



City Council Staff Report

DATE: October 7, 2015

CONSENT CALENDAR

SUBJECT: SECOND READING AND ADOPTION OF ORDINANCE NO. 1886 APPROVING PRELIMINARY PLANNED DEVELOPMENT DISTRICT 374 IN LIEU OF A CHANGE OF ZONE FOR A 39-ROOM HOTEL DEVELOPMENT WITH ACCESSORY USES ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE

FROM: David H. Ready, City Manager

BY: Office of the City Clerk

SUMMARY:

The City Council will consider adoption of Ordinance No. 1886.

RECOMMENDATION:

Waive the reading of the ordinance text in its entirety and adopt Ordinance No. 1886, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PRELIMINARY PLANNED DEVELOPMENT DISTRICT 374 IN LIEU OF A CHANGE OF ZONE FOR A 39-ROOM HOTEL DEVELOPMENT WITH ACCESSORY USES ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (CASE 5.1350 PDD 374/GPA/CUP/3.3795 MAJ)."

STAFF ANALYSIS:

On September 16, 2015, Ordinance No. 1886 was introduced for first reading, as noted below:

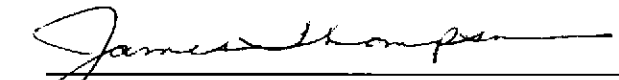
ACTION: Waive the reading of the ordinance text in its entirety and introduce Ordinance No. 1886, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PRELIMINARY PLANNED DEVELOPMENT DISTRICT 374 IN LIEU OF A CHANGE OF ZONE FOR A 39-ROOM HOTEL DEVELOPMENT WITH ACCESSORY USES ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (CASE 5.1350 PDD 374/GPA/CUP/3.3795 MAJ)" *amending the Conditions of Approval as follows: (i) retain Condition No. PLN 20 to delete the outdoor drapes, (ii) require the*

Item No. **2.F.**

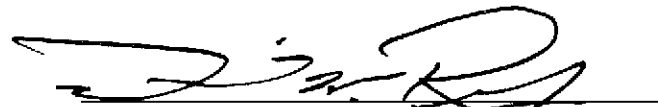
submission of Plans to screen the mechanical equipment and approved at the time of final, (iii) Condition No. 21 to provide a detail study on how the trash will function to be approved at the time of final, (iv) Condition No. PLN 28 to provide a study for shading to be approved at the time of final and prohibit reflective glazing, (v) add a condition that prohibits the conversion for condo purposes, and (vi) eliminate Condition No. PLN 26. Motion Councilmember Mills, seconded by Mayor Pro Tem Lewin, and unanimously carried 3-0 on a roll call vote.

AYES: Councilmember Mills, Mayor Pro Tem Lewin, and Mayor Pougnet.
NOES: None.
ABSENT: Councilmember Foat and Councilmember Hutcheson.

This report provides for the City Council to waive further reading and adopt the ordinance. The ordinance shall be effective 30-days from adoption.



James Thompson
City Clerk



David H. Ready, Esq., Ph.D.
City Manager

/kdh

Attachments: Ordinance No. 1886

ORDINANCE NO. 1886

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING PRELIMINARY PLANNED DEVELOPMENT DISTRICT 374 IN LIEU OF A CHANGE OF ZONE FOR A 39-ROOM HOTEL DEVELOPMENT WITH ACCESSORY USES ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE (CASE 5.1350 PDD 374/GPA/CUP/3.3795 MAJ).

City Attorney Summary

This Ordinance approves a Planned Development District in lieu of a change in zone for a 1.13 acre parcel located at 750 North Palm Canyon Drive.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS AND DETERMINES AS FOLLOWS:

- A. 750 LOFTS, LLC, submitted applications pursuant to Palm Springs Zoning Code Sections 94.04 (Architectural Review), Section 94.07 (Change of Zone), Section 94.03 (Planned Development District), Section 94.02 (Conditional Use Permit) and State of California Governmental Code Sections 65350-65362 (General Plan Amendment) for a Preliminary Planned Development District in Lieu of a Change of Zone for a proposed 39-unit hotel with accessory uses, APN: 505-303-018.
- B. A notice of a public hearing of the February 25, 2015 meeting of the Planning Commission of the City of Palm Springs to consider Case 5.1350 PDD 374/GPA/CUP/3.3795 MAJ was given in accordance with applicable law.
- C. At the meeting of February 25, 2015, the Planning Commission carefully reviewed the proposed Change of Zone and all other applications associated with the proposed development, and after taking public testimony and reviewing all evidence presented in conjunction with the applications, voted 7 to 0 to recommend approval of the proposed development to the City Council, subject to conditions.
- D. On June 15, 2015, the applicant submitted a revision to the application.
- E. A notice of a public hearing of the June 24, 2015 meeting of the Planning Commission of the City of Palm Springs to consider revisions to Case 5.1350 PDD 374/GPA/CUP/3.3795 MAJ was given in accordance with applicable law.
- F. At the meeting of June 24, 2015, the Planning Commission opened the public hearing and took public testimony on the proposed project, and voted to continue the matter to its meeting of July 22, 2015.
- G. At the Planning Commission meeting of July 22, 2015, staff requested to

continue Case 5.1350 PDD 374/GPA/CUP/3.3795 to the August 12, 2015 meeting in order to address comments received in conjunction with the revised application.

H. On August 12, 2015, the Planning Commission resumed the public hearing, and after considering all evidence presented in connection with the hearing on the project, including, but not limited to, the staff report and all written and oral testimony presented, voted 6-0-1 (Weremiuk absent) to recommend approval of the proposed Planned Development District in Lieu of a Change of Zone and associated applications to the City Council.

I. The proposed Planned Development District in Lieu of a Change of Zone is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"). An initial study was prepared for the project. The initial study concluded that all of the project's potentially significant impacts will be less than significant with the incorporation of mitigation. On this basis, a mitigated negative declaration was prepared.

J. Notice of a public hearing of the City Council of the City of Palm Springs to consider Case 5.1350 PDD 374/GPA/CUP/3.3795 MAJ was given in accordance with applicable law.

K. On September 16, 2015, a public hearing on the application for the project was held by the City Council in accordance with applicable law.

L. The City Council has carefully reviewed and considered all of the evidence presented in connection with the meetings on the project, including but not limited to the staff report and all written and oral testimony presented and has reviewed and considered the Initial Study and Mitigated Negative Declaration as approved pursuant to Resolution No. 23898.

M. Pursuant to Palm Springs Zoning Code Sections 94.03.00 (Planned Development District) and 94.07.00 (Change of Zone), the City Council has considered and determined that the following conditions are met and justify approval of a planned development district in lieu of a change of zone:

1. *The proposed change of zone is in conformity with the general plan map and report.*

The Planned Development District application allows for uses and development standards that are consistent with the proposed CBD land use designation of the General Plan. The CBD designation allows for a mix of commercial, residential, and office uses, and allows hotel uses at a density of up to 70 units per acre if a Planned Development District is prepared and approved.

2. *The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the Planning Commission and City Council.*

The subject property is suitable for hotel and restaurant uses; similar uses are located on adjacent properties within the Uptown area. The parcel has access from two major thoroughfares (Palm Canyon, Indian Canyon) as designated by the General Plan, and is consistent with the intensity of development allowed under the proposed CBD land use designation. Further, the project site is located within the boundaries of the "R" Resort Overlay Zone. The proposed development would provide additional hotel rooms, restaurant, retail, spa, and cocktail lounge uses that are supportive of the tourist nature of the Uptown area, and which are consistent with the Resort Overlay Zone.

3. *The proposed change of zone is necessary and proper at this time, and is not likely to be detrimental to the adjacent property or residents.*

The proposed development plan will assist in the redevelopment of the subject site, and will enhance economic development efforts in the area. Furthermore, as set forth in the Initial Study/Mitigated Negative Declaration prepared for the project, the project would not have a significant effect on the environment. Therefore the project is not likely to be detrimental to the adjacent properties or residents.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS ORDAINS:

SECTION 1. The City Council approves Planned Development District 374 in lieu of zone change, subject to the conditions contained in Exhibit "A" to this Ordinance.

