

# Planning Commission Staff Report

Date:

January 12, 2011

Case No.:

3.2664 MAA & 7.1349 MAA

Type:

Minor Architectural Application

Location:

3130 Barona Road

APN:

512-190-030 & 512-190-034

Applicant:

Casey Colley & Jose Mendez

General Plan:

ER (Estate Residential)

Zone:

R-1-B (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 Casey Colley and Jose Mendez, owners, for a minor architectural approval to construct a 1,538 square foot addition to an existing 4,286 square foot single-family residence located on a hillside lot at 3130 Barona Road. The addition will accommodate a larger garage area on the first floor and a balcony and recreation room on the second floor.

#### RECOMMENDATION:

That the Planning Commission approve Case No. 3.2664 MAA, a 1,538 square foot addition to an existing single-family residence at 3130 Barona Road, subject to conditions.

#### **PRIOR ACTIONS:**

On November 8, 2010, the Architectural Advisory Committee (AAC) reviewed the proposed addition and voted 6-0 to restudy the project with the following comments:

- 1. Include a similar hipped roof on two-story addition.
- 2. Address solar control and window locations.

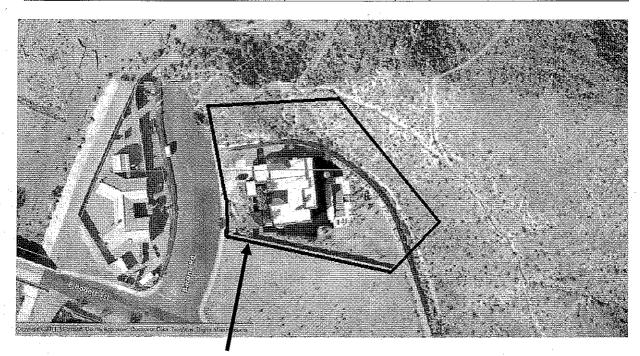
On November 22, 2010, the AAC reviewed the revised project and voted 7-0 to recommend approval to the Planning Commission, with a recommendation that the overhang on the west elevation extends at least thirty inches. The applicant stated that the project will be revised to accommodate this request, and staff has made this a requirement in the draft conditions of approval.

# **BACKGROUND AND SETTING:**

The subject property is a hillside lot that is approximately 50,878 square feet in size and accessed from Barona Road, near Bogert Trail. The parcel is surrounded by mountainous terrain to the north and east. A vacant lot exists to the south and a single family dwelling exists across Barona Road to the west.

Table 1: Surrounding designations and land uses

	General Plan	Zone	Land Use
North	Open Space – Mountain	O-20	Vacant Mountainous Terrain
South	Estate Residential	R-1-B	Vacant Residential Lot
East	Open Space – Mountain	O-20	Vacant Mountainous Terrain
West	Estate Residential	R-1-B	Single-family Residence



The subject lot was developed with a single-family residence, detached guest house, pool and landscaping in 2005. The residence includes an attached two-car garage and a separate attached one-car garage at the front of the residence.

The applicant proposes to convert the two-car garage into a family room, convert the one-car garage into an office space and to construct a two-story addition adjacent to the converted two-car garage. The addition will include an extended two-car garage on the first floor and a recreation room and balcony on the second floor.

# ANALYSIS:

#### General Plan:

The General Plan Designation of the subject site is Estate Residential (0 - 2.0) dwelling units per acre). The proposed project is an addition to an existing residence and will not impact the general plan land use density.

# Zoning Designation:

The proposed project is an addition to an existing single-family residence within the R-1-B Zone. Pursuant to the City of Palm Springs Zoning Code, Section 92.01.01(A)(1) of the Zoning Code, permanent single-family dwellings are permitted within the R-1-B Zone.

# Development Standards:

The existing residence is 4,286 square feet in size and the existing guest house is 340 square feet in size. The existing overall enclosed space, including residence, guest house and garages is 5,480 square feet, which amounts to approximately 10.8% of the lot coverage. The proposed addition (excluding extended two-car garage) and garage conversions will create a total of approximately 6,159 square feet of conditioned space. The extended two-car garage addition (unconditioned space) will be approximately 859 square feet. Details of the property development standards for the proposed project in relation to the requirements of the R-1-B Zone are shown below in table 2.

