



## CITY COUNCIL STAFF REPORT

DATE: July 7, 2010

PUBLIC HEARING

SUBJECT: AN APPEAL BY THE SCHULTZ FAMILY TRUST OF THE PLANNING COMMISSION'S ACTION OF MAY 26, 2010, DENYING CASE NO. 3.2795-SFR; A REQUEST FOR AN ADDITION OF A ROOFTOP DECK FOR A PREVIOUSLY APPROVED HILLSIDE SINGLE-FAMILY RESIDENCE LOCATED AT 587 CAMINO CALIDAD.

FROM: David H. Ready, City Manager

BY: The Planning Department

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### SUMMARY

The City Council will consider an appeal by the Schultz Family Trust ("appellants") requesting that the Council reverse the Planning Commission's action to deny Case No. 3.3243-SFR to construct a rooftop deck on a previously approved single-family residence located at 587 Camino Calidad.

### RECOMMENDATION:

1. Adopt RESOLUTION NO. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DENYING THE APPEAL BY THE SCHULTZ FAMILY TRUST AND UPHOLDING THE DECISION OF PLANNING COMMISSION TO DENY A ROOFTOP DECK FOR A PREVIOUSLY APPROVED HILLSIDE SINGLE-FAMILY RESIDENCE TO BE LOCATED AT 587 CAMINO CALIDAD, CASE NO. 3.2795-SFR."

### PRIOR ACTIONS:

On September 26, 2005, the Architectural Advisory Committee (AAC) reviewed the project and voted 7-0 to recommend approval to the Planning Commission.

On October 26, 2005, the Planning Commission approved the proposed single family residence; however, the entitlement expired. A new applicant proposed the same

residence with some minor changes. One of these modifications included a rooftop deck.

On February 24, 2010, the Planning Commission reviewed and approved the new single-family residence at 587 Camino Calidad. However, the Commission eliminated the rooftop deck as part of its approval of the project. The Commission gave the applicant the option to submit further details of the rooftop deck for review by the AAC and final approval by the Commission.

On April 12, 2010, the Architectural Advisory Committee reviewed additional materials submitted by the applicant for inclusion of the rooftop deck and voted 5-2 (O'Donnell and Parker opposed) to recommend approval as submitted to the Planning Commission.

On April 28, 2010, the Planning Commission reviewed the additional materials and voted 5-0 (2 absent, Bill Scott and Vice Chair Jon Caffery) to deny the approval of the rooftop deck.

**BACKGROUND:**

The Schultz Family Trust submitted a request for Architectural Approval of a 5,618 square foot hillside residence to be located at 587 Camino Calidad (APN: 513-260-029). The parcel is approximately 133.5 feet wide, 150 feet deep and approximately 20,025 square feet in size. The topography of the area slopes from southwest to northeast. The vacant site contains a scattering of vegetation and boulders. The subject site is surrounded by single-family residences to the west, east and south.



The previously approved 5,618 square-foot residence has been determined to be consistent with the General Plan designation of Estate Residential and Zone of R-1-A. Additional information regarding the residence is contained in the attached Planning Commission staff report.

STAFF ANALYSIS:

On February 24, 2010, the Planning Commission reviewed and approved the single-family residence on a hillside lot to be located at 587 Camino Calidad. During that meeting the Commission expressed concerns with the proposed rooftop deck and whether it had a harmonious relationship with the surrounding properties. The Commission eliminated the rooftop deck as part of its approval of the project, and gave the applicant the option to submit further details of the deck for review by the AAC and final approval by the Commission.

The applicant submitted further details for the AAC and Planning Commission's consideration. These items included a site plan and photographs depicting the views from the proposed roof deck. These materials were reviewed by the Architectural Advisory Committee on April 12, 2010, and the Committee voted 5-2 to recommend approval as submitted to the Planning Commission.

The Commission reviewed the materials and evaluated the rooftop deck under the guidelines outlined in Section 94.04.00(D), *Planning Commission Architectural Advisory Committee Review 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 lot 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;*
5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously;*
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;*

8. *Signs and graphics, as understood in architectural design including materials and colors;*
9. *The planning architectural advisory committee may develop specific written guidelines to supplement the design criteria and carry out the purposes of this chapter.*

Based on the above findings, the Planning Commission made the following determination:

*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.*

Following the Planning Commission's denial of the rooftop deck, the applicant filed an appeal letter on May 18, 2010 (letter attached). Staff has identified the following reasons by which the appellant seeks to overturn the Planning Commission's denial. Staff's response is provided immediately following.

*"Our appeal is based on the project's 200 square foot view deck does not invade adjacent neighbors privacy..."*

The proposed rooftop deck is approximately 250 square feet in size; elevated approximately ten feet above the residence's finished floor; and located at the southeast corner of the proposed residence (adjacent to the side and front yard setbacks). Based on the materials submitted by the applicant, the Planning Commission determined that the proposed rooftop deck would infringe on the privacy of neighboring properties.

*"[the view deck] has a continuous design palette consistent with custom homes developed in Palm Springs community, much like the roof deck design approved June 25, 2008 on the parallel street at 656 La Mirada property uphill west of Camino Calidad.*

The Planning Commission denied the addition of the view deck on the subject property on the basis that the design / location did not have harmonious relationship with neighboring properties. The rooftop deck at 656 La Mirada was located at the center of the residence and the Commission determined that the deck would not infringe on neighboring properties and therefore was harmonious with neighboring properties.

*The opposing neighbors at 588 and 592 Camino Calidad have enjoyed undeveloped property and undisturbed view of three lots totaling an acre*

*and a half for many years and apparently are opposed to any perceived changes to their privacy and unobstructed views from alongside the west of Camino Calidad.*

The two neighbors that submitted comment letters were concerned about the loss of privacy due to the addition of the rooftop deck. The neighbors did not register objection to development of the site and, in fact, stated that a new residence would be a positive addition.

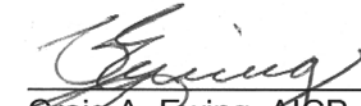
*We have provided additional information not available to the Commission that will support the proposed design is harmonious with the adjacent neighborhood."*

Beyond the appeal letter, no additional information has been submitted to staff.

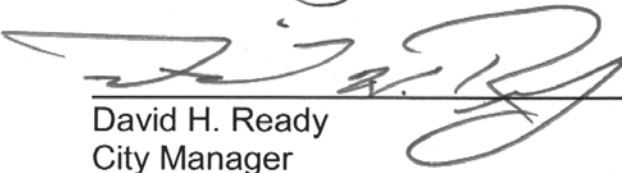
Therefore, staff is recommending that the City Council uphold the Planning Commission's decision to deny the rooftop deck on the proposed single-family residence to be located at 587 Camino Calidad.