SECTION 2. The City Council approves the zone map change from C-1/PDD 104 to PDD 374 for the 1.13 acre parcel at 750 North Palm Canyon Drive (APN: 505-303-018).

SECTION 3. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or a summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL
THIS __ DAY OF _____, 2015.

STEPHEN P. POUCKET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. _____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on _____ and adopted at a regular meeting of the City Council held on _____ by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

RESOLUTION NO. 23898

EXHIBIT "A"

Case 5.1350 PDD 374/GPA/CUP/3.3795 MAJ

"750 LOFTS"

750 North Palm Canyon Drive

(September 16, 2015)

CONDITIONS OF APPROVAL

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

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

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1350 PDD 374 / GPA / CUP / CASE 3.3795 MAJ; except as modified with the approved Mitigation Monitoring Program and the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped August 5, 2015, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative

officers concerning Case 5.1350 PDD 374 / GPA / CUP / Case 3.3795 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 (Planned Development District (PDD) and Major Architectural Applications (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.

Approval of this Conditional Use Permit shall be valid for a period of two (2) years from the effective date of the approval. Once constructed, the Conditional Use Permit, provided the project has remained in compliance with all conditions of approval, does not have a time limit.

ADM 8. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- ADM 9. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).
- ADM 10. Maintenance of Outdoor Seating/Dining. Daily cleaning and wash down of sidewalks for any outdoor seating areas or patios will be required. Contact Parks & Recreation at (760) 323-8281 for information regarding the proper method of cleaning of sidewalks and pavers within the public rights-of-way.
- ADM 11. Cause No Disturbance. The owner shall monitor outdoor parking areas, walkways, and adjoining properties and shall take all necessary measures to ensure that customers do not loiter, create noise, litter, or cause any disturbances while on-site. The owner and operator shall ensure that at closing time, all customers leave the property promptly and that the property is clean and secure before the owner/operator leaves the premises. The Police Chief, based upon complaints and/or other cause, may require on-site security officers to ensure compliance with all City, State, and Federal laws and conditions of approval. Failure to comply with these conditions may result in revocation of this permit, temporary business closure or criminal prosecution
- ADM 12. Grounds for Revocation. Non-compliance with any of the conditions of this approval or with City codes and ordinances, State laws; any valid citizen complaints or policing and safety problems (not limited to excessive alcohol consumption, noise, disturbances, signs, etc) regarding the operation of the establishment; as determined by the Chief of Policy or the Director of Building and Safety, may result in proceedings to revoke the Conditional Use Permit. In addition, violations of the City Codes and Ordinances will result in enforcement actions which may include citations, arrest, temporary business closure, or revocation of this permit in accordance with law.
- ADM 13. Comply with City Noise Ordinance. The uses associated with this approval shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code (PSMC). Violations by any of the individual uses permitted under this CUP / PDD may result in revocation or revision of

the Conditional Use Permit/PDD associated with that particular use at the site pursuant to the procedures outlined in PSZC 94.02.00.(I).

The Noise level limits are as set forth below from PSMC Section 11.74.031:

11.74.031 Noise level limit.

The noise level or sound level referred to in this section shall mean the higher of the following:

- (1) Actual measured ambient noise level; or
- (2) That noise level limit as determined from the table in this subsection:

Zone	Time	Sound Level (A-weighted) Decibels
Residential High Density	7 a.m. to 6 p.m.	60
	6 p.m. to 10 p.m.	55
	10 p.m. to 7 a.m.	50
Commercial	7 a.m. to 6 p.m.	60
	6 p.m. to 10 p.m.	55
	10 p.m. to 7 a.m.	50

ADM 14. Seating Count. The applicant shall be limited to the total number of seats as follows:

- a. First Floor Restaurant facing Palm Canyon Drive: a maximum of ninety-seven (97) seats (including bar area seating) and sixteen (16) seats outdoors.
- b. Cocktail lounge/bar facing Indian Canyon Drive: thirty-nine (39) seats inside, none shown outside.
- c. Rooftop cocktail lounge/bar: twenty (20) seats. This does not include the lounge chairs and around the pool deck.

