

Planning Commission Staff Report

Date:

February 24, 2010

Case No.:

3.2795-SFR & 7.1335-AMM

Type:

Single Family Residence and Administrative Minor Modification

Location:

587 Camino Calidad

APN:

513-260-029

Applicant:

Schultz Family Trust

General Plan:

ER (Estate Residential)

Zone:

R-1-A (Single-family Residential)

From:

Craig A. Ewing, AICP, Director of Planning Services

Project Planner:

David A. Newell, Associate Planner

PROJECT DESCRIPTION:

The proposal is a request by Schultz Family Trust for architectural approval to construct a 5,618 square foot hillside single-family residence, including an attached 644 square foot second unit, on a vacant lot located at 587 Camino Calidad. The request also includes an Administrative Minor Modification to reduce the front yard setback from twenty-five feet to 23.5 feet.

A single family residence very similar to this proposed project was approved by the Planning Commission for this site in August of 2005. The entitlement expired and the applicant is requesting approval again with some minor changes to the project.

RECOMMENDATION:

That the Planning Commission approve Case No. 3.2795 SFR and 7.1335 AMM, for a single-family residence and attached second unit with a reduced front yard setback for the property located at 587 Camino Calidad, subject to conditions of approval.

PRIOR ACTIONS:

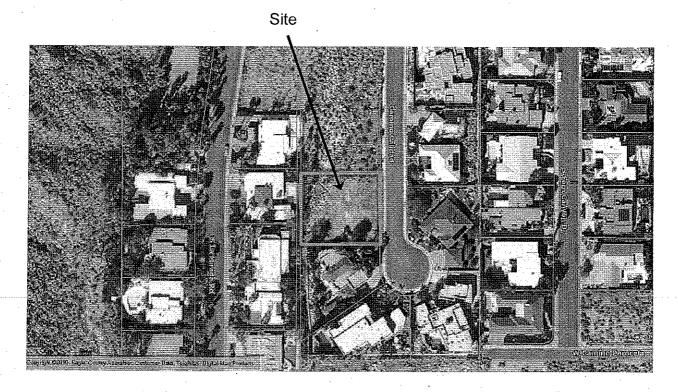
On September 26, 2005, the Architectural Advisory Committee reviewed the project and voted 7-0 to recommend approval to the Planning Commission with the following recommendations:

- 1. Decorative paving should be provided for the motor court area.
- 2. A final landscape plan shall be reviewed by the AAC.

These comments have been included as Condition of Approval No. PLN 3 in the draft resolution.

BACKGROUND AND SETTING:

The proposed project is located on a Camino Calidad, which is a cul-de-sac local street near the west end of Ramon Road. The subject site is approximately 20,025 square feet in size. The vacant property contains a scattering of vegetation and large boulders. There are no specimen trees to preserve. The subject site is surrounded by single-family residences to the west, east and south.



ANALYSIS:

General Plan

The General Plan Designation of the subject site is Estate Residential (0-2.0 dwelling units per acre). This designation allows for single family dwellings to a maximum density of two dwelling units per acre. The subject site is approximately 20,025 square feet (approximately 0.46 acres) in size, and therefore exceeds the density requirement. However, the lot is a legal lot of record and is zoned for single-family residential development. The proposal is consistent with all other aspects of this general plan land use designation.

Table 1: General Plan, Zone and Surrounding Land Uses

	General Plan	Zone	Land Use
North	ER (Estate Residential)	R-1-A	Vacant
South	ER (Estate Residential)	R-1-A	Single-Family Residence
East	ER (Estate Residential)	R-1-A	Single-Family Residence
West	ER (Estate Residential)	R-1-A	Single-Family Residence

Zoning Designation

The project is a proposed single-family residence on a hillside lot within the R-1-A Zone. Pursuant to Section 92.01.01(A)(1) of the PSZC, permanent single-family dwellings are permitted within the R-1-A Zone. The applicant is also proposing an attached accessory living quarter / second unit with cooking facilities that is approximately 644 square feet in size. While the Zoning Code does not currently permit second units with cooking facilities without the approval of a Conditional Use Permit (CUP), California Government Code, Section 65852, requires that local agencies permit second units with cooking facilities without requiring a CUP when it meets the State's criteria noted below:

- (A) The unit is not intended for sale and may be rented.
- (B) The lot is zoned for single-family or multifamily use.
- (C) The lot contains an existing single-family dwelling.
- (D) The second unit is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.
- (E) The increased floor area of an attached second unit shall not exceed 30 percent of the existing living area.
- (F) The total area of floorspace for a detached second unit shall not exceed 1,200 square feet.
- (G) Requirements relating to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other zoning requirements generally applicable to residential construction in the zone in which the property is located.

The proposed attached second unit is approximately 16% of the single-family residence's living area and will be consistent with all other development standards of the Zone.

Development Standards

Details of the property development standards for the proposed project in relation to the requirements of the R-1-A Zone are shown in Table 2 below.

Table 2: Development Standards

	R-1-A Zone	Proposed Project (approx.)
Lot Area	20,000 square feet	20,025 square feet
Lot Width	130 feet	133.5 feet
Lot Depth	120 feet	150 feet
Front Yard	25 feet	23.5 feet
Interior Side Yard	10 feet	10 feet (both sides)
Rear Yard	15 feet	15 feet
Building Height	18 feet maximum	16.5 feet
Building Coverage	35%	28%
Dwelling size	1,500 sq. ft minimum	4,650 square feet
(excluding garage /		
carport)		

As indicated in the chart above, the proposed development is consistent with all the parameters set by the R-1-A development standards except for the front yard setback. The applicant is seeking relief from the front yard setback through an Administrative Minor Modification (AMM) application. Further information regarding this application is provided below.