FISCAL IMPACT:

No fiscal impact.

  
\_\_\_\_\_  
Craig A. Ewing, AICP  
Director of Planning Services

  
\_\_\_\_\_  
Thomas J. Wilson  
Assistant City Manager, Dev't Svcs

  
\_\_\_\_\_  
David H. Ready  
City Manager

Attachments:

1. Draft Resolution
2. Appeal letter received May 18, 2010
3. Letters received from neighbors
4. Planning Commission Resolution No. 6136
5. Planning Commission meeting minutes dated April 28, 2010 (excerpt)
6. Planning Commission memorandum dated April 28, 2010, with exhibits

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DENYING THE APPEAL BY THE SCHULTZ FAMILY TRUST AND UPHOLDING THE DECISION OF PLANNING COMMISSION TO DENY A ROOFTOP DECK FOR A PREVIOUSLY APPROVED HILLSIDE SINGLE-FAMILY RESIDENCE TO BE LOCATED AT 587 CAMINO CALIDAD, CASE NO. 3.2795-SFR.

WHEREAS, the Schultz Family Trust 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 February 24, 2010, the Planning Commission approved Case 3.2795 SFR, an application to construct a hillside single-family residence, subject to conditions, including PLN 10:

- a. *Prior to issuance of a building permit, the rooftop deck and exterior stairway shall be removed from the final design. The location where the roof deck was proposed shall match the adjacent roof design, material and color.*
- b. *Should the applicant wish to retain the proposed exterior stairway and / or rooftop deck, detailed plans shall be submitted to the Planning Department for review by the Architectural Advisory Committee and final approval by the Planning Commission;*

and

WHEREAS, on April 12, 2010, the Architectural Advisory Committee reviewed additional materials submitted by the applicant for inclusion of the rooftop deck and voted 5-2 (O'Donnell and Parker opposed) to recommend approval as submitted to the Planning Commission; and

WHEREAS, on April 28, 2010, the Planning Commission reviewed the additional materials and voted 5-0 (2 absent, Bill Scott and Vice Chair Jon Caffery) to deny the approval of the rooftop deck; and

WHEREAS, the Schultz Family Trust ("Appellant") has filed an appeal with the City Clerk, pursuant to Chapter 2.05 of the Municipal Code, of the Planning Commission's decision to deny a rooftop deck at the southeast corner of the proposed residence to be located at 587 Camino Calidad, Case 3.2795 SFR Revision; and

WHEREAS, on July 7, 2010, a public meeting on the appeal was held by the City Council 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 City Council has carefully reviewed and considered all of the evidence presented in connection with the appeal hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the proposed project is Categorically Exempt under Section 15303(a), Single-Family Residence.

SECTION 2. The following guidelines for architectural review (Palm Springs Zoning Code Section 94.04.00(D)(2)) cannot be met by the project, as follows:

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 proposed rooftop deck is approximately 250 square feet in size; elevated approximately ten feet above the residence's finished floor; and located at the southeast corner of the proposed residence (adjacent to the side and front yard setbacks). Based on the materials submitted by the applicant, the proposed rooftop deck would infringe on the privacy of neighboring properties. Therefore, the proposed rooftop deck will not have a harmonious relationship with adjoining developments.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the City Council hereby denies the appeal and upholds the Planning Commission's decision to deny a rooftop deck at the southeast corner of the proposed residence located at 587 Camino Calidad.

ADOPTED this 7<sup>th</sup> day of July, 2010.

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David H. Ready, City Manager

ATTEST:

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James Thompson, City Clerk

CERTIFICATION

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

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. \_\_\_\_\_ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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James Thompson, City Clerk  
City of Palm Springs, California





# City of Palm Springs

Department of Planning Services

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262  
Tel: (760) 323-8245 • Fax: (760) 322-8360 • Web: [www.palmsprings-ca.gov](http://www.palmsprings-ca.gov)

June 14, 2010

Schultz Family Trust  
12808 Sarah Street  
Studio City, California 91604

**Re: Cases 3.2795 SFR & 7.1335 AMM  
Schultz Residence  
587 Camino Calidad**

Dear Mr. Schultz,

Attached is the Planning Commission's Resolution of denial for the proposed rooftop deck located on the previously approved residence at the above-mentioned address. The resolution was adopted by the Commission at its public hearing meeting on May 26, 2010.

On May 18, 2010, staff received your request to appeal the Planning Commission's decision. The request has been tentatively scheduled for City Council review on July 7, 2010.

Thank you for working with staff during this application process. Should you have any further questions, please feel free to contact me at (760) 323-8245.

Sincerely,

David A. Newell  
Associate Planner

Attachment: Planning Commission Resolution dated May 26, 2010

cc: Mr. Ray Ryans, Ryans Virtual Design, Inc.

Palm Springs City Council  
P.O. Box 2743  
3200 E. Taquitz Canyon Way  
Palm Springs, CA 92263-2743

To City Clerk  
5/18/10

May 17, 2010

Dear City Clerk,

The Schultz Family Trust, owners of property located at 587 Camino Calidad Palm Springs CA 92264, hereby appeal the City Planners Commission case 3.2795 SFR Revision, that the proposed residence view deck is not harmonious with the adjacent neighborhood. The proposed residence is approximately 5,600 square feet located on a half acre hillside lot with a 200 square foot view deck positioned on the south front end of the property approximately 56'-0" from the front property line and approx. 17'-0" feet from the south property line with access stair.

Our appeal is based on the project's 200 square foot view deck does not invade adjacent neighbors privacy and has a continuous design palette consistent with custom homes developed in Palm Springs community, much like the roof deck design approved June 25, 2008 on the parallel street at 656 La Mirada property uphill west of Camino Calidad. The opposing neighbors at 588 and 592 Camino Calidad have enjoyed undeveloped property and undisturbed views of three lots totaling an acre and half for many years and apparently are opposed to any perceived changes to their privacy or unobstructed views from alongside the west of Camino Calidad. We have provided additional information not available to the Commission that will support the proposed design is harmonious with the adjacent neighborhood.

A photographic view from the rear yard of 568 S. La Mirada Road as publicly obtained from Zillow.com demonstrates lack privacy intrusions or harmonious issues as with the approved view deck at 656 La Mirada property. A check of \$547.00 for the appeal fee is enclosed.