Any deviation from these numbers shall require prior approval by the Director of Planning by means of an amendment to the Use Permit associated with each use. The applicant shall maintain the minimum clearance as specified by the Fire Department between the entrances and the outdoor tables and chairs. This includes games, pool tables, and other amenities

ADM 15. Land Use Permit required for Outdoor Dining at the first floor restaurant. Any outdoor dining proposed as part of the restaurant use associated with this PDD shall require approval by the Director of Planning Services of a Land Use Permit prior to the establishment of the outdoor dining.

- ADM 16. Land Use Permit required for Rooftop Bar. The rooftop bar associated with this PDD shall require approval by the Director of Planning Services of a Land Use Permit prior to establishment of the bar use.
- ADM 17. Land Use Permit required for the first floor Cocktail Lounge / Bar. The first floor cocktail lounge / bar shall require approval by the Director of Planning Services of a Land Use Permit prior to establishment of the use.
- ADM 18. Conditional Use Permit: The project approval is for separate CUP's for the following specific uses:
- a. CUP approval for the hotel use in which more than 10% of the rooms have kitchens / cooking facilities.
 - b. CUP approval for the spa / salon use. This acknowledges the spa / salon use established for the use of hotel guests. If the operator of the spa/salon wishes to serve patrons other than hotel guests, the CUP would need to be amended to identify provision for additional parking.
 - c. CUP approval for Cocktail Lounge / Bar Use – First floor bar / lounge.
 - d. CUP approval for Cocktail Lounge / Bar Use – Rooftop / poolside bar / lounge.

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

- ADM 19. Contingent Approvals: Approval of the Conditional Use Permit application and Major Architectural Application are contingent upon certification of the CEQA documentation and approval of all associated project applications by the City Council.

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either

Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at www.dfg.ca.gov for more information.

- ENV 3. Mitigation Monitoring. The mitigation measures of the environmental assessment shall apply.
- ENV 4. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.
- ENV 5. Cultural Resource Site Monitoring. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)
- ENV 6. a). A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.
- b). Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting

on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.

- PLN 2. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.
- PLN 3. Submittal of Final PDD. The Final Planned Development plans shall be submitted in accordance with Section 94.03.00 (Planned Development District) of the Zoning Ordinance. Final development plans shall include site plans, building elevations, floor plans, roof plans, grading plans, landscape plans, irrigation plans, exterior lighting plans, sign program, mitigation monitoring program, site cross sections, property development standards and other such documents as required by the Planning Commission and Planning Department. Final Planned Development District applications must be submitted within two (2) years of the City Council approval of the preliminary planned development district.
- PLN 4. Palm Tree Requirement. In accordance with Planning Commission Resolution No. 1503, dated November 18, 1970, the developer is required to plant Washingtonia Fillifera (California Fan) palm trees (14 feet from ground to fronds in height) 60 feet apart along the entire frontage of Palm Canyon Drive and/or Tahquitz Canyon Way median. (for projects on Palm Canyon or Tahquitz Canyon Way).
- PLN 5. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.
- PLN 6. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 7. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.

- PLN 8. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance. Plans for the mechanical equipment screening shall be provided upon application for Final Development Plan approval.
- PLN 9. 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 10. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.
- PLN 11. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 12. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 13. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.
- PLN 14. Bicycle Parking. The project shall be required to provide secure bicycle parking facilities on site for use by residents and commercial/retail patrons and owners. Location and design shall be approved by the Director of Planning.
- PLN 15. Parking Study. Final approval on the determination of the adequacy of off-street parking based upon the submitted parking study is subject to review by the City Engineer.
- PLN 16. Permitted Uses and Development Standards. As approved within the PDD in lieu of a zone change to include:
- a. 39-room hotel with kitchens and cooking facilities in all hotel units.
 - b. A restaurant; outdoor dining subject to approval by the Planning Director of a separate Land Use Permit.
 - c. A rooftop cocktail lounge / bar subject to approval by the Planning Director of a separate Land Use Permit.
 - d. A first floor cocktail lounge / bar subject to approval by the Planning Director of a separate Land Use Permit.

