



Planning Commission Staff Report

DATE: September 10, 2014

SUBJECT: PALM SPRINGS PROMENADE, LLC FOR A REVISED ARCHITECTURAL APPLICATION TO CONSTRUCT A TWO-STORY COMMERCIAL BUILDING ON BLOCK B OF THE DOWNTOWN PALM SPRINGS RENOVATION PROJECT LOCATED AT THE SOUTHWEST CORNER OF ANDREAS ROAD AND PALM CANYON DRIVE, ZONE CBD (CASE 3.3606 MAJ).

FROM: Department of Planning Services

SUMMARY

The Planning Commission will review a revised Major Architectural application for the development of block "B" within the downtown renovation project. The applicant proposes a new two-story commercial building with ground floor retail / restaurants and second floor offices. Plans are being prepared and will be presented at next week's Architectural Advisory Committee and Planning Commission meetings.

RECOMMENDATION:

Review revised plans and if desired approve, subject to conditions.

ISSUES:

- Staff analysis of plans to be completed once submitted by applicant

BACKGROUND:

Planning Areas		
Specific Plan	Yes	<i>Museum Market Specific Plan</i>
Design Plan	Yes	<i>Museum Market Specific Plan</i>
Airport Overlay	None	
Indian Land	None	

Related Relevant City Actions to Downtown Palm Springs Renovation Project	
Dec. 2, 2009	The City Council made findings, adopted a Mitigation Monitoring and Reporting Program, adopted a Statement of Overriding Considerations, and certified the Museum Market Specific Plan Environmental Impact Report ("Specific Plan EIR") and adopted Ordinance 1764, thereby approving the Museum Market Plaza Specific Plan. The Specific Plan covers the design guidelines and development standards for the area commonly known as the Desert Fashion Plaza.
Sept. 29, 2011	The City and Palm Springs Promenade, LLC, entered into a Project Financing Agreement applicable to the financing, development, redevelopment, creation and refurbishment of public and private improvements within the Specific Plan area (the "Agreement"). The Agreement included, among other things, a Site Plan and Project Description depicting the proposed improvements.
Oct. 17, 2012	The City Council approved Amendment No. 2 to the Project Financing Agreement between the City and Palm Springs Promenade, LLC (the "Amendment"). The Amendment included an Updated Site Plan and "Updates to Project Description" reflecting modifications to the proposed improvements originally approved in the Agreement. The Amendment provided that the Updated Site Plan and Updates to Project Description amended and superseded the original Site Plan and Project Description, respectively, in the Agreement. On October 17, 2012, the City Council also conducted a conformity review of the project described in the Amendment, as allowed by the Museum Market Plaza Specific Plan, and concluded that the project conformed to the policies and objectives of the Specific Plan. In support of these actions, the City Council adopted an Addendum to the Specific Plan EIR pursuant to the California Environmental Quality Act ("CEQA"). The City Council found that the proposed project described in the Amendment was within the scope of the Specific Plan EIR, and, based on the Specific Plan EIR and Addendum, found that no further environmental review was required. (Public Resources Code § 21166; California Code of Regulations, Title 14, §§ 15162, 15164.)
Dec. 5, 2012	The Planning Commission adopted resolutions recommending the Tentative Parcel Map and approving the three Major Architectural Approvals and the Planned Development District permit.
Dec. 6, 2012	The City received Councilmember request to review the Planning Commission actions on the project.
Dec. 19, 2012	The City Council approved the following applications as they relate to Downtown Palm Springs Project: <ul style="list-style-type: none"> • Tentative Tract Map 36446 to subdivide approx. 13.57 acres into 14 parcels for development and four lots for public infrastructure (Resolution 23226) • Planned Development District for a hotel with approximately 185

	<p>rooms, restaurants, meeting rooms, retail uses and ancillary uses on Block C (Resolution 23270)</p> <ul style="list-style-type: none"> • Major Architectural Applications as they relate to development of: <ul style="list-style-type: none"> ○ Block A (Resolution 23267) ○ Block B (Resolution 23268) ○ Block C (Resolution 23269)
Feb. 13, 2013	<p>The Planning Commission accepted the redesign of the façade and materials for the proposed hotel located on block C-1 with the following recommendations:</p> <ul style="list-style-type: none"> -A stronger emphasis be given to the landscape design. -A more integrated attitude about the public art component. -The design team to propose the colors for the building.
Mar. 6, 2014	<p>The City Council approved the revised hotel elevations and determined Condition of Approval No.1 of Resolution 23270 has been satisfied.</p>
May 28, 2014	<p>The Planning Commission reviewed Block C elevations and provided comments to City Council.</p>
June 18, 2014	<p>The City Council reviewed and approved Block C elevations.</p>
June 23, 2014	<p>The Architectural Advisory Committee (AAC) reviewed and tabled architectural applications to develop Block A with a three-story building and Block B with a one-story building.</p>
June 25, 2014	<p>The Planning Commission approved Major Architectural applications for the development of Block A with a three-story building and Block B with a one-story building.</p>
Aug. 27, 2014	<p>The Planning Commission reviewed revised elevations for the proposed three-story building on Block A and continued the item with direction to the applicant to provide additional exhibits and three-dimensional simulations showing the building within the overall downtown project.</p>
Sept. 8, 2014	<p>The AAC will review the proposed revisions to the three-story building on Block A and the revised application for a two-story building on Block B.</p>

BACKGROUND AND SETTING

Previously referred to as the Museum Market Plaza, the Downtown Palm Springs Project is located in the heart of the City's Business District, specifically at the northwest corner of North Palm Canyon Drive and West Tahquitz Canyon Way. The irregularly shaped property is bounded by Belardo Road to the north, Tahquitz Canyon Way to the south, Museum Drive to the west and North Palm Canyon Drive to the east.

The original Desert Fashion Plaza was built in the late 1960's; since then there have been several renovations and additions especially around the 1980's. The entire project site has been razed with the exception of a majority of the parking structure.

PROJECT DESCRIPTION AND ANALYSIS:

At its public hearing of December 19, 2012, the City Council reviewed and approved the Downtown Palm Springs Project consisting of a tentative tract map (TTM36446), three Major Architectural applications, and a Planned Development District application for a hotel in excess of sixty (60) feet. The three Architectural applications included Blocks A, B and C.

On June 25, 2014, the Planning Commission approved a Major Architectural application for a one-story retail building on Block B with direction to modify and enhance the building design. The applicant is now seeking approval of a revised Major Architectural application with an entirely redesigned building for Block B.

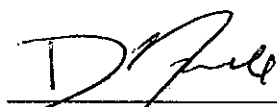
The project has been described by the applicant as follows:

- Ground floor footprint generally remains the same (approx. 17,450-square feet) as the project approved by Planning Commission on June 25, 2014
- Second story office added
- Building height to range from 27 to 37 feet in height
- Setbacks to be consistent with previous approval

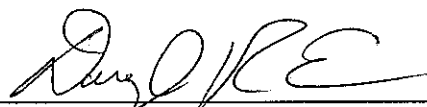
Based on the above, the project analysis will change slightly from that which was completed for the building approved by the Planning Commission on June 25th (see attached report).

The revised building will be reviewed by the Architectural Advisory Committee on September 8, 2014. A summary on the Committee's discussion and action will be provided to the Planning Commission.

Should the Planning Commission decide to approve the revised project, staff has attached the prior approval resolution (Planning Commission Resolution No. 6413) to this report for reference as most conditions would be the same with some minor adjustments. A complete analysis and draft resolution will be provided to the Commission prior to the meeting on September 10th.



David A. Newell
Associate Planner



Douglas R. Evans
Interim Director of Planning Services

Attachment:

1. 6/25/2014 Planning Commission Meeting Minutes (excerpt)
2. 6/25/2014 Planning Commission Staff Report (excerpt)
3. Planning Commission Resolution 6413

ACTION: Approve, subject to conditions, as amended:

- Shall meet all requirements set by City Engineer.
- 36" x Mesquite to shield adjoining 2353 Cantina Way.
- Property to be continuously maintained.

Motion: Commissioner Klatchko, seconded by Commissioner Lowe and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts, Commissioner Weremiuk, Vice Chair Hudson and Chair Donenfeld

4B. MARK TEMPLE, OWNER, FOR A MAJOR ARCHITECTURAL APPLICATION FOR A NEW 3,502-SQUARE FOOT HOUSE ON A MODIFICATION REQUESTING AN INCREASE IN BUILDING HEIGHT AT OCATED AT 771 LA MIRADA DRIVE, ZONE R-1-A, SECTION 22 (CASE 3.3733 MAJ AND 7.1423 AMM) (GM)

ASSOCIATE PLANNER NEWELL presented the proposed project as outlined in the staff report.

ACTION: Approve, subject to conditions.

Motion: Commissioner Roberts, seconded by Commissioner Weremiuk and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts, Commissioner Weremiuk, Vice Chair Hudson and Chair Donenfeld

4C. PALM SPRINGS PROMENADE, LLC FOR ARCHITECTURAL REVIEW OF BLOCKS A AND B OF THE DOWNTOWN PALM SPRINGS RENOVATION PROJECT LOCATED AT THE NORTHWEST AND SOUTHWEST CORNER OF ANDREAS ROAD AND PALM CANYON DRIVE, RESPECTIVELY; ZONE CBD. (CASE 3.3605 MAJ AND 3.3606 MAJ). (DN)

DIRECTOR WHEELER presented an overview on the proposed project.

