



## Planning Commission Staff Report

Date: April 22, 2009

Case No.: 3.2801 MAJ - Time Extension

Type: Major Architectural -Time Extension

Location: 1066 N. Gene Autry Trail

APN: 677-260-026

Applicant: Michael Chait / C2G Architects

General Plan: IND (Industrial)

Zone: W-M-1-P (Planned Research and Development Park)  
Water Course

From: Craig A. Ewing, AICP, Director of Planning Services

Project Planner: Glenn Mlaker, Assistant Planner

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### **PROJECT DESCRIPTION:**

The applicant is requesting a one year time extension for a previously approved Major Architectural Application (3.2801 - MAJ) for the construction of three commercial/ industrial buildings on a 4.5 acre parcel.

### **RECOMMENDATION:**

That the Planning Commission approve a one year time extension for Case 3.2801 - MAJ.

### **BACKGROUND:**

On February 25, 2007 the Architectural Advisory Committee reviewed the plan and recommended approval to the Planning Commission.

On March 28, 2007 the Planning Commission adopted a Negative Declaration (ND); and approved the Major Architectural application (MAJ).

**ANALYSIS:**

**ZONING:**

Architectural Approvals, granted pursuant to Section 94.04.00 of the Palm Springs Zoning Code (PSZC), have a time limit for construction which is two years. According to Section 94.04.00(H) of the PSZC, *"extensions of time may be granted by the Planning Commission upon demonstration of good cause"*. The applicant has stated that the construction has not commenced due to current market and economic conditions. This project was approved by the Planning Commission on March 28, 2007; therefore, the approval will expire on March 28, 2009.

The applicant submitted a letter of time extension request on March 9, 2009. Review of the time extension must consider changes in the applicable rules and the changes in the character of the neighborhood since the original entitlement was approved.

Staff has concluded that since the approval of the original entitlement, there have been no changes in the applicable rules or in the character of the neighborhood that would warrant denial of the time extension.

Staff received amended conditions from the Engineering Department. A list of these changes to the Conditions of Approval are as follows: Engineering Conditions - Grading #19c,d,e, #22, #22A, #24A; General #39A; Traffic #44

**ENVIRONMENTAL DETERMINATION:**

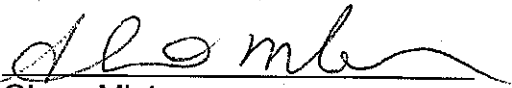
The Planning Department has reviewed this project under the provisions of the California Environmental Quality Act (CEQA), and has determined that a time extension request is considered a "project" pursuant to the terms of the California Environmental Quality Act (CEQA). A Negative Declaration of environmental impact (ND) was previously adopted by the Planning Commission on March 28, 2007 for the project. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, the preparation of a Subsequent Mitigated Negative Declaration, Addendum to the Negative Declaration or further environmental documentation is not necessary because the changed circumstances of the project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The time extension request would not result in any new environmental impacts beyond those already assessed in the certified ND

**CONCLUSION:**

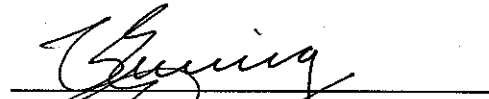
Staff has determined that the applicant has demonstrated good cause for an extension of time and is recommending that the Planning Commission approve a time extension of one year from March 28, 2009 to March 28, 2010 for Case No. 3.2801 – MAJ.

**NOTIFICATION:**

A hearing notice is not required for a time extension request.