Architecture:

The proposed structure incorporates a modern influence with simple lines, shapes and flat roofs. Clearstory windows are provided over the master suite and dining / living areas to allow natural light and mountain views. A rooftop view deck is proposed on the southeast corner of the proposed residence. The exterior materials consist of smooth and coarse textured stucco, stone veneer, anodized aluminum and various types of glass. The color palette consists of desert colors. The landscape plan proposes water-efficient trees and some shrubbery.

Parking:

According to 93.06.00(D)(29)(a) all single-family homes are required to provide two covered parking spaces per dwelling unit. This requirement is met by the two proposed two car garages.

FINDINGS:

Architectural Review

There are no required findings for architectural approval which do not require environmental assessments. Instead, the Zoning Code Section 94.04.00(D)(1-9) provides guidelines for the architectural review of development projects to determine that the proposal will provide a desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance is evaluated, based on consideration of the following:

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

Access to the proposed project is designed according to the requirements of the Uniform Building Code, and within the development standards of the City of Palm Springs Zoning Code. The single-family residence is located in a U-shaped design on the property.

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

The surrounding properties are all zoned for single-family hillside residences, with all but one of the adjacent properties having existing single-family residences. The project creates a visual harmony within the neighborhood through a consistency in land use.

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

All heights are lower than the maximum building height of eighteen feet. The proposed residence will be 16.5 feet in height to the top of the clearstory windows with the mass of the building at 11.5 feet in height; the garage heights will be lower at 9.5 feet above the existing grade. The proposed project meets all other Zoning Code requirements and an Administrative Minor Modification has been requested to allow a reduced front yard setback. The overall mass of the building is very minimal since the roofs are flat with minor clearstory pop-ups. All mechanical equipment will be located on the ground in yard areas behind block walls.

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

- 5. Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously, AND
- 6. Consistency of composition and treatment,

The proposed structure incorporates a modern influence with simple lines, shapes and flat roofs. Clearstory windows are provided over the master suite and dining / living areas to allow natural light and mountain views. A rooftop view deck is proposed on the southeast corner of the proposed residence. The exterior materials consist of smooth and coarse textured stucco, stone veneer, anodized aluminum and various types of glass used in a simple and effective manner.

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

The vacant site contains a scattering of indigenous insignificant shrubbery. There are no specimen trees to preserve. The landscape plan proposes water-efficient trees and some shrubbery. The proposal uses drip irrigation to supply water to the landscaping, and will be required to meet the new water efficient landscape ordinance.

Administrative Minor Modification (AMM)

The minimum front yard setback for the subject property is twenty-five feet. The applicant is requesting that the front yard setback requirement be reduced to 23.5 feet through the AMM process. Pursuant to Section 94.06.01(A)(8) of the PSZC, hillside areas may modify a front yard to a minimum of ten feet, upon approval of a site plan, elevations and a grading map showing existing and finished contours. The findings in support of the AMM are provided below:

Before the Planning Commission may approve a minor modification, the Commission shall make all of the following findings, based on evidence presented:

a. The requested minor modification is consistent with the general plan, applicable specific plan(s) and overall objectives of the zoning ordinance;

There is no General Plan Policy that would be adversely affected by this modification, nor are there any specific plans associated with this property. The Palm Springs Zoning Code, Section 94.06.01(A)(8), specifically allows the reduction of front yards to no less than ten feet.

b. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the minor modification;

The subject property is located on the west side of Camino Calidad – a cul-de-sac street. The reduction of a front yard setback from twenty-five feet to 23.5 feet to allow two corners that make up less than ten square feet of building area each is an insignificant impact to the site and adjacent areas. Therefore, it is concluded that there is no adverse affect to the surrounding properties.

c. The approval or conditional approval of the minor modification will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or in the vicinity;

The proposed project will not be detrimental to the health, safety or general welfare of persons residing or working on the site and vicinity since adequate provisions have been made through imposed conditions. These conditions include requirements that the building will be built to the standards of the Uniform Building Code and PSZC.

d. The approval of the minor modification is justified by environmental features, site conditions, location of existing improvements, or historic development patterns of the property or neighborhood.

The property is a hillside lot that slopes downward from west to east with the lowest portion of the site at the northeast. The two side entry garages are slightly angled to the street to allow easier access from the single-driveway entry point. This minimizes the impact to the hillside areas of the site. Therefore, the approval of the minor modification is justified by existing environmental features.

CONCLUSION:

The project has received a recommendation of approval from the Architectural Advisory Committee. It is allowed by right-of-zone and consistent with the land use policies of the General Plan. Staff has provided findings in support of a reduced setback for the Administrative Minor Modification application. Therefore, staff is recommending approval of Case No. 3.2795 SFR and 7.1335 AMM.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is Categorically Exempt per Section 15303(a)(New Single-family residence).

NOTIFICATION:

Notification was sent to adjacent property owners on December 22, 2009, to inform the neighbors that there has been an application submitted for the subject property. An additional notice was sent to adjacent property owners on February 10, 2010, to inform the neighbors that the project will be reviewed by the Planning Commission on February 24, 2010. As of the writing of this report, staff has received one letter of opposition to the proposed project (see attached). The letter is opposed to the rooftop view patio due

to concerns of privacy. Staff notes that there are no codes that prohibit rooftop view patios.