COMMISSIONER CALERDINE questioned Block A parking access. Behind Block A is that pedestrian only? Where will the loading actually occur?

ASSOCIATE PLANNER NEWELL addressed the access points.

VICE-CHAIR HUDSON asked if there is language in the Specific Plan that requires 3D images, to see them together.

COMMISSIONER LOWE questioned if there would be a model. He would like a model for such a huge project.

COMMISSIONER ROBERTS expressed frustration in how it will work together.

COMMISSIONER KLATCHKO said he attended the AAC meeting when this project was presented and noted that they received the staff report last minute and were not prepared. He reported the comments from the AAC: they felt pressure earlier, colors did not match board, shading concern and floor plan is Block B may change regarding tenants.

ASSOCIATE PLANNER NEWELL distributed a perspective rendering of the entire project.

EMILY HEMPHILL, LEGAL REPRESENTATION FOR THE APPLICANT, reiterated that the project and part of the financing agreement will be reviewed by the City Council in July. She said that it is very critical of moving forward through the Planning process to show to prospective tenants.

MICHAEL BRAUN, APPLICANT, provided details pertaining to the project.

VICE-CHAIR HUDSON commented on the following: Block A is truly architecture; Block B has fallen apart; certain portions of the buildings are designed one way and the other part is being designed a different way. It's mundane and not up to the high standard of the development.

COMMISSIONER WEREMIUK asked what about the width of Market Street and type of materials. She would like 4' continuous shade around the building and questioned if Block B includes storefronts? She likes Block A, however, colors feel heavy.

MICHAEL BRAUN said they will certainly have colors return to the Planning Commission.

COMMISSIONER WEREMIUK said attention to detail in rear is important. Market Street and Paseo must be as user friendly as Palm Canyon.

COMMISSIONER ROBERTS said he met with Michael Braun earlier this week and thinks Block A is heavy and "blocky". He would like to move this forward. Block B needs to connect to other buildings architecturally. He suggested moving it forward and possibly have it come back with a subcommittee for design, material and color review. He said the Specific Plan is very clear on the requirements. Cooling systems are not shown. He sees miles and miles of concrete. Move this forward and come back with better design.

CHAIR DONENFELD said some basic elements are very important esp. shading, user-friendly and comfortable amenities. The colors shown are very dark.

MICHAEL BRAUN talked about the development which will include a misting system, umbrellas and street furniture, water features and free- Wi-Fi. This will return along with the landscape plan.

VICE-CHAIR HUDSON said it will take much more than colors or materials to make this a better building. He does not feel confident with this project and it does not incorporate any solar elements.

ACTION: Approve, subject to conditions, as amended:

- Shading and cooling plan to return.
- Review lighter color palette and materials to return.
- Improve architectural style for Block B
- Passive energy conservation to return.
- Condition ENG#36 to be removed and in ENG63 remove reference to Market St. and ENG82 #2 change north to south and add to last sentence "to be relocated north"

COMMISSIONER WEREMIUK proposed a substitute motion:

ACTION: Applicant to move forward; to review colors and materials, shading and misting system.

COMMISSIONER CALERDINE prefers strong statements in order to move forward.

COMMISSIONER ROBERTS said this convoluted and is not about the building size.

COMMISSIONER WEREMIUK withdrew her motion.

COMMISSIONER ROBERTS proposed an amendment to the motion:

- Redesign Block B within current size.
- Adhere to guidelines
- Passive energy for shading and solar to return.
- Building A - different colors and materials.

COMMISSIONER KLATCHKO said not a redesign and proposed an amendment:

- When tenants return shade, solar, misting and landscaping must be a part of proposal submitted.

COMMISSIONER LOWE agreed with Vice-Chair Hudson and does not think its right to move forward when so many items are not agreed upon.

COMMISSIONER CALERDINE proposed an amendment to his motion: Improve the architectural style for Block B. Accepted by CHAIR DONENFELD.

COMMISSIONER WEREMIUK said come back with landscape plan of Paseo.

COMMISSIONER ROBERTS said architectural style needs to be approved separately.

Motion: Commissioner Calerdine, seconded by Chair Donenfeld and carried 6-1-0 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts, Commissioner Weremiuk and Chair Donenfeld

NOES: Vice Chair Hudson

A recess was taken at 5:28 pm.

The meeting reconvened at 5:34 pm.

3F. CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) SECTION 94.02.01 RELATING TO LAND USE PERMITS. (CASE 5.1343 ZTA) (MW)

COMMISSIONER ROBERTS noted a conflict of interest due to property ownership in the area and would be abstaining from the discussion and vote. He left the Council Chamber.

DIRECTOR WHEELER presented the proposed project as outlined in the staff report and discussed the administrative procedure.

JOHN RAYMOND, DIRECTOR OF COMMUNITY AND REDEVELOPMENT, addressed the boundaries of the proposed amendment and the opportunities for this type of development.

ACTION: Recommend approval to the City Council.

Motion: Commissioner Weremiuk, seconded by Commissioner Lowe and carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe, Commissioner Weremiuk, Vice Chair Hudson and Chair Donenfeld

ABSTAIN: Commissioner Roberts

Commissioner Roberts re-entered the Council Chamber at 5:48 pm.



Planning Commission Staff Report

DATE: June 25, 2014

SUBJECT: PALM SPRINGS PROMENADE, LLC FOR ARCHITECTURAL REVIEW OF BLOCKS A AND B OF THE DOWNTOWN PALM SPRINGS RENOVATION PROJECT LOCATED AT THE NORTHWEST AND SOUTHWEST CORNER OF ANDREAS ROAD AND PALM CANYON DRIVE, RESPECTIVELY; ZONE CBD. (CASE 3.3605 MAJ AND 3.3606 MAJ).

FROM: Department of Planning Services

SUMMARY

The Planning Commission will review two architectural applications for the development of two downtown blocks, known as Blocks "A" and "B". Block A is proposed to be three-story building with ground floor retail / restaurants and second and third floor offices. Block B is proposed to be single-story retail.

RECOMMENDATION:

Approve, subject to conditions.

ISSUES:

- Minimal sidewalk shading proposed. Additional sidewalk shading should be considered via extended overhangs or other means.

BACKGROUND:

<u>Planning Areas</u>		
Specific Plan	Yes	<i>Museum Market Specific Plan</i>
Design Plan	Yes	<i>Museum Market Specific Plan</i>
Airport Overlay	None	
Indian Land	None	

Related Relevant City Actions to Downtown Palm Springs Redevelopment Project	
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Feb. 13, 2013	The Planning Commission accepted the redesign of the façade and materials for the proposed hotel located on block C-1 with the following

	recommendations: -A stronger emphasis be given to the landscape design. -A more integrated attitude about the public art component. -The design team to propose the colors for the building.
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June 18, 2014	The City Council reviewed and approved Block C elevations.
June 23, 2014	The Architectural Advisory Committee will review the proposed project. Staff will provide a recommendation summary to the Planning Commission.

BACKGROUND AND SETTING

Previously referred to as the Museum Market Plaza, the Downtown Palm Springs Project is located in the heart of the City's Business District, specifically at the northwest corner of North Palm Canyon Drive and West Tahquitz Canyon Way. The irregularly shaped property is bounded by Belardo Road to the north, Tahquitz Canyon Way to the south, Museum Drive to the west and North Palm Canyon Drive to the east.

The original Desert Fashion Plaza was built in the late 1960's; since then there have been several renovations and additions especially around the 1980's. The entire project site has been razed with the exception of a majority of the parking structure.

PROJECT DESCRIPTION AND ANALYSIS:

At its public hearing of December 19, 2012, the City Council reviewed and approved the Downtown Palm Springs Project consisting of a tentative tract map (TTM36446), three Major Architectural applications, and a Planned Development District application for a hotel in excess of sixty (60) feet. The three Architectural applications included Blocks A, B and C. The applicant is seeking approval of revised applications for the Palm Canyon Drive frontages of Blocks A and B.

Staff analyzed the current project against the General Plan, Specific Plan approved Dec. 2, 2009 and Conformity Review approved on October 17 and December 19, 2012. A description and analysis of each block is provided below.

BLOCK A

Located west of North Palm Canyon Drive, north of the new extension of Andreas Road, south of the existing Hyatt Hotel, and east of the new Belardo Road extension, Block A is proposed to be developed in two phases. Phase 1 is located on the east side of the dividing pedestrian paseo which will extend from a new Hyatt Hotel entry / exit to the intersection of Market Street and Andreas Road. Phase 2 is west of the pedestrian paseo and will be submitted and reviewed at a later date.

This phase includes a three-story commercial shell building used for retail, office and restaurant space. The ground floor will be roughly 16,468 sq. ft. and the second and third floors will each be about 17,508 sq. ft. for a total building area of approximately 51,484 sq. ft.

