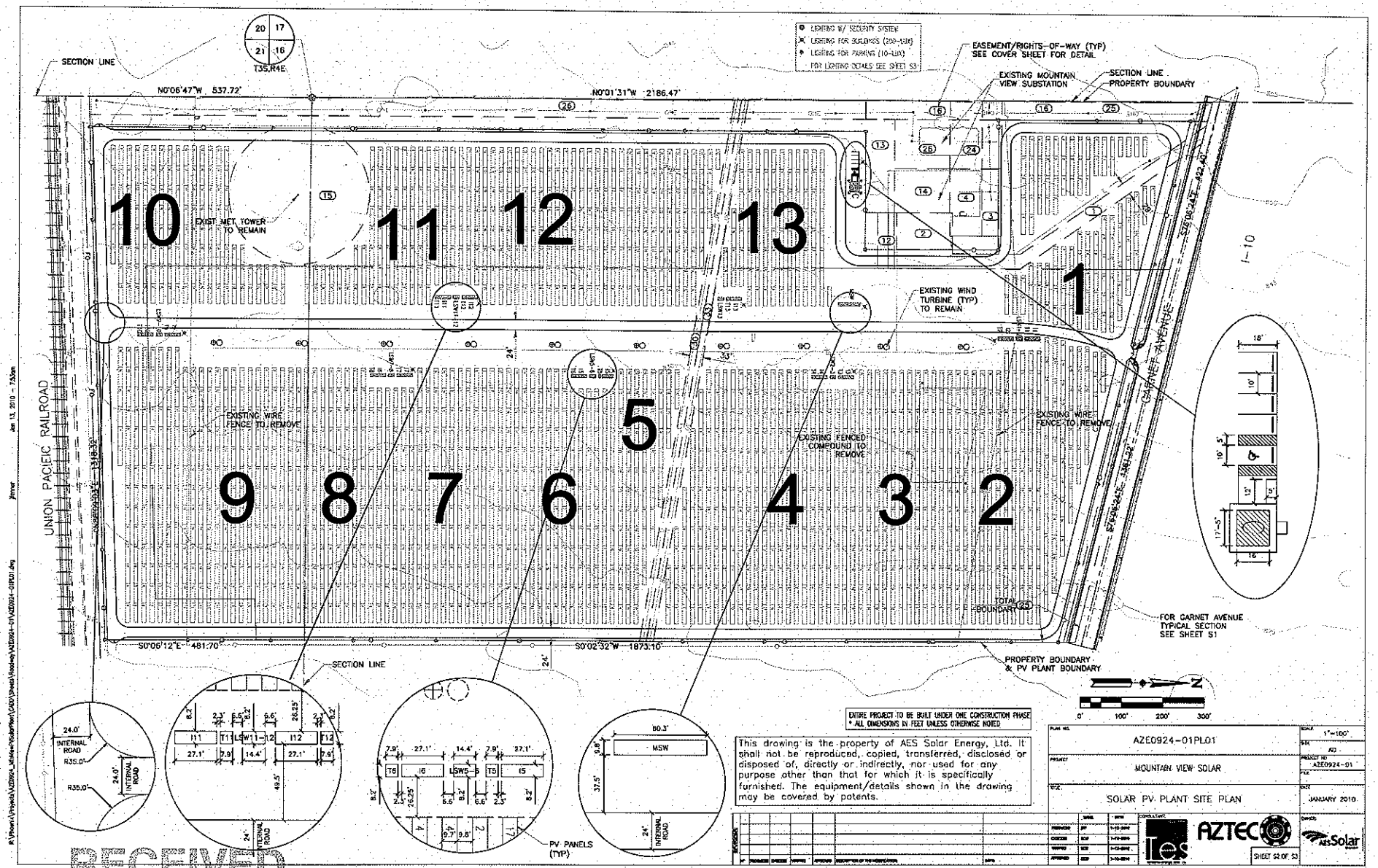
NOTE: FUTURE GARNET AVENUE IMPROVEMENTS - AES SOLAR REQUESTS TO DEFER CONSTRUCTION UNTIL SUCH A TIME AS DIRECTED BY THE CITY OF PALM SPRINGS.

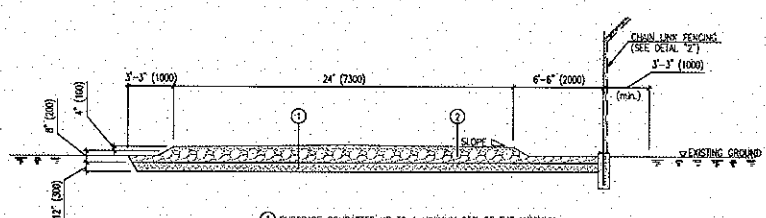


INTERIM ROADWAY TYPICAL SECTION

PLAN NO. AZE0924-01CVQ1
PROJECT MOUNTAIN VIEW SOLAR
TITLE OVERALL PROJECT SITE PLAN
SCALE AS
PROJECT NO. AZE0924-01
DATE JANUARY 2010
SHEET S1 OF S3

CONSULTANT: TES, AZTEC
OWNER: AES Solar

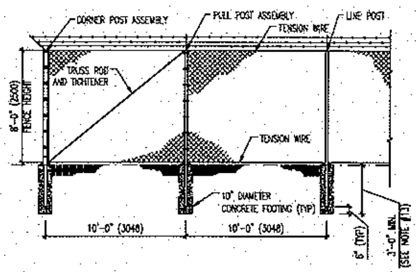




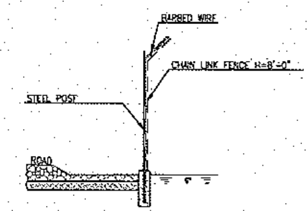
① SUBGRADE COMPACTED UP TO A MINIMUM 95% OF THE MAXIMUM DRY DENSITY AS PER MODIFIED PROCTOR TEST

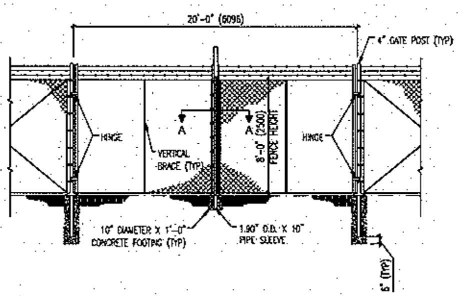
② SUBBASE SHALL BE COMPACTED TO A DRY DENSITY NOT LESS THAN 98% AT A MOISTURE CONTENT OF 2% BELOW OPTIMUM OR LOWER IN ACCORDANCE WITH ASTM D-1557.

