



Planning Commission Staff Report

Date: August 10, 2011

Case No.: 5.1091 – PD 324 AMND

Application Type: Amendment to Planned Development District 324

Location: South side of Alejo Road, between North Palm Canyon and North Indian Canyon Drives.

Applicant: Palm Springs LLC, Lawrence Rael

Zone: PDD-324

General Plan: CBD (Central Business District)

APNs: 513-081-002 through -006, -023

From: Craig Ewing, AICP, Director of Planning Services

Project Planner: Edward O. Robertson, Principal Planner

PROJECT DESCRIPTION

The applicant, Rael Development, is requesting the Planning Commission to amend a previously approved Planned Development District 324 (5.1091-PDD 324), also known as "Port Lawrence". The proposed amendment will change the previously approved mixed-use PDD from residential and commercial to a 175-room boutique hotel and approximately 30,000 square feet retail commercial development. The property is the vacant 4.1 acre site bounded by Alejo Road on the north, North Palm Canyon Drive on the west, North Indian Canyon Drive on the east, and existing commercial development on the south.

Section 94.03.00(G) allows the Planning Commission to modify Final Development Plans of Planned Developments. The Commission may approve minor architectural or site changes that do not affect the intent of the PD. In this case, staff believes that the

intent of the Planned Development was to establish a mixed use development consisting of condominium units and retail commercial with variations to certain development standards. Consequently, a full amendment is proposed, requiring Planning Commission and City Council approval.

RECOMMENDATION

Approve the proposed amendment to the Planned Development District by the Rael Development, to develop a 175-room boutique hotel, approximately 30,000 square feet of retail commercial space and a parking structure subject to the conditions contained in Exhibit A, which is attached hereto.

PRIOR ACTIONS:

The Planning Commission considered the proposed project at its regularly scheduled meeting of September 13, 2006, approved the PDD and recommended approval to the City Council.

On October 4, 2006, the City Council adopted a Mitigated Negative Declaration and approved the proposed project as recommended by the Planning Commission.

The Planning Commission considered the proposed amendment to the Vesting Condominium Map at its regularly scheduled meeting of July 9, 2008, and recommended approval of the proposal to the City Council by a vote of 7-0.

On July 30, 2008, the City Council approved the proposed amendment to the Vesting Condominium Map.

On October 28, 2009, and September 22, 2010, the Planning Commission granted a one-year time extension for the project.

BACKGROUND AND SETTING:

The Port Lawrence mixed-use development consisting of residential and commercial use was approved by the Planning Commission and the City Council in 2006. An amendment to the site layout to accommodate a public access on the south portion of the project was approved in 2008. According to the applicant, revisions to the approved Port Lawrence project became necessary in light of the changing market forces which in turn have affected the preferred use of the site.

The subject site is now vacant. The original project included the development of up to 118 condominium units, 25,000 square feet of retail commercial space and an underground parking structure on the site. The original project had retail space on the ground/first floor fronting on Palm Canyon, with residential units occurring above, on three stories. The residential buildings were proposed on Alejo Road and Indian

Canyon, and on the interior of the project site. The buildings were three and four stories, within a range of 35' to 50'6' in height.

A total of eleven (11) live/work units to be located at the center of the site were proposed. These units would have office/gallery space on the ground floor, and residential units above, and were to be accessed via the pedestrian walkway through the site. Finally, the previous project included the construction of an underground parking structure with 219 parking spaces for residential use, and 96 spaces for commercial use. The original site plan had a public street (Clovelly Street) located along the southern portion of the site connecting Indian Canyon Drive from Palm Canyon Drive.

ANALYSIS:

General Plan and Zoning:

The General Plan designation of the site is CBD or Central Business District; the Zoning designation is PDD-324; the underlying zone is CBD. The proposed land use is consistent with the provisions of the General Plan and Zoning Ordinance for that designation. The proposed mixed-use project is also generally consistent with the Downtown Design Guidelines. Under the Guidelines, the site is designated "High Intensity Mixed-Use (Residential/Commercial) Gateway." The Guidelines describe the Gateways (one at this location and one at the south end of downtown at Ramon Road) as follows: *"They should be taller (max. 60 ft.), high intensity mixed-use (residential/commercial) areas with distinctive landscaping and signage marking the entrance to downtown."*

The General Plan and Zoning designations for surrounding properties are depicted in Table 1 below.

Location	General Plan Designation	Zoning Designation
Project Site	Central Business District (CBD)	PDD-324
West	CBD	CBD
South	CBD	CBD
East	CBD	C-1 and C-2 (General Commercial)
North	PR (Parks and Recreation)	O (Open Space)

Planned Development District:

As with the original project, the proposed amendment includes components which vary from the development standards of the Central Business District zone and High-rise buildings (Section 93.04.00). Section 94.03.00(G) allows the Planning Commission to modify Final Development Plans of Planned Development Districts. The Commission may approve minor architectural or site changes that do not affect the intent of the PD. Other than height requirements, the previously approved design and development

standards contained in PDD 324 will remain in effect; the applicant is not seeking any new deviations from the development standards.

Pursuant to Section **94.03.00** (Planned Development District) of the Zoning Ordinance, the Planned Development District (PDD) is designed to provide various types of land use which can be combined in compatible relationship with each other as part of a totally planned development. It also states that *"It is the intent of this district to insure compliance with the general plan and good zoning practices while allowing certain desirable departures from the strict provisions of specific zone classifications"* The PD is requested for this project to allow relief from building height and setback criteria. The proposed building heights for this project will range from 14.6 to a maximum of 58.6 feet. The maximum building height in the previous PDD was 51.0 feet.

Amendment to the Planned Development District/Revised Project:

The proposed amendment to the previously approved project does not vary from the intent of the PDD, and the project is still consistent with both the General Plan and the Downtown Design Guidelines. The applicant is now proposing to develop a mixed-use project with different components in response to the current real estate market and economic dynamics as a whole. Although the site plan remains fairly consistent with the original plan, the revised project will now accomplish the following:

- A mixed-use project consisting of a 175-room boutique hotel, a 9,500 square feet of banquet hall and approximately 30,000 square feet of retail commercial space.
- An above ground one level parking structure and a two level free standing parking structure on the south side of the property.
- Pedestrian walkway and private vehicle access into the hotel; the walkway/private vehicle entry way connects Palm Canyon and Indian Canyon Drives
- A luxury spa, fitness area and yoga studio
- The tallest building within the development will be approximately 58' 8" located in the interior of the site
- Pool Deck on second floor and other recreational amenities.

The revised project will no longer contain "for sale" residential units; a 175-room boutique hotel has been proposed to replace the previously approved mixed-use development consisting of 118 condominium units and retail commercial space. The mixed-use project will also consist of approximately 30,000 square feet of retail commercial component. The boutique hotel will feature a luxury spa and yoga studio, including a private outdoor courtyard for the spa guests. The original project included buildings of three to four stories; the revised project will have up to five story high buildings at a maximum height of approximately 58.6 feet.

Table 1, below, describes the existing PD-324 development standards applicable to the site, and the proposed amendment to the PD.

Comparison of Existing PDD 324 and Proposed Amendment PD-324 Standards		
Type of Standard	Existing PDD - 324	Proposed Amendment
GP Density	118 condo units	175-room boutique hotel
ZO Density	118 condo units	175-room boutique hotel
Coverage	41.8%	48.8%
Front Setbacks	0 feet	4.0 feet
Rear Setbacks	N/A	Ranges from 3' to 7'
Bldg Separations	17' 9"	Average of 20.3 feet
Common Open Space	42.66%	43.2%
Height	51 feet	58.6 feet
Parking	234	312

Site Plan and Project Design:

As with the original project, the revised site plan maintains a "presence on the street" through first-floor retail space with minimal setbacks and upper level hotel units on the Palm Canyon, Alejo and Indian Canyon frontages. The basic architectural strategy of a series of interconnected buildings, with a unifying "desert contemporary" vernacular, remains the same. Basic building massing and heights remain consistent and within the guidelines of the original project. The buildings will be constructed over a one-level parking structure that is above ground. In place of the previously proposed subterranean parking structure, a free-standing two level parking structure is being proposed on the south side of the property; this parking structure will be available to the general public.

The building heights are proposed at a maximum of 58' 8" feet to the top of the parapet in the interior of the site. As proposed, the buildings steps back from the street and rises to just under 58'8" feet; this will help to preserve the distinctive architectural element similar to the original project. The spatial distribution of each floor along with the step back design of each floor made it possible to fit five stories into 58.6 feet; the second floor is 14.6 feet tall to the roof level from the ground floor. Proposed setbacks of the buildings from the street edge will range from 3.6 feet to 10 feet on all sides. The building similarly sets back at the corner of Alejo Road and Indian Canyon to create a distinctive architectural element at this intersection.

Toward the south end of the site along Palm Canyon Drive, there will be a one level free standing retail building which will contain a signature canopy in keeping with the canopy previously approved. The site plan provides for many of the same amenities and highlights called for in the General Plan and Design Guidelines, including pedestrian access, a mix of commercial and a boutique hotel in the downtown, and more importantly, maintaining the connections between Palm Canyon and Indian Canyon.