Glenn Mlaker  
Assistant Planner



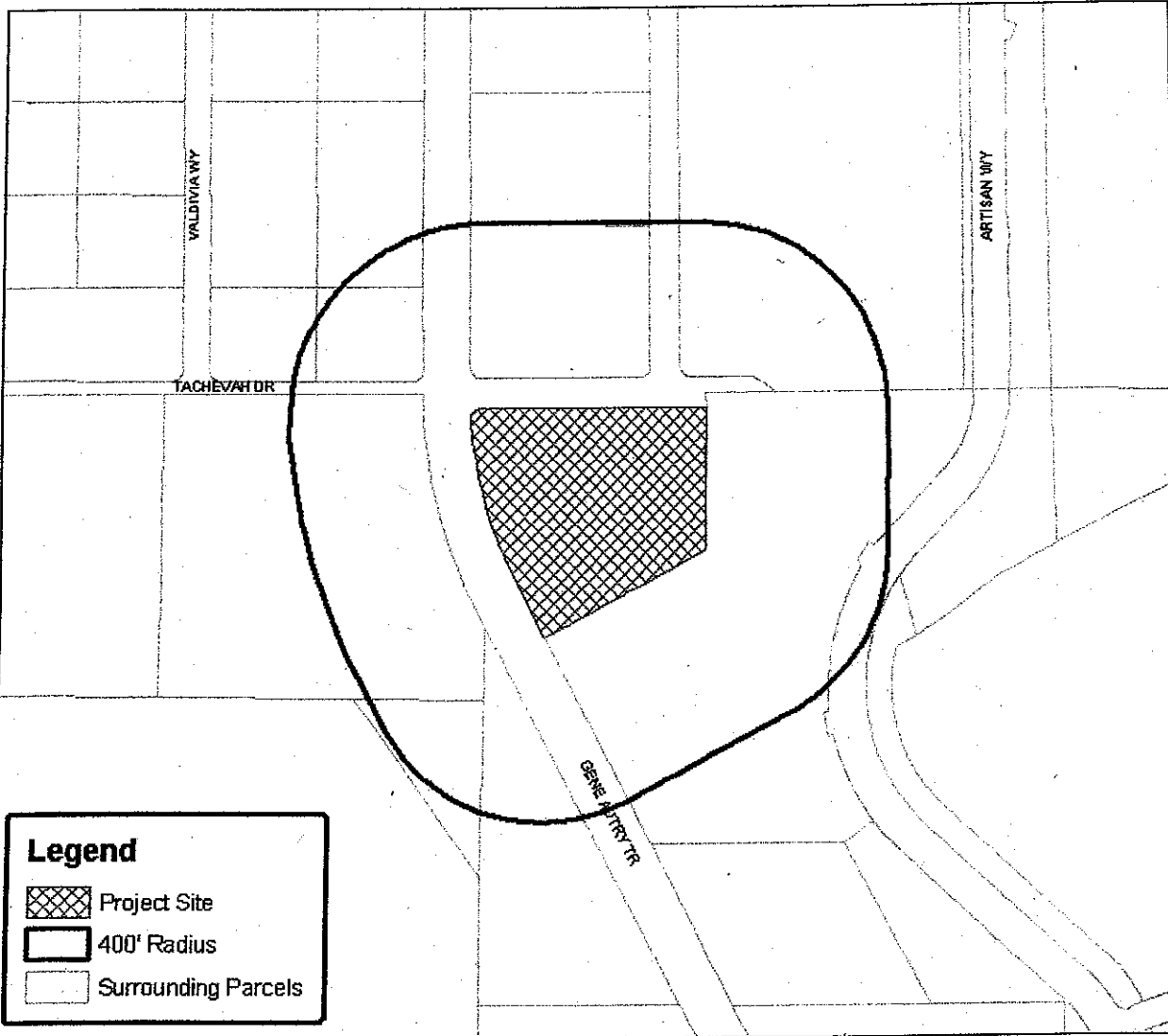
Craig A. Ewing, AICP  
Director of Planning Services

**Attachments:**

- 1) 400' Radius Map
- 2) Draft Resolution
- 3) Revised Conditions of Approval
- 4) Letter of Time Extension Request



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**CASE NO:** 3.2801 MAJ

**APPLICANT:** C2G Architects  
FAMILIAN BUSINESS PARK

**DESCRIPTION:** To consider a one-year time extension to construct three commercial/industrial buildings with off-street parking and associated landscaping at 890 North Gene Autry Trail, zoned W-M-1-P, Section 7, APN: 677-260-026.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A ONE-YEAR TIME EXTENSION FROM MARCH 28, 2009 TO MARCH 28, 2010 FOR CASE NO. 3.2801-MAJ, A PREVIOUSLY ENTITLED COMMERCIAL/INDUSTRIAL DEVELOPMENT OF 2 BUILDINGS ON 3.5 ACRES AT 890 GENE AUTRY TRAIL, ZONE W-M-1-P, SECTION 7, APN 677-260-026.

WHEREAS, C2G Architects ("Applicant") has filed an application with the City pursuant to Chapter 94.04.0(H) of the Palm Springs Zoning Code for a one-year time extension to Case No. 3.2801 – MAJ for a commercial/industrial development of three buildings on 4.5 acres.

