



## Planning Commission Staff Report

Date: May 25, 2011

Case No.: 3.3439 SFR

Type: Single-Family Residence (Hillside)

Location: 3172 Bogert Trail; Lot 36 in Tract Map 18087 ("*Point Andreas*")

APN: 512-210-027

Applicant: Stephen Pastore & Monte Yorba

General Plan: Estate Residential

Zone: R-1-B (Single Family Residential)

From: Craig A. Ewing, AICP, Director of Planning Services

Project Planner: Ken Lyon, Associate Planner

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### **PROJECT DESCRIPTION:**

An application for a single family residence on an approximately 25,837-square foot hillside lot at 3172 Bogert Trail.

### **RECOMMENDATION:**

That the Planning Commission approves Case 3.3439 SFR to allow development of an approximately 5,500 square foot single-family residence on a hillside lot, subject to the Conditions of Approval noted in Exhibit A.

### **PRIOR ACTIONS:**

On August 9, 2010, the Architectural Advisory Committee (AAC) reviewed the project and voted unanimously to recommend approval to the Planning Commission as submitted except that the queen palms should be replaced with a hardier species.

**BACKGROUND AND SETTING:**

The roughly 25,837-square foot site is located in an area of south Palm Springs developed primarily with estate size parcels and custom homes. Tract Map 18087, "Point Andreas" was approved in the early 1980's.<sup>1</sup> The parcel is essentially flat, however roughly 20% of the lot area contains slopes greater than 10%. There is an existing drainage ditch easement that runs across the back of the lot, roughly 30 feet from the rear property line just above the "toe of slope". The site is vacant and was previously graded on the non-hillside portions. It contains no significant vegetation; the hillside portion of the lot contains native scrub vegetation. The surrounding Land Uses are noted in the table below:

**Table 1:** General Plan, Zone and Surrounding Land Uses

	General Plan	Zone	Land Use
North	Estate Residential (0-2.0 du/ac)	R-1-B	Vacant
South	Estate Residential (0-2.0 du/ac)	R-1-B	Vacant
East	Estate Residential (0-2.0 du/ac)	R-1-B	Vacant
West	Estate Residential (0-2.0 du/ac)	R-1-B	Single Family Residence



**PROJECT DESCRIPTION:**

The project is comprised of an approximately 5,500 square foot custom single family home, pool and landscaping on a lot that is slightly greater than one half acre in size.

<sup>1</sup> Tract Map 18087, "Point Andreas" was approved with CC&R's that impose certain development standards and review procedures in addition to those outlined in the Zoning Code. Those additional requirements are outlined in the staff analysis below.

The site is relatively flat and has been previously graded. The lot rises in elevation toward the back (east) side where a portion of the lot has slopes in excess of 10%. Because of these sloped areas, this is a hillside lot by definition in the zoning code, and will be evaluated under PSZC Section 93.13.00 (*hillside development*).

There is an existing retaining wall and drainage easement near the base of the sloped area, just east of the proposed structure. The landscaping for the developed portion of the site is proposed mostly with drought tolerant desert native plants in a naturalized design. The hillside portion of the lot is proposed to remain in its natural, undisturbed state.

The flat portion of the site is proposed to be fully enclosed with perimeter masonry walls varying in height between five and six feet. (The upper slope areas at the eastern portion of the lot will not be walled).

The site is located in a neighborhood of custom designed homes on large lots. Roughly half of the lots in the vicinity have been developed. The lots on either side of the subject site are still vacant. The proposed home has a pad height that is roughly 2.5 feet above the crown of the road. The applicant has provided site sections that show the building and pad height relative to the adjacent undeveloped sites.

The project proposes a large u-shaped single story three-bedroom home with two attached garages enclosing eight off-street parking spaces. These garages are accessed by a motor court that provides turn-around maneuverability for vehicles<sup>2</sup>. The main entrance is located on the back side of the home, facing the mountainous areas east of the project site and a proposed water feature. The project includes covered terraces facing a swimming pool in the front yard that take advantage of westerly views of the mountains.