A detailed description of the project architectural and landscape designs will be provided at the Final Development phase; detailed architecture plans were not submitted for the Preliminary Development phase.

Parking

One of the most noticeable revisions to the Port Lawrence project is the proposed parking for the project. The previously approved buildings on the south side of the site have been eliminated to make way for a free standing parking structure. The original project had an underground parking garage for commercial patrons, employees and residents. The revised project proposes a two-level parking structure on the southerly portion of the site; another above ground parking garage will be provided on the ground floor along Indian Canyon and on the interior of the site. A total of 234 parking spaces are required for the mixed-use project; the applicant provides 312 spaces. The parking calculations do not include on-street parking along Indian Canyon and Palm Canyon Drives.

Access:

A pedestrian walk way and private vehicle entryway into the Hotel that connects Palm Canyon and Indian Canyon Drives on the southerly portion of the site will replace the previously approved public street at the same segment of the property. Additional entry points to the site will be provided along Indian Canyon and Palm Canyon Drives and also on Alejo Road. Vehicles approaching the hotel will gain access into the complex at the ground level.

REQUIRED FINDINGS

Findings can be made in support of establishing the proposed Planned Development District as follows:

- a. *The proposed planned development amendment is consistent and in conformity with the general plan pursuant to Sections 94.07.00 (A)(1) and 94.02.00 (A)(4) of the Palm Springs Zoning Code.*

The proposed planned development is consistent with the General Plan, which includes special provisions for the Central Business District. The project will bring revitalization to the Downtown area with the development of new retail commercial space; also, the boutique hotel could enhance the City's tourism base.

- b. *The subject property is suitable for the uses permitted in the proposed planned development district, in terms of access, size of parcel, relationship to similar or related uses, and other relevant considerations.*

The project, as proposed, is consistent with the Downtown Design Guidelines and the vision of the area for the future. The site is physically suitable for the proposed project, and provides sufficient access points for all uses proposed.

- c. *The proposed establishment of the planned development district is necessary and proper, and is not likely to be detrimental to adjacent property or residents.*

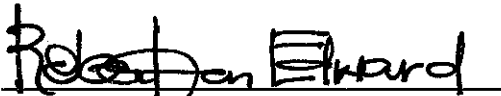
The Planned Development District modifies height and setback requirements in a manner which is conducive with the urban development sought for the site in the future. The inclusion of a mixed-use project consisting of a boutique hotel and retail commercial in this area of the City will increase vitality and activity in the Downtown.

ENVIRONMENTAL ASSESSMENT

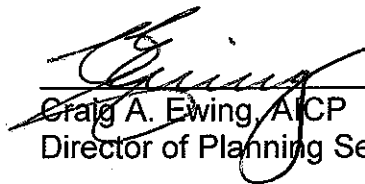
A Mitigated Negative Declaration was prepared; under the provisions of the California Environmental Quality Act (CEQA), a determination was made by the Planning Department that the proposed amendment will not result in any new additional impacts beyond those that were previously identified and addressed and that adequate mitigation measures had already been incorporated into the project.

NOTIFICATION

A public hearing notice was advertised and was mailed to all property owners within 500 feet of the subject property/adjacent property owners. As of the writing of this report, staff has not received any comment.



Edward O. Robertson
Principal Planner



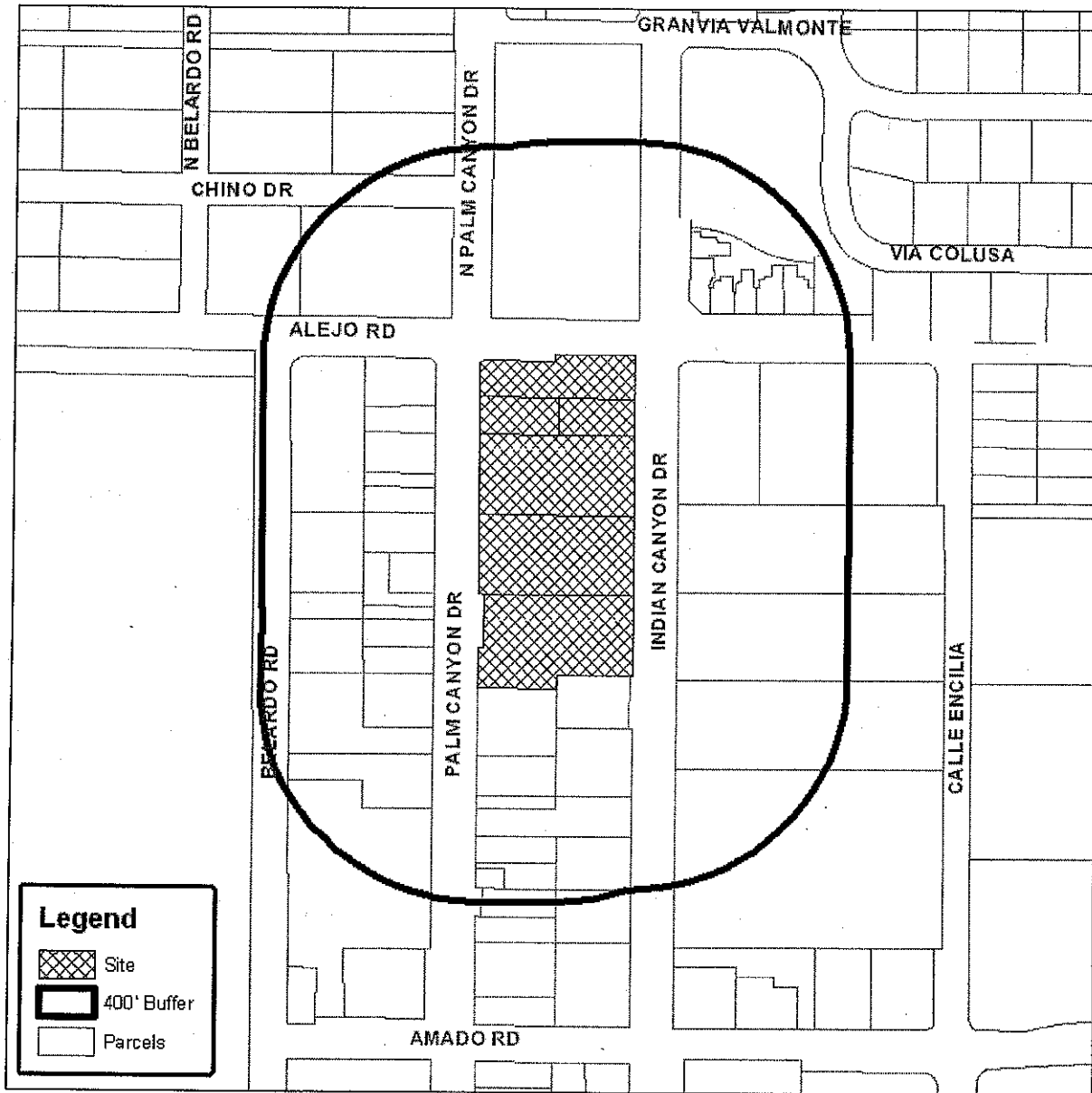
Craig A. Ewing, AICP
Director of Planning Services

ATTACHMENTS:

1. Vicinity Map
2. Draft Resolution / Conditions of Approval
3. Reduced Site Plans and Elevations



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 5.1091 PD AMND 324

APPLICANT: Palm Springs, LLC
Port Lawrence

DESCRIPTION: To consider an application by Palm Springs LLC, Lawrence Rael, to amend a previously approved Planned Development District 324. The property is a 4.1 acre site bounded by Alejo Road on the north, North Palm Canyon Drive on the west, North Indian Canyon Drive on the east, and existing commercial development on the south. The amendment will change the PDD from a mixed-use consisting of residential/commercial to a 175-room boutique hotel and approximately 30,000 sq. ft. commercial space development, Zone CBD, Section 15.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 324, CASE NUMBER 5.1091 PD 324 AMND FOR PALM SPRINGS, LLC, A PROPOSED 175-ROOM BOUTIQUE HOTEL AND UP TO 30,000 SQUARE FEET RETAIL COMMERCIAL DEVELOPMENT ON APPROXIMATELY 4.1 ACRES LOCATED AT THE SOUTHEAST CORNER OF ALEJO ROAD AND NORTH PAM CANYON DRIVE

WHEREAS, Palm Springs, LLC, (the "Applicant") has filed an application with the City for an amendment to the previously approved Planned Development District 324 (PDD 324) pursuant to the provisions of Section 94.02.00 (B) of the Palm Springs Zoning Code; and

WHEREAS, on August 10, 2011, a public hearing on the application 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"), and an Environmental Assessment was prepared for this project and was distributed for public review and comment in accordance with CEQA; and

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

THE PLANNING COMMISSION HERBY FINDS AS FOLLOWS:

Section 1: A Mitigated Negative Declaration was prepared; under the provisions of the California Environmental Quality Act (CEQA), a determination was made by the Planning Department that the proposed amendment will not result in any new additional impacts beyond those that were previously identified and addressed and that adequate mitigation measures had already been incorporated into the project.