DETAIL "1" – ROADS
(TYPICAL SECTION)
SCALE 1"=4'

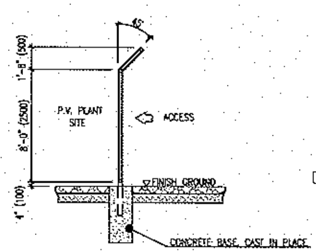


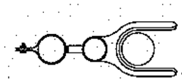
DETAIL "2" – CHAIN LINK FENCING
SCALE 1"=4'



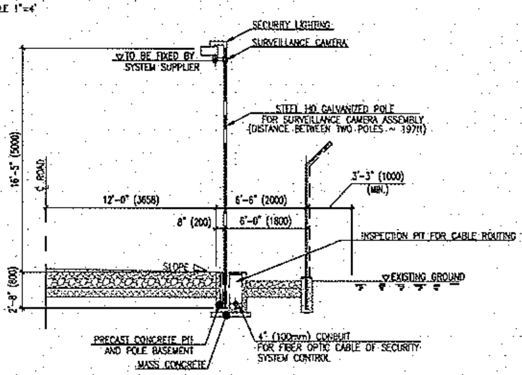


DETAIL "3" – ACCESS GATE (TYPICAL)
SCALE 1"=4'

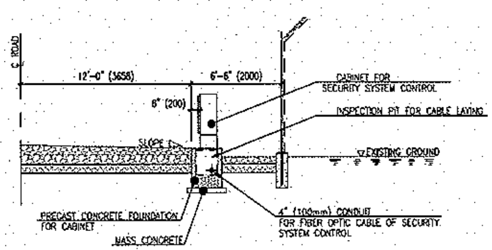




SECTION A–A
DOUBLE GATE LATCH ASSEMBLY



DETAIL "6" – SURVEILLANCE CAMERA SUPPORT POLE
(TYPICAL)
SCALE 1"=4'



DETAIL "7" – SURVEILLANCE STREET CABINET
SCALE 1"=4'

* ALL DIMENSIONS IN FEET UNLESS OTHERWISE NOTED

PLAN NO.	AZE0924-01DT02
PROJECT	MOUNTAIN VIEW SOLAR
TITLE	SITE PLAN DETAILS
SCALE	1"=4'
SIZE	A0
PROJECT NO	AZE0924-01
DATE	JANUARY 2010

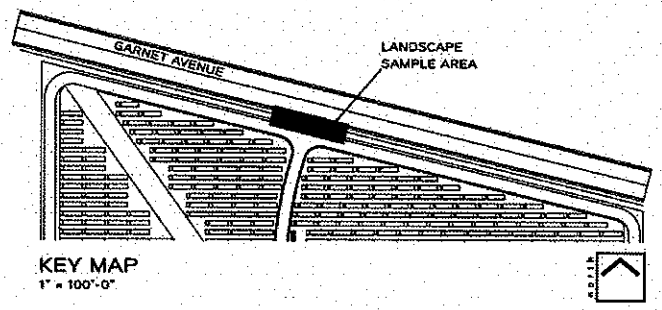
AZTEC

AES Solar

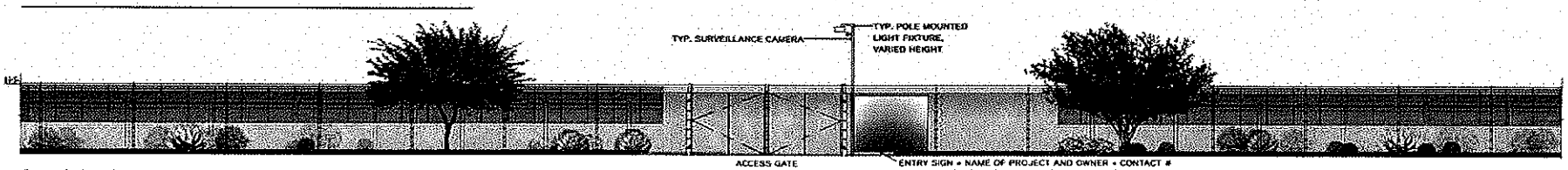
SHEET S3 OF S3

PLANT LEGEND

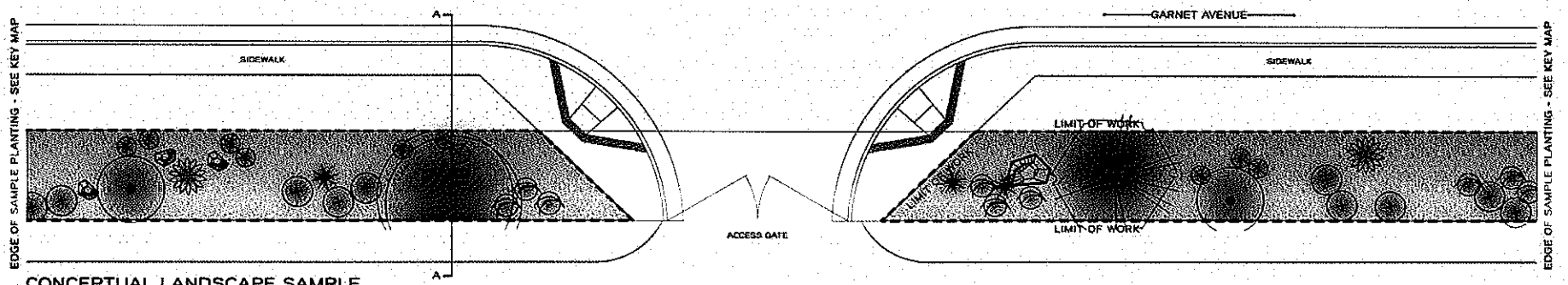
	BOTANICAL NAME	COMMON NAME	SIZE	QTY
TREES				
	ACACIA SMALLII	Sweet Acacia	15 GALLON	6
	PROSOPIS VELUTINA	Velvet Mesquite	15 GALLON	15
SHRUBS				
	LARREA TRIDENTATA	Creosote	5 GALLON	25
	RUELLIA PENINSULARIS	Ruellia	5 GALLON	56
	AGAVE AMERICANA	Century Plant	5 GALLON	17
	DASYLIRION WHEELERI	Desert Spoon	5 GALLON	21
GROUNDCOVERS				
	AMBROSIA DELTOIDEA	Bursage	1 GALLON	50
	ENCELIA FARINOSA	Brittlebush	1 GALLON	73
	SURFACE SELECT GRANITE BOULDER		3 TO 5 TON	16
ALL PLANTING AREAS	DECOMPOSED GRANITE	Madison Gold	1/2" MINUS 2" DEPTH	15,786 SF.



