

EXHIBIT A

BUILDING DIVISION CONDITIONS OF APPROVAL

June 1, 2017

Mark Setterland, Chief Building Official

Courthouse Square Hotel; 19, 25 Old Courthouse Square; File No. DR16-070

Due to the unusual configuration of this project which includes proposed construction over multiple parcels, the Building Division proposes the following conditions be included in the discretionary package for this project.

Proposed Conditions of Approval

1. The building plans submitted for permit shall be based on, and consistent with, the Illustrative Graphic, attached to these conditions of approval as Building Exhibit A-1, and made a part hereof. The City retains sole discretion to impose additional requirements during the building plan review process. The Illustrative Graphic shows the following critical features, conditioned as noted on the Graphic and below.
 - A. Vertical fire separation, reflecting the stipulated property lines for code purposes, located between the "Empire Building" component of the project, the "Poulsen" component, and the "Berkowitz Building" component, shall be constructed with code compliant exterior wall and opening protection as determined by the Building Official.
 - B. Creation of an enclosed, Type I (or as may be required by the Building Official) exit passageway crossing property lines and connecting the "Empire Building" component and the "Berkowitz Building" component across the "Poulson Building" component shall be constructed. The enclosed passageway shall connect to an unenclosed exterior egress court of the same minimum width to be located on the public sidewalk behind the "Berkowitz Building" component adjoining to the west and extending to the Third Street public sidewalk. The exit passageway width shall be approved as part of the building permit based upon the actual occupant load tributary to the exit system. Width and configuration of the exterior egress court path of travel shall comply with code requirements for egress based upon calculated occupant load tributary to the exit system. The western-wall of the "Berkowitz" component adjoining the exterior egress court shall be one hour construction with rated openings consistent with the building

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code (as determined by the Building Official) to the required height above grade, including the trash enclosure. Said trash enclosure shall also include a roof and sliding access doors also of one hour construction. Trash enclosure doors shall not swing into or otherwise reduce the width of the exterior egress court path of travel. The trash enclosure shall be sprinklered in accordance with Fire code.

The exit passageway and egress court shall serve as a second exit for the "Empire Building" component, the "Poulsen Courtyard," and the "Berkowitz Building" component. The ground floor restaurant in the Berkowitz Building may also discharge into the exit passageway or egress court, subject to separate permit review. The exit passageway may include the constructed niche areas shown, with fixed noncombustible shelves as indicated, with art attached and of a character subject to Building and Fire approval, provided the minimum required exit width is maintained.

The "Poulsen Courtyard" interior egress court may exit through the gate leading to Courthouse Square and, as noted at B above, through the exit passageway and egress court. Doors from the interior egress courtyard into the exit passageway and the gate into Courthouse Square, shall comply with applicable code.

- C. The Graphic provides stated maximums for occupancy in the specified areas. The submitted building plans shall demonstrate, to the satisfaction of the City, that the plans do not exceed these maximums.
- 2. Building plans for tenant improvements on the ground floor of the "Berkowitz Building" Component may be subject to separate permit application and approval.
- 3. Prior to issuance of a building permit, the applicant shall submit, and the City shall review, easement documents necessary to implement these conditions. The easements shall be irrevocable except on such terms as the Building Official may approve as part of the review process and shall be recorded prior to issuance of building permits.
- 4. Both existing parcels under the "Berkowitz Building" shall be legally merged into a single parcel. Evidence of recordation of said merger shall be submitted to the City prior to issuance of any building permit.

ATTACHMENT:

EXHIBIT A-1 – Illustrative Graphic

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EXHIBIT A-1 PLACEHOLDER. AWAITING UPDATED DRAWING