Section 2: The Planning Commission makes the following findings:

- a. *The proposed planned development amendment is consistent and in conformity with the general plan pursuant to Sections 94.07.00 (A)(1) and 94.02.00 (A)(4) of the Palm Springs Zoning Code.*

The proposed planned development is consistent with the General Plan, which includes special provisions for the Central Business District. The project will bring revitalization to the Downtown area with the development of new retail commercial space; also, the boutique hotel could enhance the City's tourism base.

- b. *The subject property is suitable for the uses permitted in the proposed planned development district, in terms of access, size of parcel, relationship to similar or related uses, and other relevant considerations.*

The project, as proposed, is consistent with the Downtown Design Guidelines and the vision of the area for the future. The site is physically suitable for the proposed project, and provides sufficient access points for all uses proposed.

- c. *The proposed establishment of the planned development district is necessary and proper, and is not likely to be detrimental to adjacent property or residents.*

The Amended Planned Development District modifies height and setback requirements in a manner which is conducive with the urban development sought for the site in the future. The inclusion of a mixed-use project consisting of a boutique hotel and retail commercial in this area of the City will increase vitality and activity in the Downtown.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission approves Case Number 5.1091-PD 324 AMND; thereby amending Planned Development District No. 324, subject to the conditions contained in Exhibit A, which is attached hereto and made a part of this resolution.

ADOPTED this 10th day of August, 2011.

ATTEST: CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services

RESOLUTION NO. _____

EXHIBIT A

Case 5.1091 PDD 324

Port Lawrence
Southeast corner of Alejo Road and North Palm Canyon Drive

CONDITIONS OF APPROVAL

August 10, 2011

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 5.1091-PD324AMND; 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 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 5.1091-PDD 324 AMND. The City of Palm Springs

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

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

- ADM 10. Cause No Disturbance. The owner shall monitor outdoor parking areas, walkways, and adjoining properties and shall take all necessary measures to ensure that customers do not loiter, create noise, litter, or cause any disturbances while on-site. The Police Chief, based upon complaints and/or other cause, may require on-site security officers to ensure compliance with all City, State, and Federal laws and conditions of approval. Failure to comply with these conditions may result in revocation of this permit, temporary business closure or criminal prosecution.
- ADM 11. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 22. Conditional Use Permit/PDD Availability. The applicant shall provide a copy of this Conditional Use Permit/PDD to all buyers and potential buyers

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) NOT required. This project is exempt of payment of the CVMSHCP LDMF pursuant the terms of that plan.
- ENV 2. Notice of Determination. The project is subject to the provisions of the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$64 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be considered final until such fee is paid.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside

County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.

- PLN 3. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00.
- PLN 4. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 5. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 6. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 7. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 8. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 9. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 10. Bicycle Parking. The project shall be required to provide secure bicycle parking facilities on site for use by patrons and staff. Location and design shall be approved by the Director of Planning.
- PLN 11. (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

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

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

STREETS

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 2. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. The public street improvements outlined in these conditions of approval are intended to convey to the applicant an accurate scope of required improvements, however, the City Engineer reserves the right to require reasonable additional improvements as may be determined in the course of the review and approval of the street improvement plans required by these conditions.

PALM CANYON DRIVE

- ENG 4. All existing decorative street improvements, landscaping, and lighting improvements shall be protected in place, except removals approved by the City Engineer. The applicant shall be responsible for the repair, removal and replacement of existing improvements damaged as a result of the construction of this project, as directed by the City Engineer.
- ENG 5. The applicant shall obtain specific approvals for alternative decorative streetscape improvements along Palm Canyon Drive, including but not limited to: alternative decorative pavers in a pattern inconsistent with the established pattern along Palm Canyon Drive; circular tree wells in lieu of octagonal tree wells; lighting and electrical system; and landscape palette along the Palm Canyon Drive frontage. The applicant shall clearly specify the requested alternative streetscape design as part of the Final Development Plan approval by the Planning Commission. The applicant shall be required to enter into an Encroachment Agreement for all alternative decorative streetscape improvements, which shall be privately maintained by a Property Owners Association.
- ENG 6. Remove the existing driveway approaches and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards. Existing decorative

concrete pavers shall be removed and salvaged to the City Corporation Yard, or reused in replaced street improvements. New sidewalk shall be constructed of decorative concrete pavers to match existing.

- ENG 7. Remove the existing street improvements as necessary to construct a new private vehicle entryway approximately 50 feet wide with the centerline of the new entryway intersection located approximately 215 feet north of the south property line. The new entryway intersection shall be constructed with 25 feet radius curb returns and spandrels, and a 6 feet wide cross-gutter, in accordance with City of Palm Springs Standard Drawing No. 200 and 206. Any removal or relocation of existing landscaping, irrigation, electrical and lighting improvements shall be coordinated with the City Engineer prior to removal or relocation. Existing decorative concrete pavers shall be removed and salvaged to the City Corporation Yard, or reused in replaced street improvements. Access shall be limited to left-turn ingress and egress only.
- ENG 8. Construct a Type A curb ramp meeting current California State Accessibility standards on either side of the new entryway intersection in accordance with City of Palm Springs Standard Drawing No. 212. The curb ramps shall be constructed of colored Portland cement concrete to match existing decorative street improvements. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the entryway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
- ENG 9. Construct a new decorative landscape planter to match existing planters along Palm Canyon Drive, on either side of the new entryway intersection. The applicant shall furnish and install new *Washingtonia filifera* palm trees within each new decorative landscape planter. The palm trees shall have a trunk height and diameter equal to other palm trees along the project frontage, as approved by the City Engineer. Irrigation, electrical and lighting improvements for the new palm trees shall be connected to the existing systems, as required by the City Engineer.
- ENG 10. New palm trees shall be subject to a one-year plant establishment period from the date of acceptance by the City Engineer. Any palm trees that fail during the one-year plant establishment period shall be replaced with a new palm tree of similar trunk diameter and height to the satisfaction of the City Engineer, and shall be subject to a subsequent one-year plant establishment period. The applicant shall ensure that adequate irrigation of new palm trees is provided during the plant establishment period, until such time as the existing irrigation system is sufficient to irrigate the palm trees.
- ENG 11. All broken or off grade street improvements shall be repaired or replaced.

INDIAN CANYON DRIVE

- ENG 12. Dedicate additional right-of-way to provide the ultimate half street right-of-way width of 50 feet along the entire frontage.
- ENG 13. All existing street improvements and palm trees shall be protected in place, except as otherwise required by the City Engineer. The applicant shall be responsible for the repair, removal and replacement of existing improvements damaged as a result of the construction of this project, as directed by the City Engineer.
- ENG 14. Remove the existing driveway approaches and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards.
- ENG 15. Remove the existing street improvements as necessary to construct a driveway approach approximately 24 feet wide for the northerly access point with the centerline of the driveway approach located approximately 275 feet south of the centerline of Alejo Road. The driveway approach shall be constructed in accordance with City of Palm Springs Standard Drawing No. 205. Any removal or relocation of existing landscaping and irrigation improvements shall be coordinated with the City Engineer prior to removal or relocation. Access shall be limited to left-turn ingress and egress only.
- ENG 16. Remove the existing street improvements as necessary to construct a new private vehicle entryway approximately 25 feet wide for the southerly access point with the centerline of the new private vehicle entryway located approximately 180 feet north of the south property line. The new private vehicle entryway shall be constructed with 25 feet radius curb returns and spandrels, and a 6 feet wide cross-gutter, in accordance with City of Palm Springs Standard Drawing No. 200 and 206. Any removal or relocation of existing landscaping and irrigation improvements shall be coordinated with the City Engineer prior to removal or relocation. Access shall be limited to left-turn ingress and egress only.
- ENG 17. Construct a Type A curb ramp meeting current California State Accessibility standards on each side of the driveway approach and new private vehicle entryway, in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway and entryway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

ENG 18. All broken or off grade street improvements shall be repaired or replaced.

ALEJO ROAD

ENG 19. Remove the existing driveway approaches and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards.

ENG 20. Remove the existing street improvements as necessary to construct a minimum 24 feet wide driveway approach with the centerline of the driveway approach located approximately 175 feet east of the centerline of Palm Canyon Drive. The driveway approach shall be constructed in accordance with City of Palm Springs Standard Drawing No. 205. Access shall be limited to right-turn ingress and egress only.

ENG 21. Construct a Type A curb ramp meeting current California State Accessibility standards on each side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

ENG 22. Construct a sidewalk from back of curb to property line along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210. The construction shall be adjacent to the curb with colored Portland Cement concrete to match existing colored concrete sidewalk along the project frontage of Alejo Road.

ENG 23. Construct a 4 feet wide raised, decorative median island from Palm Canyon Drive to Indian Canyon Drive. The raised, decorative median shall follow the general alignment of the existing centerline striping. The interior of the median shall be constructed with decorative stamped concrete.

ENG 24. All broken or off grade street improvements shall be repaired or replaced.

ON-SITE

ENG 25. All on-site private two-way drive aisles shall have a minimum travelway width of 24 feet.

ENG 26. The minimum pavement section for all on-site pavement shall be 2½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall

be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

SANITARY SEWER

ENG 27. All sanitary facilities shall be connected to the public sewer system. The existing sewer services to the property may be used for new sanitary facilities. New sewer laterals shall not be connected to existing sewer manholes.