KEY MAP
1" = 100'-0"



CONCEPTUAL LANDSCAPE ELEVATION
1" = 3/16"



CONCEPTUAL LANDSCAPE SAMPLE
1" = 3/16"

SOLAR PANEL SITE

* ALL DIMENSIONS IN FEET UNLESS OTHERWISE NOTED

MOUNTAIN VIEW SOLAR

GARNET AVENUE STREET ELEVATION & PRELIMINARY LANDSCAPE PLAN

JANUARY 2010

the design element

AZTEC

AES Solar

LANDSCAPE NOTES

A. MAINTENANCE NOTES

1. MAINTENANCE PERIOD: THE MAINTENANCE PERIOD SHALL BE FOR 365 CALENDAR DAYS BEGINNING ON THE DAY OF THE CHECK INSPECTION AFTER ALL WORK HAS BEEN INSTALLED AND APPROVED BY THE LANDSCAPE ARCHITECT. THE MAINTENANCE PERIOD MAY BE EXTENDED TO INCLUDE ANY ADDITIONAL TIME THAT MAY BE REQUIRED TO MEET THE REQUIREMENTS OF THE WORK SPECIFIED.

2. GENERAL: THE GENERAL CARE AND MAINTENANCE OF ALL AREAS SHALL CONSIST OF PROPER WATERING, FERTILIZATION, WEEDING, RODENT CONTROL, CLEANUP, ETC.

3. SAFETY: ALL PLANT MATERIALS SHALL BE CHECKED AND MAINTAINED AS REQUIRED IN AN ONGOING PROGRAM TO ASSURE A SAFE ENVIRONMENT.

4. GUARANTEE: THE ENTIRE LANDSCAPE INCLUDING ALL WORK DONE UNDER THIS CONTRACT, SHALL BE GUARANTEED AGAINST ALL DEFECTS AND FAULT OF MATERIAL AND WORKMANSHIP, AND SHALL BE IN PERFECT WORKING ORDER FOR 365 DAYS FROM DATE OF COMPLETION BY THE CONTRACTOR WITHOUT EXPENSE TO THE OWNER. TREES SHALL BE GUARANTEED FOR ONE (1) YEAR. ALL MATERIALS USED SHALL CARRY A MANUFACTURER'S GUARANTEE OF MINIMUM ONE (1) YEAR. ANY SETTLING OF TREE/SHRUB WELLS WHICH MAY OCCUR DURING THE 365 DAY PERIOD FINAL ACCEPTANCE SHALL BE REPAIRED TO THE OWNER'S SATISFACTION BY THE CONTRACTOR WITHOUT EXPENSE TO THE OWNER -INCLUDING THE COMPLETE RESTORATION OF ALL DAMAGED PLANTING, PAVING OR OTHER IMPROVEMENTS OF ANY KIND.

5. WATERING: WATER THOROUGHLY AFTER SUFFICIENT AREA HAS BEEN PLANTED. ANY PLANTINGS SHOWING EVIDENCE OF DRYING OUT OR BADLY WILTING WILL NOT BE ACCEPTED. WATER ALL PLANTINGS TO ASSURE COMPLETE GERMINATION OF ALL SEEDED AREAS AND CONTINUED GROWTH OF THE PLANTS. AREAS SHALL BE WATERED BY HAND AS REQUIRED FOR 365 DAYS

6. PRE-EMERGENT: APPLY SURFLAN OR APPROVED PRE-EMERGENT IMMEDIATELY AFTER PLANTING TO ALL GROUNDCOVER AREAS.

7. CULTIVATING AND WEEDING: CULTIVATE AND WEED ALL PLANTED AREAS AT REGULAR INTERVALS NOT TO EXCEED 15 DAYS. EXERCISE CARE WHEN CULTIVATING TO AVOID DAMAGE TO ROOTS OF THE GROWING PLANTS.

8. CHEMICAL HERBICIDES: A CERTIFIED TECHNICIAN SHALL APPLY CHEMICAL HERBICIDES TO CONTROL WEEDS AT THE OPTION OF THE CONTRACTOR AND UPON PRIOR APPROVAL BY THE LANDSCAPE ARCHITECT.

9. PEST AND DISEASE CONTROL: A CERTIFIED TECHNICIAN SHALL SPRAY AS NECESSARY TO CONTROL ALL INFESTATIONS.

10. RODENT CONTROL: THE CONTRACTOR SHALL TAKE THE NECESSARY STEPS TO ELIMINATE ANY RODENTS ENCOUNTERED ON SITE.

11. PRUNING: ALL PRUNING SHALL BE IN ACCORDANCE WITH ARBORS GUIDELINES. DAMAGED, DEAD OR DRYING BRANCHES SHALL BE REMOVED BACK TO A POINT OF GROWTH.

12. PLANT REPLACEMENTS: DURING THE MAINTENANCE PERIOD, SHOULD ANY PLANT SHOW WEAKNESS AND PROBABILITY OF DYING, IT SHALL BE REPLACED BY THE CONTRACTOR WITHIN 5 DAYS OF NOTIFICATION TO DO SO. AT THE END OF THE MAINTENANCE PERIOD, ALL PLANT MATERIAL SHALL BE IN A HEALTHY, GROWING CONDITION.

13. CLEAN UP: DURING THE COURSE OF THE MAINTENANCE WORK, THE CONTRACTOR SHALL REMOVE SURPLUS MATERIALS AND DEBRIS FROM THE SITE AND SHALL MAINTAIN THE PREMISES IN A NEAT AND CLEAN CONDITION AT ALL TIMES.