 Table 2:
 R-1-B Development Standards compared with Proposed Project

	R-1-B Zone Requirements	Proposed Project
Lot Area	15,000 square feet	50,878 square feet
Lot Width	120 feet	215 feet
Lot Depth	120 feet	245 feet
Front Yard	25 ft; 10 ft for hillside w/ AMM approval	22 feet
Interior Side Yard	10 feet	59 feet and 21 feet
Rear Yard	15 feet	78 feet
Building Height	12 ft. at setback; 18 ft. maximum; 30 ft. max. for hillside w/ AMM approval	23 feet 6 inches (hillside)
Building Coverage	35%	12.8% (approx. 6,490 sq. ft.)
Dwelling size	1,500 square feet minimum	6,159 square feet

The proposed development is consistent with the R-1-B development standards, except the front yard setback and building height. The applicant has submitted an Administrative Minor Modification (AMM) to allow a reduced front yard setback and an increased building height. Pursuant to Section 94.06.01(A)(8) of the Zoning Code, a modification of building height to a maximum of thirty feet and a modification of front yard setback to a minimum of ten feet may be approved through the AMM process. The Zoning Code stipulates that the approval shall be based on the finding that such minor modification will not have detrimental effect upon adjacent properties. Staff has provided recommended findings for the AMM request in the Findings portion of the report below.

# Parking:

The City of Palm Springs Zoning Code Section 93.06.00(D)(29)(a) requires all single-family homes to provide two covered parking spaces per dwelling unit. The proposal remains consistent with this requirement because the addition includes an extended two-car garage.

## Architecture:

The existing residence incorporates a modern influence with simple lines and geometric shapes. The proposed addition will include a similar design and use the same materials, textures and colors as the existing building. Solar protection above the glass windows and doors will be provided by individual overhangs.

#### FINDINGS:

#### Architectural Review

Although there are no required findings for applications for architectural approval which do not require environmental assessments, the Zoning Code Section 94.04.00(D)(1-9) provides guidelines for the architectural review of development projects to determine that the proposed development 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;

The proposed addition will have a harmonious relationship with the existing house and site topography. The addition will be above the existing garage and adjacent to the existing home.

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 zoned for single-family residences and open space. The property is located at the end of a street and at the foot of the mountain slope. Therefore, the proposed second story addition will not impact adjoining property's views or privacy

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;

The additions do not exceed the maximum height of thirty feet for hillside properties, and the addition is outside all setback areas. The overall mass of the addition is not excessive since it is only five feet, six inches above a typical eighteen foot high single-family residence. Furthermore, the second story is less than six hundred square feet in size.

- 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, AND
- 6. Consistency of composition and treatment,

The existing residence incorporates a modern influence with simple lines and geometric shapes. The proposed addition will include a similar design and use the same materials, textures and colors as the existing building. Solar protection above the glass windows and doors will be provided by individual overhangs.

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;

All existing landscaping on the site will remain. No other changes are proposed as part of this application.

# Administrative Minor Modification (AMM)

Pursuant to Section 94.06.01(A)(8) of the PSZC, a modification of building height to a maximum of thirty feet and a modification of front yard setback to a minimum of ten feet may be approved for hillside lots through the AMM process. The applicant has submitted an AMM request to reduce the front yard setback requirement from twenty-five feet to twenty-two feet and increase the building height maximum from eighteen feet to twenty-three feet, six inches. The findings in support of the AMM are provided below:

 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 a building height increase to thirty feet and a reduction of front yards to no less than ten feet for hillside lots.

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 east side of Barona Road near the end of the street. At the rear of the subject property is the toe-of-slope to the adjacent mountains, which rise substantially easterly of the site. An increase in building height of five feet, six inches and a front yard setback reduction from twenty-five feet to twenty-two feet is an insignificant impact to the site and adjacent areas. Therefore, it is concluded that there will be no adverse affect to the surrounding properties by the proposed addition.

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 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 subject parcel contains a significant amount of sloped mountainous areas on the easterly and northerly portions of the site. The remainder of the property is generally flat with some downward slope towards the northwesterly corner. The existing residence is located centrally towards the front of the property and the proposed addition will be located on a flat portion of the site. This minimizes the impact to the hillside areas and allows for an expansion of the residence on a lower portion of the site. Therefore, the approval of the minor modification is justified by existing environmental features and location of existing improvements.