- e. A spa for hotel guests only. (if the spa use is changed to be open to the public, a minor amendment to the PDD/CUP to provide adequate off-street parking shall be reviewed and approved by the Planning Commission). Any outdoor programming associated with the spa use involving the use of a sound amplification system shall require approval by the Planning Director of a Land Use Permit identifying the parameters of such use and the means for controlling or attenuating any nuisance noise caused by such use.
 - f. Commercial/Retail uses.
 - g. All other uses as denoted in the Palm Springs Zoning Code Section 92.12.01 (Uses permitted in the C-1 zone), 92.12.02 (Uses prohibited in the C-1 zone) in accordance with the development standards as outlined in Section 92.12.03 (Development Standards in the C-1 zone) as amended or modified herein.
- PLN 17. Sound Attenuation Plan for Rooftop Bar. The applicant shall submit to the City Planning Department an acoustical study or report and associated drawings, details or other documentation to substantiate the adequacy of the perimeter walls, solid railings or other physical devices, barriers or surface characteristics necessary to control or mitigate the potential for the transmission of nuisance noise generated from the rooftop bar.
- PLN 18. Photovoltaic Panels. Provide photovoltaic panels in the general locations shown on the roof plan as part of the public benefits for this project.
- PLN 19. Validated Valet Parking Service Required. The applicant shall provide a "validated" valet parking service at the site and shall provide a site plan to the City Planning Department demonstrating the maximum additional parking spaces that could be accommodated in the drive aisles of the parking lot by using the valet parking service. Project currently proposes 74 standard and compact parking spaces and 34 valet parking spaces stacked in or adjacent to the drive aisles in the parking lot.
- PLN 20. Eliminate curtains at hotel unit balconies. Alternative devices for solar / heat gain / privacy control shall be proposed by the applicant that are more durable and resistant to blowing, tears, or deterioration.
- PLN 21. Service Gate at dumpsters. Provide minimum 4 foot wide lockable security gates at the north side service alley for movement of trash dumpsters, ease of access for emergency personnel and to limit access to this area. A detailed study for trash removal shall be provided upon submittal of the Final Development Plan application.
- PLN 22. Finished Ceilings/Soffits at first floor ceiling. Provide soffits and concealment of sewer pipes, drains, water, gas, electrical, and other conduit and ductwork

for a fully finished surface at the outdoor covered areas, the primary through-site drive aisle and parking.

- PLN 23. Provide Code-Required ADA parking including Van Accessible spaces
Provide at least one (1) of the ADA parking spaces to be van accessible pursuant to the Zoning Code Section 93.06.
- PLN 24. Art Nooks to AAC. Submit final design plans for the art walk nooks along Indian Canyon Drive to the Planning Department for review and recommendation by the AAC prior to issuance of building permits.
- PLN 25. Identify all proposed cabanas, shade structures at the roof deck that will be visible from the adjacent streets. Provide plans and/or vendor "cut sheets" for cabanas, shade structures or other devices proposed to be located at the pool deck that may be visible from grade.
- PLN 26. On-street loading. The applicant work with the Public Works & Engineering Department to designate an on-street parking space adjacent to the development site for limited-term loading and unloading. The space shall be available for loading and unloading only during off-peak hours, and shall be available for parking by the general public during the rest of the day.
- PLN 27. Reflective Glazing Prohibited. All glazing for the development, including the glass curtain wall elements, shall be non-reflective so as to avoid glare and impacts to adjacent properties. Shading devices shall be added as an integral element of the glass curtain wall design, and a shading study shall be reviewed and approved as part of the Final Development Plan application.
- PLN 28. Condominium Conversion Prohibited. Conversion of the property to residential condominium uses shall be prohibited.