14. FINAL INSPECTION: WILL BE HELD AT THE END OF THE 365-DAY MAINTENANCE PERIOD.

B. POST INSTALLATION MAINTENANCE GUIDELINES

1. A SCHEDULE: FOR ONGOING MAINTENANCE SHALL BE PREPARED AND SHOWN ON THE PLANTING PLAN USING THE FOLLOWING GUIDELINES.

A. ANY ALTERATIONS TO THE LANDSCAPE MUST BE APPROVED BY THE DIRECTOR OF PLANNING SERVICES.

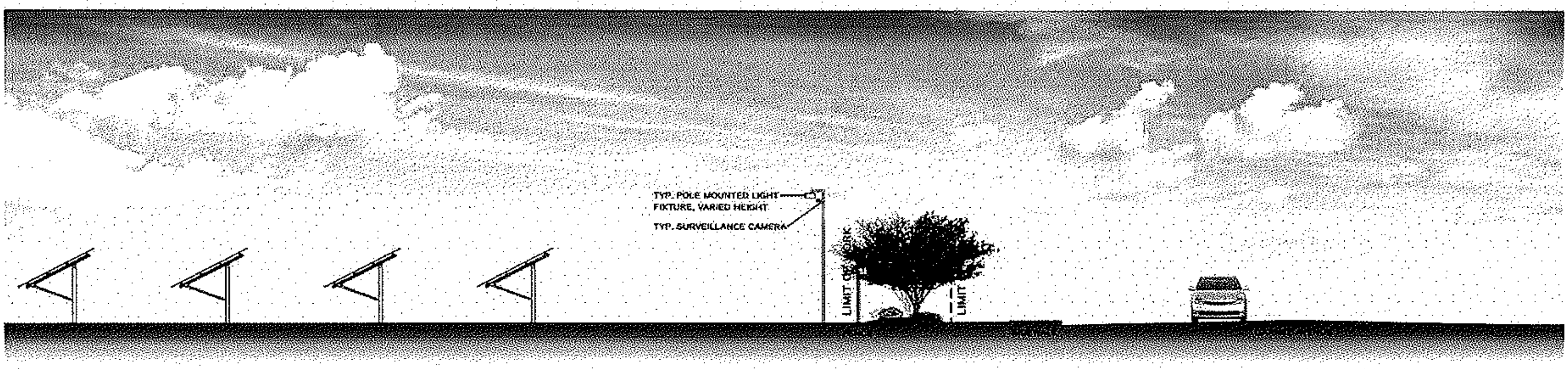
B. CONTROL ALL HARMFUL DISEASES AND PESTS. ALL CHEMICAL APPLICATIONS MUST BE PER STATE LICENSED ADVISORS AND APPLICATIONS.

C. PRUNING SHALL BE DONE TO KEEP PLANTS WITHIN SPECIAL LIMITATIONS, REMOVAL OF DEADWOOD, CROSS-BRANCHING, ETC., PER INTERNATIONAL SOCIETY OF ARBORICULTURE STANDARDS (ISA). PLANTS SHALL NEVER BE SHEARED UNLESS SPECIFIED ON THE APPROVED PLAN. TREES ARE TO BE ALLOWED TO GROW TO THE DESIGNED SIZE TO PROVIDE MAXIMUM SHADING OF PAVED AREAS.

D. WATER SHALL BE APPLIED BY HAND FOR OPTIMUM PLANT GROWTH WITH MINIMAL RUNOFF OR OVERSPRAY.

E. INSPECT TREE SUPPORTS FREQUENTLY AND REMOVE AS SOON AS PLANTS WILL STAND WITHOUT SUPPORT AND WILL BE ABLE TO RESIST WIND DAMAGE. NEVER ALLOW SUPPORT MATERIALS TO GIRDLE TRUNK OF BRANCHES.

F. A REGULAR MAINTENANCE SCHEDULE SHALL INCLUDE REPLENISHING MULCH; FERTILIZATION; PRUNING, WEEDING, AND REMOVING LITTER IN ALL LANDSCAPED AREAS.



GARNET AVENUE SECTION A-A
1" = 3/16"

* ALL DIMENSIONS IN FEET UNLESS OTHERWISE NOTED

the design element

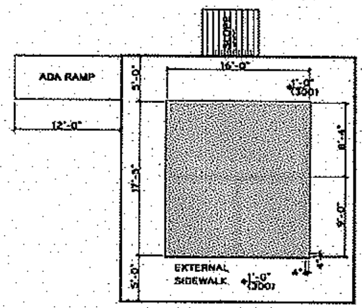
PROJECT: MOUNTAIN VIEW SOLAR

TITLE: GARNET AVENUE STREET SECTION

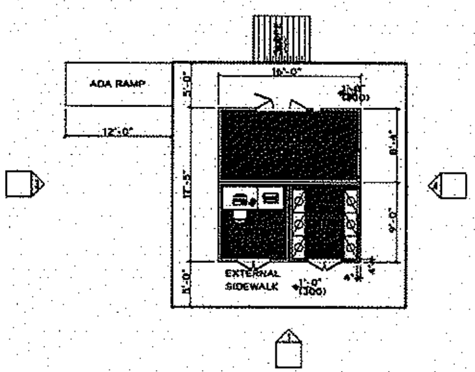
DATE: JANUARY 2010

AZTEC

AES Solar

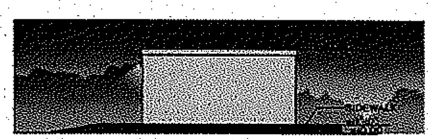


ROOF PLAN - CONTROL BUILDING
1" = 3/16"

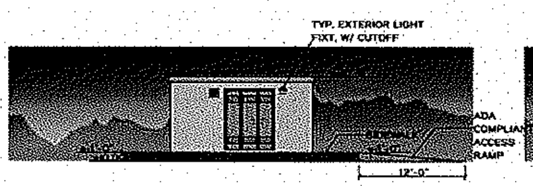


FLOOR PLAN - CONTROL BUILDING
1" = 3/16"

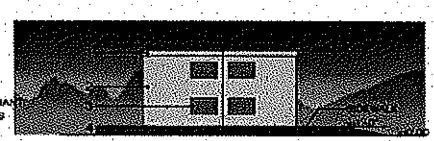
ELEVATION 1 - CONTROL BUILDING
1" = 3/16"



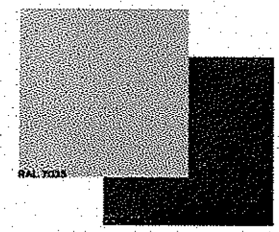
ELEVATION 3 - CONTROL BUILDING
1" = 3/16"



ELEVATION 2 - CONTROL BUILDING
1" = 3/16"



ELEVATION 4 - CONTROL BUILDING
1" = 3/16"