# **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 an increase in building height and a reduction in setback for the AMM application. Therefore, staff is recommending approval of Case No. 3.2664 MAA and 7.1349 AMM.

# **ENVIRONMENTAL DETERMINATION:**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is Categorically Exempt per Section 15301(e)(1)(additions under 2500 square feet, or additions which do not increase floor area by more than 50%, whichever is less).

David A. Newell Associate Planner

Craig A. Ewing, AICP

Director of Planning Services

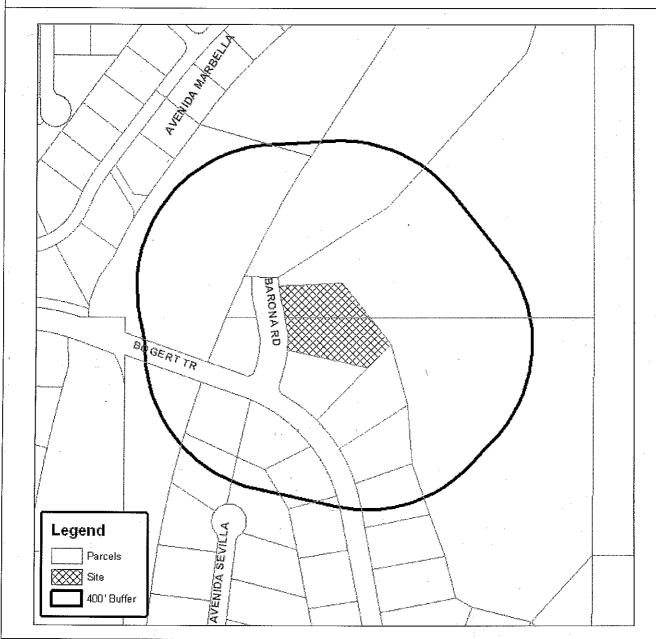
# Attachments:

- Vicinity Map
- Draft Resolution and Conditions of Approval
- Reduced Exhibits
- Existing Site Photographs



# Department of Planning Services Vicinity Map





# CITY OF PALM SPRINGS

CASE NO: 3.2664 MAA & 7.1349 AMM

APPLICANT: Casey Colley & Jose Mendez

<u>DESCRIPTION:</u> An application for architectural approval of an addition to an existing single-family residence located on a hillside lot at 3130 Barona Road, Zone R-1-B, Section 35.

## RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. 3.2664 MAA & 7.1349 AMM, TO ALLOW CONSTRUCTION OF A TWO STORY ADDITION TO A SINGLE-FAMILY RESIDENCE; TO ALLOW AN INCREASED BUILDING HEIGHT AND REDUCED FRONT YARD SETBACK, FOR THE HILLSIDE PROPERTY LOCATED AT 3130 BARONA ROAD.

WHEREAS, Casey Colley and Jose Mendez ("Applicants") have filed an application with the City pursuant to Section 94.04.00 and 94.06.01 of the Zoning Ordinance for architectural approval to convert an existing two-car garage and one-car garage into living space, and construct a two story addition containing an extended two car garage on the first floor and living space and a balcony on the second floor for the hillside property located at 3130 Barona Road; the request also includes an AMM application to increase the building height to twenty-three feet, six inches, and reduce the front yard setback to twenty-two feet; APN: 513-190-030 and 513-190-034, Zone R-1-B, Section 35; and

WHEREAS, on November 22, 2010, the Architectural Advisory Committee met and voted to recommend approval of the project to the Planning Commission; and

WHEREAS, on January 12, 2011, a public meeting on the applications were 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 project is Categorically Exempt per Section 15301(e)(1)(additions under 2500 square feet, or additions which do not increase floor area by more than 50%, whichever is less).

<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;

The proposed addition will have a harmonious relationship with the existing house and site topography. The addition will be above the existing garage and adjacent to the existing home.

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 zoned for single-family residences and open space. The property is located at the end of a street and at the foot of the mountain slope. Therefore, the proposed second story addition will not impact adjoining property's views or privacy

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;

The additions do not exceed the maximum height of thirty feet for hillside properties, and the addition is outside all setback areas. The overall mass of the addition is not excessive since it is only five feet, six inches above a typical eighteen foot high single-family residence. Furthermore, the second story is less than six hundred square feet in size.