GRADING

ENG 28. Submit a Precise Grading and Paving Plan prepared by a California registered civil engineer to the Engineering Division for review and approval. The Precise Grading and Paving Plan shall be approved by the City Engineer prior to issuance of grading permit.

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

- ENG 29. Prior to approval of the Grading Plan or issuance of a Grading Permit, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.
- ENG 30. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 31. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 32. 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, temporary dust control perimeter fencing shall be removed, as required by the City Engineer.
- ENG 33. Contact Desert Water Agency at (760) 323-4971 Ext. 146 to determine impacts to any existing Whitewater Mutual Water Company water lines and other facilities that may be located within the property if any. Make appropriate arrangements to protect in place or relocate any facilities that are impacted by the development. A letter of approval for relocated or adjusted facilities from Desert Water Agency shall be submitted to the Engineering Division prior to approval of the Grading Plan.
- ENG 34. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board (Phone No. (760) 346-7491). A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.

- ENG 35. Projects causing soil disturbance of one acre or more, must comply with the General Permit for Stormwater Discharges Associated with Construction Activity, and shall prepare and implement a stormwater pollution prevention plan (SWPPP). The project applicant shall cause the approved final project-specific Water Quality Management Plan 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 36. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), 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 37. 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 38. 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 39. The applicant shall provide pad elevation certifications for all building or structure pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building or structure foundation.
- ENG 40. 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 41. 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 contaminated stormwater and non-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 contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any). Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMP's).
- ENG 42. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property (or public streets) is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- ENG 43. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Property Owner Association Covenants, Conditions, and Restrictions (CC&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to the issuance of any grading or building permits.

ENG 44. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

GENERAL

ENG 45. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

ENG 46. All proposed utility lines shall be installed underground.

ENG 47. 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 48. 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 49. 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 50. Nothing shall be constructed or planted in the corner cut-off area of any 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 51. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.
- ENG 52. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

MAP

- ENG 53. The existing parcels currently identified by Assessor's Parcel No. (APN) 513-081-002, APN 513-081-003, APN 513-081-004, APN 513-081-005, and APN 513-081-006, and APN 513-081-023, generally described as Lots 1, 2, 3, and 4, respectively, of Block 24, of Palm Springs Townsite, as shown on map filed in Map Book 9, Page 432 (records of San Diego County), shall be merged. An application for a parcel merger shall be submitted to the Engineering Division for review and approval. A copy of a current title report and copies of record documents shall be submitted with the application for the parcel merger. The application shall be submitted to and approved by the City Engineer prior to issuance of building permit.

TRAFFIC

- ENG 54. As determined by the Rael Development Traffic Impact Study submitted by RK Engineering Group, Inc. (as amended on 7/12/06), the following mitigation measures will be required:
- Install a 24 inch stop sign, stop bar, and "STOP" legend for traffic exiting the development at all project access points, in accordance with City of Palm Springs Standard Drawing Nos. 620-625.
 - The project access point on Alejo Road is restricted to right-turn ingress and egress only; install traffic striping and signage improvements to implement the access restrictions as required by the City Engineer.

- The project access points on Palm Canyon Drive and Indian Canyon Drive are restricted to left-turn ingress and egress only; install traffic striping and signage improvements to implement the access restrictions as required by the City Engineer.
- Install a "Private Street" sign on either end of the on-site private vehicle entryway between Palm Canyon Drive and Indian Canyon Drive.

- ENG 55. Any additional mitigation measures as determined by the approved version of the Port Lawrence amended Traffic Impact Study submitted by RK Engineering Group, Inc. (dated July 8, 2011) will be required to be incorporated into the project.
- ENG 56. Revise the traffic striping on Alejo Road to accommodate construction of the four feet wide median, as required by the City Engineer. Submit traffic striping and signage plans prepared by a California registered Civil Engineer or Traffic Engineer for review and approval by the City Engineer.
- ENG 57. All required traffic striping and signage improvements shall be completed in conjunction with required street improvements, to the satisfaction of the City Engineer, and prior to issuance of a certificate of occupancy.
- ENG 58. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Minimum clearance on public sidewalks or pedestrian paths of travel shall be provided by either an additional dedication of a sidewalk easement (if necessary) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the Palm Canyon Drive, Indian Canyon Drive, and Alejo Road frontages of the subject property.
- ENG 59. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 60. 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 61. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid 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 July 21, 2011. Additional requirements may be required at that time based on revisions to site plans.
- FID 2** Fire Department Conditions were based on the 2010 California Fire Code. Four complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.
- FID 3** **Plot Plan:** Prior to completion of the project, an 8.5"x11" plot plan or drawing, and an electronic version in an industry standard file format capable of being used in a geographical information system (GIS) preferably an ESRI shape file(s) shall be provided to the fire department. The GIS file shall be projected in the California State Plane Zone VI coordinate system and capable of being re-projected into the North American Datum 1983 coordinate system. PDF files by themselves will not meet this requirement. The GIS and ESRI shape file(s) shall clearly show all access points, fire hydrants, KNOX™ box locations, fire department connections, dwelling unit or suite identifiers, main electrical panel location(s), sprinkler riser and fire alarm locations. Industry standard symbols used in emergency management and pre-fire planning are encouraged. Large projects may require more than one page. AutoCAD files will be accepted but must be approved prior to acceptance.
- FID 4** **PLANS AND PERMITS**
When there are significant changes in occupancy, water supply, storage heights, type, and quantity of storage, storage configurations, Tenant Improvements or any other changes which may affect the fire sprinkler system design, the owner, tenant or contractor shall submit plans and secure permits.

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain two sets.

Plans shall be submitted to:

City of Palm Springs
Building and Safety Department
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
Counter Hours: M – TH, 8:00 AM – 11:00 AM and 2:00 PM – 6:00 PM

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. The minimum fee is \$ 208.00. These fees are established by Resolution of the Palm Springs City Council.

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

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

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

FID 5

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

FID 6

Radio Communications: Must install an in-building Public Safety Radio Communications Coverage System composed of a radiating cable system or an internal multiple antenna system with FCC-certified bi-directional 800 MHz and 150 MHz (as required to meet the two indicated 150 MHz frequencies) amplifier(s), distribution system, and subcomponents shall be required for all buildings in excess of three stories, or has subterranean floors, or subterranean parking. Any addition, alteration, or enlargement

of twenty percent or more in total floor area of an existing building or structure, then such building or structure shall be retrofitted or otherwise modified to comply with these requirements. This system must meet the City of Palm Springs Public Safety Radio System Coverage Specifications as stated in the Palm Springs Municipal Code Chapter 11.03.

FID 7 Photovoltaic System: Photovoltaic system design and installation must be approved by the fire department. Detailed plans need to be submitted for review and include allowable roof access to perform fire suppression and rescue operations.

FID 8 Trash Dumpster (CFC 304.3.3) Dumpsters and containers with an individual capacity of 1.5 cubic yards [40.5 cubic feet (1.15 m³)] or more shall not be stored in buildings or placed within 5 feet (1524 mm) of combustible walls, openings or combustible roof eave lines.

Exceptions:

1. Dumpsters or containers in areas protected by an approved automatic sprinkler system installed throughout in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

2. Storage in a structure shall not be prohibited where the structure is of Type I or IIA construction, located not less than 10 feet (3048 mm) from other buildings and used exclusively for dumpster or container storage.

FID 9 Ceiling Clearance (CFC 315.2.1): Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings or 18 inches or more below sprinkler head deflectors in sprinklered areas of buildings. Attention to this requirement during installation of storage shelving will reduce problems later.

FID 10 Equipment Room Storage (315.2.3): Combustible material shall not be stored in boiler rooms, mechanical rooms or electrical equipment rooms.

FID 11 Combustible Outside Storage (CFC 315.3): Outside storage of combustible materials shall not be located within 10 feet (3048 mm) of a property line.

FID 12 Storage Beneath Overhead Projections From Buildings (CFC 315.3.1): Where buildings are protected by automatic sprinklers, the outdoor storage, display and handling of combustible materials under eaves, canopies or other projections or overhangs is prohibited except where automatic sprinklers are installed under such eaves, canopies or other projections or overhangs.

- FID 13** **Fencing Requirements (8.04.260 PSMC):** Construction site fencing with 20 foot wide access gates is required for all combustible construction over 5,000 square feet. Fencing shall remain intact until buildings are stuccoed or covered and secured with lockable doors and windows.
- FID 14** **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 15** **Access Road Dimensions (CFC 503.2.1):** 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 16** **Fire Apparatus Access Gates (8.04.260 PSMC):** Entrance gates shall have a clear width of at least 15 feet and be equipped with a frangible chain and padlock.
- FID 17** **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 18** **Fire Department Access:** Roads/driveways shall be provided so that no portion of the exterior wall of the first floor of any building will be more than 150 feet from such roads.
- FID 19** **Fences (CFC 503.1.5):** When fences are installed that cause the distance from an approved fire department access road to exceed the maximum distance allowed in Section 503 herein, a gate shall be provided in the fence to maintain the required fire department access. The gate shall be a minimum four (4) feet in width and be equipped with a key box and/or lock accessible from both sides in accordance with Section 506 herein.
- FID 20** **Dimensions (CFC 503.2.1):** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet except for approved security

gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches.