MATERIALS

1. ROOF
   MATERIAL: PAINTED CONCRETE
   COLOR: RAL 7035
2. WALLS
   MATERIAL: PAINTED CONCRETE
   COLOR: RAL 7035
3. WINDOWS / DOORS
   MATERIAL: STEEL
   COLOR: RAL 7035
4. FLOOR
   MATERIAL: EXPOSED CONCRETE
   COLOR: N/A

RECEIVED
JUN 0 2 2010
PLANNING SERVICES DEPARTMENT

* ALL DIMENSIONS IN FEET UNLESS OTHERWISE NOTED

MOUNTAIN VIEW SOLAR

CONTROL BUILDING ROOF PLAN, FLOOR PLAN & ELEVATIONS

JANUARY 2010

AZTEC

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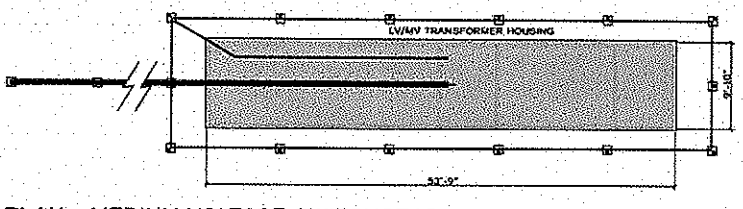
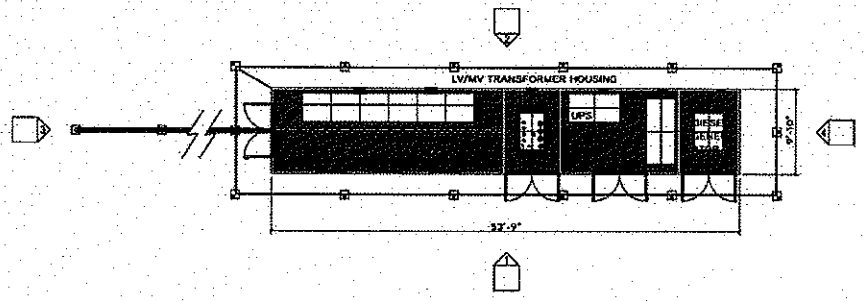
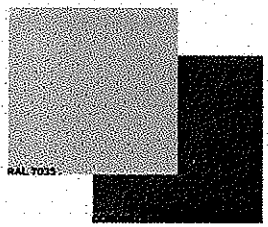


ROOF PLAN - MEDIUM VOLTAGE SWITCHGEAR
1" = 3/16"

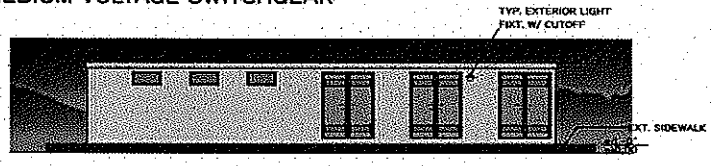


FLOOR PLAN - MEDIUM VOLTAGE SWITCHGEAR
1" = 3/16"

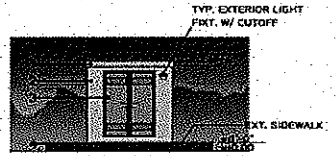


MATERIALS

1. ROOF
   MATERIAL: PAINTED CONCRETE
   COLOR: RAL 7035
2. WALLS
   MATERIAL: PAINTED CONCRETE
   COLOR: RAL 7035
3. WINDOWS / DOORS
   MATERIAL: STEEL
   COLOR: RAL 7035
4. FLOOR
   MATERIAL: EXPOSED CONCRETE
   COLOR: N/A

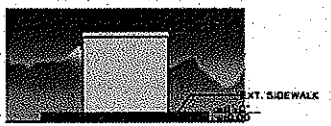


ELEVATION 1 - MEDIUM VOLTAGE SWITCHGEAR
1" = 3/16"



ELEVATION 3 - MEDIUM VOLTAGE SWITCHGEAR
1" = 3/16"

ELEVATION 2 - MEDIUM VOLTAGE SWITCHGEAR
1" = 3/16"



ELEVATION 4 - MEDIUM VOLTAGE SWITCHGEAR
1" = 3/16"