Sincerely,

Stephen and Eileen Schultz, Trustees  
360 West Baristo Road  
Palm Springs, CA 92262

RECEIVED  
CITY OF PALM SPRINGS  
2010 MAY 18 AM 11:08  
JAMES THOMPSON  
CITY CLERK

CITY OF PALM SPRINGS

RECD BY: CR 01000035325  
PAYOR: SCHULTZ FAM TRUST  
TODAY'S DATE: 06/03/10  
REGISTER DATE: 06/03/10 TIME: 14:34

DESCRIPTION	AMOUNT
OTHER CHARGES SVCS	\$547.00
CUST ID: APPEAL PC DECISION	
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TOTAL DUE:	\$547.00

CHECK PAID: \$547.00  
CHECK NO: 1079  
TENDERED: \$547.00  
CHANGE: \$.00

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**REQUEST FOR TREASURER'S RECEIPT**

TO: FINANCE DEPARTMENT, CASHIER

DATE: 6.3.10

FROM: CITY CLERK'S OFFICE

PLEASE ACCEPT \$ 547.00 + TAX

FROM: SR Schultz

FOR: Appeal PC decision Re: Carl 3295

MAPS & PUBLICATIONS - 001-34106

OTHER CHARGES - CURRENT SERVICE - 001-34110

CREDIT ACCOUNT NO. - CIRCLED ABOVE

BY ORDER OF *Vdm*

**David Newell**

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**From:** FPChung4@aol.com  
**Sent:** Tuesday, April 27, 2010 12:43 PM  
**To:** David Newell  
**Subject:** Case Number 3.2795 SFR

David, I've included in this email the content of a letter emailed to you today but was returned as undelivered. This letter is in regards to referenced Case Number going before the Planning Commission this Wednesday.

Thank you.  
Frances Chung

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Department of Planning Services

City of Palm Springs

3200 E. Tahquitz Canyon Way

Palm Springs, CA 92262

ATTN: David Newell, Associate Planner

Re: Case No. 3.2795 / SFR Revision – 587 Camino Calidad

Mr. Newell:

Thank you for allowing me to review the plans submitted for referenced Case Number.

This letter is submitted stating **OPPOSITION** to approval of said plans delineating the proposed 250 square foot rooftop deck. Although staff comments stipulate there is no code prohibition for rooftop decks and that the request may be approved based upon conformance with guidelines in Section 94.04.00(D), Planning Commission Architectural Advisory Committee Review Guidelines, this proposed rooftop deck, **IS NOT**, in my humble opinion, "a harmonious relationship with the existing and proposed adjoining developments." This rooftop poses a definite infringement on the privacy of surrounding properties, contrary to what the photos illustrate. Placing this rooftop deck towards the front of the building is not conducive to providing a harmonious relationship to the neighborhood. A rooftop deck of this size is better suited as part of a structure on an acre lot.

While the addition of a single family residence to the area is a positive aspect, the rooftop deck should be eliminated from the plans.

Sincerely,

3.2795 SF  
**RECEIVED**

APR 27 2010

12

PLANNING SERVICES  
DEPARTMENT

Frances Chung

588 Camino Calidad

Palm Springs, CA 92264

HAND DELIVERED

590 Camino Calidad  
Palm Springs, CA 92264

April 20, 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

Reference: Assessor's Parcel Number 51-260-029  
587 Camino Calidad

Dear Mr. Newell:

Thank you for showing us the recent pictures submitted by the owners of the proposed home at 587 Camino Calidad.

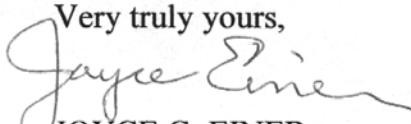
The pictures show various views from the proposed rooftop patio.. Lots and homes in this area are considered hillside properties There are no rooftop patios on any of the homes in this three street complex – Fern, Calidad, and La Mirada.

We appeared at the previous Planning Commission meeting when the owners were requested to eliminate the rooftop patio or resubmit new evidence that our privacy was not invaded..

They have now submitted a number of pictures from the proposed patio. Only one of these pictures is representative of our home directly across the street and it DOES NOT in any way prove their case that they will not impinge on our privacy.

We are pleased there will be another home on our street, BUT STRONGLY OBJECT TO THE ROOFTOP PATIO and the elimination of our pivity..

Very truly yours,

  
JOYCE G. EINER

  
CAROL E. HENNEMAN

CC: Craig Ewing, Director Planning  
Edward O. Robertson, Principal Planner

**RECEIVED**

APR 20 2010

**14**  
PLANNING SERVICES  
DEPARTMENT

JUN 08 2010

PLANNING SERVICES DEPARTMENT

City of Palm Springs Planning Department  
Attn: Edward Robertson  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92263-2743