BLOCK A – General Plan

Land Use Designation and Floor Area Ratio	Request	Compliance
<p>CBD (Central Business District)</p> <p>The CBD serves as the main activity center and cultural core of the community and, as such, theatres, museums, retail, and other entertainment venues are encouraged here. Uses such as grocery stores, hardware stores, and convenience or pharmacy stores that provide services to the Downtown's residential population are also encouraged. The Central Business District is subdivided into zones or areas that provide for diversity in development standards and land use intensities. The Downtown Central Core (roughly bounded by Amado Road, Tahquitz Canyon Way, Museum Drive, and Indian Canyon Drive) and the Gateway areas (at roughly the north and south ends of the CBD) may be developed with a maximum FAR of 3.5. If projects in these areas provide substantial public spaces or plazas, an FAR of up to 4.0 may be developed upon approval of a Planned Development District or Specific Plan.</p>	<p>Combination of office and retail uses ~1.7 FAR</p>	<p>Yes</p>

BLOCK A – Development Standards

	Specific Plan Requirement	12/19/12 Approval	Current Proposal	Conforms
<p>Minimum Setbacks:</p> <ul style="list-style-type: none"> - Front Setback¹ or Street Side Setback (Feet) <ul style="list-style-type: none"> • Palm Canyon Drive, west side • All Other Streets (including Andreas) - Rear Setback (Feet) - Side Yard Setback (Feet) 	<p>15 10 0 0</p>	<p>17 12 0 Not defined</p>	<p>23 19'-4" 17'-4" 17'-9"</p>	<p><input checked="" type="checkbox"/></p>
<p>Maximum Building Height² (Feet)</p> <ul style="list-style-type: none"> - Building - Permitted Projections 	<p>60 15 (and no more than 15% of roof)</p>	<p>20'-6" 8</p>	<p>53 8 (and less than 15% of roof area)</p>	<p><input checked="" type="checkbox"/></p>

¹ Exceptions to the minimum setback requirements are listed under Section III-E.5 of the Museum Market Specific Plan.

² Building height shall be measured from the highest point of the building pad to the top of the roofline.

	Specific Plan Requirement	12/19/12 Approval	Current Proposal	Conforms
Minimum Building Height Stepbacks ³ (Feet)				
- Palm Canyon Drive				
- 0-30 Feet in Height	0	Height under 30 ft.	Varies from 20 to 25 from P/L	
- Over 30 Feet in Height	20	N/A	Varies from 23 to 25 from P/L	<input checked="" type="checkbox"/>
- Internal and Private Streets (including Andreas)				
- 0-30 Feet in Height	0	Height under 30 ft.	12 from P/L	
- Over 30 Feet in Height	10		12 from P/L	
Minimum Public / Common Area Open Space	10%	21.6%	44.6%	<input checked="" type="checkbox"/>
Maximum Building Square Footage	220,000	52,507	51,484	<input checked="" type="checkbox"/>
Maximum Building Mass (Cubic Feet)	2,000,000	472,563	463,356	<input checked="" type="checkbox"/>
Projections Into the Right-of-Way (Feet)				
- Awnings	10	None	None	
- Architectural features	10			
- Arcades, trellis features and similar coverings	Face of curb			<input checked="" type="checkbox"/>
- Balconies and terraces	6			
Parking Requirements: (The PFA waives the parking requirement as there is sufficient parking in the existing UG parking.)	1 space / 325 sq. ft.	52,507 sq. ft. requires 162 spaces	51,484 sq. ft. requires 158 spaces	<input checked="" type="checkbox"/>
Loading Facilities	Required	Not defined	On-street	<input checked="" type="checkbox"/>
Trash Enclosure	Required	Not defined	Within Bldg.	<input checked="" type="checkbox"/>

Building Height: Block A been modified from retaining and renovating the existing building to demolishing existing and constructing a new building. The applicant has proposed to follow the development standards of the specific plan. Based on the specific plan, the project conforms. Furthermore, a table displaying building square footage, mass (cubic square footage) and open space for all blocks within the Downtown Palm Springs Project shows the proposal does not exceed that which was previously approved (see attached).

BLOCK A – Architectural Review

The Palm Springs Zoning Code Section 94.04.00(D) provides guidelines for the architectural review of development projects, with conformance evaluated based on the following guidelines:

³ Stepbacks are defined as the horizontal distance a building face must be set back from the property line at each given height. The area required for a stepback can be used for balconies and terraces. Stepbacks shall be measured from the face of a structure to the property line at a 90 degree angle from the building face.

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

The project proposes a new three-story building with pedestrian circulation around entire building. Pedestrian pathways will be separated from vehicular streets with curbs and landscape treatment. Pavers, landscaping and sidewalk furniture will provide an enhanced experience on the site. Sidewalks and other walkways are provided to accommodate the change in topography across the site. Pedestrian access is provided to the underground parking via interior stairways and elevator.

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

The proposed structure will be lower in height than the existing hotel located to the north but higher than the proposed building to the south. The proposed architecture is of a contemporary style consistent with surrounding development, but introduces design elements, colors and materials of a higher quality than the existing development in the vicinity. The selection of design elements differs from those of the adjacent blocks within the Museum Market Plaza Specific Plan area, yet they contribute to the overall identity of an up-scale contemporary center.

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

The proposed building's overall height will be fifty-three (53) feet, and exterior elevations show projections at building edges. Portions of the building walls will be set back to provide greater outdoor access and interior / exterior shading. Parapets and other design elements will provide screening of proposed rooftop equipment.

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

The building architecture is contemporary in style, with a color and material palette that introduces muted desert colors, with limited use of accent colors via metal, stone and glass.

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

The building architecture is contemporary in style, with a color and material palette that introduces muted desert colors, with limited use of accent colors via metal, stone and glass. Covered walkways for outdoor seating, pedestrian circulation and solar control are integrated into the building design.

6. *Consistency of composition and treatment;*

The building design uses consistent forms and treatments across each elevation. The contemporary elements interact with each other in a consistent and rhythmic manner.

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

Landscape plans have not been submitted at this time. Required review at a later is incorporated into the attached conditions of approval.

8. *Signs and graphics, as understood in architectural design including materials and colors;*

A sign program not been submitted to evaluate against this guideline and recommendations for further review are incorporated into the attached conditions of approval.

BLOCK B

Located west of North Palm Canyon Drive, north of the New Main, south of the new Andreas Road extension, and east of the new Belardo Road extension, Block B is also proposed to be developed in two phases. Similar to Block A, this proposed phase (Phase 1) includes development of the Palm Canyon Drive frontage between Andreas Road, new Main Street and Market Street. Phase 2 is west of the Market Street and will be submitted and reviewed at a later date.

The development consists of a one-story commercial shell building used for retail, office and restaurant space. The building area will be approximately 17,000 sq. ft. in size.

BLOCK B – General Plan

Land Use Designation and Floor Area Ratio	Request	Compliance
<p>CBD (Central Business District) The CBD serves as the main activity center and cultural core of the community and, as such, theatres, museums, retail, and other entertainment venues are encouraged here. Uses such as grocery stores, hardware stores, and convenience or pharmacy stores that provide services to the Downtown's residential population are also encouraged. The Central Business District is subdivided into zones or areas that provide for diversity in development standards and land use intensities. The Downtown Central Core (roughly bounded by Amado Road, Tahquitz Canyon Way, Museum Drive, and Indian Canyon Drive) and the Gateway areas (at roughly the north and south ends of the CBD) may be developed with a maximum FAR of 3.5. If projects in these areas provide substantial public spaces or plazas, an FAR of up to 4.0 may be developed upon approval of a Planned Development District or Specific Plan.</p>	Retail and commercial uses at 0.6 FAR	Yes

BLOCK B – Development Standards

	Specific Plan Requirement	12/19/12 Approval	Current Proposal	Conforms
<p>Minimum Setbacks: - Front Setback⁴ or Street Side Setback (Feet)</p> <ul style="list-style-type: none"> • Palm Canyon Drive, west side • All Other Streets <ul style="list-style-type: none"> ○ New Main Street ○ Andreas Road <p>- Side Yards (Feet)</p>	<p>15</p> <p>12</p> <p>12</p> <p>0</p>	<p>18</p> <p>14</p> <p>15</p> <p>0</p>	<p>15 to 21</p> <p>12</p> <p>13</p> <p>25</p>	<p><input checked="" type="checkbox"/></p>
<p>Maximum Building Height⁵ (Feet) - Building - Permitted Projections</p>	<p>16</p> <p>15 (and no more than 15% of roof)</p>	<p>38</p> <p>7</p>	<p>20' to 28'-3"</p> <p>Not defined</p>	<p><input checked="" type="checkbox"/></p>
<p>Minimum Building Height Stepbacks⁶ (Feet) - Palm Canyon Drive</p>				<p><input checked="" type="checkbox"/></p>

⁴ Exceptions to the minimum setback requirements are listed under Section III-E.5 of the Museum Market Specific Plan.

⁵ Building height shall be measured from the highest point of the building pad to the top of the roofline.

⁶ Stepbacks are defined as the horizontal distance a building face must be set back from the property line at each given height. The area required for a stepback can be used for balconies and terraces. Stepbacks shall be measured from the face of a structure to the property line at a 90 degree angle from the building face.