- 4. Building design, materials and colors to be sympathetic with desert surroundings;
- 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 existing residence incorporates a modern influence with simple lines and geometric shapes. The proposed addition will include a similar design and use the same materials, textures and colors as the existing building. Solar protection above the glass windows and doors will be provided by individual overhangs.

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;

All existing landscaping on the site will remain. No other changes are proposed as part of this application.

<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 a building height increase to thirty feet and a 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 east side of Barona Road near the end of the street. At the rear of the subject property is the toe-of-slope to the adjacent mountains, which rise substantially easterly of the site. An increase in building height of five feet, six inches and a front yard setback reduction from twenty-five feet to twenty-two feet is an insignificant impact to the site and adjacent areas. Therefore, it is concluded that there will be no adverse affect to the surrounding properties by the proposed addition.

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 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 subject parcel contains a significant amount of sloped mountainous areas on the easterly and northerly portions of the site. The remainder of the property is generally flat with some downward slope towards the northwesterly corner. The existing residence is located centrally towards the front of the property and the proposed addition will be located on a flat portion of the site. This minimizes the impact to the hillside areas and allows for an expansion of the residence on a lower portion of the site. Therefore, the approval of the minor modification is justified by existing environmental features and location of existing improvements.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case Nos. 3.2664 MAA and 7.1349 AMM, subject to the conditions of approval attached herewith as Exhibit A.

ADOPTED this 12th day of January, 2011.

AYES: NOES: ABSENT: ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP Director of Planning Services

#### RESOLUTION NO.

#### **EXHIBIT A**

Case 3.2664 MAA & 7.1349 AMM Colley and Mendez Addition

3130 Barona Road

January 12, 2011

# **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 3.2664 MAA and 7.1349 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 and exterior materials and colors 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. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative

officers concerning Case 3.2664 MAA & 7.1349 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 Architectural Applications is 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.

# PLANNING DEPARTMENT CONDITIONS

- PLN 1. <u>Outdoor Lighting Conformance</u>. Any nonincandescent light source shall not be visible from off the property and shall be so arranged to reflect light away from adjoining properties and streets. No lighting of hillsides is permitted.
- PLN 2. <u>Flat Roof Requirements</u>. 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.

- PLN 3. <u>Screen Roof-mounted Equipment</u>. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Code.
- PLN 4. <u>Surface Mounted Downspouts Prohibited</u>. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 5. <u>Exterior Alarms & Audio Systems</u>. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 6. <u>Outside Storage Prohibited</u>. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