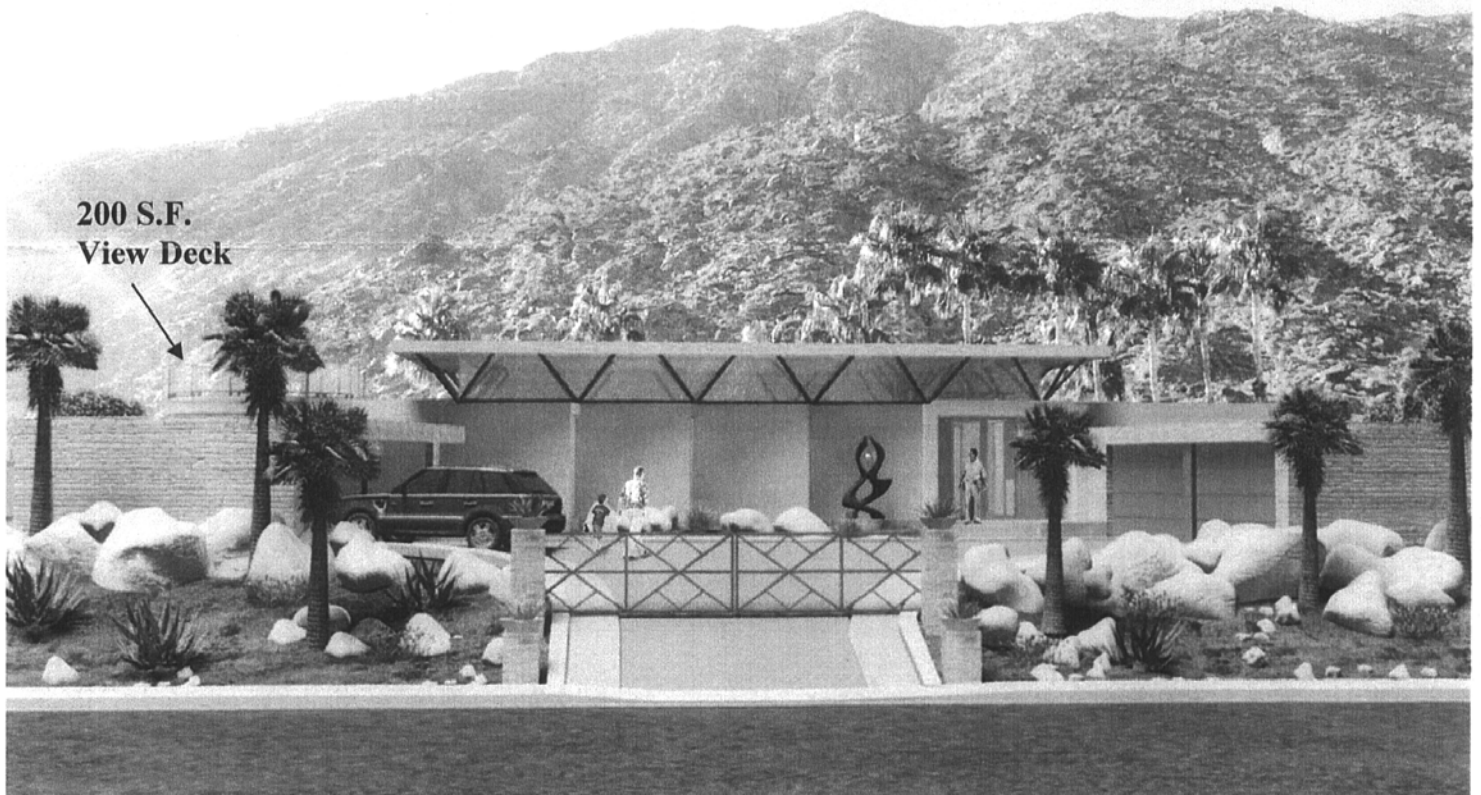
To whom it may concern,

The Schultz Family Trust is planning to develop the lot located at 587 Camino Calidad, Palm Springs CA 92264. The proposed development will consist of a single family residence approximately 5,600 square foot located on a half acre hillside lot with a 200 square foot view deck positioned on the south front end of the property behind the two car garage approximately 56'-0" from the front property line and approx. 17'-0" feet from the south property line above the lower roof line 10'-0" high with exterior access stair.

We support the proposed development and agree the custom residential design has a harmonious design palette consistent with custom homes developed in Palm Springs community.

Sincerely,

*[Handwritten Signature]*  
\_\_\_\_\_. Owner Name  
*587 calidad* . Property Address  
Palm Springs, CA 92264



City of Palm Springs Planning Department  
Attn: Edward Robertson  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92263-2743

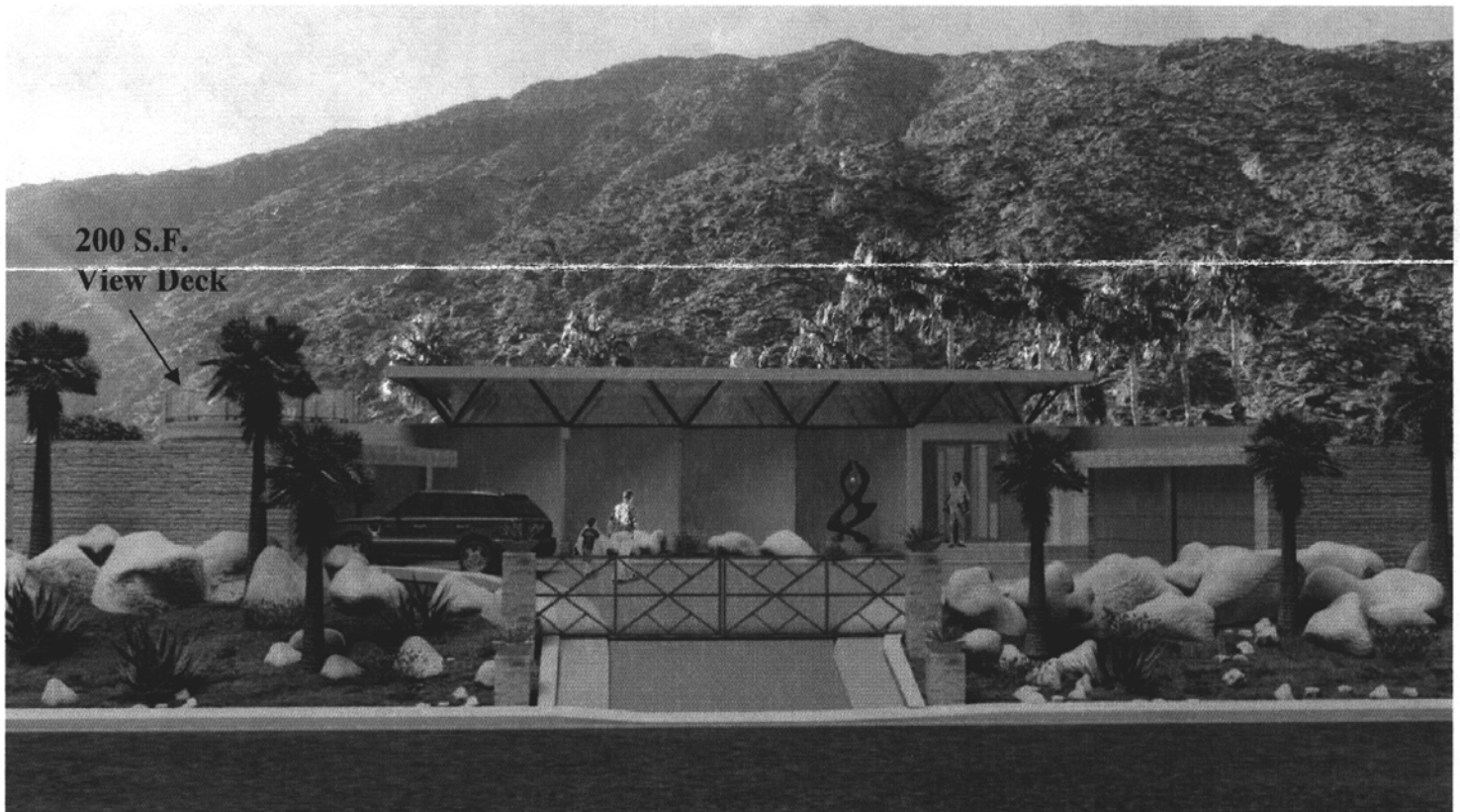
To whom it may concern,

The Schultz Family Trust is planning to develop the lot located at 587 Camino Calidad, Palm Springs CA 92264. The proposed development will consist of a single family residence approximately 5,600 square foot located on a half acre hillside lot with a 200 square foot view deck positioned on the south front end of the property behind the two car garage approximately 56'-0" from the front property line and approx. 17'-0" feet from the south property line above the lower roof line 10'-0" high with exterior access stair.

We support the proposed development and agree the custom residential design has a harmonious design palette consistent with custom homes developed in Palm Springs community.