- 0-30 Feet in Height	0	Not defined	Height under 30 ft.	
- Over 30 Feet in Height	20	70	N/A	
- Internal and Private Streets Andreas Road				
- 0-30 Feet in Height	0	0	Height under 30 ft.	
- Over 30 Feet in Height	10	14	N/A	
New Main				
- 0-30 Feet in Height	0	0	Height under 30 ft.	
- Over 30 Feet in Height	10	15	N/A	
Minimum Public / Common Area Open Space	90%	33% (Blocks B & B-1)	37.5%	<input checked="" type="checkbox"/>
Maximum Building Square Footage	3,000	75,562 (Blocks B & B-1)	17,000	<input checked="" type="checkbox"/>
Maximum Building Mass (Cubic Feet)	27,000	301,203	153,000	<input checked="" type="checkbox"/>
Projections Into the Right-of-Way (Feet)				
- Awnings	10	None	None	
- Architectural features	10			<input checked="" type="checkbox"/>
- Arcades, trellis features and similar coverings	Face of curb			
- Balconies and terraces	6			
Parking Requirements:	1 space / 325 sq. ft.	42,082 sq. ft. requires 129 spaces	17,000 sq. ft. requires 52 spaces	<input checked="" type="checkbox"/>
Loading Facilities	Required	Not Defined	On-street	<input checked="" type="checkbox"/>
Trash Enclosure	Required	Not Defined	Within Bldg.	<input checked="" type="checkbox"/>

Building height, Open Space, Square Footage and Building Mass: The Specific Plan envisioned Block B as a green space with few buildings, thus the high open space requirements and minimal development standards for building. On October 17, 2012, the City Council conducted a conformity review on the Downtown Palm Springs Project, approved a proposal for the development of Block B, pursuant to Section V.2 "Conformity Review Procedure" of the Specific Plan, and approved Amendment No. 2 to the Project Financing Agreement which included designation of Block E of the Specific Plan as an Event Area, an open space, public recreation area. On this basis, the Council approved the architectural application on 12/19/2012 as shown in the table above. Since the proposal is consistent with these standards, the project is considered conforming. Furthermore, a table displaying building square footage, mass (cubic square footage) and open space for all blocks within the Downtown Palm Springs Project shows the proposal does not exceed that which was previously approved (see attached).

BLOCK B – Architectural Review

The Palm Springs Zoning Code Section 94.04.00(D) provides guidelines for the architectural review of development projects, with conformance evaluated based on the following guidelines:

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

The project proposes a new one-story building with pedestrian circulation around entire building. Pedestrian pathways will be separated from vehicular streets with curbs and landscape treatment. Pavers, landscaping and sidewalk furniture will provide an enhanced experience on the site. Sidewalks and other walkways are provided to accommodate the change in topography across the site.

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

The proposed structure will be lower than both buildings across streets to the north and south. The varying structure height from 20 to 28 feet is generally consistent with other structures in the downtown vicinity. The proposed architecture is of a contemporary style consistent with surrounding development, but introduces design elements, colors and materials of a higher quality than the existing development in the vicinity. The selection of design elements differs from those of the adjacent blocks within the Museum Market Plaza Specific Plan area, yet they contribute to the overall identity of an up-scale contemporary center.

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

The proposed building's overall height will be twenty-eight (28) feet, consistent with the standards of the Specific Plan. The building has varying roof heights along street frontage to break up massing. Parapets and other design elements will provide screening of proposed rooftop equipment.

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

The building architecture is contemporary in style, with a color and material palette that introduces muted desert colors, with limited use of accent colors via metal, stone and glass.

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

The building architecture is contemporary in style, with a color and material palette that introduces muted desert colors, with limited use of accent colors via metal, stone and glass. Covered walkways for outdoor seating, pedestrian circulation and solar control are integrated into the building design.

6. *Consistency of composition and treatment;*

The building design uses forms and treatments across each tenant elevations in a consistent and well composed manner. The contemporary elements and planes are used around all sides of the building.

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

Landscape plans have not been submitted at this time. Required review at a later is incorporated into the attached conditions of approval.

8. *Signs and graphics, as understood in architectural design including materials and colors;*

A sign program not been submitted to evaluate against this guideline and recommendations for further review are incorporated into the attached conditions of approval.

ENVIRONMENTAL DETERMINATION:

An Addendum to a Final Environmental Impact Report was approved by the City Council on October 17, 2012. The City Council certified that the certified Specific Plan EIR and the Addendum together are adequate to support approval of each component of the proposed project as approved in the Amendment and any future discretionary approvals needed to implement the project. The entitlements currently under consideration by the Planning Commission simply implement the project approved in the Amendment for CEQA purposes on October 17, 2012. No further environmental

The building design uses forms and treatments across each tenant elevations in a consistent and well composed manner. The contemporary elements and planes are used around all sides of the building.

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

Landscape plans have not been submitted at this time. Required review at a later is incorporated into the attached conditions of approval.

8. *Signs and graphics, as understood in architectural design including materials and colors;*

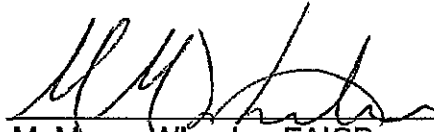
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ENVIRONMENTAL DETERMINATION:

An Addendum to a Final Environmental Impact Report was approved by the City Council on October 17, 2012. The City Council certified that the certified Specific Plan EIR and the Addendum together are adequate to support approval of each component of the proposed project as approved in the Amendment and any future discretionary approvals needed to implement the project. The entitlements currently under consideration by the Planning Commission simply implement the project approved in the Amendment for CEQA purposes on October 17, 2012. No further environmental review is required. (Public Resources Code § 21166; California Code of Regulations, Title 14, § 15162.)



David A. Newell
Associate Planner



M. Margo Wheeler, FAICP
Director of Planning Services

Attachments:

1. Draft Resolution – Block A
2. Draft Resolution – Block B
3. Museum Market Plaza Specific Plan – Design Guidelines (excerpt)
4. Table of maximum square footage, building mass and open space provided by Applicant
5. Proposed Downtown Palm Springs Project Site Plan
6. Block A Elevations and Perspectives
7. Block B Elevations and Perspectives
8. 12/19/12 City Council Reviewed Elevations and Perspectives

RESOLUTION NO. 6413

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 3.3606 – MAJ FOR THE DEVELOPMENT OF BLOCK B OF THE DOWNTOWN PALM SPRINGS RENOVATION PROJECT, LOCATED AT THE NORTHWEST CORNER OF NORTH PALM CANYON DRIVE AND “NEW MAIN STREET”.

WHEREAS, Palm Springs Promenade, LLC, (“applicant”) has filed applications with the City, pursuant to the Museum Market Specific Plan and Section 94.04.00 of the Zoning Code, for Major Architectural Applications (Case No. 3.3606-MAJ) to allow the redevelopment of portions of the Desert Fashion Plaza, specifically Block B as it relates to this resolution of the Museum Market Plaza Specific Plan located at the northwest corner of N. Palm Canyon Drive and “New Main Street”, APN’s: 513-560-025, -010 and -021), zone Museum Market Plaza Specific Plan, Section 15/R4/T4; and

WHEREAS, on December 2, 2009, the City Council made findings, adopted a Mitigation Monitoring and Reporting Program, adopted a Statement of Overriding Considerations, and certified the Museum Market Specific Plan Environmental Impact Report (“Specific Plan EIR”) and adopted Ordinance 1764, thereby approving the Museum Market Plaza Specific Plan which covers the design guidelines and development standards for the Specific Plan area; and

WHEREAS, on September 29, 2011, the City and Palm Springs Promenade, LLC, entered into a Project Financing Agreement applicable to the financing, development, redevelopment, creation and refurbishment of public and private improvements in downtown Palm Springs within the Specific Plan area (the “Agreement”) which included, among other things, a Site Plan and Project Description depicting the proposed improvements; and

WHEREAS, on October 17, 2012, the City Council approved Amendment No. 2 to the Project Financing Agreement between the City and Palm Springs Promenade, LLC (the “Amendment”) which included an Updated Site Plan and “Updates to Project Description,” reflecting modifications to the proposed improvements originally approved in the Agreement, and that amended and superseded the original Site Plan and Project Description, respectively, in the Agreement; and

WHEREAS, on October 17, 2012 the City Council also conducted a conformity review of the project described in the Amendment, as allowed by the Museum Market Specific Plan, and concluded that the project described in the Amendment conformed to the policies and objectives of the Specific Plan; and

WHEREAS, in support of its actions on October 17, 2012, the City Council adopted an Addendum to the Specific Plan EIR pursuant to the California Environmental Quality Act (“CEQA”), finding that the proposed project described in the Amendment was within the

scope of the Specific Plan EIR, and, based on the Specific Plan EIR and Addendum, that no further environmental review was required. (Public Resources Code § 21166; California Code of Regulations, Title 14, §§ 15162, 15164); and

WHEREAS, on December 19, 2012, the City Council reviewed an architectural application for the development of Block B with two two-story buildings, determined said application implemented the project approved by City Council for CEQA purposes on October 17, 2012; and approved said application by Resolution No. 23268; and

WHEREAS, on May 27, 2014, Palm Springs Promenade, LLC submitted a revised architectural application (Case 3.3606-MAJ) for the construction of a one-story retail commercial building on the easterly half of Block B located at the northwest corner of N. Palm Canyon Drive and "New Main Street"; and

WHEREAS, the revised architectural application (Case No. 3.3606-MAJ) implements a portion of the project approved by the City Council for CEQA purposes on October 17, 2012; and