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

APPLICATION FOR APPROVAL OF A COMMERCIAL HOTEL LOCATED AT 750 NORTH PALM CANYON DRIVE, (APN 505-303-018), SECTION 10, TOWNSHIP 4 S, RANGE 4 E, S.B.M., CASE NO. 3.3795, PD 5.1350, ENG. FILE NO. 4042.

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.

INDIAN CANYON DRIVE

ENG 2. Remove the existing driveway approach and replace with an 8" curb, gutter and sidewalk to match existing in accordance with City of Palm Springs Standard Drawing No. 200, 201, and 210.

ENG 3. Construct a new 24 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.

ENG 4. Construct a raised and landscaped median island extending from Tamarisk Road to Granvia Valmonte. Provide left turn pockets designed in accordance with Section 405 of the current edition of the Caltrans Highway Design Manual, as approved by the City Engineer.

ENG 5. Submit landscaping and irrigation system improvement plans for review and approval by the City Engineer. The irrigation system shall be separately metered, for future use by the City upon acceptance of the median landscaping by the City Engineer. The plans shall be approved in conjunction with the street improvement plans for the median and prior to issuance of a building permit, unless otherwise allowed by the City Engineer.

ENG 6. All median landscaping shall be guaranteed for a period of one year from the date of acceptance by the City Engineer. Any landscaping that fails during the one year landscape maintenance period shall be replaced with similar plant material to the satisfaction of the City Engineer, and shall be subject to a subsequent one year landscape maintenance period.

ENG 7. The proposed pedestrian crossing at Via Altamira is subject to further review by the City Engineer given its proximity to existing pedestrian crossings at Granvia Valmonte and Tamarisk Road.

ENG 8. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

PALM CANYON DRIVE

ENG 9. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

ON-SITE

ENG 10. An accessible pedestrian path of travel shall be provided throughout the development, as may be required by applicable state and federal laws. An accessible path of travel shall be constructed of Portland cement concrete, unless alternative materials meeting state and federal accessibility standards is approved by the City Engineer.

SANITARY SEWER

ENG 11. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.

GRADING

ENG 12. 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 Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information

on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.

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; a copy of current Title Report; a copy of Soils Report.

- ENG 13. 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 14. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 15. 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 16. 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 17. 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 18. This project requires preparation and implementation of a stormwater pollution prevention plan (SWPPP). 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 approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the 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 19. 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 (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 20. 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 and preliminary WQMP.
- ENG 21. 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

- ENG 22. 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 23. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from within the underground parking garage and the on-site private drive aisles. Direct release of nuisance water to adjacent public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- ENG 24. 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 Water Quality Management Plan (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&Rs); 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 issuance of any grading or building permits.
- ENG 25. Prior to issuance of certificate of occupancy or final City approvals, the applicant shall: (a) demonstrate that all structural BMP's have been

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

DRAINAGE

- ENG 26. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to Palm Canyon Drive or Indian Canyon Drive. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.
- ENG 27. The applicant shall accept and convey all stormwater runoff across the property and conduct the runoff to an approved drainage structure.
- ENG 28. 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.

GENERAL

- ENG 29. 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 30. All proposed utility lines shall be installed underground.
- ENG 31. 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.
- ENG 32. Upon approval of any improvement plan (if required) 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 by the City Engineer.
- ENG 33. 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 34. 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.

TRAFFIC

- ENG 35. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 36. 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 37. Submit traffic striping and signage plans associated with the proposed raised median island within Indian Canyon Drive, 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 38. 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 (MUTCD), dated November 7, 2014, or subsequent editions in force at the time of construction.
- ENG 39. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

FIRE DEPARTMENT CONDITIONS

- FID 1 These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the resubmittal plans received and dated June 15, 2015, and updated on August 5, 2015. Additional requirements will be required at that time based on revisions to plans.
- FID 2 Fire Department Conditions were based on the *2013 California Fire Code* as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four (4) 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 **Plans and Permits (CFC 105.1):**
- Permits and scaled drawings are required for this project. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings

for review. Upon approval, the Fire Prevention Bureau will retain one set.