Sincerely,

*Michael Braun* Owner Name  
*587 585 Camino Calidad* Property Address  
*Palm Springs, CA 92264*





RESOLUTION NO. 6136

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.

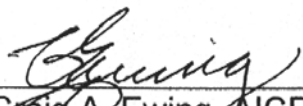
NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby denies a rooftop deck for the proposed residence to be located at 587 Camino Calidad.

ADOPTED this 26<sup>th</sup> day of May, 2010.

AYES: 5, Vice Chair Caffery, Hudson, Munger, Donenfeld and Chair Cohen  
NOES: None  
ABSENT: 1, Conrad  
ABSTAIN: 1, Scott

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

  
\_\_\_\_\_  
Craig A. Ewing, AICP  
Director of Planning Services

-Alex Meyerhoff, Escalante Architects, stated that the AAC and HSPB recommendations were taken seriously; and was available for questions from the Commission.

M/S/C (Tracy Conrad/Doug Donenfeld, 5-0, 2 absent/Bill Scott/ Vice Chair Caffery) To approve the Sign Program dated April 27, 2010, subject to Conditions of Approval.

**2B. Case 3.2795 SFR Revision - A request by Schultz Family Trust to incorporate a rooftop view patio into a previously approved single-family residence located at 587 Camino Calidad, Zone R-1-A, Section 22. (Project Planner: David A. Newell, Associate Planner)**

David A. Newell, Associate Planner, provided background information as outlined in the staff report dated April 28, 2010.

-Ray Ryans, representing the applicant, provided details pertaining to the height of the rooftop patio and the simulated views to the adjacent neighbors. Mr. Ryans was available for questions from the Commission.

-Frances Chung, Palm Springs, spoke in opposition of the rooftop patio; she expressed concern with the loss of privacy to the adjacent properties.

Commissioner Donenfeld concluded that the rooftop patio is disruptive to the adjacent properties and is not harmonious to the existing homes.

M/S/C (Doug Donenfeld/Leslie Munger, 5-0, 2 absent/Bill Scott/ Vice Chair Caffery) To deny Case 3.2795 SFR Revision.

Mr. Robertson noted that a resolution of denial would be coming forward to the Commission. He reported that this action may be appealed to the City Council within 10 days.

**PLANNING COMMISSION COMMENTS:**


Commissioners Hudson and Munger noted their absence for the meeting of May 12th.

The Commission and staff discussed several ways of expediting the meeting. Chair Cohen concurred to direct the public, at the beginning of the meeting, to sign in if they will be providing public comment.



CITY OF PALM SPRINGS  
DEPARTMENT OF PLANNING SERVICES

**MEMORANDUM**

**Date:** April 28, 2010  
**To:** Planning Commission  
**From:** Craig A. Ewing, AICP, Director of Planning Services   
**Project Planner:** David A. Newell, Associate Planner **DN**  
**Subject:** Case No. 3.2795 – SFR Revision; 587 Camino Calidad

On February 24, 2010, the Planning Commission reviewed and approved a new single-family residence on a hillside lot to be located at 587 Camino Calidad. During that meeting the Commission expressed concerns with the proposed rooftop deck and whether it had a harmonious relationship with the surrounding properties. The Commission eliminated the rooftop deck as part its approval of the project, and gave the applicant the option to submit further details of the deck for review by the AAC and final approval by the Commission.

Since that time, the applicant has submitted further details for the Planning Commission's consideration. These items include a site plan and photographs depicting the views from the proposed roof deck. These materials were reviewed by the Architectural Advisory Committee on April 12, 2010, and the Committee voted 5-2 to recommend approval as submitted to the Planning Commission.

Staff notes that there is no Code prohibition on rooftop decks and the subject request may be approved under conformance with the guidelines outlined in Section 94.04.00(D), *Planning Commission Architectural Advisory Committee Review 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 lot 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;*
  5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously;*
  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;*
  8. *Signs and graphics, as understood in architectural design including materials and colors;*
  9. *The planning architectural advisory committee may develop specific written guidelines to supplement the design criteria and carry out the purposes of this chapter.*

The topography of the area slopes from southwest to northeast. The 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 doesn't appear that views from the proposed rooftop deck will infringe on the backyard privacy of surrounding properties, including the future backyard area of the vacant lot to the north.

In conjunction with the AAC's recommendation, staff believes that the proposed roof deck will have a harmonious relationship with existing and proposed adjoining developments, and recommends that the Planning Commission approve the request to allow the rooftop deck on the proposed residence at 587 Camino Calidad.

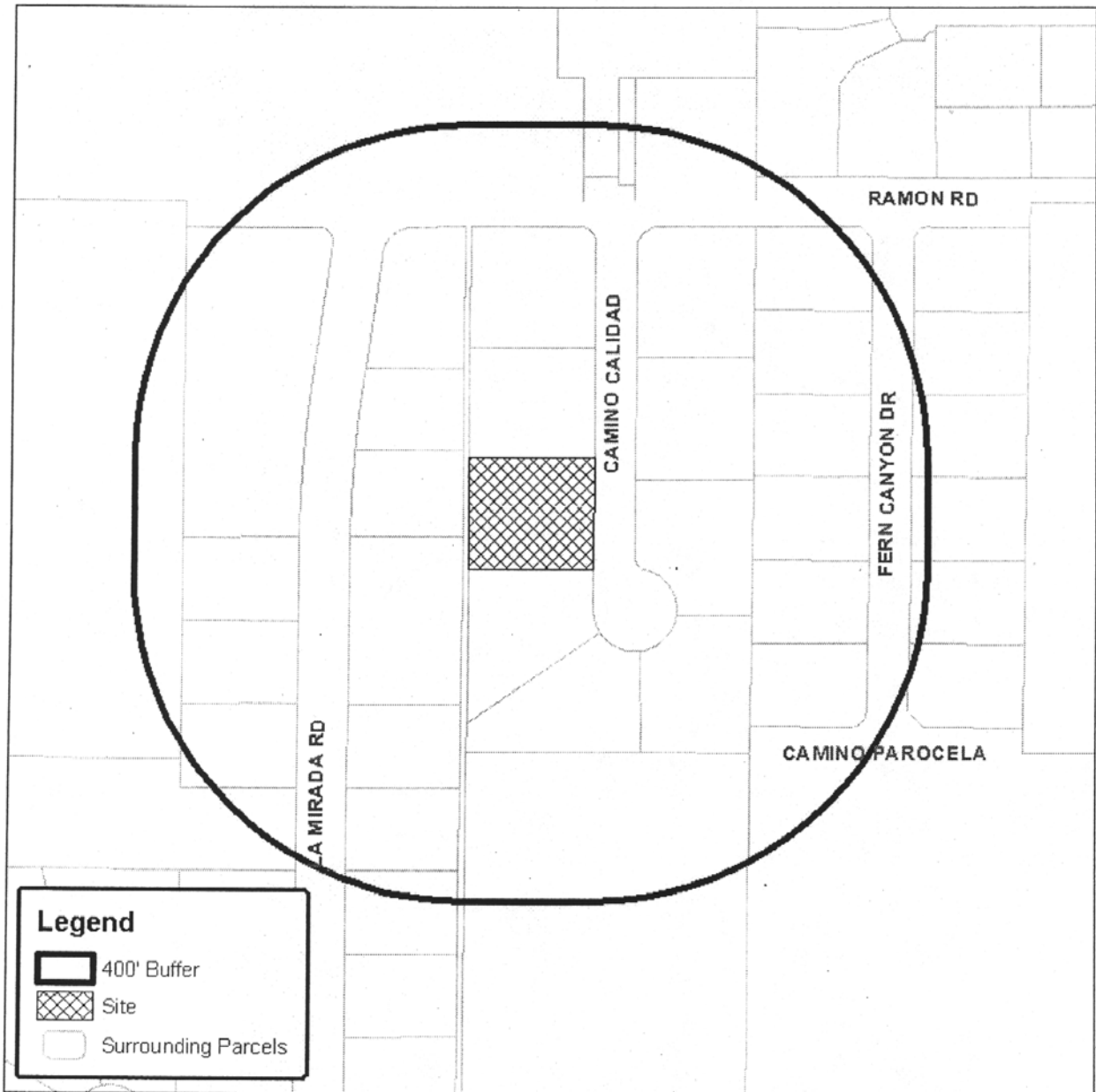
Staff notes that there was a letter of opposition received from the property owner across the street to the east at 590 Camino Calidad.