WHEREAS, on June 23, 2014, the Architectural Advisory Committee (AAC) reviewed the proposed project, provided extensive comments and voted to continue to their July 7, 2014 meeting; and

WHEREAS, on June 25, 2014, the Planning Commission reviewed Case No. 3.3606-MAJ in accordance with applicable law; and

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

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

SECTION 1. The City Council's approval of Major Architectural Application (Case No. 3.3606-MAJ) is within the scope of the Specific Plan EIR, as supplemented by the Addendum adopted on October 17, 2012, and none of the circumstances triggering further environmental review have occurred since the adoption of the Addendum: (i) there are no substantial changes in the project requiring major revisions of the Specific Plan EIR and Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (ii) there are no substantial changes with respect to the circumstances under which the project is being undertaken which will require major revisions of the Specific Plan EIR and Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; and (iii) there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Specific Plan EIR

and Addendum was certified showing that: (a) the project will have one or more significant effects not discussed in the Specific Plan EIR and Addendum; (b) significant effects previously examined will be substantially more severe than shown in the Specific Plan EIR and Addendum; (c) mitigation measures or alternatives previously found not feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the mitigation measures or alternatives have not been adopted; or (d) mitigation measures or alternatives considerably different from those analyzed in the Specific Plan EIR and Addendum would substantially reduce one or more significant effects on the environment, but the mitigation measures or alternatives have not been adopted. No further environmental review is required (Public Resources Code § 21166; California Code of Regulations § 15162.)

SECTION 2. The Palm Springs Zoning Code Section 94.04.00(D) provides guidelines for the architectural review of development projects, with conformance evaluated based on the following guidelines:

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

The project proposes a new one-story building with pedestrian circulation around entire building. Pedestrian pathways will be separated from vehicular streets with curbs and landscape treatment. Pavers, landscaping and sidewalk furniture will provide an enhanced experience on the site. Sidewalks and other walkways are provided to accommodate the change in topography across the site.

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

The proposed structure will be lower than both buildings across streets to the north and south. The varying structure height from 20 to 28 feet is generally consistent with other structures in the downtown vicinity. The proposed architecture is of a contemporary style consistent with surrounding development, but introduces design elements, colors and materials of a higher quality than the existing development in the vicinity. The selection of design elements differs from those of the adjacent blocks within the Museum Market Plaza Specific Plan area, yet they contribute to the overall identity of an up-scale contemporary center.

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

The proposed building's overall height will be twenty-eight (28) feet, consistent with the standards of the Specific Plan. The building has varying roof heights along street frontage to break up massing. Parapets and other design elements will provide screening of proposed rooftop equipment.

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

The building architecture is contemporary in style, with a color and material palette that introduces muted desert colors, with limited use of accent colors via metal, stone and glass.

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

The building architecture is contemporary in style, with a color and material palette that introduces muted desert colors, with limited use of accent colors via metal, stone and glass. Covered walkways for outdoor seating, pedestrian circulation and solar control are integrated into the building design.

6. *Consistency of composition and treatment;*

The building design uses forms and treatments across each tenant elevations in a consistent and well composed manner. The contemporary elements and planes are used around all sides of the building.

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

Landscape plans have not been submitted at this time. Required review at a later is incorporated into the attached conditions of approval.

8. *Signs and graphics, as understood in architectural design including materials and colors;*

A sign program not been submitted to evaluate against this guideline and recommendations for further review are incorporated into the attached conditions of approval.

9. *The planning architectural advisory committee may develop specific written guidelines to supplement the design criteria and carry out the purposes of this chapter.*

The Architectural Advisory Committee provided preliminary comments regarding retail façade design, shading and streetscape design.

SECTION 3. The Planning Commission finds and determines that Case No. 3.3606-MAJ does hereby conform to the goals and objectives ("guiding principles") of the Specific Plan as follows:

1. *The highest quality development which provides an exciting and safe living, working and shopping experience for all.*

The project is designed to fit within the approved grid of public and private streets that allows for safe pedestrian and vehicular access to the shopping, dining, lodging and entertainment facilities planned for the overall Specific Plan. The proposed project has pedestrian circulation around the entire building, allowing for safe pedestrian access. The project provides space for retail, creating shopping areas within the Specific Plan area. The design of the proposed project is contemporary, consistent with surrounding development, but introduces design elements and materials of a higher quality.

2. *The creation of a pedestrian and vehicular connection from the Palm Springs Art Museum through Palm Canyon and Indian Canyon Drives to the Resort/Convention Center District.*

The pedestrian and vehicular connection to the Museum was created with the approval of the project's tentative map in December, 2012. The proposed project fits within the street pattern established by that map, and therefore respects the planned connections to the Museum,

3. *The development of retail commercial development which successfully mixes national and regional chain stores with local businesses, focused on the major roadways which bound the site, including North Palm Canyon, Indian Canyon, Tahquitz Canyon and Belardo.*

The proposed project introduces significant new retail opportunities directly on Palm Canyon Drive, which will provide desirable space for national, regional and local businesses on the City's prime commercial street. The proposed project also provides commercial exposure internally within the project, along Andreas Road (new).

4. *A balance of commercial and residential development which assures the success of the area by increasing the number of homes in the downtown, thereby increasing the customer base of the commercial uses.*

No residential development is proposed as part of the Case No. 3.3606-MAJ, but rather, it proposes commercial uses along Palm Canyon Drive, a necessary part of the overall land use mix within the Specific Plan area. The balance of commercial and residential uses will be best served by the commercial uses being located along Palm Canyon Drive as shown in the current application. The commercial uses within the proposed project will also serve visitors staying in the approved hotel on Block C.

5. *The development of residential units which related synergistically to the commercial development around them, and encourage a pedestrian lifestyle with little use for the automobile.*

The proposed project is ideally suited to provide commercial development within walking distance of the approved hotel on Block C, and the future residential units anticipated on the western portions of the Specific Plan area. The proposed project is surrounding by sidewalk access on all sides, allowing for maximum pedestrian access.

6. *The development of additional resort hotels which provide luxury accommodations and increase the visitors to the City's downtown.*

A resort hotel has been approved for Block C of the Specific Plan area. The success of that hotel, and any others to be built in the area, depend on providing a viable mix of commercial, retail and entertainment opportunities within the downtown area. The proposed project provides those commercial/retail opportunities within walking distance of the Block C hotel, thereby contributing to the positive synergy of the overall Specific Plan.

NOW, THEREFORE, BE IT RESOLVED, that, based on the foregoing, the Planning Commission hereby approves Major Architectural Application Case No. 3.3606-MAJ for the redevelopment of a portion of the existing Desert Fashion Plaza with a one-story retail commercial building on the easterly portion of Block B of the Museum Market Plaza Specific Plan located at the northwest corner of N. Palm Canyon Drive and "New Main Street", subject to those conditions set forth in Exhibit A, attached hereto and made a part of this resolution.

ADOPTED this 25th day of June, 2014.

AYES: 6, COMMISSIONER CALERDINE, COMMISSIONER KLATCHKO,
COMMISSIONER LOWE, COMMISSIONER ROBERTS,
COMMISSIONER WEREMIUK AND CHAIR DONENFELD
NOES: 1, VICE-CHAIR HUDSON
ABSENT: NONE
ABSTAIN: NONE

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA



M. Margo Wheeler, FAICP
Director of Planning Services

RESOLUTION NO. 6413

EXHIBIT A

Case 3.3606 MAJ
Downtown Palm Springs / Block B

June 25, 2014

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.

PROJECT CONDITIONS

1. Building B-1 shall be submitted and reviewed under separate application.
2. Review by the AAC and Planning Commission of conceptual landscape plan at time of 25% design development stage review, with AAC review of detailed plans to follow.
3. Review by the AAC of exterior elevations for all individual tenancies.
4. Review by the AAC and Planning Commission of landscape, lighting and hardscape plans, including all street furniture, subject to the following
 - a. Use a variety of plant materials in landscape palette.
5. Review by the AAC and Planning Commission of street paving plans, and traffic movement patterns.
6. Submission and review by AAC and Planning Commission of a sign program for Block B.
7. The applicant shall submit for review by the AAC and Planning Commission a unified landscape plan for the entire project consistent with the Project Financing Agreement, including the following elements:
 - a. Preliminary Landscape Development Plan: The applicant shall indicate, on a separate site plan or incorporated into the colored site plan, the basic landscape concepts for the project. This should include tree and shrub

grouping, groundcover areas, flatwork concepts, significant grading concepts and a written statement of the landscape development concept for the project.

b. Project Master Streetscape Plan

- i. Establishment of a basic design theme for street furniture and similar hardscape elements
- ii. Proposed location of hardscape elements including planters, fountains, retaining walls, others
- iii. Proposed location of street furniture including benches, trash receptacles, bus stops, bicycle racks
- iv. Proposed thematic plantings
- v. Proposed street signage and way finding
- vi. Transitions to existing improvements
- vii. Locations for public art
- viii. Plans for temporary and permanent preservation of the Palm Springs Walk of Fame
- ix. Plans for temporary pedestrian routes during construction

c. Master Pedestrian Paseo Plan. The project proposes a pedestrian promenade from the Hilton Hotel to the new public square at the corner of Tahquitz and North Palm Canyon. The promenade includes four elements from north to south:

- i. The connection from the Hyatt Hotel through Building "A"
- ii. Market street between Building "b" and "B-1"
- iii. Pedestrian Plaza from New Main Street and to the new public square at the corner of Tahquitz and North Palm Canyon

9. As part of the Landscape Plan, the applicant shall prepare a master plan for this promenade element including the following elements.