Plans shall be submitted to:

City of Palm Springs
 Building and Safety Department
 3200 E. Tahquitz Canyon Way
 Palm Springs, CA 92262

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

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

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

FID 4 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 5 Key Box Required to be Installed (CFC 506.1): Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be flush mount type and shall contain keys to gain necessary access as required by the fire code official.

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

- **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 6 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 7 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:
- FDC SERVES
750 N PALM CANYON
[Designate Buildings Served]
- FID 8 Fire Hydrant & FDC Location (CFC 912.2):** A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases.
- FID 9 Fire Department Connections (CFC 912.2.1 & 912.3):** Fire Department connections shall be visible and accessible, have two 2.5 inch NST female inlets, and have an approved check valve located as close to the FDC as possible. All FDC's shall have KNOX locking protective caps. Contact the fire prevention secretary at 760-323-8186 for a KNOX application form.
- FID 10 NFPA 13 Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13, 2013 Edition, as modified by local ordinance.
- FID 11 NFPA 13R Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in

accordance with NFPA standard 13R, 2013 Edition, as modified by local ordinance.

- FID 12 **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 13 **Floor Control Valves (CFC 903.3.8 & 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 14 **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, 2013 Edition. All control valves shall be locked in the open position.
- FID 15 **Fire Alarm System:** Fire alarm system is required and installation shall comply with the requirements of NFPA 72, 2013 Edition.
- FID 16 **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 17 **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 18 **Smoke Alarm or Detector Locations - R-1 Occupancy (CFC 907.2.11.1):** Single or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

1. In sleeping areas.
2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
3. In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

FID 19 Groups R-1 and R-2.1 Accessibility Requirements (CFC 907.6.2.3.3): Group R-1 and R-2.1 dwelling units or sleeping units in accordance with Table 907.6.2.3.3 shall be provided with a visible alarm notification appliance, activated by both the in room smoke alarm and the building fire alarm system. Also comply with Section 1111B.4.5, Table 11B-3, and Table 11B-4 of the California Building Code.

FID 20 Fire Extinguisher Requirements (CFC 906): Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. Extinguishers shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.

Portable Fire Extinguishers for Food Processing Equipment (CFC 906.1 & 4): In addition to the fixed system, a fire extinguisher listed and labeled for Class K fires shall be installed within 30 feet of commercial food heat processing equipment, as measured along an unobstructed path of travel. The preferred location is near the exit from the cooking equipment area.

FID 21 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 22 Elevator Emergency Operation (CFC 607.1): Existing elevators with a travel distance of 25 feet or more shall comply with the requirements in Chapter 46. New elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with California Code of Regulations, Title 8, Division 1, Chapter 4, Subchapter 6,

Elevator Safety Orders and NFPA 72.

- **Elevator Keys (CFC 607.4):** Keys for the elevator car doors and fire-fighter service keys shall be kept in an approved location for immediate use by the fire department.
- **Elevator System Shunt Trip (CFC 607.5):** Where elevator hoistways or elevator machine rooms containing elevator control equipment are protected with automatic sprinklers, a means installed in accordance with NFPA 72, Section 21.4, Elevator Shutdown, shall be provided to disconnect automatically the main line power supply to the affected elevator prior to the application of water. This means shall not be self-resetting. The activation of sprinklers outside the hoistway or machine room shall not disconnect the main line power supply.
- **Fire Sprinklers at Bottom of Elevator Pit (NFPA 13: 8.15.5.1):** Sidewall spray sprinklers shall be installed at the bottom of each elevator hoistway not more than 2 ft above the floor of the pit.
- **Elevator Hoistways and Machine Rooms (NFPA 13: 8.15.5.3):** Automatic fire sprinklers shall be required in elevator machine rooms, elevator machinery spaces, control spaces, or hoistways of traction elevators.
- **Fire Sprinklers at the Top of Elevator Hoistways (NFPA 13: 8.15.5.6):** The sprinkler required at the top of the elevator hoistway by 8.15.5.5 shall not be required where the hoistway for passenger elevators is noncombustible or limited-combustible and the car enclosure materials meet the requirements of ASME A17.1, Safety Code for Elevators and Escalators.
- **Elevator Recall for Fire Fighters' Service with Automatic Fire Detection (NFPA 72: 21.3.3):** Unless otherwise required by the authority having jurisdiction, only the elevator lobby, elevator hoistway, and elevator machine room smoke detectors, or other automatic fire detection as permitted by 21.3.9, shall be used to recall elevators for fire fighters' service.
- **Exception:** A water-flow switch shall be permitted to initiate elevator recall upon activation of a sprinkler installed at the bottom of the elevator hoistway (the elevator pit), provided the water-flow switch and pit sprinkler are installed on a separately valved sprinkler line dedicated solely for protecting the elevator pit, and the water-flow switch is provided without time-delay capability.
- **Elevator Recall with Fire Sprinkler in Elevator Pit (NFPA 72: 21.3.7):**