WHEREAS, on April 22, 2009, a public meeting on the application was held by the Planning Commission in accordance with applicable law; and

WHEREAS, The Planning Department has reviewed this project under the provisions of the California Environmental Quality Act (CEQA), and has determined that a time extension request is considered a "project" pursuant to the terms of the Environmental Quality Act (CEQA). A Negative Declaration (ND) was previously adopted by the Planning Commission on March 28, 2007 for the project. Further environmental documentation is not necessary because the changed circumstances of the project will not result in any new significant environmental effects. The time extension would not result in any new environmental impacts beyond those already assessed in the Negative Declaration.

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

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves a one year time extension from March 28, 2009 to March 27, 2010 for Case No. 3.2801 - MAJ.

ADOPTED this 22nd day of April, 2009.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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Craig Ewing, AICP  
Director of Planning Services

RESOLUTION NO.

EXHIBIT A

Case No. 3.2801 – MAJ and Case No. 6.496 Variance

1066 North Gene Autry Trail

April 22, 2009

**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 Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

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

**PROJECT SPECIFIC CONDITIONS**

**ADMINISTRATIVE:**

1. The proposed development of the premises shall conform to all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, or any other City Codes, ordinances and resolutions which supplement the zoning district regulations. 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 3.2801 - 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

2. Following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
3. That the property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
4. Pursuant to Fish and Game Code Section 711.4 a filing fee of \$64.00 is required. This project has a de minimus impact on fish and wildlife, and a Certificate of Fee Exemption shall be completed by the City and two copies filed with the County Clerk. This application shall not be final until such fee is paid and the Certificate of Fee Exemption is filed. Fee shall in the form of a money order or cashier's check payable to Riverside County.
5. 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.

## CULTURAL RESOURCES

6. 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.
7. Given that portions of the project area are within an alluvial formation, the possibility of buried resources is increased. A Native American Monitor shall be present during all ground-disturbing activities.
  - a). Experience has shown that there is always a possibility of buried cultural resources in a project area. Given that, 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 and Zoning and after the consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to investigate and, 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 and Zoning Department prior to final inspection.

#### FINAL DESIGN

8. With Zoning Ordinance Section 93.21.00, Outdoor Lighting Standards, shall be submitted for review and approval by the Director of Planning & Zoning prior to the issuance of building permits. Manufacturer's cut sheets of all exterior lighting on the building and in the Final landscaping, irrigation, exterior lighting, and fencing plans shall be submitted for approval by the Department of Planning and Zoning prior to issuance of a building permit. Landscape plans shall be approved by the Riverside County Agricultural Commissioner's Office prior to submittal.
9. An exterior lighting plan in accordance landscaping shall be submitted for approval prior to issuance of a building permit. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of the hillside is permitted.

#### GENERAL CONDITIONS / CODE REQUIREMENTS



10. Architectural approval shall be valid for a period of two (2) years. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
11. The appeal period for a Major Architectural application is 15 calendar days from the date of project approval. Permits will not be issued until the appeal period has concluded.
12. Separate architectural approval and permits shall be required for all signs. A detailed sign program shall be submitted for review and approval by the Planning Commission prior to issuance of building permits.
13. All materials on the flat portions of the roof shall be earth tone in color.
14. All awnings shall be maintained and periodically cleaned.
15. All roof mounted mechanical equipment shall be screened from all possible vantage points both existing and future per Section 93.03.00 of the Zoning Ordinance. The screening shall be considered as an element of the overall design and must blend with the architectural design of the building(s). The exterior elevations and roof plans of the buildings shall indicate any fixtures or equipment to be located on the roof of the building, the equipment heights, and type of screening. Parapets shall be at least 6" above the equipment for the purpose of screening.
16. No exterior downspouts shall be permitted on any facade on the proposed building(s) which are visible from adjacent streets or residential and commercial areas.
17. The design, height, texture and color of building(s), fences and walls shall be submitted for review and approval prior to issuance of building permits.
18. The street address numbering/lettering shall not exceed eight inches in height.
19. Submit plans meeting City standard for approval on the proposed trash and recyclable materials enclosure prior to issuance of a building permit.
20. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
21. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
22. 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.