FID 21 **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.

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. Decomposed granite (DG), grass, dirt, sand and other materials that can wash away, develop ruts or be dug up shall not be used. Interlocking pavers, turf block or other similar materials may be allowed, subject to the provision of proper base material and compliance with City Engineering Department compaction requirements. Prior to permit sign-off, compaction test results shall be submitted to the City Engineering Department for approval.

FID 22 **Aerial Access Proximity to Building (CFC 503.2.8.2):** At least one of the required access routes for buildings or facility exceeding 30 feet in height above the lowest level of fire department vehicle access shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.

FID 23 **Plot Plan:** Prior to completion of the project, a 8.5"x11" plot plan shall be provided to the fire department. This shall clearly show all access points & fire hydrants.

FID 24 **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 numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high for R-3 occupancies and 6" - 12" for all other occupancies depending on distance from street with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the *public* way, a monument, pole or other sign or means shall be used to identify the structure.

FID 25 **Key Box Required to be Installed (CFC 506.1):** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be

installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.

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

- FID 26 Key Box Contents (CFC 506.1):** The Knox key box shall contain keys to all areas of ingress/egress, alarm rooms, fire sprinkler riser/equipment rooms, mechanical rooms, elevator rooms, elevator controls, plus a card containing the emergency contact people and phone numbers for the building/complex.
- FID 27 Fire Hydrant Flow and Number of Fire Hydrants (CFC 508.5):** Fire hydrants shall be provided in accordance with CFC Appendix B, Fire Flow Requirements for Buildings, for the protection of buildings, or portions of buildings, hereafter constructed. The required fire hydrant flow for this project is 1,500 gallons per minute (CFC Appendix B) and one available fire hydrant must be within 250 feet from any point on your lot street frontage. (CFC Appendix C)
- FID 28 Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.
- FID 29 Water Plan (CFC 501.3 & 901.2):** A water plan for on-site and off-site is required and shall include underground private fire main for fire sprinkler riser(s), public fire hydrant(s), Double Check Detector Assembly, Fire Department Connection and associated valves.
- FID 30 Water Systems and Hydrants (CFC 508.1, 508.2, 508.4, 901.5 & 1412.1):** Underground private fire service mains and fire hydrants shall be installed, completed, tested and in service prior to the time when combustible materials are delivered to the construction site. (903 CFC) Installation, testing, and inspection will meet the requirements of NFPA 24, 2002 Edition. Prior to final approval of the installation, contractor shall submit a completed Contractors Material & Test Certificate for Underground Piping to the Fire Department. (10.10 NFPA 24, 2002 Edition).

- FID 31 Identification (CFC 510.1):** Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.
- FID 32 Elevator Recall Required (CFC 607.1):** Existing elevators with a travel distance of 25 feet (7620 mm) or more above or below the main floor or other level of a building and intended to serve the needs of emergency personnel for fire-fighting or rescue purposes shall be provided with emergency operation in accordance with ASME A17.3. **New elevators** shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with ASME A17.1.
- FID 33 NFPA 13 Fire Sprinkler System is Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA 13, 2010 Edition and using C_p of 0.74 and l/r Ratio of 200. No portion of the fire sprinkler system shall be installed prior to plan approval. Prior to final approval of the installation, contractor shall submit a completed Contractors Material and Test Certificate for Aboveground Piping to the Fire Department. (NFPA 13: Figure 24.1)
- FID 34 Balconies and Decks (903.3.1.2.1).** Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.
- FID 35 Audible Water Flow Alarms (CFC 903.4.2):** An approved audible sprinkler flow alarm (Wheelock horn/strobe # MT4-115-WH-VFR with WBB back box or equal) shall be provided on the exterior of the building in an approved location. An approved audible sprinkler flow alarm (Wheelock horn/strobe # MT4-115-WH-VFR with WBB back box or equal) to alert the occupants shall be provided in the interior of the building in a normally occupied location.
- FID 36 Valve and Water-Flow Monitoring (CFC 903.4):** All valves controlling the fire sprinkler system water supply, and all water-flow switches, shall be electrically monitored. All control valves shall be locked in the open

position. Valve and water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station.

FID 37 Residential Smoke and Carbon Monoxide Alarms Installation with Fire Sprinklers (CFC 907.2.10.1.2, 907.2.10.2 & 907.2.10.3; CRC R315): Provide and install Residential Smoke and Carbon Monoxide Alarms (Kidde SM120X Relay / Power Supply Module connected to multi-station Kidde smoke and carbon monoxide alarms or equal system and fire sprinkler flow switch). Alarms shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alarms shall be interconnected so that operation of any smoke alarm, carbon monoxide alarm or fire sprinkler flow switch causes all smoke and carbon monoxide alarms within the dwelling to sound and activate the exterior horn/strobe.

The wiring of this system shall be in accordance with Kidde SM120X Relay / Power Supply Module manual. The 120 volt device wired to turn on when alarm sounds is the exterior horn / strobe. The pull for fire device is the fire sprinkler flow switch.

FID 38 Penetrations of Fire Rated Assemblies (CBC 712): Penetrations of fire sprinkler piping shall maintain fire-resistive assemblies integrity with fire rated caulking or other approved methods compatible with piping materials.

FID 39 Central Station Protective Signaling Service (CFC 903.4.1): A UL listed and certified Protective Signaling Service (Central Station Service) is required. Provide the Fire Department with proof of listing and current certificate. The Fire Department shall be notified immediately of change in service.

FID 40 Fire Hydrant & FDC Location (CFC 912.2): A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases.

FID 41 Fire Department Connections (CFC 912.2.1 & 912.3): Fire Department connections shall be visible and accessible, have two 2.5 inch NST female inlets, and have an approved check valve located as close to the FDC as possible. All FDC's shall have KNOX locking protective caps. Contact the fire prevention secretary at 760-323-8186 for a KNOX application form.

FID 42 Ventilating Hood & Duct System (CFC 904.11 & CMC 507.1): A Type I ventilating hood and duct system shall be provided for commercial-type

food heat-processing equipment that produces smoke or grease-laden vapors.

- FID 43** **Termination of Exhaust System (NFPA 96: 7.8):** Rooftop termination shall be arranged or provided with the following:
(a) A minimum of 10 ft of horizontal clearance from the outlet to adjacent buildings, property lines, and air intakes.
(b) A minimum of 5 ft of horizontal clearance from the outlet (fan housing) to any combustible structure.
(c) A vertical separation of 3 ft below any exhaust outlets for air intakes within 10 ft of the exhaust outlet.
(d) Listed grease collection system.
- FID 44** **Fire Extinguishing System Required (CFC 904.11):** Approved UL 300 automatic fire-extinguishing systems shall be provided for the protection of commercial type-cooking equipment.
- FID 45** **Automatic Power and Fuel Shutoffs (CFC 904.11.2 & CMC 513.4.1):** The automatic fire extinguishing system shall be interconnected to the fuel or current supply for cooking equipment. The interconnection shall shut off all cooking equipment and electrical receptacles which are located under the hood when the system is actuated. Shutoff valves or switches shall be of a type that requires manual operation to reset.
- FID 46** **Fire Extinguishing System Annunciation (CMC 513.6.2):** Where a fire alarm signaling system is serving the occupancy where the extinguishing system is located, the activation of the automatic fire-extinguishing system shall activate the fire alarm signaling system.
- FID 47** **Portable Fire Extinguishers for Food Processing Equipment (CFC 906.1 & 4):** In addition to the fixed system, a fire extinguisher listed and labeled for Class K fires shall be installed within 30 feet of commercial food heat processing equipment, as measured along an unobstructed path of travel. The preferred location is near the exit from the cooking equipment area.
- FID 48** **Standpipe Systems Required (CFC 905.3):** Class 1 Standpipe system is required in addition to the automatic sprinkler system.
- FID 49** **Fire Alarm System:** Fire alarm system is required and installation shall comply with the requirements of NFPA 72, 2007 Edition.
- FID 50** **HVAC Duct Smoke Detection/Shut Down with a Fire Sprinkler Supervision & Alarm System or Fire Alarm System (CFC 907.4.1, CMC 609.0 & NFPA 72):** All HVAC systems supplying greater than 2,000 CFM shall require a duct detector and HVAC shut down when smoke is