- i. Establishing a unified "brand" for the four elements of the Paseo to encourage pedestrians to follow the entire Paseo.
- ii. proposed location of hardscape elements including planters, fountains, retaining walls
- iii. Proposed location of street furniture including benches, trash receptacles, bus stops, bicycle racks
- iv. Proposed thematic plantings
- v. Proposed Paseo signage and way finding
- vi. Locations for public art
- vii. Easements required to ensure public access along the Paseo, including through Building A.
- viii. Operational Plan for Market Street, including timing and procedures for opening and closure of the street to vehicles
- ix. Establishing of a minimum clear width for the Paseo between New Main Street and Tahquitz in this segment.

- x. Considerations for bicycle usage on the Paseo segment between New Main Street and Tahquitz.
 - xi. Establishing guidelines for business encroachment (i.e., outdoor dining) into Market Street and the pedestrian connection from New Main Street to Tahquitz.
 - xii. Master Plan for the Public Square at Tahquitz and North Palm Canyon
10. The landscape plans for the buildings in Block B shall be consistent with the approved Master Landscape plan.
11. Applicant shall provide shading and cooling plan and return to the Planning Commission for review.
12. Applicant shall provide lighter color palette and materials and return to the Planning Commission for review.
13. Applicant shall provide energy conservation plan and return to the Planning Commission for review.
14. Applicant shall improve architectural style of building.

ADMINISTRATIVE CONDITIONS

ADM 1. Project Description. This approval is for the project described per Case 3.3606 – MAJ, except as modified by the conditions below.

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

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

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

ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative

body, advisory agencies, or administrative officers concerning Case 3.3606-MAJ. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.

ADM 7. Time Limit on Approval. Approval of the Major Architectural Application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.

ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.

ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being ½% for commercial projects or ¼% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

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

ENVIRONMENTAL ASSESSMENT CONDITIONS

ENV 1 Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Permit Fee (LDMF) required. All projects within the City of Palm Springs are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.

PLANNING DEPARTMENT CONDITIONS

PLN 1. 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 or designee 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 2. 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 3. 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 4. 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 5. 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 6. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.

PLN 7. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

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. 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 plan(s) 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 street improvement plans required by these conditions.
- ENG 4. All proposed decorative pavement shall vary from location to location, but shall be the same type as approved by the City Engineer.

N. PALM CANYON DRIVE: ALL BLOCKS

- ENG 5. Dedicate public utility easements for utilities located under the existing sidewalk in areas for which public right-of-way has been abandoned by Parcel Map No. 36446 or by separate instrument.

- ENG 6. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match existing sidewalk) for those portions of sidewalk located outside of the public right-of-way after abandonment of right-of-way on N. Palm Canyon Drive. Any existing underground utilities under the existing sidewalk shall not be relocated in conjunction with this project.
- ENG 7. Remove sidewalk along the entire project frontage on Palm Canyon Drive except for the sidewalk composed of city-owned pavers adjacent to the edge of pavement.
- ENG 8. All broken or off grade street improvements shall be repaired or replaced.

PALM CANYON DRIVE: BLOCK A – Phase 1 AND BLOCK B – Phase 1

- ENG 9. There shall be no vehicular access between Block A or Block B and Palm Canyon Drive, Andreas Road, or Belardo Road (Lot "C"). There will be vehicular access between Block A – Phase 1 or Block B – Phase 1 and New Main Street (Lot "A") and Market Street (a private alleyway easement).
- ENG 10. Remove existing street improvements as necessary to construct the intersection of Palm Canyon Drive and Andreas Road. Construct a 25 foot radius curb return at the northwest and southwest corners of the intersection of Palm Canyon Drive and Andreas Road, in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 11. Construct two (2) Type A curb ramps meeting current California State Accessibility standards at the northwest corner and one (1) Type A curb ramp at the southwest corner of the intersection of Palm Canyon Drive and Andreas Road in accordance with City of Palm Springs Standard Drawing No. 212.

PALM CANYON DRIVE: BLOCK B –Phase 1

- ENG 12. Remove existing street improvements as necessary to construct the intersection of Palm Canyon Drive and New Main Street (Lot "A"). Construct a 25 feet radius curb return at the northwest and southwest corners of the intersection of Palm Canyon Drive and New Main Street, in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 13. Construct a Type A curb ramp meeting current California State Accessibility standards at the northwest and southwest corners of the intersection of Palm Canyon Drive and New Main Street (Lot "A"), in accordance with City of Palm Springs Standard Drawing No. 212.

ANDREAS ROAD (LOT "D"): BLOCK A – Phase 1 AND BLOCK B – Phase 1

- ENG 14. Dedicate full street right-of-way width of 41 feet as shown on the approved version of the site plan for Tentative Parcel Map No. 36446, together with property line - corner cut-backs at the intersection of Andreas Road (Lot "D") and Palm Canyon Drive Road, as required by the City Engineer.
- ENG 15. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match proposed sidewalk) for those portions of sidewalk located outside of the public right-of-way.
- ENG 16. Andreas Road shall have one eastbound and one westbound lane, as well as parallel parking on each side of Andreas Road (except at curb returns).
- ENG 17. Construct 6 inch curb along the north side of Andreas Road (Lot "D") as shown on the approved site plan for Tentative Parcel Map 36446 in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 18. Zero curb face ribbon gutter shall be constructed on the south side of Andreas Road adjacent to Block B - Phase 1 in conjunction with the Downtown Palm Springs project.
- ENG 19. Zero curb face ribbon gutter shall be constructed on the north side of Andreas Road across from the intersection of Market Street, in conjunction with the Downtown Palm Springs project. Bollards shall be placed along this location to protect the public and buildings from accidental vehicular contact in Block A - Phase 1. All bollards shall be maintained by the developer.
- ENG 20. Construct sidewalk ranging in width from 8 feet to 15 feet wide along both sides of Andreas Road (Lot "D") as shown on approved improvement plans, in accordance with City of Palm Springs Standard Drawing No. 210 and the Museum Market Plaza Specific Plan.
- ENG 21. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed gutters on each side of the street along the entire Andreas Road frontage in accordance with City of Palm Springs Standard Drawing No. 110 and the Museum Market Plaza Specific Plan. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.
- ENG 22. The intersection of Andreas Road with Palm Canyon Drive and with Market Street (private alleyway) shall be constructed with enhanced or decorative paving.

NEW MAIN STREET (LOT "A"): BLOCK B – Phase 1

- ENG 23. Dedicate full street right-of-way width of 41 feet as shown on the approved version of the site plan for Tentative Parcel Map No. 36446, together with a property line - corner cut-backs at the northwest and southwest corners of the intersection of New Main Street (Lot "A") and existing Palm Canyon Drive, as required by the City Engineer).
- ENG 24. Dedicate a minimum sidewalk easement of 8 feet (or as needed to match proposed sidewalk) for those portions of sidewalk located outside of the public right-of-way.
- ENG 25. New Main Street (Lot "A") shall have one eastbound and one westbound lane, as well as parking on both sides of New Main Street (except at curb returns and curb pop-outs) to the Market Street northwest curb.
- ENG 26. Remove street improvements as necessary to construct a 25 feet radius curb return at the northwest and southwest corners of the intersection of New Main Street (Lot "A") in Block B – Phase 1, with existing Palm Canyon Drive, in accordance with City of Palm Springs Standard Drawing No. 200 and 206.
- ENG 27. Zero curb face curb shall be constructed on the south side of New Main Street from Palm Canyon Drive to west side of Market Street in conjunction with the Downtown Palm Springs project.
- ENG 28. Construct sidewalk ranging in width from 8 feet to 15 feet wide along both sides of New Main Street (Lot "A") as shown on approved improvement plans, in accordance with City of Palm Springs Standard Drawing No. 210 and the Museum Market Plaza Specific Plan.
- ENG 29. Construct a Type A curb ramp meeting current California State Accessibility standards at the northwest and southwest corners of the intersection of New Main Street (Lot "A") in Block C- Phase 1, with existing Palm Canyon Drive, in accordance with City of Palm Springs Standard Drawing No. 212.
- ENG 30. Construct a curb ramp meeting current California State Accessibility standards at the proposed entry into Block B- Phase 1.
- ENG 31. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed gutters on each side of the street along the New Main Street (Lot "A"), in accordance with City of Palm Springs Standard Drawing No. 110 and the Museum Market Plaza Specific Plan. If an alternative pavement section is

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

ENG 32. The intersection of New Main Street (Lot "A") with Palm Canyon Drive shall be constructed with enhanced or decorative paving.

MARKET STREET (PRIVATE ALLEYWAY EASEMENT BETWEEN BLOCK B – Phase 1 AND BLOCK B- Phase 2)

ENG 33. A 30 feet wide private alleyway easement shall be centered on the mutual lot line of Parcel 1 (Phase 1) and Parcel 2 (Phase 2), between the proposed buildings located in Block B - Phase 1 and Block B –Phase 2.