The roof design is composed of low-slung Bermuda style metal hip roof elements with wide flat perimeter roof areas that cantilever beyond the perimeter walls. These wide eaves provide shade for the large walls of glass and create usable covered outdoor terrace areas. In some areas, the flat roof plane is open to allow light into planter areas while continuing the horizontal line of the projecting fascia around the house. An array of photovoltaic panels is proposed on a portion of the roof facing south. Skylights are proposed throughout the house to take advantage of natural light wherever possible.

The exterior walls are proposed as machine textured stucco. Low planter walls are proposed around the house and the perimeter walls are proposed with a standard running bond concrete block.

The pad elevation of the main portion of the homesite is slightly elevated from the street to ensure positive drainage of stormwater toward the street. However even with this slightly elevated pad height, the home still respects the height limits of the zone (as measured from the existing grade) and is consistent in massing and height to adjacent

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<sup>2</sup> Provision of an off-street turn-around is a requirement of the tract map CC&R's.

existing homes.

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.

**Table 2: Development Standards**

	<b>R-1-B (Hillside)</b>	<b>Proposed Project</b>
Lot Area	15,000 square feet	0.74 ac (32,523 square feet)
Lot Width	120 feet	107 feet front; 166 feet rear; 136 average (conforms)
Lot Depth	120 feet	129 feet on shortest side (conforms)
Front Yard	25 feet	30 feet (conforms)
Side Yard	10 feet	10 feet (conforms)
Rear Yard	15 feet	Approximately 58 feet (conforms)
Building Height (max.)	12 feet at setback up to 18 feet; dormer projections permitted	Ten (10) feet at setbacks, with portions up to 16 feet (conforms)
Building Coverage (max.)	35%	21.3% (conforms)
Covered off-street Parking	Minimum 2 car off-street covered required for SFR	Eight (8) covered off street spaces (conforms)
Dwelling size	1,500 square feet minimum	5,500 square feet (conforms)

**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 project proposes one single family residence on a site slightly more than half an acre. Thus the project is consistent with this General Plan designation.

The project has been evaluated against various policies and action statements from the 2007 Palm Springs General Plan as noted below:

*HS 2.7 Foster and ensure that residential projects are of high quality and thoughtful design through the implementation of adopted architectural and design standards and architectural review.*

The project proposes a custom designed house in a contemporary architectural style that is compatible and complementary with the high quality development that already exists in the surrounding neighborhood.

*CD7.1 Encourage the use of native desert plants and trees that require minimal water and maintenance.*

The project proposes a water efficient landscape palette with mostly native desert plants that require a minimum of water.

*CD23.2 Encourage hillside development to preserve natural vegetation during the construction process and to incorporate the natural environment into the design of structures as much as possible.*

Those portions of the lot in which there are slopes greater than 10% will remain completely undisturbed. The existing native vegetation will be preserved in these areas. There is no existing notable vegetation in the proposed areas where new structures and landscaping is proposed.

Based on the above, staff concludes the project is consistent with the General Plan.

Zoning Designation:

The proposed site is zoned R-1-B. Pursuant to the City of Palm Springs Zoning Code (PSZC), Section 92.01.01(A)(1), permanent single-family dwellings are permitted within the R-1-B zone. The project therefore conforms to the applicable zone designation. The project also conforms to the development standards of the zone as denoted in Table 2 above.

Off-street parking:

The City of Palm Springs Zoning Code, Section 93.06.00(29)(a), requires all single-family homes to provide two covered parking spaces per dwelling unit. The parking standards are met by the proposed eight car enclosed garage.