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

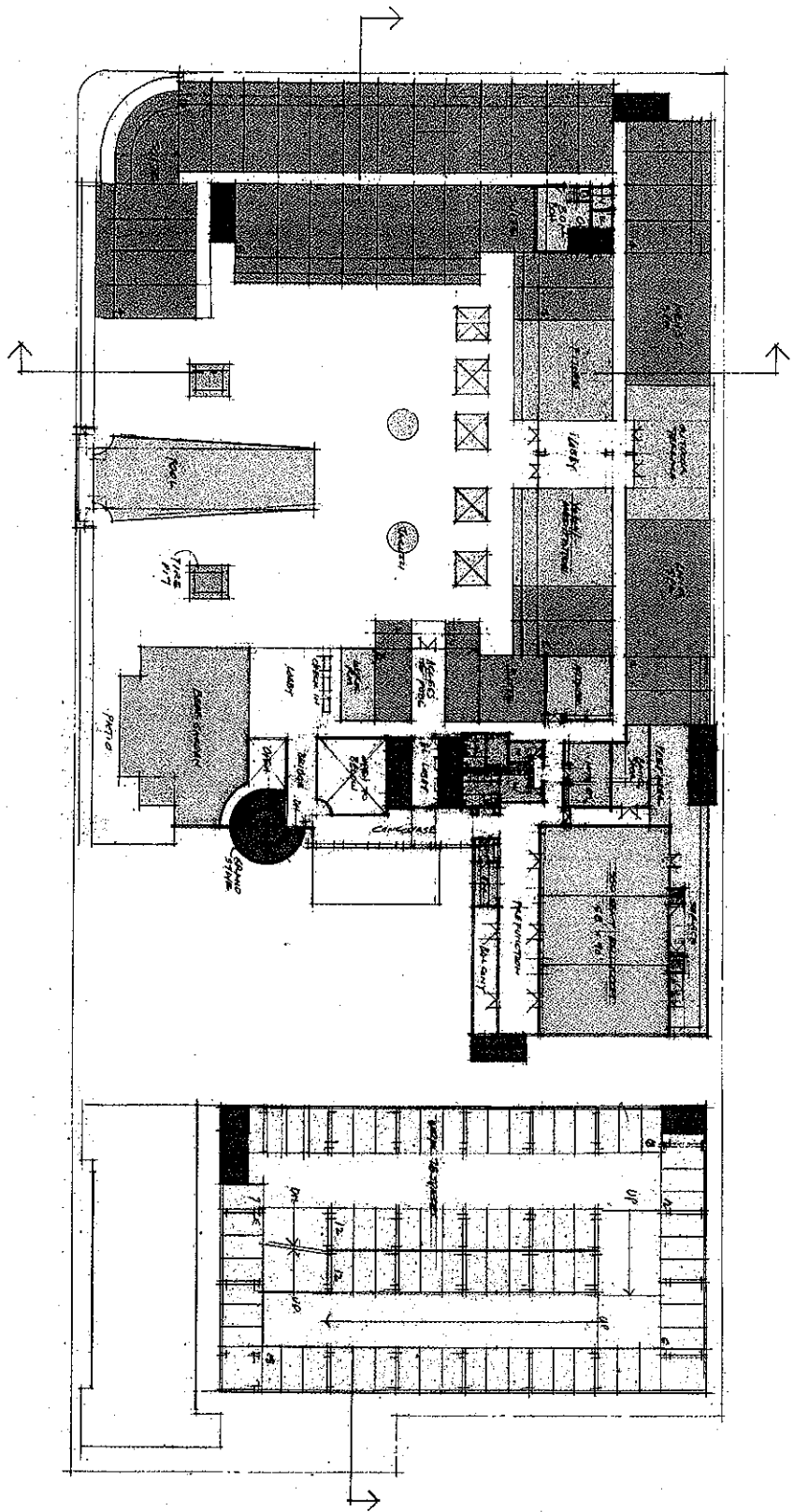
- FID 51** **Fire Extinguisher Requirements (CFC 906):** Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.
- FID 52** **Portable Fire Extinguishers for Food Processing Equipment (CFC 906.1 & 4):** In addition to the fixed system, a fire extinguisher listed and labeled for Class K fires shall be installed within 30 feet of commercial food heat processing equipment, as measured along an unobstructed path of travel. The preferred location is near the exit from the cooking equipment area.
- FID 53** **Posting of Occupant Load (CFC 1004.3):** Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.
- FID 54** **Means of Egress Illumination (CFC 1006.1 & 2):** Any time a building is occupied, the means of egress shall be illuminated at an intensity of not less than 1 foot-candle at the floor level.
- FID 55** **Means of Egress Illumination Power Supply (CFC 1006.3):** The power supply for means of egress illumination shall normally be provided by the premises' electrical supply. In the event of power supply failure, an emergency electrical system shall automatically illuminate in defined areas listed in the CFC.
- FID 56** **Required Exit Signs (CFC 1011.1):** Exits & exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. Access to exits shall be marked by readily visible exit signs in cases where the exit or path is not immediately visible to occupants. No point in the corridor shall be more than 100 feet or the listed viewing distance for the sign, which ever is less, from the nearest visible sign.
- FID 57** **Exit Sign Illumination (CFC 1011.2, 4 & 5):** Exit signs shall be internally or externally illuminated. When the face of an exit sign is illuminated from an external source, it shall have an intensity of not less than 5 foot-

candles from either of two electric lamps. Internally illuminated signs shall provide equivalent luminance and be listed for the purpose.

- FID 58** **Exit or exit access doorways required. (CFC 1015.1)** Two exits or exit access doorways from any space shall be provided. Occupant load noted in the Conditional use permit is greater than 49 and thus requires two exits.
- FID 59** **Two exits or exit access doorways. (CFC 1015.2.1)** Where two exits or exit access doorways are required from any portion of the exit access, the exit doors or exit access doorways shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between exit doors or exit access doorways.
- FID 60** **Fire Dampers (CMC 606.2):** They shall be provided where air ducts penetrate fire-rated walls or ceilings.
- FID 61** **Elevator Stretcher Requirement (CBC 3002.4):** Elevator shall be designed to accommodate medical emergency service in buildings four or more stories above grade plane or four or more stories below grade plane, at least one elevator shall be provided for fire department emergency access to all floors. The elevator(s) so designed shall accommodate the loading and transport of an ambulance gurney or stretcher 24 inches by 84 inches.

END OF CONDITIONS

PORT LAWRENCE
 A LAWRENCE & GRAEME PAEL DEVELOPMENT
 PALM SPRINGS, CALIFORNIA



SCALE: 1" = 20'-0"
 0 20 40 80

SECOND FLOOR
 PLAN (PODIUM)

07-20-01

LEE & SAKAHARA
 ARCHITECTS AIA
 ARCHITECTS AT LARGE ARCHITECTS
 1000 N. CALIFORNIA AVENUE, SUITE 200
 PALM SPRINGS, CALIFORNIA 92262
 PHONE: 760.770.7300 FAX: 760.770.7301



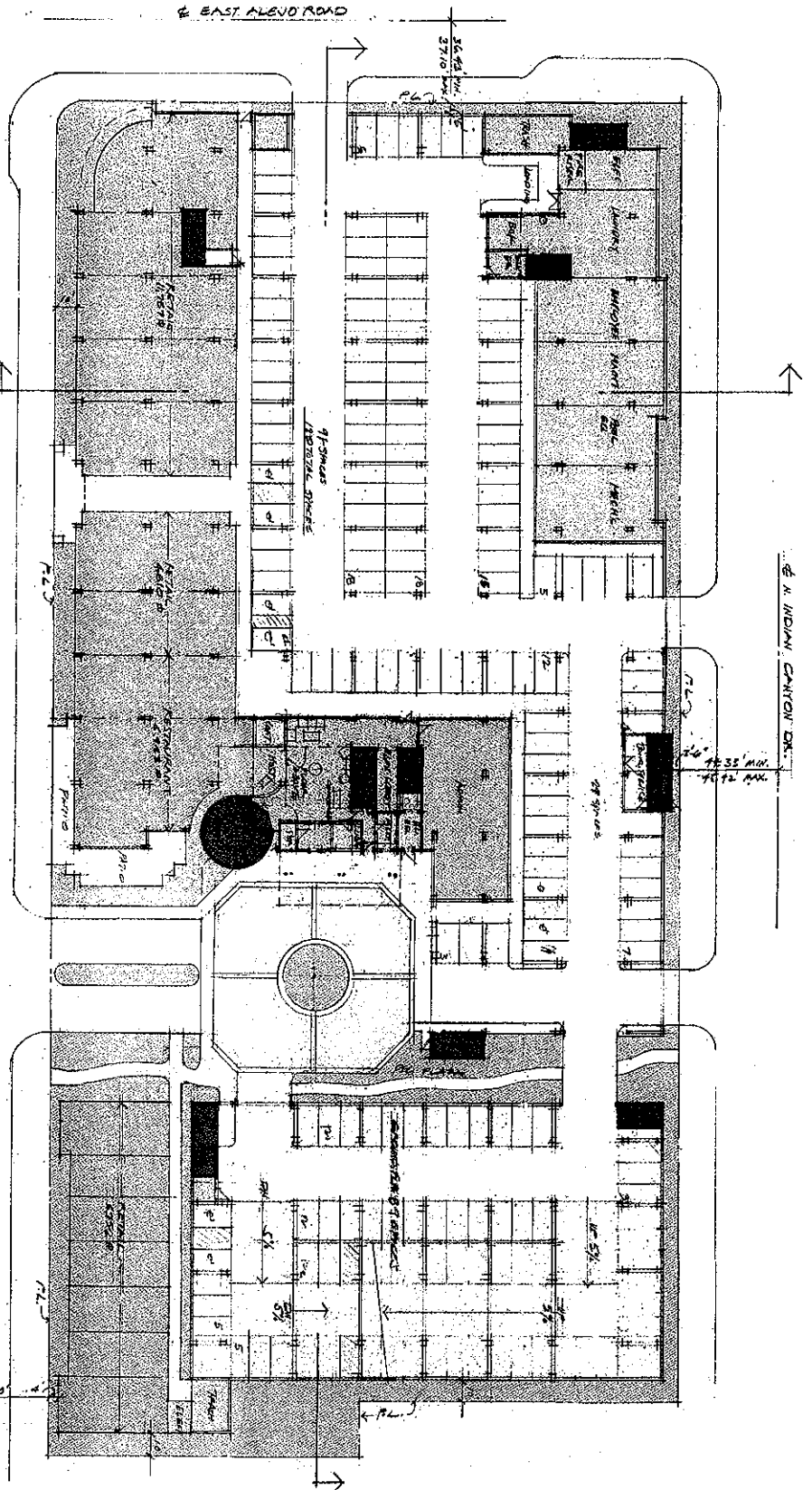
PORT LAWRENCE

A LAWRENCE & GRAEME RAEI DEVELOPMENT

PALM SPRINGS, CALIFORNIA

HOTEL: 175 ROOMS (161,489 S.F.)
 RETAIL: 23,319 S.F. RENTABLE
 RESTAURANT: 6,923 S.F.
 POOL DECK: ~30,000 S.F.
 PODIUM: ~98,000 S.F.