David A. Newell Associate Planner Craig A. Ewing, AICP Director of Planning Services

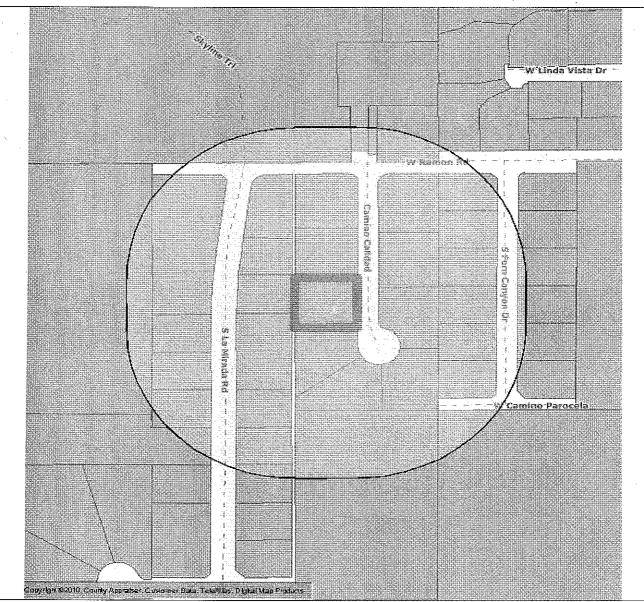
Attachments:

- Vicinity map
- Draft Resolution w/ Conditions of Approval
- Reduced copies of site plan and elevations
- Letter from adjacent property owner



Department of Planning Services Vicinity Map





CITY OF PALM SPRINGS

CASE NO: 3.2795 SFR & 7.1335 AMM

APPLICANT: Schultz Family Trust

<u>DESCRIPTION:</u> To consider an application by Schultz Family Trust for an architectural approval of a single-family residence and second unit, with a reduced front yard setback, on a vacant lot located at 578 Camino Calidad, Zone R-1-A, Section 22.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 3.2795 SFR, TO ALLOW CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE AND ACCESSORY LIVING QUARTER, AND CASE 7.1335 AMM TO ALLOW A REDUCED FRONT YARD SETBACK FOR THE PROPERTY LOCATED AT 587 CAMINO CALIDAD, ZONE R-1-A, SECTION 22.

WHEREAS, Shultz Family Trust ("Applicant") has filed an application with the City pursuant to Section 94.04.00 and 94.06.01 of the Zoning Code for a 5,618-square foot single-family residence, including an attached 644 square foot second unit, with a reduced front yard setback to 23.5 feet on a vacant lot located at 587 Camino Calidad (APN: 513-260-029), Zone R-1-A, Section 22; and

WHEREAS, on September 26, 2005, the Architectural Advisory Committee met and voted to recommend approval of the project to the Planning Commission; and

WHEREAS, on February 24, 2010, a public meeting on the application for architectural approval was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and has been determined to be Categorically Exempt as a Class III exemption (single-family residence) pursuant to Section 15303(a) of the CEQA Guidelines; and

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

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

<u>Section 1:</u> Pursuant to the California Environmental Quality Act (CEQA Guidelines, the proposed project is Categorically Exempt under Section 15303(a) (New Single-family residence).

<u>Section 2:</u> Pursuant to Section 94.04.00 of the Palm Springs Zoning Code, the Planning Commission finds:

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

Access to the proposed project is designed according to the requirements of the Uniform Building Code, and within the development standards of the City of Palm Springs Zoning Code. The single-family residence is located in a U-shaped design on the property.

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

The surrounding properties are all zoned for single-family hillside residences, with all but one of the adjacent properties having existing single-family residences. The project creates a visual harmony within the neighborhood through a consistency in land use.

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

All heights are lower than the maximum building height of eighteen feet. The proposed residence will be 16.5 feet in height to the top of the clearstory windows with the mass of the building at 11.5 feet in height; the garage heights will be lower at 9.5 feet above the existing grade. The proposed project meets all other Zoning Code requirements and an Administrative Minor Modification has been requested to allow a reduced front yard setback. The overall mass of the building is very minimal since the roofs are flat with minor clearstory pop-ups. All mechanical equipment will be located on the ground in yard areas behind block walls.

- 4. Building design, materials and colors to be sympathetic with desert surroundings; AND
- 5. Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously, AND
- 6. Consistency of composition and treatment,

The proposed structure incorporates a modern influence with simple lines, shapes and flat roofs. Clearstory windows are provided over the master suite and dining / living areas to allow natural light and mountain views. A rooftop view deck is proposed on the southeast corner of the proposed residence. The exterior materials consist of smooth and coarse textured stucco, stone veneer, anodized aluminum and various types of glass used in a simple and effective manner.

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

The vacant site contains a scattering of indigenous insignificant shrubbery. There are

no specimen trees to preserve. The landscape plan proposes water-efficient trees and some shrubbery. The proposal uses drip irrigation to supply water to the landscaping, and will be required to meet the new water efficient landscape ordinance.

<u>Section 3:</u> Pursuant to Section 94.06.01 (Administrative Minor Modifications) of the Palm Springs Zoning Code, the Planning Commission finds that:

1. The requested minor modification is consistent with the general plan, applicable specific plan(s) and overall objectives of the zoning ordinance;

There is no General Plan Policy that would be adversely affected by this modification nor are there any specific plans associated with this property. The Palm Springs Zoning Code, Section 94.06.01(A)(8), specifically allows the reduction of front yards to no less than ten feet.

2. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the minor modification;

The subject property is located on the west side of Camino Calidad - a cul-de-sac street. The reduction of a front yard setback from twenty-five feet to 23.5 feet to allow two corners that make up less than ten square feet of building area each is an insignificant impact to the site and adjacent areas. Therefore, it is concluded that there is no adverse affect to the surrounding properties.

3. The approval or conditional approval of the minor modification will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or in the vicinity;

The proposed project will not be detrimental to the health, safety or general welfare of persons residing or working on the site and vicinity since adequate provisions have been made through imposed conditions. These conditions include requirements that the building will be built to the standards of the Uniform Building Code and PSZC.

4. The approval of the minor modification is justified by environmental features, site conditions, location of existing improvements, or historic development patterns of the property or neighborhood.