Development Standards for Tract Map 18087

The underlying Tract map for the subdivision in which this lot is located was conditioned with certain procedural requirements that apply to the development of all lots within the subdivision. Staff has reviewed the conditions and notes the following:

Planning Division Condition #3: *"Future residences shall be subject to architectural review subject to Section 94.03.00 (now Section 94.04.00) of the Zoning Code."*

The project complies with this condition since it has been submitted for architectural review with the AAC, and is evaluated further in this staff report under the guidelines for architectural approval in PSZC Section 94.04.00.

Planning Division Condition #5; *"All lots fronting (accessing Barona Road and Bogert Trail) be provided with on-site turnaround (93.05.00 (D)(2))".*

The project complies with this condition since it has a motor court in which vehicles can turn around and move head-first into the public street.

Waste Disposal Condition: *"All residences are to be provided with trash*

*facilities within 50 feet of the curb and provide access to these facilities”.*

The subject project complies with this condition since it is provided with a trash enclosure near the curb, adjacent to the driveway, with access to the street on the outer side of the gates across the driveway.

In addition, page 6 of the CC&R's for the tract map notes that lots 27 through 39 inclusive shall "...submit landscape plans to the City for approval prior to improving any portion of the hillside located on said lots". The proposed residence is on lot 36, however no landscaping is proposed on the hillside.

### **REQUIRED FINDINGS:**

There are no required findings for architectural approval which do not require environmental assessments. However, projects on hillside parcels are subject to architectural review.<sup>3</sup> Also, the CC&R's for Tract Map 18087 require all development proposals to be subject to architectural review (PSZC Section 94.04). This project's conformance to the architectural guidelines of the Zoning Ordinance is analyzed below.

Architectural Review. Section 93.13.00 "Hillside Development" requires site plans for hillside development to be reviewed subject to Zoning Code Section 94.04.00(D)(1-9) "Architectural Review". The review of such projects is required "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 color". 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 project proposes a single family house with related landscaping, a motor court, and terraces surrounding a swimming pool and water feature. The landscaping is designed to maintain privacy while not blocking views. Areas of the lot with steep slopes are preserved in their natural condition and vegetation. Staff has concluded the project conforms to this statement.

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 project is located in a neighborhood of large custom designed homes, each

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<sup>3</sup> Parcels upon which any portion has a slope greater than 10% are considered hillside lots and subject to architectural review pursuant to Zoning Code Section 93.13.00.

individual in their design and orientation on the lots. The proposed house is complementary to the existing development, is respectful of views from adjacent unbuilt lots, and is architecturally unique. Staff believes the project conforms to this statement.

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 proposed residence conforms to all setbacks, height limits, minimum and maximum area limits. Areas where roof-mounted equipment (photo-voltaic panels) are located are effectively concealed in conformance to the screening requirements of the Zoning Code.<sup>4</sup> Perimeter walls conform to the development standards of the Zoning Code. Therefore staff has concluded the project conforms to this statement.

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 project is proposed using, stucco, a metal Bermuda-style roof, and ground face unpainted concrete block. The materials and colors are warm hued colors considered to be complementary to the desert. Staff has concluded the project is consistent with these statements.

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 project proposes mostly drought-tolerant plant species deemed appropriate to the desert environment. There are no landmark or specimen plants or trees on the site. The project is therefore deemed in conformance with this statement.

## **CONCLUSION:**

The project is recommended for approval by the Architectural Advisory Committee. Pursuant to the Zoning Code, it is allowed by right-of-zone. It is also consistent with the Estate Residential land use designation of the General Plan. It is in conformance with the criteria for development on hillside lots as set forth in Section 93.13.00 and Section 94.04.00(D)(9) "Architectural Review" of the zoning code. Therefore based on the above analysis, staff is recommending approval of Case 3.3437 SFR, subject to Conditions of Approval outlined in Exhibit A, attached.

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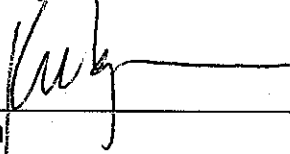
<sup>4</sup> Root mounted mechanical equipment and solar panels will likely be visible from homesites above the proposed site, however orientation of the panels are such that they will not cause glare or other visual nuisance to the adjoining hillside properties.