Attachments:




- 1) 400' Radius Map
- 2) ~~Draft Resolution~~
- 3) Site Plan
- 4) Photograph Simulations
- 5) Planning Commission Minutes of February 24, 2010 (excerpt)
- 6) Planning Commission Staff Report, Case 3.2795 SFR, of February 24, 2010
- 7) Letter from adjacent property owner



# Department of Planning Services Vicinity Map



**Legend**

-  400' Buffer
-  Site
-  Surrounding Parcels

## CITY OF PALM SPRINGS

CASE NO: 3.2795 SFR Revision  
APPLICANT: Schultz Family Trust

DESCRIPTION: To consider a request by Schultz Family Trust for an architectural approval of a rooftop deck for a proposed single-family residence on a vacant lot located at 587 Camino Calidad, Zone R-1-A, Section 22.

Philip C. Rubin, Assoc. AIA

1154 West Central Road  
P.O. Box 100  
Rm 431 - 2005 Compton - CA 90015



RYANS  
VIRTUAL  
DESIGN, INC.  
INTERIOR DESIGN • FURNISHINGS  
CADD CONSTRUCTION DOCUMENTATION  
217 West 19th Ave. #202, BOSTON, MA 02118  
Tel: 617.552.1888  
www.rvdesign.com

PROJECT NAME

PRIVATE SCHULTZ  
RESIDENCE  
887 CAMINO CALADO  
PALM SPRINGS, CA 92264

CONSULTANTS

M & M Co.  
MICHIGAN, L.L.C.  
8675 Eureka Ave.  
P.O. Box 100  
Tel: 951.851.1100

REVISIONS

No.	Issue	Date
	Phase I Issue	04/27/09
	Phase II Issue	06/23/09
	Phase II Rev.	07/16/09
	Phase III Prelim.	08/18/09
	Consult. Coord.	09/18/09
	MEP Coord.	09/28/09
	Consult. Coord.	10/20/09
	Owner Revision	10/27/09
	Phase IV Issue	12/15/09
	Issue for DRB	12/17/09
	DRB Update	12/17/09
	DRB Revision	01/14/10
	Issue for Permit	03/19/10

SHEET INFORMATION

Job No.:  
Drawn By: J.S.  
Reviewed By: R.R.  
Scale: AS SHOWN  
File Name:  
Date:

SHEET TITLE  
Vicinity Site Plan

SHEET NUMBER

A0.6



A ADJACENT PROPERTY SITE PLAN  
SCALE: 1/8" = 1'-0"

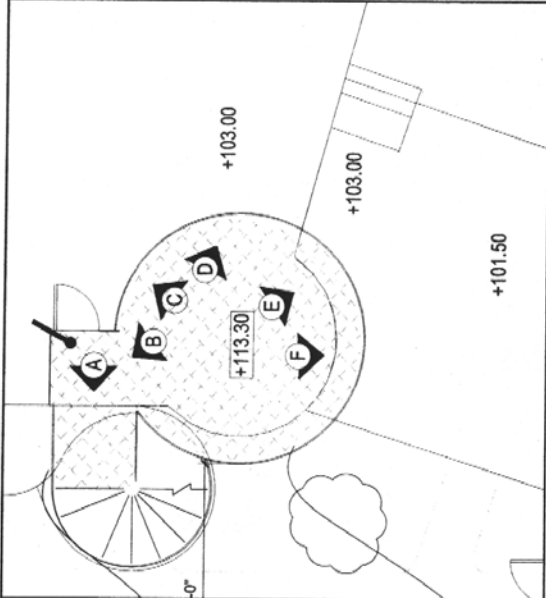


PHOTO REFERENCE PLAN (Refer to SH-A0.7)  
SCALE: 1/4" = 1'-0"



SITE PLAN REFERENCE PHOTO

**PROJECT NAME**

**PRIVATE SCHULI, LLC**  
**RESIDENCE**  
507 CAMINO CALIDAO  
PALM SPRINGS, CA 92264

**CONSULTANTS**

**M & M Co.**  
MICHAEL M. MURPHY  
1867 JEFFERSON AVE.  
PALM SPRINGS, CA 92264  
Tel: 951.865.1300

**REVISIONS**

No.	Issue	Date
	Phase I Issue	04/21/09
	Phase II Issue	06/23/09
	Phase II Rev.	07/16/09
	Phase III Preim.	08/18/09
	Consult Coord.	09/18/09
	MEP Coord.	09/29/09
	Consult Coord.	10/20/09
	Owner Revision	10/27/09
	Phase IV Issue	12/15/09
	Issue for DRB	12/17/09
	DRB Update	1
	DRB Revision	0.
	Issue for Permit	03/19/10