When sprinklers are installed in elevator pits, automatic fire detection shall be installed to initiate elevator recall in accordance with 2.27.3.2.1(c) of ANSI/ASME A.17.1/CSA B44, Safety Code for Elevators and Escalators, and the following shall apply:

- (1) Where sprinklers are located above the lowest level of recall, the fire detection device shall be located at the top of the hoistway.
- (2) Where sprinklers are located in the bottom of the hoistway (the pit), fire detection device(s) shall be installed in the pit in accordance with Chapter 17.
- (3) Outputs to the elevator controller(s) shall comply with 21.3.14.
- **Elevator Systems Automatic Detection (NFPA 72: 21.3.9):** If ambient conditions prohibit installation of automatic smoke detection, other automatic fire detection shall be permitted.
- **Detector Annunciation at the Building Fire Alarm Control Unit (NFPA 72: 21.3.10):** When actuated, any detector that has initiated fire fighters' recall shall also be annunciated at the building fire alarm control unit, or other fire alarm control unit as described in 21.3.2, and at required remote annunciators.

- FID 23 **Palm Springs Fire Department Radio Communications. Features and Requirements (CFC 510.4.3):** All new buildings, four stories in height or taller and all subterranean levels of parking structures or existing altered buildings over 20% shall meet the City of Palm Springs Public Safety Radio System Coverage Specifications as stated in Chapter 11.03 of the *Palm Springs Municipal Code*.
- FID 24 **Hazardous Materials (CFC 5004.1):** Storage of hazardous materials in amounts exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001, 5003 and 5004. Storage of hazardous materials in amounts not exceeding the maximum allowable quantity per control area as set forth in Section 5003.1 shall be in accordance with Sections 5001 and 5003. Retail and wholesale storage and display of nonflammable solid and nonflammable and noncombustible liquid hazardous materials in Group M occupancies and Group S storage shall be in accordance with Section 5003.11.
- Pool Chemicals – dedicated, compliant storage cabinets, rooms, or areas required
 - Liquid Petroleum Gas (LPG) – dedicated, compliant storage cabinets, rooms, or areas required
- FID 25 **Safety and Evacuation Plans (CFC 404.2):** An *approved* fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings.

- Group A, other than Group A occupancies used exclusively for purposes of religious worship that have an *occupant load* less than 2,000.
- Group R-1.

FID 26 **“Exit Analysis Plan” required (CFC 104.7.2):** Prepared, stamped and signed by a state licensed architect in $\frac{1}{4}'' = 1'$ scale. The floor plan shall address the following for a Group A-2 occupancy:

- Provide **net** occupant load calculations for interior (restaurant & bar) and outdoor patios. The occupant load determination shall be made by the Fire Marshal
- Seating/table diagram with compliant aisle widths
- Minimum required egress width to accommodate occupant load
- Exit access travel distance
- Egress paths to public way
- Means of egress illumination locations
- Illuminated EXIT sign locations
- Compliant exit doors/gates and door/gate hardware (panic hardware)
- Note any elevation changes in the exit discharge
- Locations of fire extinguishers (minimum rating 2A-10BC).
- Project Note – Provide exit analysis plans for all assembly areas including pool enclosures.

END OF CONDITIONS