* ALL DIMENSIONS IN FEET UNLESS OTHERWISE NOTED

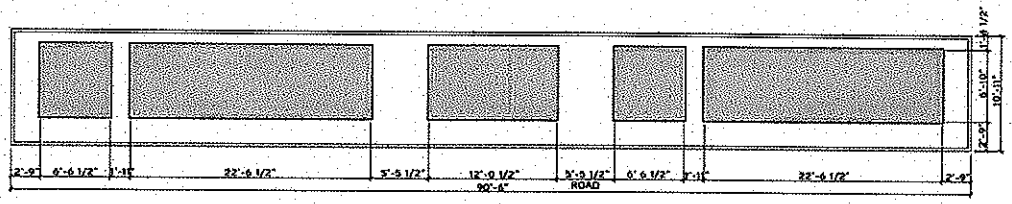
PROJECT: MOUNTAIN VIEW SOLAR

TITLE: MEDIUM VOLTAGE SWITCHGEAR ROOF PLAN, FLOOR PLAN & ELEVATIONS

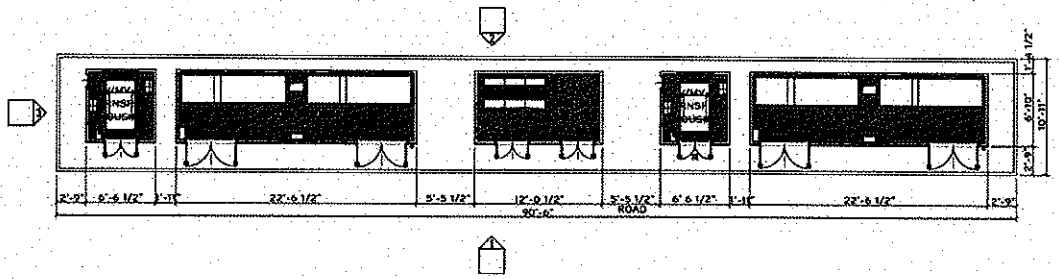
DATE: JANUARY 2010

CONSULTANT: AZTEC

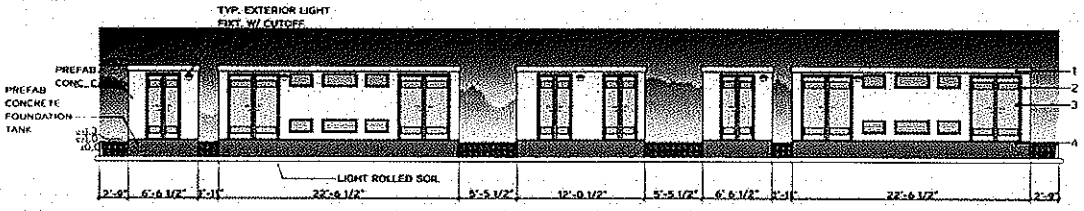
OWNER: AES Solar



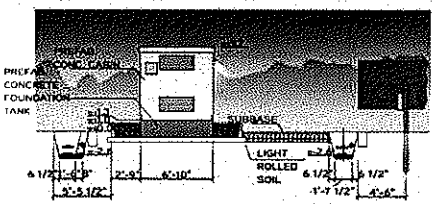
ROOF PLAN - LOW VOLTAGE SWITCHGEAR / TRANSFORMER / INVERTER
1" = 3/16"



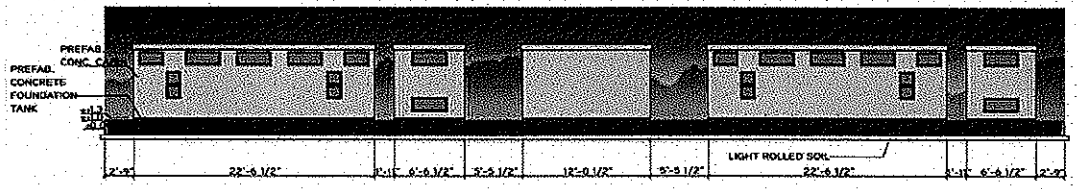
FLOOR PLAN - LOW VOLTAGE SWICTHGEAR / TRANSFORMER / INVERTER
1" = 3/16"



ELEVATION 1 - LOW VOLTAGE SWITCHGEAR / TRANSFORMER / INVERTER
1" = 3/16"



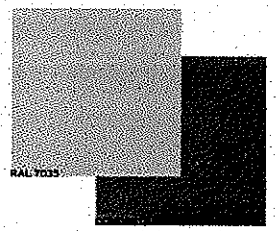
ELEVATION 3 - LOW VOLTAGE SWITCHGEAR / TRANSFORMER / INVERTER
1" = 3/16"



ELEVATION 2 - LOW VOLTAGE SWITCHGEAR / TRANSFORMER / INVERTER
1" = 3/16"

MATERIALS

1. ROOF
   MATERIAL: PAINTED CONCRETE
   COLOR: RAL 7035
2. WALLS
   MATERIAL: PAINTED CONCRETE
   COLOR: RAL 7035
3. WINDOWS / DOORS
   MATERIAL: STEEL
   COLOR: RAL 7035
4. FLOOR
   MATERIAL: EXPOSED CONCRETE
   COLOR: N/A



* ALL DIMENSIONS IN FEET UNLESS OTHERWISE NOTED

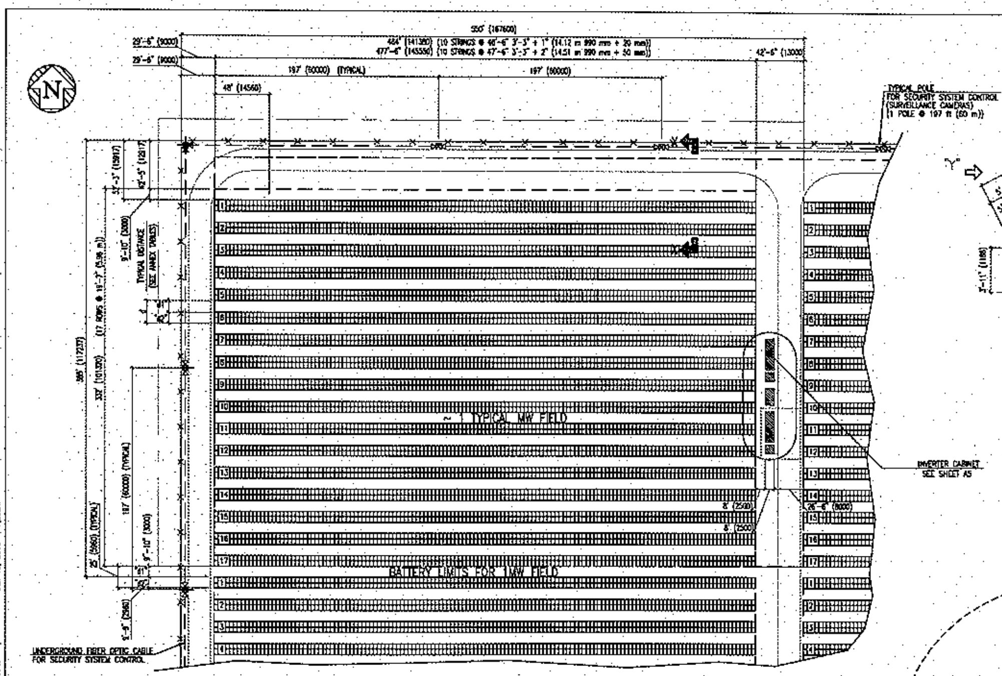
PROJECT: MOUNTAIN VIEW SOLAR

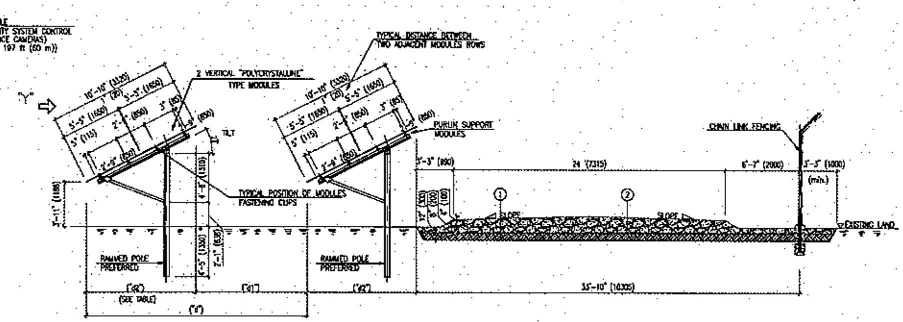
TITLE: LOW VOLTAGE SWITCHGEAR / TRANSFORMER / INVERTER ROOF PLAN, FLOOR PLAN & ELEVATIONS