The property is a hillside lot that slopes downward from west to east with the lowest portion of the site at the northeast. The two side entry garages are slightly angled to the street to allow easier access from the single-driveway entry point. This minimizes the impact to the hillside areas of the site. Therefore, the approval of the minor modification is justified by existing environmental features.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case No. 3.2795 SFR, for the construction of a new

5,618 square foot single-family residence, including an attached 644 square foot second unit, and Case No. 7.1335 AMM, to allow a reduced front yard from twenty-five feet to 23.5 feet, on a vacant lot located at 587 Camino Calidad, subject to the conditions of approval attached herewith as Exhibit A.

ADOPTED this 24th day of February, 2010.

AYES: NOES: ABSENT: ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services

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EXHIBIT A

Case 3.2795 SFR 7.1335 AMM

Single Family Residence 587 Camino Calidad APN: 513-260-029

February 24, 2010

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. <u>Project Description</u>. This approval is for the project described per Case 3.2795 SFR and 7.1335 AMM, except as modified by the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the conditions below.
- ADM 3. <u>Conform to all Codes and Regulations</u>. 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. <u>Minor Deviations</u>. 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. <u>Indemnification</u>. 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 Cases 3.2795 SFR and 7.1335 AMM. 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. <u>Time Limit on Approval</u>. Approval of the Major Architectural (MAJ) Application shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts

Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

ADM 10. 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, 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).

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP)

 Local Development Permit Fee (LDMF) required. All projects within the City
 of Palm Springs are subject to payment of the CVMSHCP LDMF prior to the
 issuance of certificate of occupancy.
- ENV 2. Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$64 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Exemption. Action on this application shall not be considered final until such fee is paid.

PLANNING DEPARTMENT CONDITIONS

PLN 1. Final Landscape and Irrigation Final landscaping and irrigation shall be submitted for approval by the Department of Planning Services prior to issuance of a building permit. Landscape plans shall be approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Irrigation plans shall be approved by the Desert Water Agency prior to submittal, as required by Assembly Bill 1881.

- PLN 2. Outdoor Lighting Conformance. Exterior lighting shall conform to Section 93.21.00, Outdoor Lighting Standards, of the Palm Springs Zoning Code. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be submitted to the Planning Department for approval prior to the issuance of building permits. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.
- PLN 3. <u>Conditions Imposed from AAC Review</u>. The applicant shall incorporate the following comments from the review of the project by the City's Architectural Advisory Committee:
 - a. Decorative paving shall be provided in the motor court area.
 - b. Prior to issuance of building permit, a final landscape plan shall be reviewed by the AAC.
- PLN 4. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as off-white, beige or tan. Bright white should be avoided where possible.
- PLN 5. <u>Maintenance of Awnings & Projections</u>. All awnings shall be maintained and periodically cleaned.
- PLN 6. <u>Surface Mounted Downspouts Prohibited</u>. No exterior downspouts shall be permitted on any facade on the proposed building that are visible from adjacent streets or residential and commercial areas.
- PLN 7. <u>Pool Enclosure Approval Required</u>. 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 8. <u>Exterior Alarms & Audio Systems</u>. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 9. <u>Outside Storage Prohibited</u>. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

ENGINEERING DEPARTMENT CONDITIONS

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

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

STREETS

ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.

CAMINO CALIDAD

- ENG 2. Dedicate an easement 2 feet wide along the back of the driveway approach for sidewalk purposes.
- ENG 3. Remove street improvements as necessary to construct a driveway approach in accordance with City of Palm Springs Standard Drawing No. 201. No colored concrete may be constructed within the public right-of-way without first obtaining an Encroachment Agreement for the Engineering Division.
- ENG 4. All broken or off grade street improvements shall be repaired or replaced.

ON-SITE

ENG 5. The existing 7.5 feet wide equestrian easement along the west property line shall be cleared of all debris and blockages (including wrought iron fence and vegetation) in conjunction with this project so that the equestrian trail can be utilized by horseback riders. The equestrian easement shall not be blocked at any time in the future.

SANITARY SEWER

ENG 6. All sanitary facilities shall be connected to the public sewer system. The existing sewer service to the property shall be used for new sanitary facilities. New laterals shall not be connected at manholes.

GRADING

- ENG 7. Submit cut and fill quantities to City Engineer to determine if a Grading Plan is required. If required, the Grading Plan shall be submitted to the Engineering Division for review and approval by the City Engineer prior to issuance of grading permit. If the earthwork quantity is less than 50 cubic yards, a formal grading plan is not required. To qualify for the exemption, a signed original written statement of design earthwork quantities from the owner (or design professional, prepared on company letterhead) shall be provided to the Engineering Division. Exemption of a formal Grading Plan reviewed and approved by the City Engineer does not exempt the applicant from a site grading plan that may be required from the Building Department, or any other requirement that may be necessary to satisfy the California Building Code.
 - 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.
 - b) The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; and a copy of Soils Report.
- ENG 8. 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 9. 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.
- ENG 10. 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 11. 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 12. Prior to issuance of grading permit, the applicant shall provide verification to the City that the fee has been paid to the Agua Caliente Band of Cahuilla Indians in accordance with the Tribal Habitat Conservation Plan (THCP).
- ENG 13. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 14. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 15. 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.