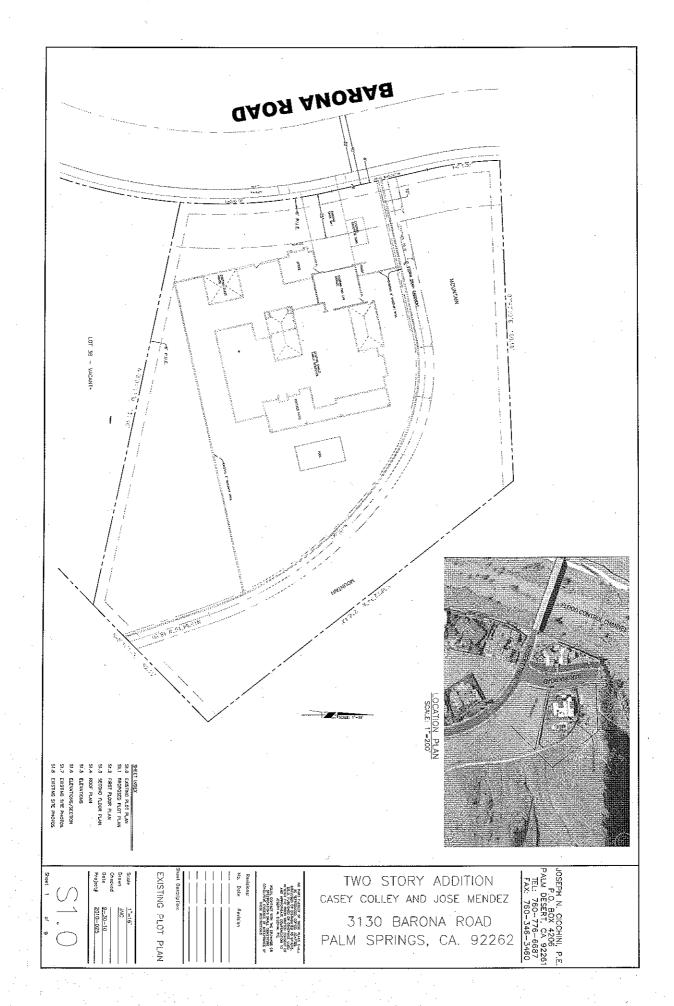
# POLICE DEPARTMENT CONDITIONS

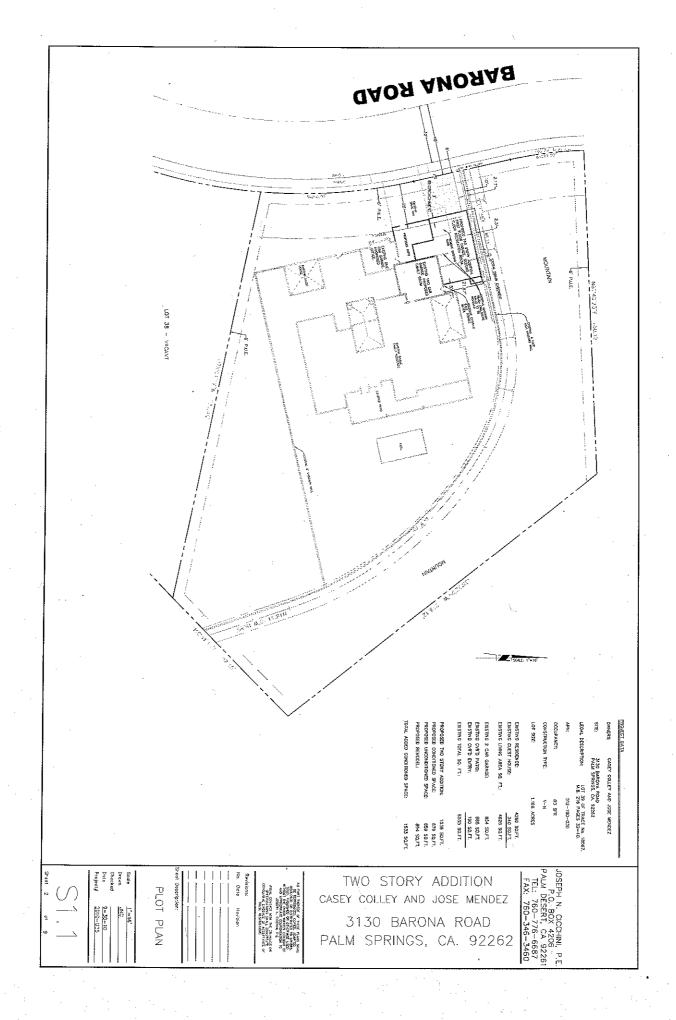
POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