DATE: JANUARY 2010

CONSULTANT: AZTEC

OWNER: AES Solar



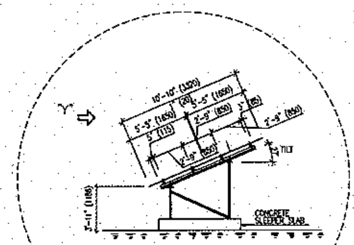


SECTION "X-X"
(TYPICAL)
SCALE 1"=5'

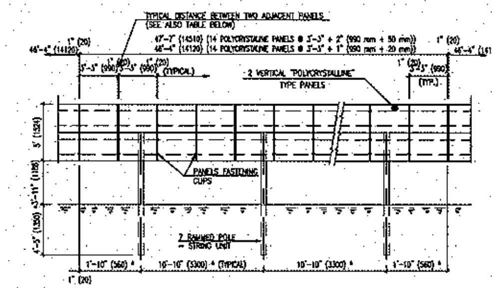
* NUMBER AND DEPTH OF RAMMED POLES FOR EACH STRING SHALL BE DEFINED SITE BY SITE ACCORDING TO LOCAL SOIL CHARACTERISTIC AND LOAD CONDITION

(1) SUBGRADE COMPACTED UP TO A MINIMUM 95% OF THE MAXIMUM DRY DENSITY AS PER MODIFIED PROCTOR TEST

(2) SUBBASE SHALL BE COMPACTED TO A DRY DENSITY NOT LESS THAN 95% AT A MOISTURE CONTENT OF 2% BELOW OPTIMUM OR LOWER IN ACCORDANCE WITH ASTM D-1557



ALTERNATIVE FOUNDATION SYSTEM



* NUMBER AND DEPTH OF RAMMED POLES FOR EACH STRING SHALL BE DEFINED SITE BY SITE ACCORDING TO LOCAL SOIL CHARACTERISTIC AND LOAD CONDITION

STRING UNIT (TYPICAL)
VIEW FROM "Y"
SCALE 1"=5'

TILT CALCULATION

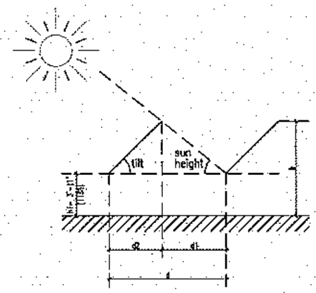
TILT = (0.69 x LATITUDE) + 3.7 = (0.69 x 33.88) + 3.7 = 27°

d2 CALCULATION

d2 = 10.9' x COS(TILT) = 10.9' x COS(27°) = 9'-9" (2,960 mm)

d1 CALCULATION

d1 = (10.9' x SIN(TILT)) / TAN(61°-LATITUDE) = (10.9' x SIN(27°)) / TAN(61°-33.88°) = 9'-10" (3,000 mm)



Conversion of units:

Length:
1 milimeter (mm) = 0.0394 inch (in)
1 meter (m) = 39.37 Inches (In)

Area:
1 hectare = 10,000 m^2
1 hectare = 2.4711 acre

* ALL DIMENSIONS IN FEET UNLESS OTHERWISE NOTED

PLAN NO.	AZE0924-010T01
PROJECT	MOUNTAIN VIEW SOLAR
TITLE	PV PANEL DETAILS
SCALE	1"=50'
S/N	A0
PROJECT NO.	AZE0924-01
DATE	JANUARY 2010.

AZTEC — AES Solar

SHEET A6 OF A6

Mountain View Solar Project - CUP Project Description

The proposed project is an approximately 13 MW photovoltaic (PV) solar energy conversion system to be co-located on the site of an existing wind energy facility. The existing wind energy facility was approved under CUP No. 5.0779. Existing structures on the site include a row of ten wind turbine towers (including one transformer cabinet next to each tower), two electrical substations, and a utility/storage yard surrounded by a chain link fence. All existing structures except the existing utility/storage yard will be retained. The solar collectors will cover approximately 23.5 acres of the 76.9-acre site exclusive of maintenance pathways between the collector rows. A 279 square foot control building is proposed to be constructed on the south side of the substation area. The control building will be accessed intermittently as needed by work crews. Detailed information regarding site coverage is provided in Tables 1 and 2 below.

The solar collectors will utilize polycrystalline PV panels in south facing fixed arrays tilted at approximately 27 degrees. The panels are dark blue with metallic colored frames. The panel surfaces are non-mirrored glass and will not produce any significant reflective glare. The total height of the collectors and support structures will be approximately nine feet. The support structures will provide a ground clearance of about four feet (1.2 meters) to allow the passage of blow sand below the collector array. The additional clearance will prevent scouring damage to the collector surface while minimizing disturbance to the natural sand transport which is part of the local desert ecology.

The solar collector arrays will be located in east-west rows separated by approximately 10-foot wide unimproved maintenance pathways. The open rows will allow rainwater to reach the ground surface and percolate into the soil. The support structures for the collector arrays will be open to light and air and allow the ground to show through at certain viewing angles.

The current site is relatively level with an average grade of 1.6%. The site does not contain distinct flowpaths or drainage channels. There are no storm drain conveyance system connections on or within the project site. As indicated in the hydrologic mapping, stormwater flows from the northwest to the southeast. Because of existing soil conditions (fine to coarse grey sand with a scattering of gravel and cobbles) within and outside of the project site, most of the stormwater infiltrates into the soil before entering or leaving the site. The Union Pacific Railroad located near the south end of the site also acts as a berm preventing any runoff discharge to the south. Proposed site grading will not substantially alter the existing drainage pattern.

The existing site vegetation consists of sparsely populated Sonoran creosote bush scrub which has been partially disturbed by the existing roadways. Most of the vegetation will be cleared during site

preparation activities. The project site is located in the Coachella Valley Multiple Species Habitat Conservation Plan but is not subject to conservation area restrictions.

Site grading will consist of approximately 44,000 cubic yards of cut and 46,100 cubic yards of fill for a net import of 2,100 cubic yards of material. The existing vegetation on the project site will be cleared and grubbed prior to site grading activities. Once cleared, a majority of the project site will be graded to provide suitable surfaces for the placement of solar panel arrays and internal service roads. Site grading will closely match existing grade and may involve minor excavation for the solar panel supports.