Resolution Conditions of Approval 3.2795 SFR & 7.1335 AMM

Page 8 of 11 February 24, 2010

ENG 16. 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

- ENG 17. 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).
- ENG 18. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212.00 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

GENERAL

- ENG 19. 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.
- ENG 20. All proposed utility lines shall be installed underground.
- ENG 21. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 22. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
- ENG 23. 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 24. Nothing shall be constructed or planted in the corner cut-off area of any driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.
- ENG 25. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

TRAFFIC

- ENG 26. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.
- ENG 27. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated September 26, 2006, or subsequent editions in force at the time of construction.
- ENG 28. 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 site plan dated 12/17/2009. Additional requirements may be required at that time based on revisions to site plans.
- FID 2. Fire Department Conditions were based on the 2007 California Fire Code. Four complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.
- FID 3. 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 4. Buildings and Facilities (CFC 503.1.1): Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. This residence exceeds the 150' distance but with the installation of an automatic fire sprinkler system the applicant meets this requirement. A man gates will be required to gain access for hose deployment around the exterior of this dwelling.
- FID 5. Fences (CFC 503.1.5): When fences are installed that cause the distance from an approved fire department access road to exceed the maximum distance allowed in Section 503 herein, a gate shall be provided in the fence to maintain the required fire department access. The gate shall be a minimum four (4) feet in width and be equipped with a key box and/or lock accessible from both sides in accordance with Section 506 herein. Clear unobstructed access around the entire residence is required for hose deployment.
- FID 6. Security Gates (CFC 503.6): Security sliding gate shall have an approved means of emergency operation. The security gate and the emergency operation shall be maintained at all times.

Secured automated vehicle gates or entries shall utilize approved Knox access switches as required by the fire code official. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch) as required by the fire code official.

- FID 7. Premises Identification (CFC 505.1): New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4" high with a minimum stroke width of 0.5".
- FID 8. Fire Hydrant Flow and Number of Fire Hydrants (CFC 508.5): Fire hydrants shall be provided in accordance with CFC Appendix B, Fire Flow Requirements for Buildings, for the protection of buildings, or portions of buildings, hereafter constructed. The required fire hydrant flow for this 5,618 SF project is 2,000 GPM (CFC Appendix B) and one available fire hydrant

must be within 250 feet from any point on your lot street frontage. (CFC Appendix C)

- FID 9. NFPA 13D Sprinkler System Required (903.3.1.3). Automatic fire sprinkler system is required. An approved NFPA 13D automatic fire sprinkler system shall be installed in all new detached one and two-family dwellings where more than 1,500 GPM fire flow is required. (1,500 GPM fire flow equals 3,600 square feet in Type V wood frame buildings). The minimum fire flow demand with the installation of fire sprinklers is 1,000 GPM.
- FID 10. Residential Smoke Alarms Installation With Fire Sprinklers (CFC 907.2.10.1.2, 907.2.10.2 & 907.2.10.3): Provide Residential Smoke Alarms (FIREX # 0498 accessory module connected to multi-station FIREX smoke alarms or equal per dwelling and fire sprinkler flow switch). Alarms shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alarms shall be interconnected so that operation of any smoke alarm causes all smoke alarms within the dwelling to sound.
- FID 11. Audible Residential Water Flow Alarms (CFC 903.4.2): An approved audible sprinkler flow alarm (Wheelock horn/strobe # MT4-115-WH-VFR with WBB back box or equal) shall be provided on the exterior of the building in an approved location. The horn/strobe shall be out door rated.
- FID 12. Residential Smoke Alarms (CFC 907.2.10): Provide residential single and multiple-station smoke alarms which shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alarms shall be interconnected.

END OF CONDITIONS

C O R.E Y

Philip C. Rubin, Assoc. A.I.A

RYANS VIRTUAL DESIGN, INC.

INTERIOR DOSGN / PEDGRAMMING FADO CONTRICTION DOCUMANTATION

217 West Alloreds Avs. (202 Surbark, CA 915 Tel 918-303-2250 | Spr.816-303-3501 odmi-@kkilandesge-Mocot

PROJECT NAME

PRIVATE SCHULTZ RESIDENCE

ADDRESS / LEGAL INFORMATION

CONSTRUCTION TYPE
NEW ONE STORY, SINGLE FAMILY RESIDENCE.
TYPE V-N CONSTRUCTION, WITH FOUR GARAGES
FOR RESIDENTS' USE.

LOCATION MAI

ADDRESS: 587 CAMINO CALIDAD. PALM SPRINGS, CA 92264

LOT AREA (CALCULATED): 20,025 SQ. FT.

ASSESSOR'S PARCEL NO.: 513250029 TRACT NVMBER: 25829 LOT: 3 MAP REFERENCE: BOOK 230, PAGE 18

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STEPHEN AND EILEEN SCHULTZ PRIVATE RESIDENCE FOR

CONSULTANTS

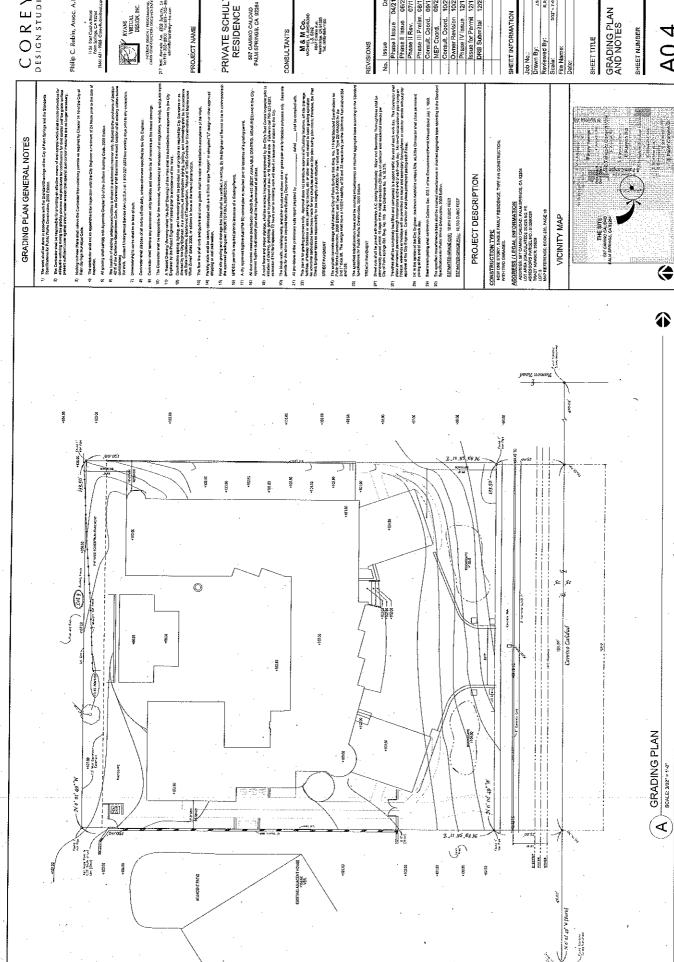
587 CAMINO GALIDAD PALM SPRINGS, CA 92264