PARKING:
 PODIUM PARKING: 120 SPACES
 PARKING STRUCTURE: 192 SPACES
 TOTAL: 312 SPACES



SCALE 1" = 20'-0"

07/20/11

GROUND FLOOR /
 SITE PLAN

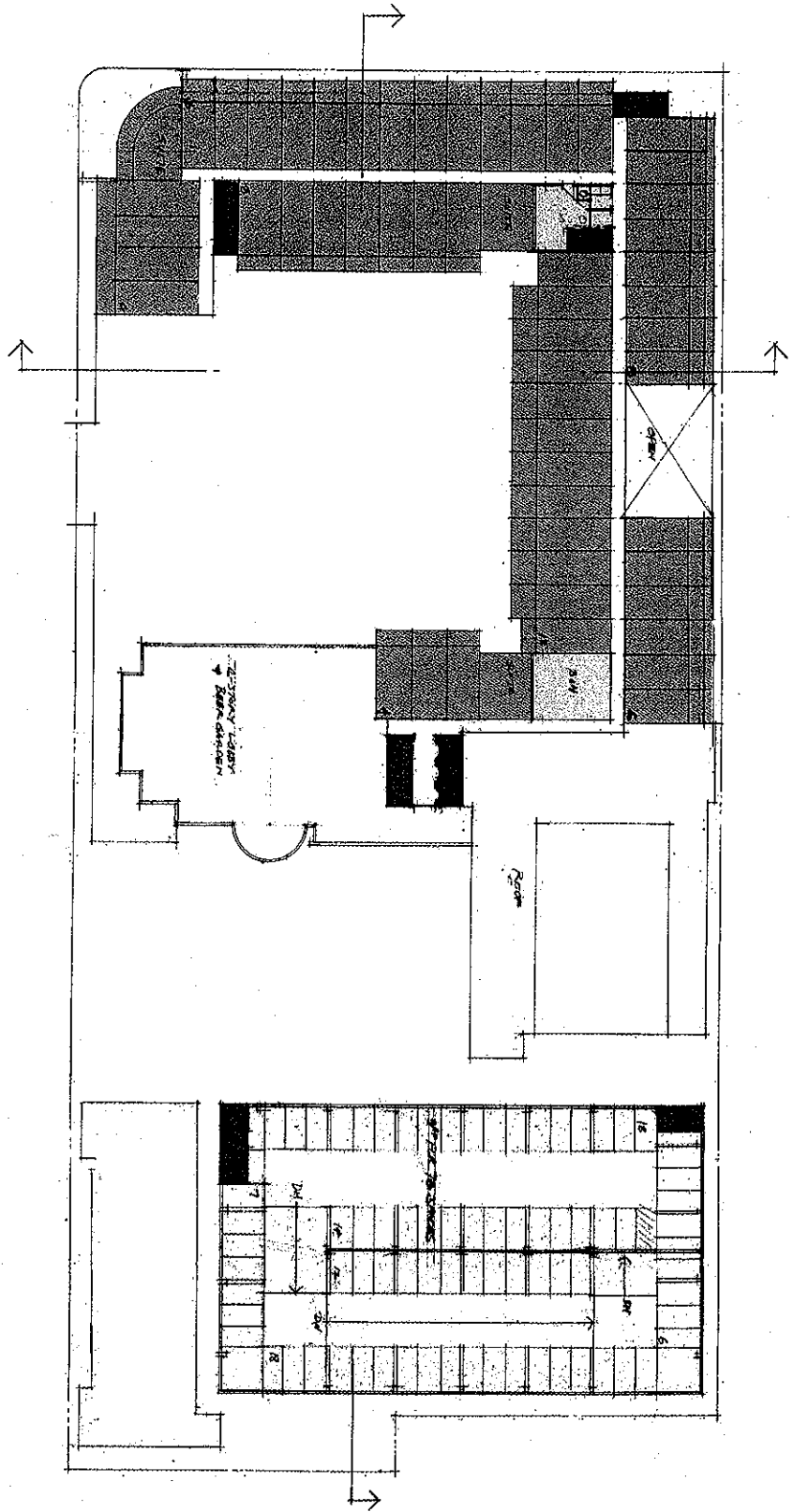
LEE & SAKAHARA
 ARCHITECTS AIA
 ARCHITECTS IN ANNUAL MEETING
 1000 CALIFORNIA STREET, SUITE 200
 PALM SPRINGS, CALIFORNIA 92262
 PH: 951.321.1111 FAX: 951.321.1111



PORT LAWRENCE

A LAWRENCE & GRAEME RAEL DEVELOPMENT

PALM SPRINGS, CALIFORNIA



SCALE: 1" = 20'-0"