23. Prior to the issuance of building permits, locations of all telephone and electrical boxes must be indicated on the building plans and must be completely screened and located in the interior of the building. Electrical transformers must be located toward the interior of the project maintaining a sufficient distance from the frontage(s) of the project. Said transformer(s) must be adequately and decoratively screened.
24. The applicant shall provide all tenants with Conditions of Approval of this project.
25. Loading space facilities shall be provided in accordance with Section 9307.00 of the Zoning Ordinance. Said facilities shall be indicated on the site plan and approved prior to issuance of building permits.
26. Standard parking spaces shall be 17 feet deep by 9 feet wide; compact sized spaces shall be 15 feet deep by 8 feet wide. Handicap parking spaces shall be 18 feet deep by 9 feet wide plus a 5 foot walkway at the right side of the parking space; two (2) handicap spaces can share a common walkway. One in every eight (8) handicap accessible spaces, but not less than one (1), shall be served by an 8 foot walkway on the right side and shall be designated as "van accessible".
27. Handicapped accessibility shall be indicated on the site plan to include the location of handicapped parking spaces, the main entrance to the proposed structure and the path of travel to the main entrance. Consideration shall be given to potential difficulties with the handicapped accessibility to the building due to the future grading plans for the property.
28. Compact and handicapped spaces shall be appropriately marked per Section 93.06.00.C.10.
29. Curbs shall be installed at a minimum of five (5) feet from face of walls, fences, buildings, or other structures. Areas that are not part of the maneuvering area shall have curbs placed at a minimum of two (2) feet from the face of walls, fences or buildings adjoining driveways.
30. Parking lot light fixtures shall align with stall striping and shall be located two to three feet from curb face.
31. Islands of not less than 9 feet in width with a minimum of 6 feet of planter shall be provided every 10 parking spaces. Additional islands may be necessary to comply with shading requirements.
32. Shading requirements for parking lot areas as set forth in Section 9306.00 of the Zoning Ordinance shall be met. Details to be provided with final landscape plan.
33. Tree wells shall be provided within the parking lot and shall have a planting area of six feet in diameter/width.

### **ENGINEERING:**

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**

1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
2. Applicant shall obtain State permits and approval of plans for all work done on State Highway 111. A copy of an approved Caltrans encroachment permit shall be provided to the City Engineer prior to the issuance of building permits.
3. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.

#### **GENE AUTRY TRAIL (HIGHWAY 111)**

4. Dedicate additional right-of-way for a property line - corner cut-back at the northwest corner of the subject property in accordance with City of Palm Springs Standard Drawing No. 105.
5. Dedicate an easement for sidewalk purposes for those portions of the meandering bicycle path that leave the public right-of-way.
6. Construct a 40 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the driveway approach shall be located approximately 50 feet north of the southerly property line. Access shall be limited to right-turn ingress and egress only.
7. Construct a Type C curb ramp meeting current California State Accessibility standards on each side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 214. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer and ADA Coordinator. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

8. Construct a 12 feet wide Class I meandering bicycle path (Caltrans Design Manual, Chapter 1000 - Bikeway Planning and Design) along the entire frontage. The bicycle path shall be constructed of colored Portland cement concrete. The admixture shall be Desert Sand, Palm Springs Tan, or approved equal color by the Engineering Division.
9. Remove the existing asphalt concrete curb ramp and replace with a Type A curb ramp meeting current California State Accessibility standards at the southeast corner of the intersection of Gene Autry Trail and Tachevah Drive in accordance with City of Palm Springs Standard Drawing No. 212.
10. All broken or off grade street improvements shall be repaired or replaced.

#### TACHEVAH DRIVE

11. Remove the existing asphalt concrete berm located 25 feet south of centerline and replace with a 6 inch curb and gutter located 25 feet south of centerline along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 200.
12. Construct a 40 feet wide and a 32 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 205. The centerlines of the driveway approaches shall be located approximately 225 feet and 40 feet from the east property line, respectively.
13. Construct a Type C curb ramp meeting current California State Accessibility standards on each side of the two driveway approaches in accordance with City of Palm Springs Standard Drawing No. 214. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across each of the driveways, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer and ADA Coordinator. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
14. Construct an 8 feet wide sidewalk along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 210.
15. All broken or off grade street improvements shall be repaired or replaced.

#### ON-SITE

16. The minimum pavement section for all on-site drive aisles and parking areas shall be 2½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered

Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

### SANITARY SEWER

17. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.
18. Construct an on-site private sewer system to collect sewage from the development and connect to the existing public sewer system. The on-site private sewer system shall not connect to any existing sewer manhole within Gene Autry Trail. The on-site sewer system shall connect to the existing 15 inch sewer main located approximately 26 feet west of the centerline in Gene Autry Trail (State Highway 111), with a standard sewer lateral connection in accordance with City of Palm Springs Standard Drawing No. 405.