**SHEET INFORMATION**

Job No.	
Drawn By	AS
Reviewed By	AS
Scale	NYS
File Name	
Date	

**SHEET TITLE**

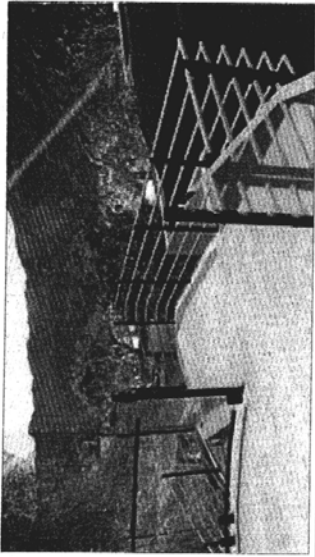
**Roof Deck**  
Rendering/ Photo  
References

**SHEET NUMBER**

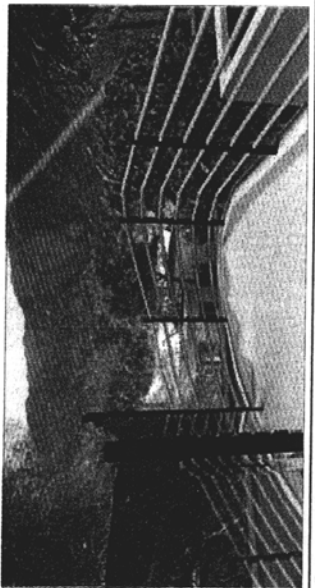
**A0.7**



(A) PHOTO REFERENCE (SOUTH VISTA)



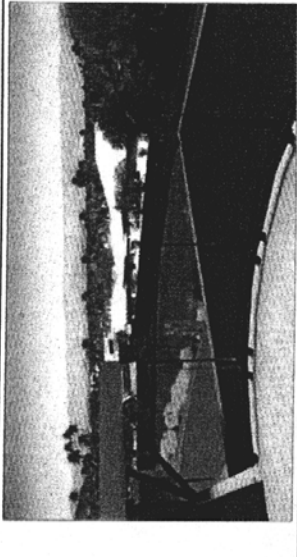
(B) PHOTO REFERENCE (SOUTH WEST VISTA)



(C) PHOTO REFERENCE (WEST VISTA)



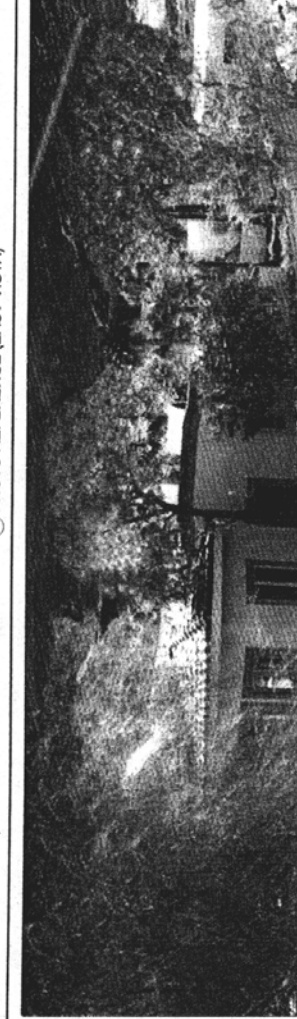
(D) PHOTO REFERENCE (EAST VISTA)



(E) PHOTO REFERENCE (EAST VISTA)



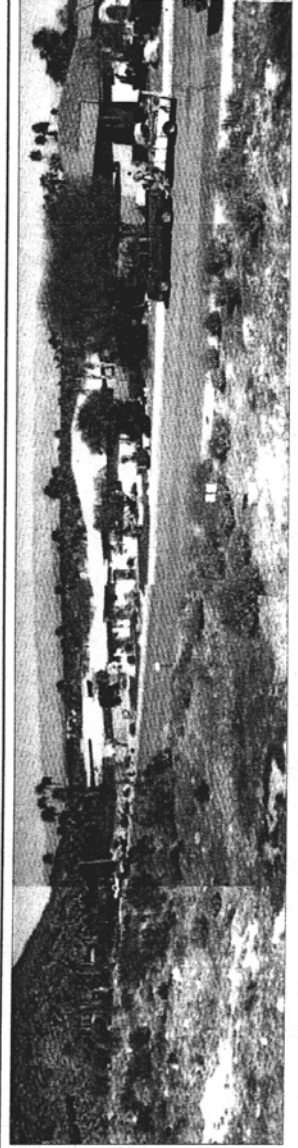
(F) PHOTO REFERENCE (EAST VISTA)



EXISTING HOUSE (SOUTH VISTA)



EXISTING SITE PHOTO (SOUTH VISTA)



ROOF DECK DESIRED PANORAMA (EAST VISTA)



EXISTING SITE PHOTO (WEST VISTA)



**1. CONSENT CALENDAR:**

**1A. Minutes of January 27, 2010.**

M/S/C (Bill Scott/Doug Donenfeld, 7-0) To approve, minutes of January 27, 2010.

**2. ARCHITECTURAL REVIEW:**

- 2A. Case 3.3395 SFR - A request by Suzanne Zahr Fleming for architectural approval of a new single family residence and a detached accessory dwelling on a vacant lot located at 3075 Goldenrod Lane, Zone R-1-B, Section 35. (Project Planner: David A. Newell, Associate Planner)**

David A. Newell, Associate Planner, provided background information as outlined in the staff report dated February 24, 2010.

M/S/C (Tracy Conrad/Doug Hudson, 7-0) To approve, subject to Conditions of Approval, as amended.

-The applicant shall submit a color and material sample of the roofing material and shall be reviewed by the Architectural Advisory Committee and approved by staff. The roofing material shall not be glossy or bright white in color.

- 2B. Case 3.2795 SFR & 7.1335 AMM - A request by Schultz Family Trust for architectural approval of a new single family residence and an attached accessory dwelling on a vacant lot located at 587 Camino Calidad, Zone R-1-A, Section 22. (Project Planner: David A. Newell, Associate Planner)**

David A. Newell, Associate Planner, provided background information as outlined in the staff report dated February 24, 2010.

Ray Ryans, representing the applicant, provided details pertaining to the modifications made to the project and addressed the privacy issues of the neighbor to the west.

M/S/C (Vice Chair Caffery/Leslie Munger, 7-0) To approve, subject to Conditions of Approval, as amended:

-The rooftop deck and exterior stairway shall be removed from the final design.

- Should the applicant wish to retain the proposed exterior stairway and/or rooftop deck, detailed plans shall be submitted to the Planning Department for review by the Architectural Advisory Committee and final approval by the Planning Commission.
- Consider an alternate to urethane foam roofing material.

Director Ewing reported that this item is subject to appeal to the City Council.