ENG 34. No curbs shall be constructed on Market Street in conjunction with the Downtown Palm Springs project. Bollards shall be placed along the east and west sides of Market Street to protect the public and buildings from accidental vehicular contact. All bollards shall be maintained by the developer.

ENG 35. A modified driveway approach shall be constructed at the south end of Market Street at its intersection with New Main Street (Lot "A").

ENG 36. Deleted.

ENG 37. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, between the edges of proposed gutters on each side of the street along the Market Street, in accordance with City of Palm Springs Standard Drawing No. 110 and the Museum Market Plaza Specific Plan. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 38. There shall be no on-street parking on the west side of Market Street. Regulatory Type R26 "No Parking" signs shall be installed along the west side of Market Street, as necessary to enforce parking restrictions.

SANITARY SEWER

ENG 39. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.

- ENG 40. All on-site sewer systems (not located in public streets) shall be privately maintained.
- ENG 41. Submit sewer improvement plans prepared by a California registered civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 42. Construct 8 inch V.C.P. sewer mains across the proposed New Main Street (Lot "A") frontage along Block B – Phase 1 to Belardo Road (Lot B) and from the intersection of Belardo Road (Lot B) and New Main Street (Lot A) to the intersection of Tahquitz Canyon Way and Belardo Road (Lot B) located 5 feet from centerline (or as required by the City Engineer), including a sewer lateral for future connection of the on-site sewer system to the public sewer, as required by the City Engineer. The northerly units in Block B shall connect to the existing sewer main in Palm Canyon Drive where feasible. Block A shall connect to the existing sewer main in Palm Canyon Drive.
- ENG 43. All sewer mains constructed by the developer and to become part of the City sewer system shall be digitally video recorded by the City prior to acceptance of the sewer system for maintenance by the City. Any defects of the sewer main shall be removed, replaced, or repaired to the satisfaction of the City Engineer prior to acceptance.
- ENG 44. Any sewer connection fees shall be paid at the Building Department counter at time of building permit issuance.
- ENG 45. Upon completion of the construction of public sewer lines, an as-built drawing in digital format shall be provided to the City as required by the City Engineer, if the sewer was not constructed in accordance with the original approved sewer plans.

GRADING: BLOCK A – Phase 1, BLOCK B - Phase1

- ENG 46. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise 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 has 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. The first submittal of the Grading 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 or Tentative Parcel Map No. 36446; a copy of current Title Report; a copy of Soils Report; a copy of the associated Hydrology Study/Report (one hydrology study for Block A – Phase 1 and Block B – Phase 1); and a copy of the project-specific Final Water Quality Management Plan (one WQMP for Block A – Phase 1 and Block B – Phase 1).
- ENG 47. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.
- ENG 48. 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 or be decorative in nature; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 49. 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 50. 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 51. 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 online SMARTS system. 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 52. 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) for all Blocks of the Downtown Palm Springs project. As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, 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 53. 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 at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 54. 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 55. 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 56. 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 57. 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 (if required). 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: ALL BLOCKS

- ENG 58. This project shall 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, shall 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).
- ENG 59. A Final Project-Specific Water Quality Management Plan (WQMP) for Blocks A and B 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 Plan.
- ENG 60. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other

alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&R's); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to the issuance of any grading or building permits.

- ENG 61. 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).

DRAINAGE: ALL BLOCKS

- ENG 62. 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 single hydrology study (for Blocks A and B) to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final 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. On-site open space, in conjunction with dry wells and other subsurface solutions should be considered as alternatives to using landscaped parkways for on-site retention.
- ENG 63. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to Palm Canyon Drive, Tahquitz Canyon Way, Museum Drive, existing sections of Belardo Road, proposed New Main Street (Lot A), proposed Belardo Road (Lot B and C), and Andreas Road (Lot D). Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains. Much of the drainage shall go into the existing public storm drain line in Tahquitz Canyon Way.

- ENG 64. Construct all necessary on-site storm drain improvements, including but not limited to catch basins and storm drain lines, for drainage of site into the on-site underground detention system(s) and other specifications for construction of required on-site storm drainage improvements, as described in a final Hydrology Study for the Downtown Palm Springs project (Tentative Parcel Map No. 36446), reviewed and approved by the City Engineer.
- ENG 65. All on-site storm drain systems shall be privately maintained.
- ENG 66. The underground stormwater detention system(s) shall be sized to have sufficient capacity equal to the volume of increased stormwater runoff due to development of the site, as identified in a final hydrology study approved by the City Engineer. A decrease to the required detention volume may be allowed for percolation of the stormwater runoff into the underlying gravel and soil, not to exceed 2 inches per hour. Maintenance of the underground stormwater detention systems are the sole responsibility of the development owner(s); maintenance and/or replacement of the system(s), will be at the sole expense of the development owner(s). The Final Project-Specific Water Quality Management Plan *Covenant and Agreement* shall reserve the right of the City to inspect and ensure that the underground detention system(s) are operable, and in the event of its failure, shall provide the City the right to advise the owner(s) of the development and require its repair or replacement within 30 days' notice, to the satisfaction of the City Engineer.
- ENG 67. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit unless developer can provide evidence that fee or a partial fee was paid by the Desert Fashion Plaza in previous years.

GENERAL: ALL BLOCKS

- ENG 68. 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, Mission Springs Water District, 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 69. On phases or elements of construction following initial site grading (e.g., sewer, storm drain, or other utility work requiring trenching) associated with this project, the applicant shall be responsible for coordinating the scheduled construction with the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. Unless the project site has previously been waived from any requirements for Tribal monitoring, it is the applicant's responsibility to notify the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, for any subsequent phases or elements of construction that might require Tribal monitoring. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during construction, and to arrange payment of any required fees associated with Tribal monitoring. Tribal monitoring requirements may extend to off-site construction performed by utility companies on behalf of the applicant (e.g. utility line extensions in off-site streets), which shall be the responsibility of the applicant to coordinate and arrange payment of any required fees for the utility companies.
- ENG 70. All proposed utility lines shall be installed underground.
- ENG 71. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line. 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 72. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 73. 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 74. 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 75. 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.
- ENG 76. If there are any lights from Lighting District No. 1, existing on Tahquitz Canyon Way and Museum Drive along the Tentative Parcel Map (TPM) 36446 frontage, those lights shall be removed in conjunction with this project.
- ENG 77. Note that some of the existing street lights shown on the Preliminary Grading and Drainage Plan for TPM36446, do not exist; corrections need to be made to this plan to reflect what actually exists.

MAP: ALL BLOCKS

- ENG 78. In accordance with Government Code Section 66411.1 (b), the Tentative Parcel Map is a subdivision of five or more lots (parcels), and is subject to construction of all required public improvements. Prior to approval of a Parcel Map, all required public improvements shall be completed to the satisfaction of the City Engineer, or shall be secured by the Project Financing Agreement signed by Palm Springs Promenade, LLC and the City of Palm Springs on September 7, 2011 (in accordance with Government Code Section 66462) as amended.

TRAFFIC: ALL BLOCKS

- ENG 79. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Developer shall assure that handicap accessibility is continuous particularly adjacent to the Hyatt Hotel.
- ENG 80. 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 81. Submit traffic striping and signage plans for New Main Street (Lot "A"), Andreas Road (Lot "D"), and Market Street, prepared by a California registered civil engineer, for review and approval by the City Engineer. 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 82. Relocate the existing traffic signal pole, conduit, pull boxes and all appurtenances located at the existing crosswalk on Palm Canyon Drive south of the intersection of New Main Street (Lot "A") and Palm Canyon Drive, in accordance with the requirements of the City of Palm Springs. The applicant shall submit traffic signal modification plans prepared by a California registered civil engineer or traffic engineer for review and approval by the City Engineer. The traffic signal shall be installed and operational prior to issuance of the Certificate of Occupancy, unless otherwise allowed by the City Engineer. The existing crosswalk shall be relocated north.
- ENG 83. The applicant shall install a Type R6-1 "One Way" sign at the southwest corner of Andreas Road (Lot "D") and Palm Canyon Drive, facing eastbound traffic on Andreas Road, as required by the City Engineer.
- ENG 84. Install a stop sign, stop bar, and "STOP" legend for traffic exiting the development at the following intersections in accordance with City of Palm Springs Standard Drawing Nos. 620-625 and the California Manual on Uniform Traffic Control Devices, dated January 13, 2012, or subsequent editions in force at the time of construction, as required by the City Engineer.
- Southwest corner of Andreas Road (Lot "D") and Palm Canyon Drive, facing eastbound traffic on Andreas Road
 - Southeast corner of Market Street and Andreas Road (Lot "D"), facing northbound traffic on Market Street
 - Northwest corner of Market Street and New Main Street (Lot "A"), facing southbound traffic on Market Street
- ENG 85. Install a street name sign at all corners of all intersections that are a part of the Downtown Palm Springs project, in accordance with City of Palm Springs Standard Drawing Nos. 620 through 625 and the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction, as required by the City Engineer.
- ENG 86. 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 January 13, 2012, or subsequent editions in force at the time of construction.
- ENG 87. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

- ENG 88. No construction traffic shall enter the project site from N. Palm Canyon Drive or Tahquitz Canyon Way.
- ENG 89. Parking shall be restricted along both sides of Lot "A" and "D" as necessary to maintain a minimum 24 feet wide clear two-way travel way, except for designated parallel parking spaces. Regulatory Type R26 "No Parking" signs shall be installed along Lot "A" and Lot "D", as necessary to enforce parking restrictions.
- ENG 90. Approximately one year after the opening of Downtown Palm Springs, a traffic study shall be submitted and approved by the City Engineer to determine if the current (at that time) traffic control devices are functioning optimally, and to determine if traffic signal warrants have been met for any intersection that is a part of Downtown Palm Springs (such as at the intersection of Tahquitz Canyon Way and Belardo Road (Lot "B")).
- ENG 91. Developer shall cooperate with any City-approved events in which public streets adjacent to the site are temporarily closed by assisting with and not interfering with said closures.