### GRADING

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

- of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; a copy of Soils Report; a copy of the Hydrology Study (if required); and a copy of the project specific Water Quality Management Plan.
- c. In accordance with an approved PM-10 Dust Control Plan, perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
  - d. 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.
  - e. 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.
20. Prior to approval of a Grading Plan, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer, or the Tribal Archaeologist, at (760-699-6800), to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.
21. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
22. Notice of Intent to comply with Statewide General Construction Stormwater Permit (Water Quality Order 99-08-DWQ as modified December 2, 2002) is required for the proposed development via the California Regional Water Quality Control Board (Phone No. (760) 346-7491). A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading permit.
- 22A. Projects causing soil disturbance of one acre or more, must comply with either the General Permit for Stormwater Discharges Associated with Construction Activity or the General Permit for Stormwater Discharges Associated with

Construction Activity from Small Linear Underground/Overhead Projects, and shall prepare and implement a stormwater pollution prevention plan (SWPPP). Where applicable, the project applicant shall cause the approved final project-specific WQMP to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.

23. In accordance with City of Palm Springs Municipal Code, Section 8.50.025 (c), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre for mitigation measures for erosion/blowsand relating to this property and development.
24. 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.
- 24A. 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.
25. 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).

## DRAINAGE

26. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMP's).

27. All stormwater runoff passing through and falling on the site may be accepted and conveyed across the property to the southeast corner of the site in a manner acceptable to the City Engineer. Stormwater runoff may be passed onto the adjacent development (Escena) as described in the Final Hydrology Study for Palm Springs Classic (now Escena), prepared by Mainiero, Smith and Associates, Inc., dated November 4, 2004. A Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading 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 is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
28. If the site is designed in a manner that prevents conveyance of stormwater runoff to the southeast corner of the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of 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. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. 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.
29. 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.
30. This project will be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating stormwater runoff, will be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the



NPDES Permit, that effectively intercept and pre-treat stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).

31. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$4,117.00 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

#### GENERAL

32. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.
33. 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.

34. All proposed utility lines shall be installed underground.
35. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
36. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
37. 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.
38. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
39. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed per City of Palm Springs Standard Drawing No. 904.
- 39A. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

#### TRAFFIC

40. The applicant shall install a Type R6-1 "One Way" sign within the Gene Autry Trail median, opposite the 40 feet wide driveway, as required by the City Engineer.
41. Install a 30 inch stop sign facing traffic egressing from the development at the driveway on Gene Autry Trail in accordance with City of Palm Springs Standard Drawing Nos. 620-625.
42. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Minimum clearance on public sidewalks shall be provided by either an additional

dedication of a sidewalk easement (if necessary) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the Gene Autry Trail and Tachevah Drive frontages of the subject property.

43. 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.
44. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with, Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated September 26, 2006 or subsequent editions in force at the time of construction.
45. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

#### **FIRE DEPARTMENT:**

1. **Premises Identification:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. (901.4.4 CFC) Show location of address on plan elevation view. Show requirement and dimensions of numbers in plan notes. Numbers shall be a minimum 4 inches, and of contrasting color to the background.
2. **Plot Plan:** Prior to completion of the project, a 8.5"x11" plot plan and an electronic CAD version shall be provided to the fire department. This shall clearly show all access points, fire hydrants, knox box locations, fire department connections, unit identifiers, main electrical panel locations, sprinkler riser and fire alarm locations. Large projects may require more than one page.
3. **Automatic Fire Sprinklers:** An approved, automatic Fire Sprinkler System is required.
4. **Fire Alarm System:** Fire Alarm System required. Installation shall comply with the requirements of NFPA 72.
5. **Systems and Hydrants:** Underground water mains and fire hydrants shall be installed, completed, tested and in service prior to the time when combustible materials are delivered to the construction site. (903 CFC) Prior to final approval of the installation, contractor shall submit a completed Contractor's Material and Test Certificate to the fire department. (9-2.1 NFPA 24)

6. **Operational Fire Hydrant(s):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except groundcover plantings. (1001.7.2 CFC)
7. **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.
8. **Trash Container Protection:** If trash container space is within 5 feet of a building wall provide information on the type and size of trash container to be stored there. If it is a dumpster with a capacity of 1.5 cubic yards or greater, then the container must be protected by an approved automatic fire sprinkler. (1103.2.2 CFC)
9. **Exterior soffits/canopies:** Roofs or canopies must be protected with fire sprinklers if they are more than 4 feet wide unless the entire assembly is non-combustible. (5-13.8 NFPA 13 1999) Any exterior fire sprinklers require approval of the Planning Department.
10. **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.
11. **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

