

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, DENYING A REVISION TO CASE NO. 3.2795 SFR, FOR A ROOFTOP DECK ON A PREVIOUSLY APPROVED SINGLE FAMILY RESIDENCE TO BE LOCATED AT 587 CAMINO CALIDAD, ZONE R-1-A, SECTION 22.

WHEREAS, Schultz Family Trust ("Applicant") filed an application with the City pursuant to Section 94.04.00 and 94.06.01 of the Zoning Code for a rooftop deck for a previously approved 5,618-square foot single-family residence, including an attached 644 square foot second unit on a vacant lot located at 587 Camino Calidad, Zone R-1-A, Section 22; and

WHEREAS, on April 12, 2010, the Architectural Advisory Committee recommended approval of the exterior stairway and rooftop deck; and

WHEREAS, on April 28, 2010, a public hearing meeting on the application for a revision to allow a rooftop deck 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:

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

Section 2: Pursuant to Section 94.04.00 of the Palm Springs Zoning Code, minor architectural changes, including rooftop decks, may be approved based on the following guidelines:

1. *Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking areas;*
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;*
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;*
 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,*
 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 topography of the area slopes from southwest to northeast; the proposed rooftop deck, which is approximately 250 square feet in area, will be located at the southeast corner of the proposed residence and about ten feet above the residence's finished floor. Based on the photo-simulations submitted by the applicant, it does appear that views from the proposed rooftop deck will infringe on the privacy of surrounding properties. Therefore, the proposed rooftop deck will not have a harmonious relationship with existing and proposed adjoining developments.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby denies a rooftop deck for the proposed residence to be located at 587 Camino Calidad.

ADOPTED this 26th day of May, 2010.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services