**ENVIRONMENTAL DETERMINATION:**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is a Class III exemption and is categorically exempt per Section 15303(a) (New Single-family residence).

**NOTIFICATION:**

Notification pursuant to Section 93.13.00 (*hillside development*) was sent to adjacent property owners on July 21, 2010. Two neighbors contacted the Planning Department for further explanation of the project, but as of the writing of this report, staff has not received any written comments or correspondence from the public.

  
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Ken Lyon  
Associate Planner

  
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Craig A. Ewing, AICP  
Director of Planning Services

**Attachments:**

- Vicinity Map
- Draft Resolution
- Exhibit A: Conditions of Approval
- Reductions of site plan and elevations





## CITY OF PALM SPRINGS

**CASE** 3.3439 SFR

**APPLICANT:** Stephen Pastore & Monte Yorba

**DESCRIPTION:** A Major Architectural Application for a Single Family Residence (SFR) on a hillside lot at 3172 Bogert Trail; Zone R-1-B; APN 512-210-027.

RESOLUTION NO. 6108

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 3.3439 SFR; A MAJOR ARCHITECTURAL APPLICATION FOR A ROUGHLY 5,500 SQUARE FOOT SINGLE FAMILY RESIDENCE ON A HILLSIDE LOT AT 3172 BOGERT TRAIL; ZONE R-1-B.

WHEREAS, Stephen Pastore and Monte Yorba (the "Applicant") have filed an application with the City pursuant to Section 94.04.00 of the Palm Springs Zoning Code (PSZC) for a Major Architectural application to allow the construction of a roughly 5,500 square foot single family residence on a hillside lot at 3172 Bogert Trail, Zone R-1-B APN: 512-210-027; and

WHEREAS, on August 9, 2010, the Architectural Advisory Committee (AAC) reviewed the proposed project and voted unanimously to recommend approval of the project to the Planning Commission with the condition that a more hardier species than the Queen Palms be used; and

WHEREAS, on May 25, 2011, a public meeting for Major Architectural Application Case 3.3439 SFR was held by the Planning Commission in accordance with applicable law; 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 project is a Class III exemption and is categorically exempt per Section 15303(a) (New single-family residence).

Section 2: Section 93.13.00 "*Hillside Development*" requires site plans for hillside development to be reviewed subject to Zoning Code Section 94.04.00(D)(1-9) "*Architectural Review*". The review of such projects is required "*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 color*". 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 project proposes a single family house with related landscaping, a motor court, and terraces surrounding a swimming pool and water feature. The landscaping is designed to maintain privacy while not blocking views. Areas of the lot with steep slopes are preserved in their natural condition and vegetation. Staff has concluded the project conforms to this statement.

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 project is located in a neighborhood of large custom designed homes, each individual in their design and orientation on the lots. The proposed house is complementary to the existing development, is respectful of views from adjacent unbuilt lots, and is architecturally unique. Staff believes the project conforms to this statement.

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 proposed residence conforms to all setbacks, height limits, minimum and maximum area limits. Areas where roof-mounted equipment (photo-voltaic panels) are located are effectively concealed in conformance to the screening requirements of the Zoning Code. Perimeter walls conform to the development standards of the Zoning Code. Therefore staff has concluded the project conforms to this statement.

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 project is proposed using, stucco, a metal Bermuda-style roof, and ground face unpainted concrete block. The materials and colors are warm hued colors considered to be complementary to the desert. Staff has concluded the project is consistent with these statements.

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 project proposes mostly drought-tolerant plant species deemed appropriate to the desert environment. There are no landmark or specimen plants or trees on the site.

The project is therefore deemed in conformance with this statement.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Major Architectural Application (Case 3.3439 SFR), subject to those conditions set forth in the attached Exhibit A, which are to be satisfied unless otherwise specified.