425  
S. SUNRISE WAY  
ALL BLDGS. IN COMPLEX

12. **Valve and water-flow monitoring:** All valves controlling the fire sprinkler system water supply, and all water-flow switches, shall be electrically monitored where the number of sprinklers is one hundred or more. (Twenty or more in Group I, Divisions 1.1 and 1.2 occupancies.) (904.3.1 CBC) All control valves must be locked in the open position.
13. **Post Indicator Valves:** Post indicator valves will not be installed. Control of each building fire sprinkler system will be by a monitored valve on the system riser.
14. **Required Signs:** All fire sprinkler valves shall have a permanently affixed sign indicating the valve function and area served. The address of the building served shall be clearly indicated on the Fire Department Connection (FDC).
15. **Fire Extinguisher Requirements:** 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. (1002.1 CFC) 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 near an exit door.
16. **High Piled Storage:** If materials to be stored are anticipated to exceed 12 feet in height, additional requirements will be required. Contact the fire department plans examiner for more detailed requirements.
17. **Fire Hydrant Flow:** The required fire hydrant flow for this project is 1,500 GPM with the installation of fire sprinklers.

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

1. **Minimum Access Road Dimensions:** Private streets shall have a minimum width of at least 20 feet, pursuant to California Fire Code 902.1 **however**, a greater width for private streets may be required by the City engineer to address traffic engineering, parking, and other issues. **The Palm Springs Fire Department requirements** for two-way private streets, is a **minimum width of 24 feet**, unless otherwise allowed by the City engineer. No parking shall be allowed in either side of the roadway.

19. **Required marking:** Required marking of fire apparatus roads and fire-protection equipment shall be in accordance with section 901.4 CFC.

**Vertical Fire Apparatus Clearances:** Palm Springs fire apparatus require an unobstructed vertical clearance of not less than 13 feet 6 inches. (902.2.2.1 CFC) This will include all landscaping features such as the tree canopies that are called out for providing shade in the parking between the buildings that may interfere with emergency vehicle access.

20. **Road Design:** Fire apparatus access roads/parking lots shall be designed and constructed as all weather capable and able to support a fire truck weighing 73,000 pounds GVW. (902.2.2.2 CFC) The minimum inside turning radius is 30 feet, with an outside radius of 45 feet.

21. **Emergency Key Box: Knox key box(es) are required.** Box(es) shall be mounted at 6 feet above grade. Show location of box(es) on plan elevation views. Show requirement in plan notes. Contact the Fire Department at 760-323-8186 for a Knox application form. (902.4 CFC)

22. **Emergency Key Box:** A Knox key box is required for access to the fire sprinkler riser. Box shall be mounted at 6 feet above grade, adjacent to the main entrance. Contact the Fire Department at 760-323-8186 for a Knox application form. (902.4 CFC)

**Key Box Contents:** 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.

**Construction site Security and Protection:**

### Fencing

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

### Gates

24. **Access Gate Obstructions:** Entrances to roads, trails or other access ways, which have been closed with gates and barriers, shall be maintained clear at all times. (902.2.4.1 CFC).
25. **Access During Construction:** 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. (Sec. 902 CFC)

**END OF CONDITIONS**

**C2G**

**ARCHITECTURE DESIGN CONSTRUCTION**

14931a califa street van nuys california 91411 tel 818.781.1390 fax 818.781.1467

February 24, 2009

City of Palm Springs  
Department of Planning Services  
Attn: Craig Ewing  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

Re: Request for Final resolution #6079 and Conditions of Approval Time Extension  
Case No. 3.2801-MAJ and Case No. 6.496- Variance  
APN: 677-260-026  
Familian Business Park  
1066 North Gene Autry Trail, Palm Springs, CA 92262  
C2G Project No. 0419

Dear Mr. Ewing,

We are the applicants for the project mentioned above. Briefly, the project received a final approval from the Planning Commission of the City of Palm Springs on March 28<sup>th</sup>, 2007. This approval is good for two years. At this time, we respectfully request a one year time extension.

Our request is based on weak commercial and industrial demand due to the current economic recession and the owner's need for additional time to secure project funding. We have attached a check in the amount of \$881 for this request.

Craig, I hope the above will be satisfactory for your consideration of our request. If you have any questions or need additional information or clarification, please let me know.

Sincerely,

C2G



Michael Chait, Architect

cc: Bruce Familian, Managing Member

**RECEIVED**

MAR 09 2009

**PLANNING SERVICES  
DEPARTMENT**

3.2801 76

Alain Giaimo

Michael S. Chait architect

Alain Giaimo architect