Access to the site will be from Garnet Avenue. The internal roadway system will generally follow the existing roadway system with minor adjustments in alignment and the addition of gravel surfacing. The main entrance access connects to a central roadway needed to service the existing wind towers. The central roadway also provides access to the existing substations on the northwest side of the site and the meteorological tower located on the southwest portion of the site. A perimeter road with a loop around the substation area will connect with the main entry road and provide maintenance access for all of the solar collectors. An existing dirt roadway located within an easement on the west side of the property will remain. Internal roadway widths will be approximately 24 feet. All internal roads will have an aggregate base gravel surface. A 28-foot wide strip along the north property line will be dedicated to the City of Palm Springs to allow for the future widening of Garnet Avenue.

A 33-foot wide easement containing two 30-inch pressure gas mains run across the central portion of the site. The gas mains are owned and maintained by the Southern California Gas Company. However, the project has no natural gas service requirements. No solar collectors will be built within the easement.

The site has no water or sewer service. Water for cleaning the solar collectors will be brought in by truck. Work crews will use portable toilets located on site, if necessary. Complete restroom and shower facilities are located at the AES office and National Wind Energy Data & Training Center located at 19435 Ruppert Street on the north side of I-10 approximately 0.2 miles to the west of Indian Canyon Drive.

No permanent employees will be stationed at the site. The only traffic to the site will be to maintain the installed collectors. It is anticipated that approximately three operations and maintenance (O&M) employees will be stationed off-site at the AES office. These O&M employees would typically visit the site intermittently throughout the week as needed for monitoring purposes. In addition, it is anticipated that O&M employees would access the site every 2-3 months or after severe dust storms to clean the solar collectors.

The project includes the installation of perimeter fencing (chain link with barbed wire; eight feet high with an access gate on West Garnet Avenue). A 12-foot wide landscaped area (15,800 SF) will be provided along the Garnet Avenue frontage immediately south of the road right-of-way dedication area and north of the security fence. The landscaping will be adapted to desert conditions and will not require a landscape irrigation system.

Outdoor lighting for the project will be minimal and consist of lighting outside buildings to allow safe access and egress of personnel, along the project fencing, and at the main plant entrance (gate and parking). The lighting system will be designed so that, at night, the main gate lights are only switched on by a signal coming from the main photocell. Fence lighting is part of the security system and would normally be switched off and used only as a deterrent against intrusions. Any lighting associated with the operational lifetime of the project would be for security purposes and thus would not be a major light source affecting nighttime views. Lighting would be directed inward toward the project site and, where warranted, along access roads.

The only residential area in relative proximity to the project site is an isolated neighborhood of scattered large-lot residences (West Garnet) located approximately 0.3 miles to the west on County land within the City's sphere-of-influence. The current City boundary runs along the west side of the project boundary. These residences will not be impacted in any way by the proposed project.**Table 1 - Site Acreage**

Description	Area (SF)	Area (AC)
Current Site Area	3,350,325	76.91
Garnet Ave. ROW Dedication	38,114	0.87
Site Area after ROW Dedication	3,312,211	76.04

Table 2 – Area and Percent of Total Project Devoted to Specified Uses (After ROW Dedication)

Description	Area (SF)	Area (AC)	% of Site
Building			
New Buildings (not including PV panels)[1]	5,363	0.12	0.2%
New PV Panels[2]	1,025,216	23.54	31.0%
Existing Substation Fenced Areas	46,771	1.07	1.4%
Subtotal	**1,077,350**	**24.73**	**32.5%**
Paving			
New Gravel Roads[3]	250,931	5.76	7.6%
Subtotal	**250,931**	**5.76**	**7.6%**
Landscaping/Open			
New Landscape Area	16,332	0.37	0.5%
Existing Dirt Road (to remain)	55,000	1.26	1.7%
Open Area (including collector pathways)[4]	1,912,598	43.91	57.7%
Subtotal	**1,983,930**	**45.54**	**59.9%**
Total	3,312,211	76.04	**100.0%**

Notes:

1. Includes 279 SF control building.
2. Area is for surface of PV panels which are raised above ground level. The only impervious surface will be the PV panel foundation system which is typically a rammed pole less than 1-foot in diameter. The PV panel foundation system may also consist of concrete footings for pole support structures which would cover approximately 5500 SF of ground surface area.
3. All gravel roads are pervious surfaces.
4. Area for collector pathways is 1,229,500 SF.

Response to EA questions checked Yes or Maybe

11. Change in scenic views or vistas from existing residential areas or public land/roads.

The project will result in a change to the scenic view from the Interstate 10 visual corridor. The current view is characterized by views of the San Jacinto Mountains in the background and a major concentration of wind turbines in the foreground and mid-ground areas. The desert floor is visible below the turbine towers. The proposed project represents the first utility scale solar energy collection system in the City of Palm Springs and the general I-10 scenic corridor area.

The solar collector field will cover nearly all portions of site not utilized for service roads, substations, and buildings. The solar collectors will be visible from I-10 as a broad field of dark blue PV panels arranged in east-west rows spaced approximately ten feet apart. The panels will be raised above the ground on support structures. The foundation system may be either rammed pole or concrete footings. The area beneath the panels will be open to light and air. Due to the number of collector rows and their close spacing, the character of the desert floor will change from its natural light coloration to a dark colored field. The visual effect will be somewhat similar to an agricultural field utilizing dark plastic row covers although the character will be more industrial. The solar arrays will not exceed nine feet in height thereby precluding any view blockage or impairment of the views of the San Jacinto Mountains from I-10 or any other viewing location. The existing wind turbines on the project site and on the surrounding WECS sites already constitute a significant visual impact.

13. Generates controversy based on aesthetics or other features of the project.

The solar collectors represent an industrial-energy use in an industrial-energy zone. The solar collector systems will have a low profile and a clean repetitive design that is based on their function. While significant controversy is not anticipated, the introduction of a solar energy conversion system into an area characterized primarily by wind energy conversion systems may generate concerns regarding aesthetic impacts, particularly from a cumulative perspective. It should be noted that the existing concentration of wind turbines in the area is perceived by many as an interesting and even fascinating visual element which does not significantly detract from the primary views of the surrounding mountains. As solar energy conversion systems become common in appropriately designated desert areas, familiarity and aesthetic acceptance are likely to follow.