### 3. PUBLIC HEARING:

- 3A. **Case 5.0789 CUP PDD 311 AMND - A request by Carlos Peraza for an amendment to a previously approved Conditional Use Permit to add check-cashing uses to an existing mini-mart/automobile service station located at 3600 East Ramon Road, Section 18. (Project Planner: Ken Lyon, Associate Planner)**

Ken Lyon, Associate Planner, provided background information as outlined in the staff report dated February 24, 2010.

Chair Cohen opened the public hearing:

- Ernesto Frias, applicant, responded to questions from the Commission, addressed the type of services to be offered and the hours of operation.

No further appearances coming forward the public hearing was closed.

M/S/C (Vice Chair Caffery/Doug Donenfeld, 7-0) To approve, the amendment to the Conditional Use Permit, subject to Conditions of Approval, as amended:

- Prohibition of "Pay-Day Loans".
- The hours of operation shall be from 8:00 a.m. to 7:00 p.m. daily.
- The project shall be reviewed by the Planning Commission should the applicant wish to modify the hours of operation.

### PLANNING COMMISSION COMMENTS:

Commissioner Conrad questioned the regulations of air flight tours and requested a list of the current businesses permitted at the airport. Commissioner Donenfeld concurred and noted a dramatic increase in helicopter flights in the city.



## 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.

Site



**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

	<b>R-1-A Zone</b>	<b>Proposed Project (approx.)</b>
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 (excluding garage / carport)	1,500 sq. ft minimum	4,650 square feet

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.

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.

#### *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:**

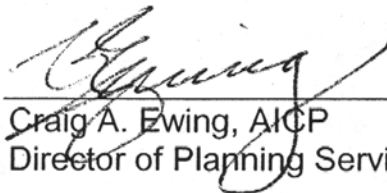
Notification was sent to adjacent property owners on December 22, 2009, to inform the neighbors that there has been an application submitted for the subject property. An additional notice was sent to adjacent property owners on February 10, 2010, to inform the neighbors that the project will be reviewed 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~~

HAND DELIVERED

590 Camino Calidad  
Palm Springs, CA 92264

April 20, 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

Reference: Assessor's Parcel Number 51-260-029  
587 Camino Calidad

Dear Mr. Newell:

Thank you for showing us the recent pictures submitted by the owners of the proposed home at 587 Camino Calidad.

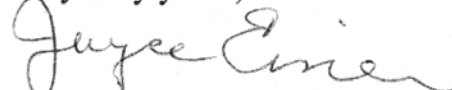
The pictures show various views from the proposed rooftop patio.. Lots and homes in this area are considered hillside properties There are no rooftop patios on any of the homes in this three street complex – Fern, Calidad, and La Mirada.

We appeared at the previous Planning Commission meeting when the owners were requested to eliminate the rooftop patio or resubmit new evidence that our privacy was not invaded..

They have now submitted a number of pictures from the proposed patio. Only one of these pictures is representative of our home directly across the street and it DOES NOT in any way prove their case that they will not impinge on our privacy.

We are pleased there will be another home on our street, BUT STRONGLY OBJECT TO THE ROOFTOP PATIO and the elimination of our pivity..

Very truly yours,

  
JOYCE G. EINER

  
CAROL E. HENNEMAN

CC: Craig Ewing, Director Planning  
Edward O. Robertson, Principal Planner

RECEIVED

APR 20 2010

35  
PLANNING SERVICES  
DEPARTMENT

## Kathie Hart

---

**From:** Jay Thompson  
**Sent:** June 24, 2010 4:32 PM  
**To:**  
**Cc:** David Newell; Kathie Hart  
**Subject:** FW: Sign Language Interpreter Request for July 7, 2010

Mr. Schultz:

Your electronic correspondence has been forwarded to me for review and response. The City of Palm Springs also contracts with LifeSigns, and we have confirmed your request for a Sign Language Interpreter on July 7, 2010 at 6:00 pm for your appeal hearing before the Palm Springs City Council.

If for some reason you will no longer need this accommodation, you are probably aware of the 25-business hour cancellation policy as set by LifeSigns, and could provide us timely notice if for some reason you need to cancel this request.

Thank you, and I look forward to meeting you at the hearing. Jay

*James Thompson, City Clerk  
City of Palm Springs, California  
TEL (760) 323-8204*

---

**From:** Stephen Schultz  
**Sent:** Tuesday, June 22, 2010 6:08 PM  
**To:** David Newell  
**Subject:** Re: Sign Language Interpreter Request for July 7, 2010

David,

Yes, you are correct! I sent you a correction a moment ago so our messages just crossed.

The request is for July 7, thank you very much.

Stephen Schultz

Sent from my BlackBerry® smartphone with SprintSpeed

---

**From:** "David Newell" <David.Newell@palmsprings-ca.gov>  
**Date:** Tue, 22 Jun 2010 18:05:11 -0700  
**To:**  
**Subject:** RE: Sign Language Interpreter Request for July 7, 2010

Mr. Schultz,

Thank you for your request. Your request below states that the meeting is on **July 2**, 2010. The City Council will review your appeal on **July 7**, 2010 as stated in the subject line of your email. Please confirm that your request for the Sign Language Interpreter is for the Council's meeting on **July 7**, 2010.

Thank you,

**David A. Newell**  
Associate Planner  
City of Palm Springs

3200 E. Tahquitz Canyon Way  
P.O. Box 2743  
Palm Springs, California 92263-2743  
[www.palmsprings-ca.gov](http://www.palmsprings-ca.gov)  
<http://www.qcode.us/codes/palmsprings/>  
Office: 760.323.8245 Fax: 760.322.8360

---

**From:** Stephen Schultz  
**Sent:** Tuesday, June 22, 2010 3:21 PM  
**To:** David Newell  
**Subject:** Sign Language Interpreter Request for July 7, 2010

June 22, 2010

Dear David:

Thank you for your email address as we were unable to fax our request to 1-760-322-8360 several times today. This email will take place of the facsimile instead. Our request as follows:

**Re: Cases 3.2795 SFR & 7.1335 AMM  
Schultz Residence, 587 Camino Calidad**

**This is a request to provide a qualified (Level 5) sign language interpreter to the scheduled appeal before the City Council for review on July 2, 2010.**

**LifeSigns is the interpreter referral agency for Riverside County at 888-930-7776. A minimum of five working days advance notice is required. When requesting an interpreter, please have the following information available:**

**Name, address, contact person, phone number, situation and billing information including authorizing person and phone number, please.**

**Kindly acknowledge this message and to confirm that an interpreter has been assigned. We also need to know the time of our appeal review will take place in order for us to be present in a timely manner, please.**

**Thank you for your cooperation.**

**Sincerely, Stephen Schultz, Ttee**

--  
Schultz Family Trust