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 received and stamped May 27, 2017. The submitted plans do not provide enough detail. 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 as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. 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. **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 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 4. **Aerial Fire Access Roads (CFC Appendix D105.1):** Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus.

Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

- FID 5. **Aerial Fire Access Road Width (CFC Appendix D105.2):** Fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet in height.
- FID 6. **Aerial Access Proximity to Building (CFC Appendix D105.3):** 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 7. **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 plastered or covered and secured with lockable doors and windows.
- FID 8. **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 9. **Fire Apparatus Access Gates (8.04.260 PSMC):** Entrance gates shall have a clear width of at least 14 feet and be equipped with a frangible chain and padlock.
- FID 10. **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 11. **Turning radius (CFC 503.2.4):** 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 12. **Dead Ends (CFC 503.2.5):** Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. The City of Palm Springs has two approved turn around provisions. One is a cul-de-sac with an outside turning radius of 43 feet from centerline. The other is a hammerhead turnaround meeting the Palm Springs Public Works and Engineering Department standard dated 9-4-02.
- FID 13. **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 operational at all times. Secured automated vehicle gates or entries shall utilize a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch). Approved security gates shall be a minimum of 14 feet in unobstructed drive width on each side with gate in open position.

Gate arms securing parking lots and parking structures shall be equipped with a combination of a Tomar Strobeswitch™, or approved equal, and an approved Knox key electric switch. When activated, the arm or arms shall open to allow fire and law enforcement access.

In the event of a power failure, the gates shall be defaulted or automatically transferred to a fail safe mode allowing the gate to be pushed open without the use of special knowledge or any equipment. If a two-gate system is used, the override switch must open both gates.

If there is no sensing device that will automatically open the gates for exiting, a fire department approved Knox electrical override switch shall be placed on each side of the gate in an approved location.

A final field inspection by the fire code official or an authorized representative is required before electronically controlled gates may become operative. Prior to final inspection, electronic gates shall remain in a locked-open position.

- FID 14. **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 15. **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.
- FID 16. **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 17. **Water Agency Construction Specifications:** All public water mains, fire hydrants and double check detector assemblies must be installed in accordance with DWA specifications and standards. Private fire hydrants shall be painted OSHA safety red. Public fire hydrants shall be painted equipment yellow.
- FID 18. **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), public water mains, Double Check Detector Assembly, Fire Department Connection and associated valves.
- FID 19. **Required Water Supply (CFC 507.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.
- FID 20. **Fire Hydrant Flow (CFC 507.3):** Fire flow requirements for buildings or portions of buildings and facilities are shall be determined by Appendix B.
- FID 21. **Fire Hydrant Systems (CFC 507.5):** Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C.

- FID 22. Operational Fire Hydrant(s) (CFC 507.1, 507.5.1 & 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 23. Water Systems and Hydrants (CFC 507.1, 507.2, 507.4, 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, 2010 Edition. Prior to final approval of the installation, contractor shall submit a completed Contractors Material & Test Certificate for Underground Piping to the Fire Department. (NFPA 24: 10.10, 2010 Edition).
- FID 24. Identification (CFC 509.1):** 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 25. 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 (*California Code of Regulations, Title 8, Division 1, Chapter 4, Subchapter 6, Elevator Safety Orders*).
- FID 26. Elevator Stretcher Requirement (CBC 3002.4):** Elevators shall be designed to accommodate medical emergency service. The elevator(s) so designed shall accommodate the loading and transport of an ambulance gurney or stretcher 24 inches by 84 inches in the horizontal position. The elevator entrance shall have a clear opening of not less than 42 inches wide or less than 78 inches high. The elevator car shall be provided with a minimum clear distance between walls or between walls and door excluding return panels not less than 80 inches by 54 inches, and a minimum distance from wall to return panel not less than 51 inches with a 42 inch side slide door.
- FID 27. Fire Dampers (CMC 606.2):** They shall be provided where air ducts penetrate fire-rated walls or ceilings.

- FID 28. Maintenance of Fire-Resistance-Rated Construction (CFC 703.1):** The required fire-resistance rating of fire-resistance-rated construction (including walls, fire-stops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and fire-resistant joint systems) shall be maintained. Such elements shall be properly repaired, restored or replaced when damaged, altered, breached or penetrated. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer openings and holes made for any reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of approved construction meeting the fire protection requirements for the assembly.
- FID 29. Interior Finish, Decorative Materials and Furnishings (CFC 801.1):** The provisions of this chapter shall govern interior finish, interior trim, furniture, furnishings, decorative materials and decorative vegetation in buildings. Section 803 shall be applicable to existing buildings. Sections 804 through 808 shall be applicable to new and existing buildings.
- FID 30. Decorative Materials Other Than Decorative Vegetation In New and Existing Buildings (CFC 807.1):** In occupancies in Groups A, E, I and R-1 and dormitories in Group R-2, curtains, draperies, hangings and other decorative materials suspended from walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807.2 or be noncombustible. Provide samples and documentation to submit to the Palm Springs Fire Department to prove conformance with the above criteria above.
- FID 31. Acceptance Criteria and Reports (CFC 807.2):** Where required to be flame resistant, decorative materials shall be tested by an approved agency and meet the flame propagation performance criteria of NFPA 701, or such materials shall be noncombustible. Reports of test results shall be prepared in accordance with NFPA 701 and furnished to the fire code official.
- FID 32. 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 Cp of 0.74 and I/r Ratio of 200. No portion of the fire sprinkler system shall be installed prior to plan approval. Prior to final approval of the installation, contractor shall submit a completed Contractors Material and Test Certificate for Aboveground Piping to the Fire Department. (NFPA 13: Figure 24.1)
- FID 33. Floor Control Valves (CFC903.3.8 & Ordinance 1781: Item 42):** Floor control valves and water-flow detection assemblies shall be installed at each

floor in buildings three or more stories in height. Valve locations will be determined and approved by the fire code official.

- FID 34. **Fire Alarm System:** Fire alarm system shall comply with the requirements of NFPA 72, 2010 Edition.
- FID 35. **Fire Sprinkler Supervision and Alarms System (CFC 903.4/4.1):** All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all fire sprinkler systems shall be electrically supervised by a listed Fire Alarm Control Unit (FACU). The listed FACU alarm, supervisory and trouble signals shall be distinctly different and shall be monitored at a UL listed central station service. The fire sprinkler supervision and alarms system shall comply with the requirements of NFPA 72, 2010 Edition. All control valves shall be locked in the open position.
- FID 36. **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 37. **Audible Water Flow Alarms (CFC 903.4.2 & Appendix K: 4.3):** An approved audible sprinkler flow alarm (Wheelock horn/strobe with WBB back box or equal) shall be provided on the exterior of the building in an approved location. The horn/strobe shall be outdoor rated. A second horn/strobe shall be installed in the interior of the building in a normally occupied location. In multiple suite buildings, additional interior horn/strobes shall be installed in all suites with 50 or more occupant load. Power shall be provided from a fire alarm control unit. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.
- FID 38. **Fire Hydrant & FDC Location:** 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. A field analysis of existing hydrants has not been conducted to verify hydrant location or availability. This comment is included to make you aware that additional fire hydrants may be required.
- FID 39. **Fire Department Connections:** 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 40. Location of Fire Department Connections:** The connection inlets must face the street, and be located on the street side of the building. The face of the inlets shall be 18 inches horizontal from the back edge of sidewalk (or back of curb, if no sidewalk), and shall be 36 to 44 inches in height to center of inlets above finished grade. No landscape planting, walls, or other obstructions are permitted within 3 feet of Fire Department connections. The FDC and supporting piping shall be painted OSHA safety red.

The address of the building served shall be clearly indicated on the Fire Department Connection (FDC). A sign with this information shall be placed on or near the FDC. The sign shall be constructed of metal. The sign face, lettering, and attachment shall be made of weather and vandal resistant materials. Sign background will be bright red. Letters will be bright white. Sign format will be substantially as follows:

F. D. C. SERVES
123 N. P. C.
ALL BLDGS. IN COMPLEX

- FID 41. Standpipe Systems Required (CFC 905.3):** Class I Standpipe system is required in addition to the automatic sprinkler system. Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.10.1 and in the locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems are allowed to be combined with *automatic sprinkler systems*.
- FID 42. 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 43. 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 44. Posting of Occupant Load (CFC 1004.3):** Every room or space that is 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 45. **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 46. **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 47. **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, whichever is less, from the nearest visible sign.
- FID 48. **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