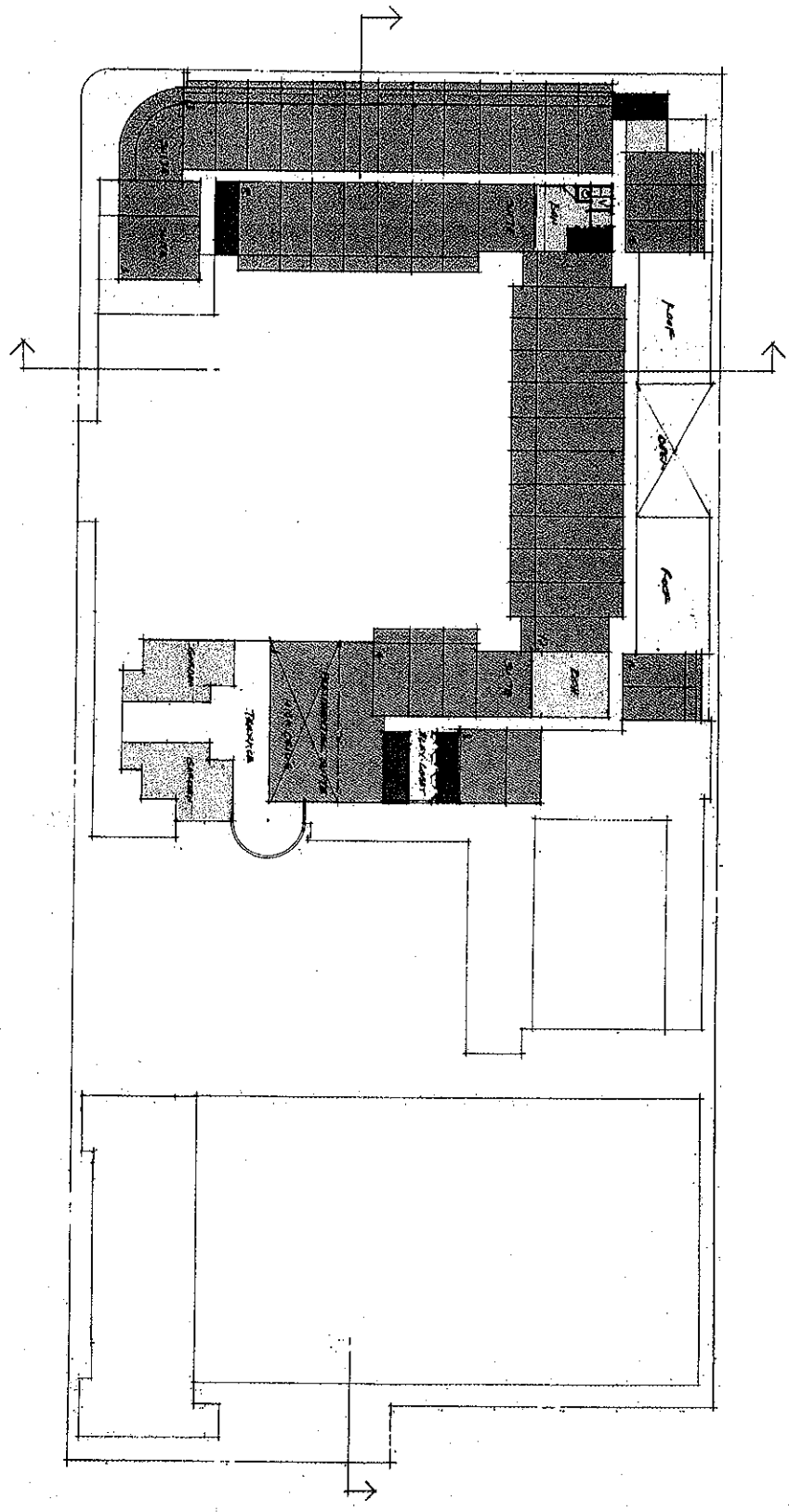
07-20-11

THIRD FLOOR
PLAN

LEE & SAKAHARA
ARCHITECTS AIA
ARCHITECTS AIA
REGISTERED ARCHITECTS
REGISTERED ARCHITECTS
REGISTERED ARCHITECTS



PORT LAWRENCE
A LAWRENCE & GRAEME RAEL DEVELOPMENT
PALM SPRINGS, CALIFORNIA



SCALE: 1" = 20'-0"
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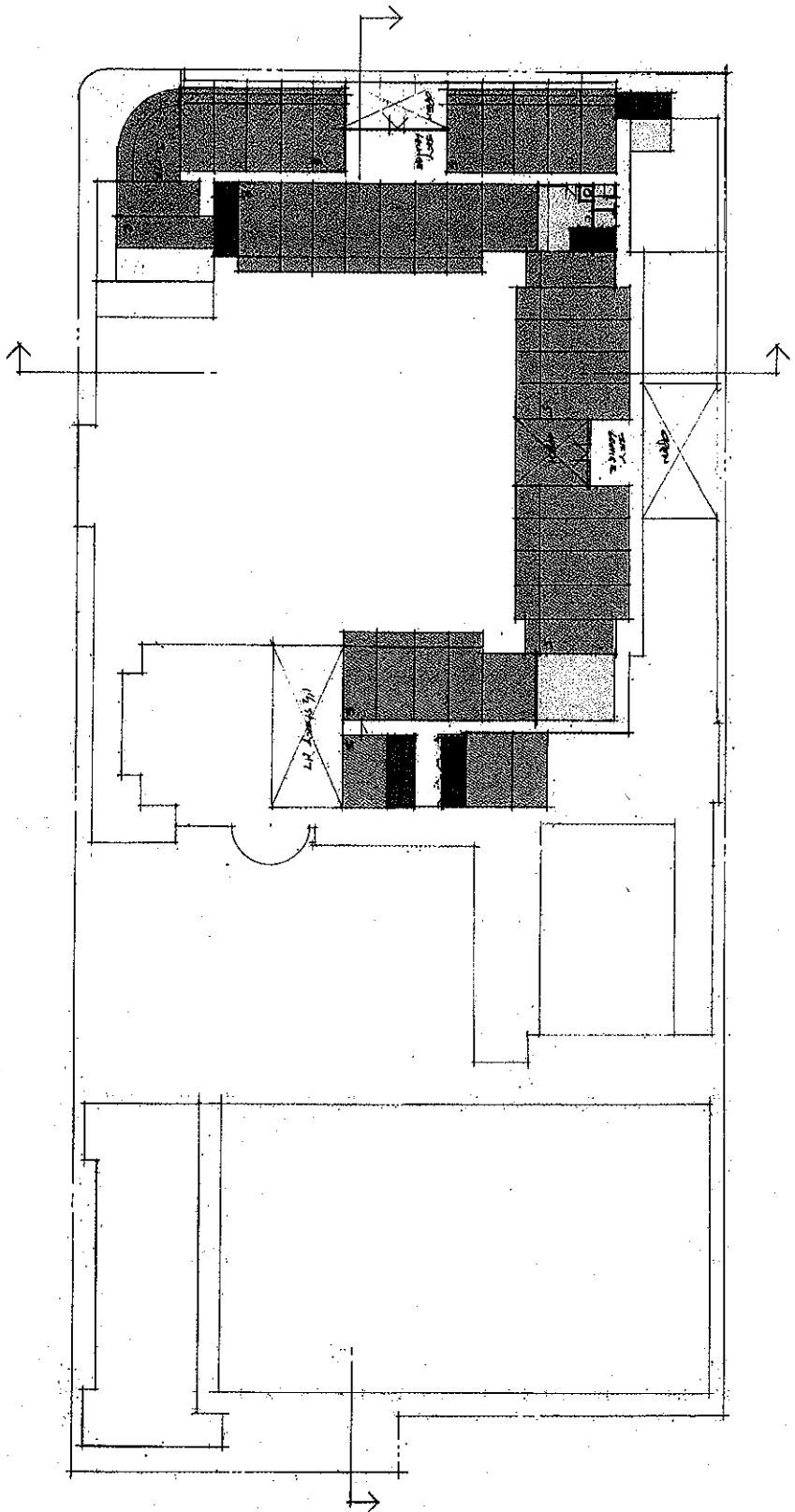
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FOURTH FLOOR
PLAN

LEE & SAKAHARA
ARCHITECTS AIA
ARCHITECTS PLANNING ENGINEERS
3000 N. CALIFORNIA AVENUE
PALM SPRINGS, CALIFORNIA 92262
TEL: 951-251-1100 FAX: 951-251-1104



PORT LAWRENCE
A LAWRENCE & GRAEME RAELI DEVELOPMENT
PALM SPRINGS, CALIFORNIA



SCALE: 1" = 20'-0"
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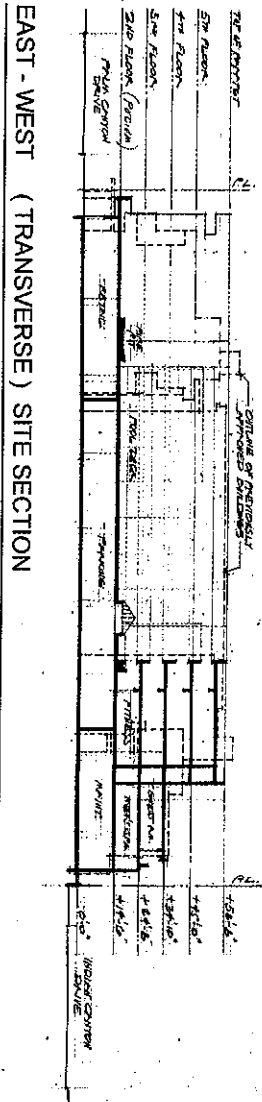
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**FIFTH FLOOR
PLAN**

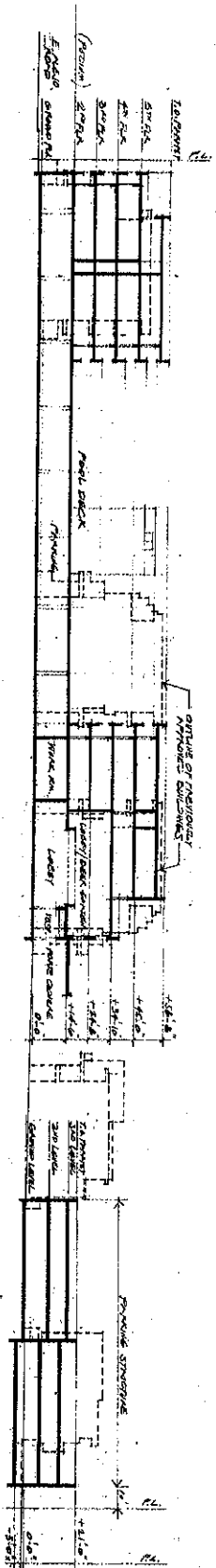
**LEE & SAKAHARA
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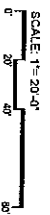
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 PALM SPRINGS, CALIFORNIA



EAST - WEST (TRANSVERSE) SITE SECTION



NORTH - SOUTH (LONGITUDINAL) SITE SECTION

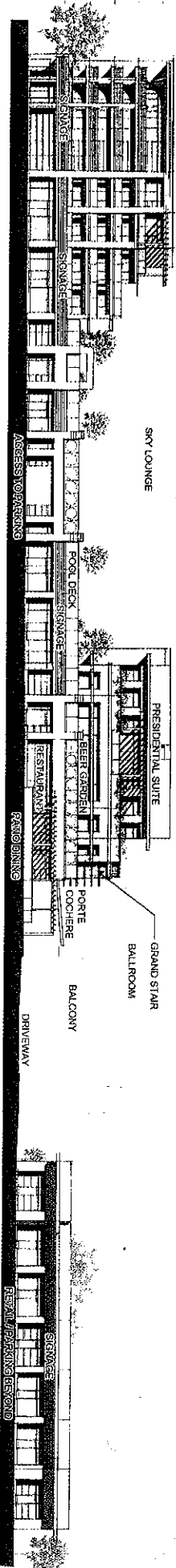


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SITE SECTIONS

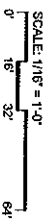
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 ARCHITECTS FORWARD THINKING
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PORT LAWRENCE
A LAWRENCE & GRAEME RAEL DEVELOPMENT

PALM SPRINGS, CALIFORNIA



08-01-11

N. PALM CANYON DRIVE
CONCEPTUAL ELEVATION

LEE & SAKAHARA
ARCHITECTS AIA
ARCHITECTS AND INTERIORS
1000 N. PALM CANYON DRIVE, SUITE 200
PALM SPRINGS, CALIFORNIA 92262