ADOPTED this 25<sup>th</sup> day of May, 2011:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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Craig A. Ewing, AICP  
Director of Planning Services

RESOLUTION NO. \_\_\_\_\_

**EXHIBIT A**

Case 3.3439 SFR  
A Single Family Residence at 3172 Bogert Trail

May 25, 2010

**CONDITIONS OF APPROVAL**

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

**ADMINISTRATIVE CONDITIONS**

- ADM 1. Project Description. This approval is for the project described per Case 3.3439 SFR; except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped (April 18, 2011), including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the conditions below.
- ADM 3. Conform to all Codes and Regulations. 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. Minor Deviations. 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 3.3439 SFR. 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, 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. Time Limit on Approval. Approval of the Major Architectural Application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

## ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$64 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Exemption. Action on this application shall not be considered final until such fee is paid (projects that are Categorically Exempt from CEQA).

## PLANNING DEPARTMENT CONDITIONS

- PLN 1. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.
- PLN 2. Conditions Imposed from AAC Review. The applicant shall incorporate the following comments from the review of the project by the City's Architectural Advisory Committee: Choose a more hardy tree species in lieu of the proposed Queen Palms shown on the preliminary landscape plan
- PLN 3. Flat Roof Requirements. Roof materials on flat roofs must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 and minimum initial solar reflectance of 0.70. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 4. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.

- PLN 5. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 6. Surface Mounted Downspouts Prohibited. 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 7. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.
- PLN 8. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 9. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 10. (add any additional conditions imposed by the Planning Commission or City Council here)

#### **POLICE DEPARTMENT CONDITIONS**

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

#### **BUILDING DEPARTMENT CONDITIONS**

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

#### **ENGINEERING DEPARTMENT CONDITIONS**

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

#### **STREETS**

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 2. A Road and Bridge Impact Fee of \$2,704 per unit, as well as a Fire Station Fee of \$469.00 per acre shall be paid (or as may be adjusted annually) in accordance with Chapter 9.69.040 and 9.69.060 of the Palm Springs Municipal Code, shall be paid prior to issuance of a building permit.



## BOGERT TRAIL

- ENG 3. Remove existing street improvements as necessary to construct a driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.
- ENG 4. All broken or off grade street improvements shall be repaired or replaced.

## ON-SITE

- ENG 5. No structures shall be constructed within the 10 feet wide storm drain easement along the east property line or east of the existing block wall adjacent to the east property line.
- ENG 6. No structures shall be constructed within the 6 feet wide public utility easements along the north, south, and west property lines.

## SANITARY SEWER

- ENG 7. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.

## GRADING

- ENG 8. Submit cut and fill quantities to City Engineer to determine if a Grading Plan is required. If required, the Grading Plan shall be submitted to the Engineering Division for review and approval by the City Engineer prior to issuance of grading permit. If the earthwork quantity is less than 50 cubic yards, a formal grading plan is not required. To qualify for the exemption, a signed original written statement of design earthwork quantities from the owner (or design professional, prepared on company letterhead) shall be provided to the Engineering Division. Exemption of a formal Grading Plan reviewed and approved by the City Engineer does not exempt the applicant from a site grading plan that may be required from the Building Department, or any other requirement that may be necessary to satisfy the California Building Code.
- a. Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control

Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.

- b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Site Plan; a copy of current Title Report; and a copy of Soils Report.

ENG 9. Prior to approval of the Grading Plan or issuance of a Grading Permit, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.

ENG 10. In accordance with an approved PM-10 Dust Control Plan, perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.

ENG 11. Perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.

ENG 12. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.