Phase IV Issue 12/15/09 Issue for DRB 12/16/09 DRB Update 12/21/09 DRB Revision 01/29/10

COVER SHEET

SHEET NUMBER

587 CAMINO GALIDAD PALM SPRINGS, CA 92264



COREY DESIGN STUDIO

Philip C. Rubin, Assoc. A.I.A

A VIRTUAL VIRTUAL DESIGN, INC.

217 Nets Alomeda Ave. (202 Surbers, CA 9550 Te: 919-303-8950 Fox 615-303-9801 administrations pro-tracom INTERIOR DESIGN / PROGESAMING CADD CONSTSTICTION DOCUMENTATION

PROJECT NAME

PRIVATE SCHULTZ RESIDENCE

M & M Co.
MICHAEL KANDROBO
L.S. 6352
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Phase III Prelim. 02/16/09

Consult. Coord. 05/16/09

MEP Coord. 06/16/09

Consult. Coord. 10/2/09

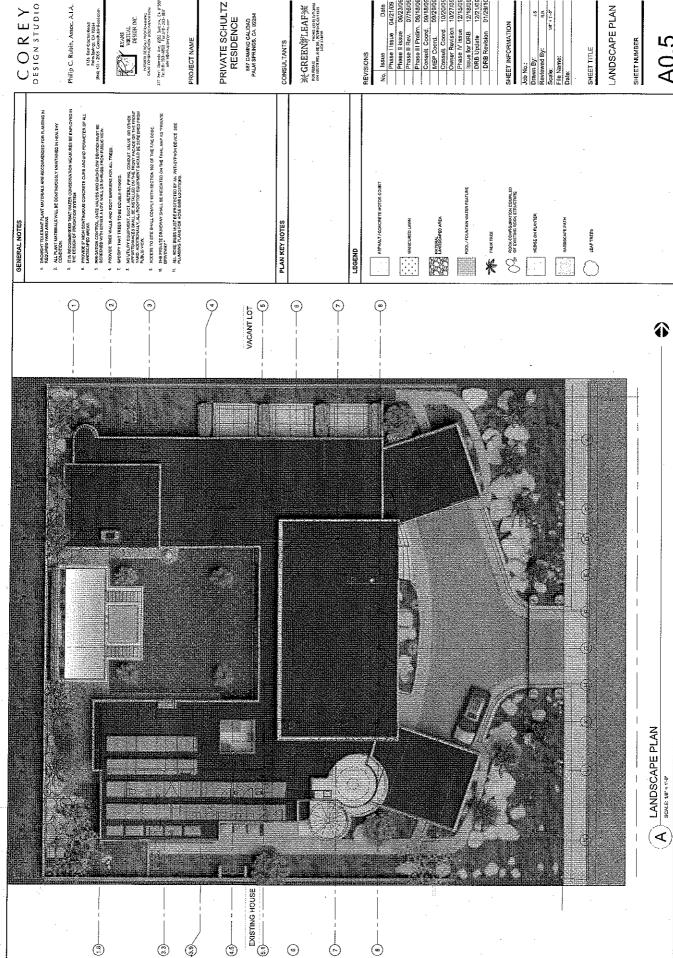
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SHEET INFORMATION



COREY DESIGN STUDIO

Philip C. Rubin, Assoc. A.I.A.