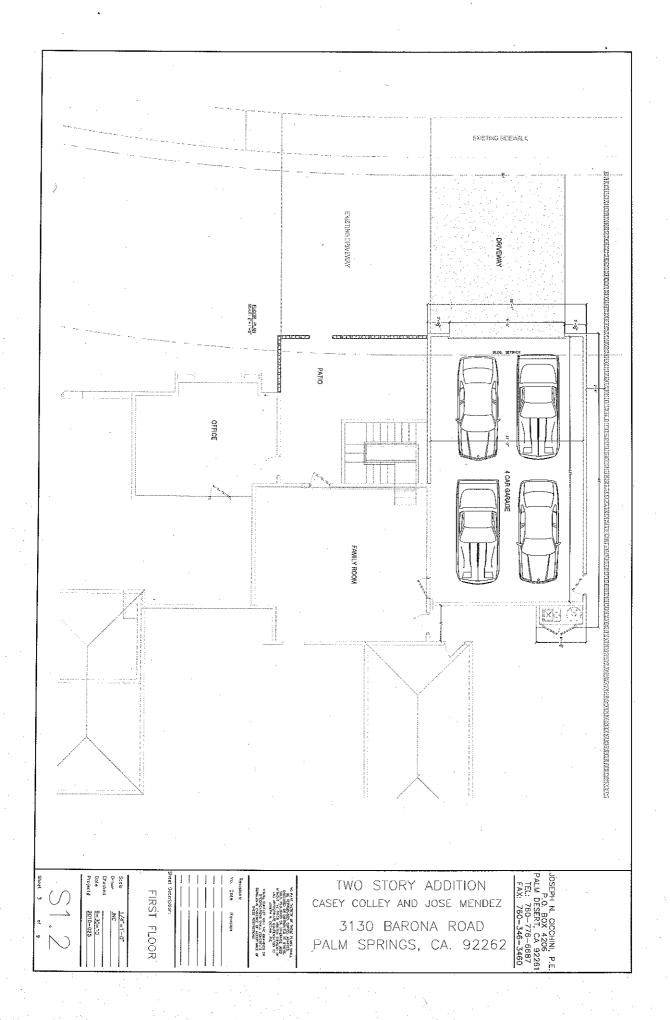
# **BUILDING DEPARTMENT CONDITIONS**

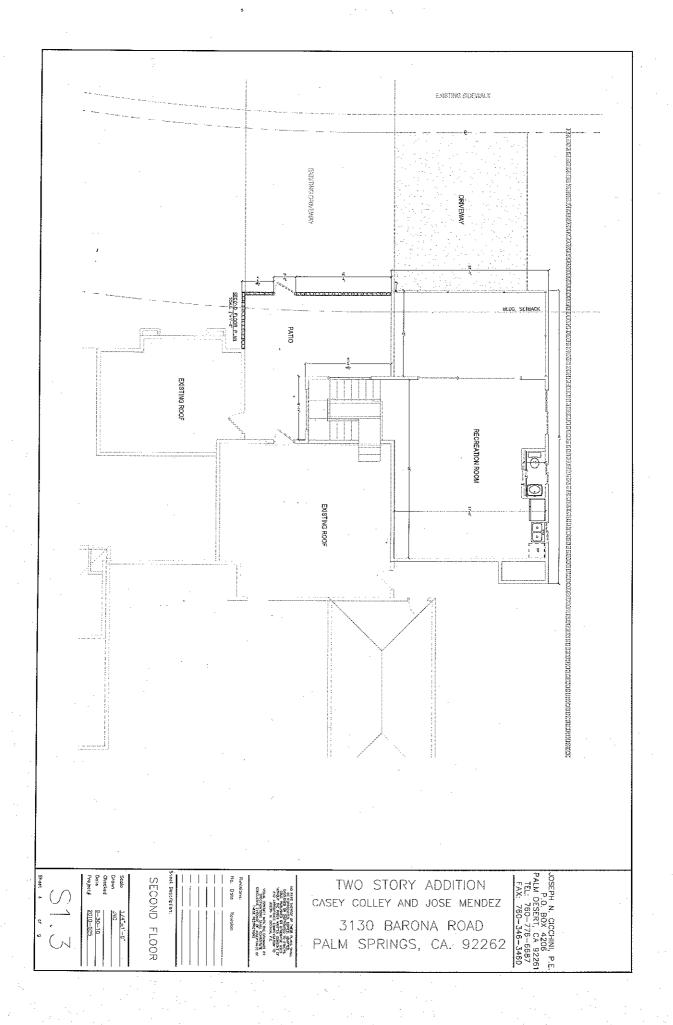
BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