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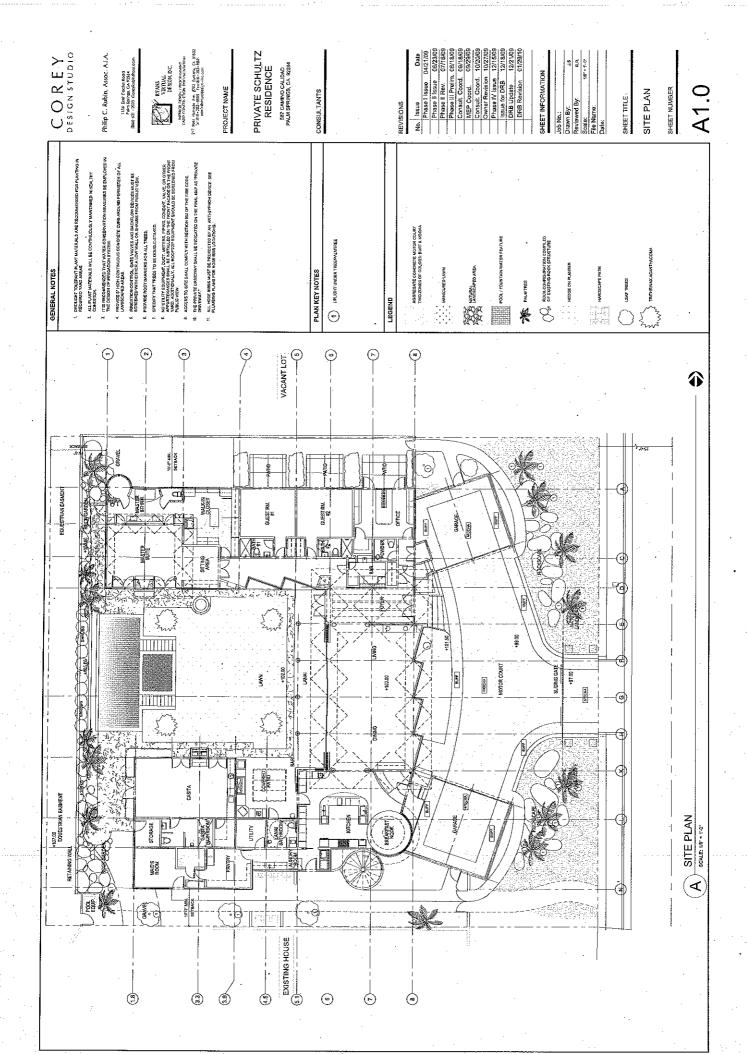
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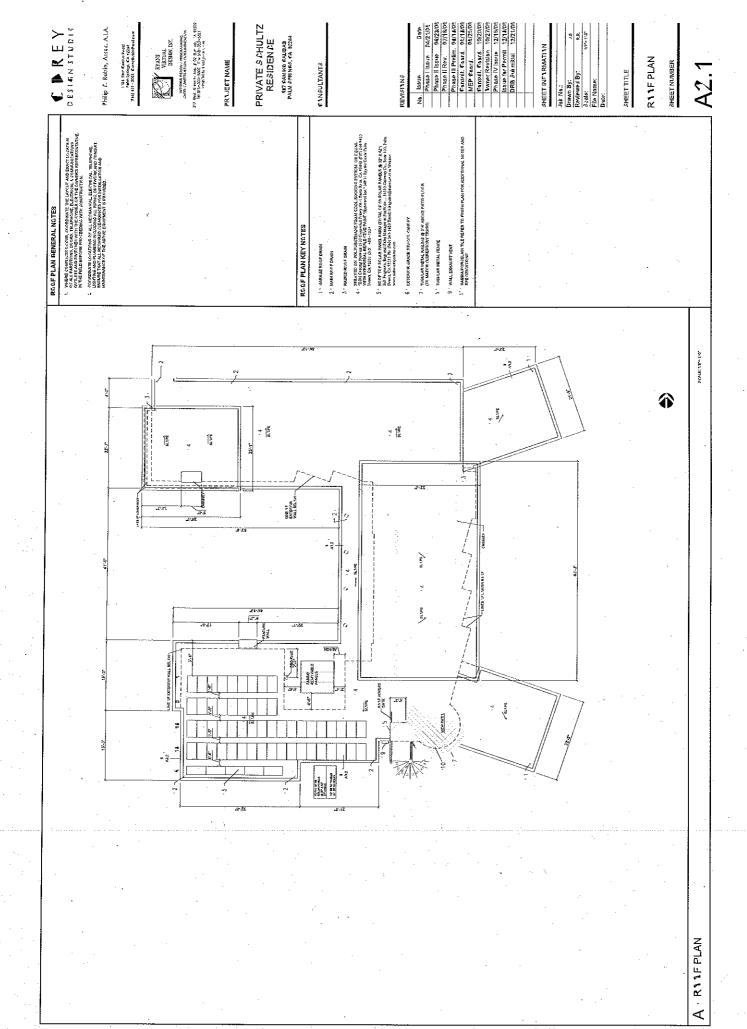
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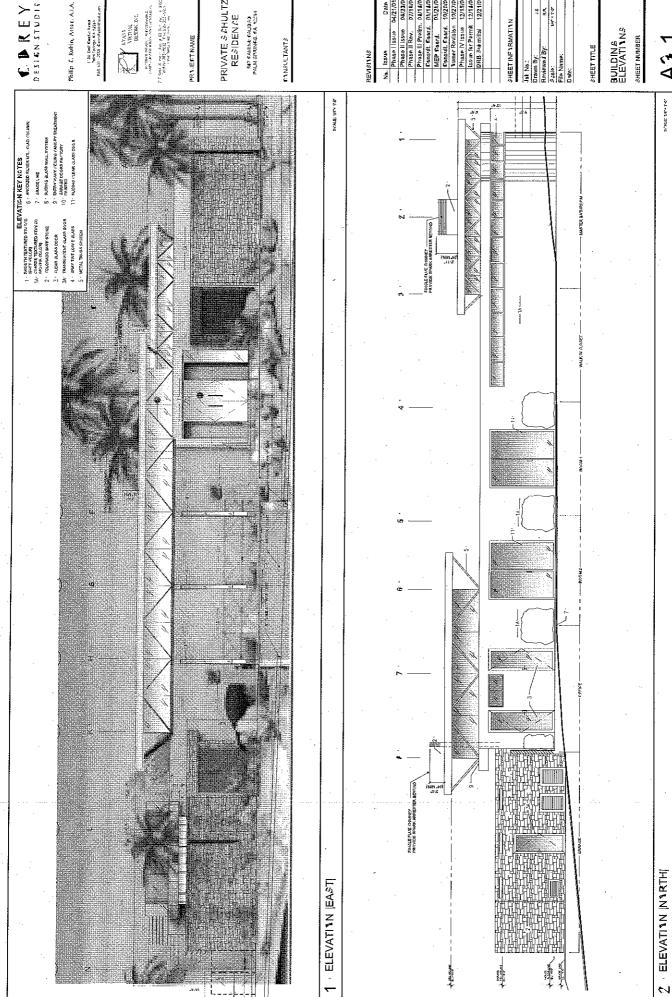
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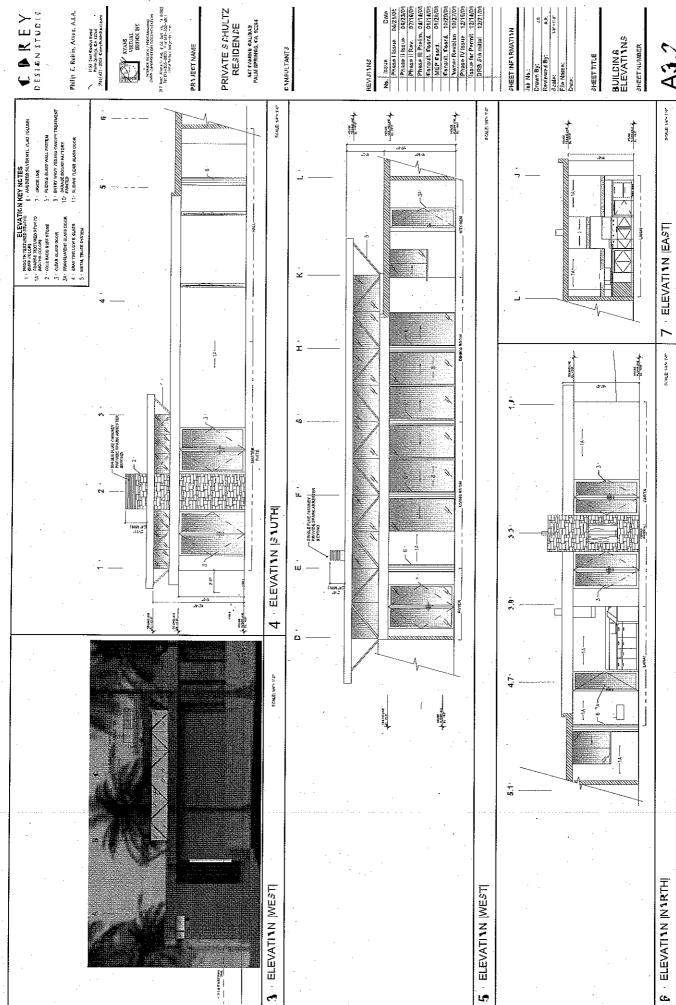
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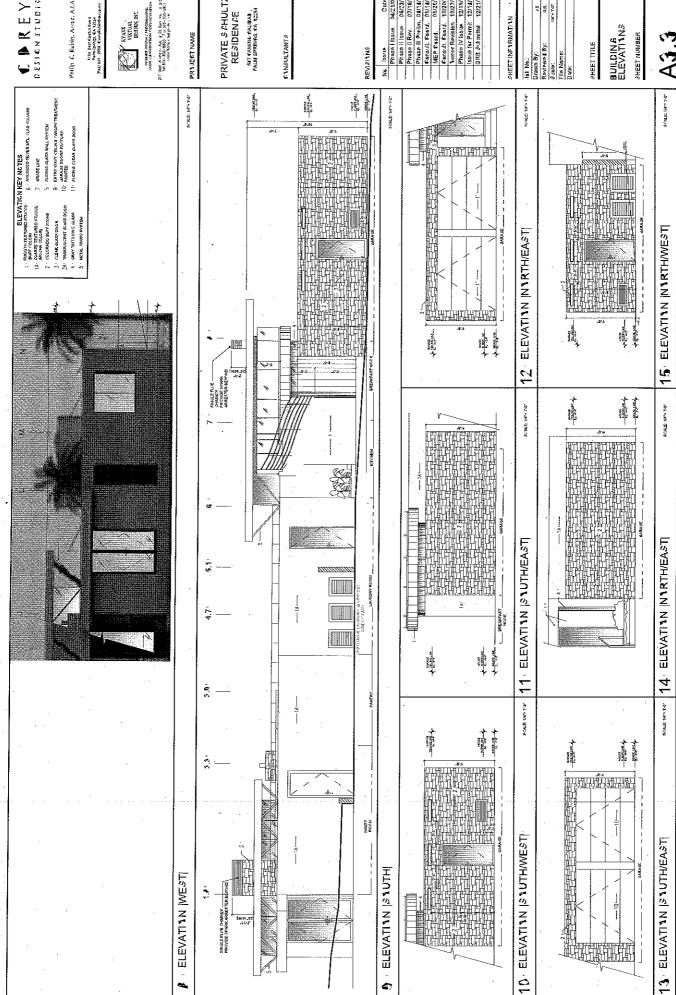