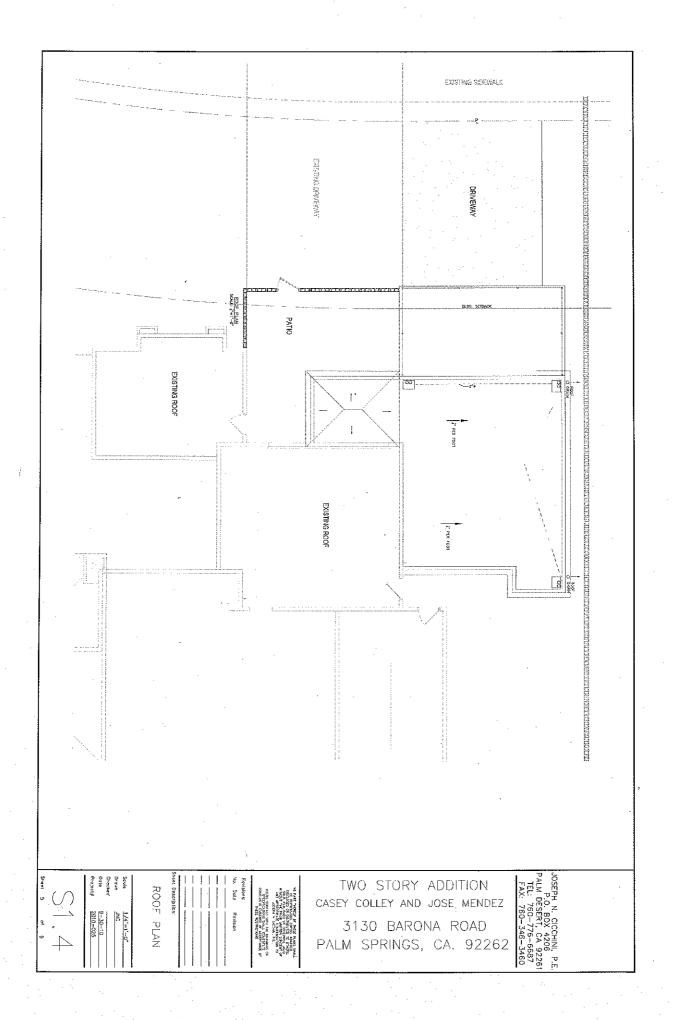
**END OF CONDITIONS** 

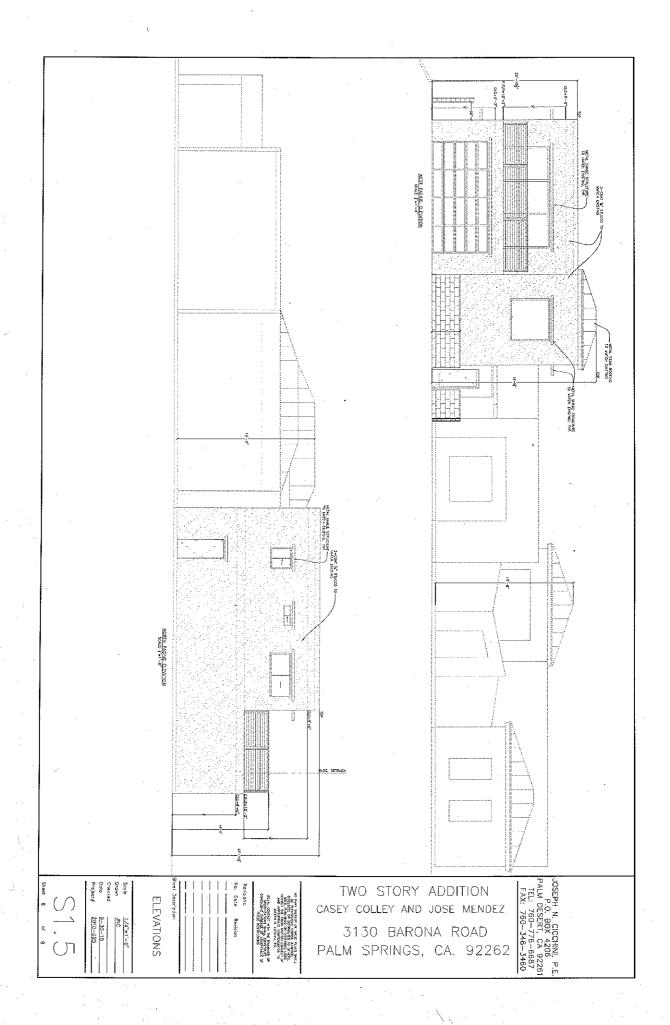


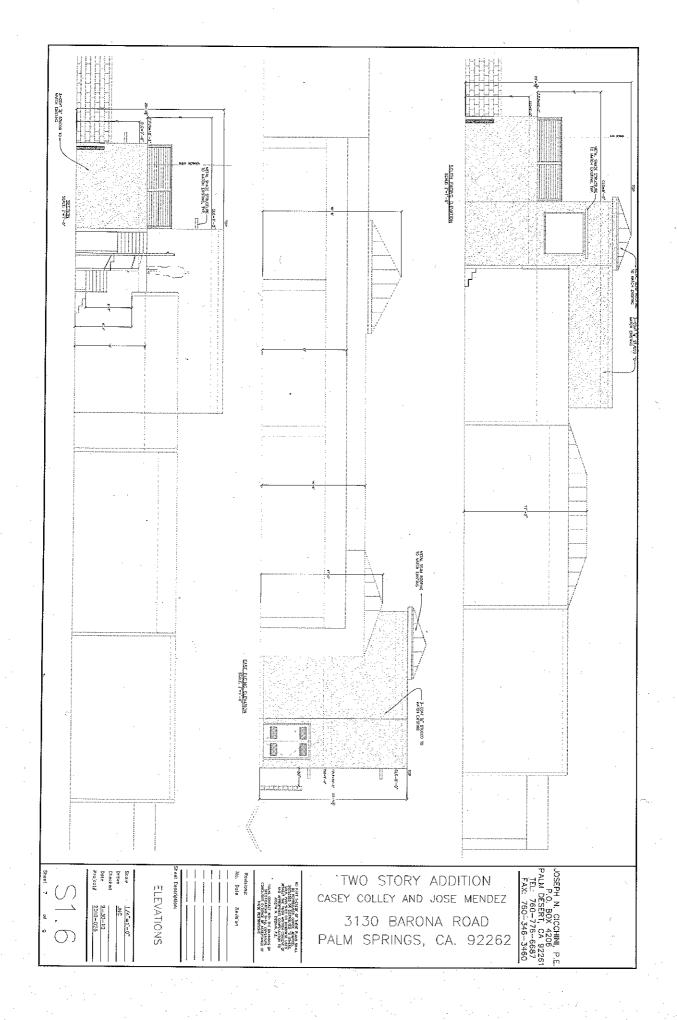


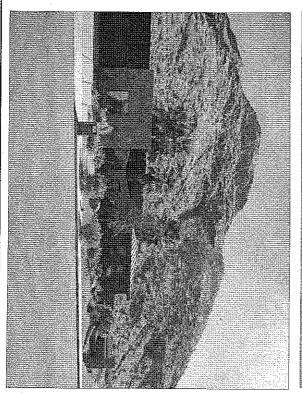


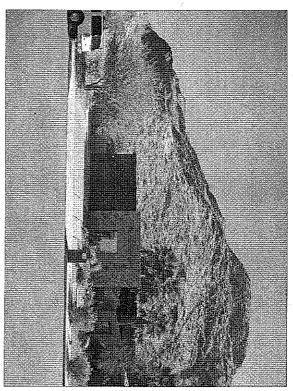






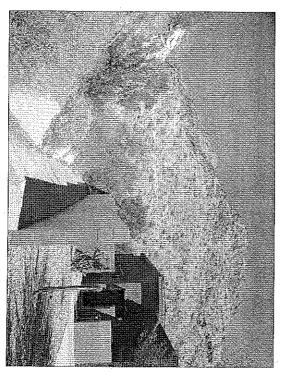


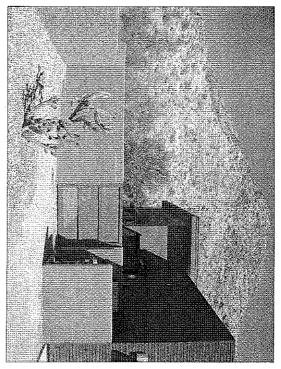




TWO STORY ADDITION casey colley and José Mendez 3130 BARONA ROAD PALM SPRINGS, CA. 92262

JOSEPH N. CICCHINI, P.E. P.O. BOX 4206 PALM DESERT, CA 9226 TEL: 760-776-6687 FAX: 760-346-3460





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TWO STORY ADDITION CASEY COLLEY AND JOSE MENDEZ 3130 BARONA ROAD PALM SPRINGS, CA. 92262

LOSEPH N. CICCHINI, P.E P.O. BOX 4206 PALM DESERT, CA 9226 TEL: 760-776-6687 FAX: 760-346-3460