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PRIVATE SCHULTZ RESIDENCE 217 (Math. Atlantation Ava., \$1.20) Tel: 315 – 205 – 306 – 7 v. 518 – 205 – 520 – 106 – 10 KYANS VIKTUAL DEATEN, INC. TYTERDE DESIGN / PROGRÁMSTVE CADO CANERNIETRON DOQUAÇATANI 647 CAMING CALIDAD , PALM SPRINGS, CA 32264 SHEET INFIRMATION BUILDINA ELEVATI¹NS PR UECT NAME

HAND DELIVERED

590 Camino Calidad Palm Springs, CA 90064

February 2, 2010

Department of Planning Services City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, CA 92263-2743

Attention: David A. Newell, Associate Planner

Dear Sir:

We were in your offices yesterday to review the building plans for the property located at 587 Camino Calidad (proposed residence of Stephen and Eileen Schultz) in response to the letter forwarded to us by your department. Mr. Glenn Mlaker told us you are in charge of this proposed home. Our telephone call to you has not been answered.

We wish to take exception to the plans regarding the proposed second story VIEW PATIO. This upstair patio will look directly down into our yard and eliminate our privacy. We object to this planned view patio and any proposal that allows second story viewing. We are not aware of the City of Palm Springs allowing this type of rooftop viewing which will take away current residents privacy.

Your attention to our exception to this plan and response to this letter is requested at your very earliest convenience.

We look forward to hearing from you.

Very truly yours.

JOYCE G. EINER

CAROL E. HENNEMAN

Card Duneman

CC: Craig Ewing

Director of Planning

Edward O. Robertson Principal Planner

RECEIVED

FEB 0 2 2010

PLANNING SERVICES
DEPARTMENT