- ENG 13. Prior to issuance of grading permit, the applicant shall provide verification to the City that the fee has been paid to the Agua Caliente Band of Cahuilla Indians in accordance with the Tribal Habitat Conservation Plan (THCP).
- ENG 14. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 15. The pad elevation shall be within 2 inches of that shown on the approved Grading Plan for Tract No. 18087 (elevation 545.40) which is on file in the Engineering Division, unless otherwise approved by the City Engineer.
- ENG 16. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 17. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 18. The applicant shall provide pad or finish floor elevation certifications for all building pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building foundation.
- ENG 19. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan. The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

## DRAINAGE

- ENG 20. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMP's).
- ENG 21. The project is subject to an "Area Benefit Fee" drainage fee of \$4,213.00 per acre, in accordance with Chapter 9.69.040, or as may be adjusted annually in accordance with Chapter 9.69.060 of the Palm Springs Municipal Code. The drainage fee shall be paid prior to issuance of a building permit.

#### GENERAL

- ENG 22. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115.
- ENG 23. All proposed utility lines shall be installed underground.
- ENG 24. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 25. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.
- ENG 26. The original improvement plans prepared for the proposed development and approved by the City Engineer shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.
- ENG 27. Nothing shall be constructed or planted in the corner cut-off area of any driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.

ENG 28. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

#### TRAFFIC

ENG 29. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.

ENG 30. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated September 26, 2006, or subsequent editions in force at the time of construction.

ENG 31. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

#### FIRE DEPARTMENT CONDITIONS

FID 1. These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan dated and received on 7/12/2010. Additional requirements may be required at that time based on revisions to site plans.

FID 2. Fire Department Conditions were based on the 2007 California Fire Code. Four complete sets of plans for private fire service mains, fire alarm, or fire sprinkler systems must be submitted at time of the building plan submittal.

FID 3. **Buildings and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

**Current design does not meet this requirement.** This residence exceeds the 150' distance and will require access on the south side of the property for hose deployment around the exterior of this dwelling. Recommend installing a man gate. The gate shall be a minimum four (4) feet in width and be equipped with a key box and/or lock accessible from both sides in accordance with

Section 506 herein. Clear unobstructed access around the entire residence is required for hose deployment.

- FID 4. **Security Gates (CFC 503.6):** Security gate for driveway entry shall have an approved means of emergency operation. The security gate and the emergency operation shall be maintained at all times. Secured automated vehicle gates or entries shall utilize approved Knox access switches as required by the fire code official. Secured non-automated vehicle gates or entries shall utilize an approved padlock or chain (maximum link or lock shackle size of ¼ inch) as required by the fire code official.
- FID 5. **Premises Identification (CFC 505.1):** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4" high with a minimum stroke width of 0.5".
- FID 6. **Fire Flow (CFC 508.3):** Fire flow requirements for buildings or portions of buildings and facilities are estimated to be 1,000 GPM with the installation of fire sprinklers based on Appendix B of the 2007 CFC.
- FID 7. **Operational Fire Hydrant(s) (CFC 508.1, 508.5.1 & 1412.1):** Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.
- FID 8. **NFPA 13D Sprinkler System Required (903.3.1.3).** Automatic fire sprinkler system is required. An approved NFPA 13D automatic fire sprinkler system shall be installed in all new detached one and two-family dwellings where more than 1,500 GPM fire flow is required. (1,500 GPM fire flow equals 3,600 square feet in Type V wood frame buildings).
- FID 9. **Residential Smoke Alarms Installation With Fire Sprinklers (CFC 907.2.10.1.2, 907.2.10.2 & 907.2.10.3):** Provide Residential Smoke Alarms (FIREX # 0498 accessory module connected to multi-station FIREX smoke alarms or equal per dwelling and fire sprinkler flow switch). Alarms shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alarms shall be interconnected so that operation of any smoke alarm causes all smoke alarms within the dwelling to sound.
- FID 10. **Audible Residential Water Flow Alarms (CFC 903.4.2):** An approved audible sprinkler flow alarm (Wheelock horn/strobe # MT4-115-WH-VFR with

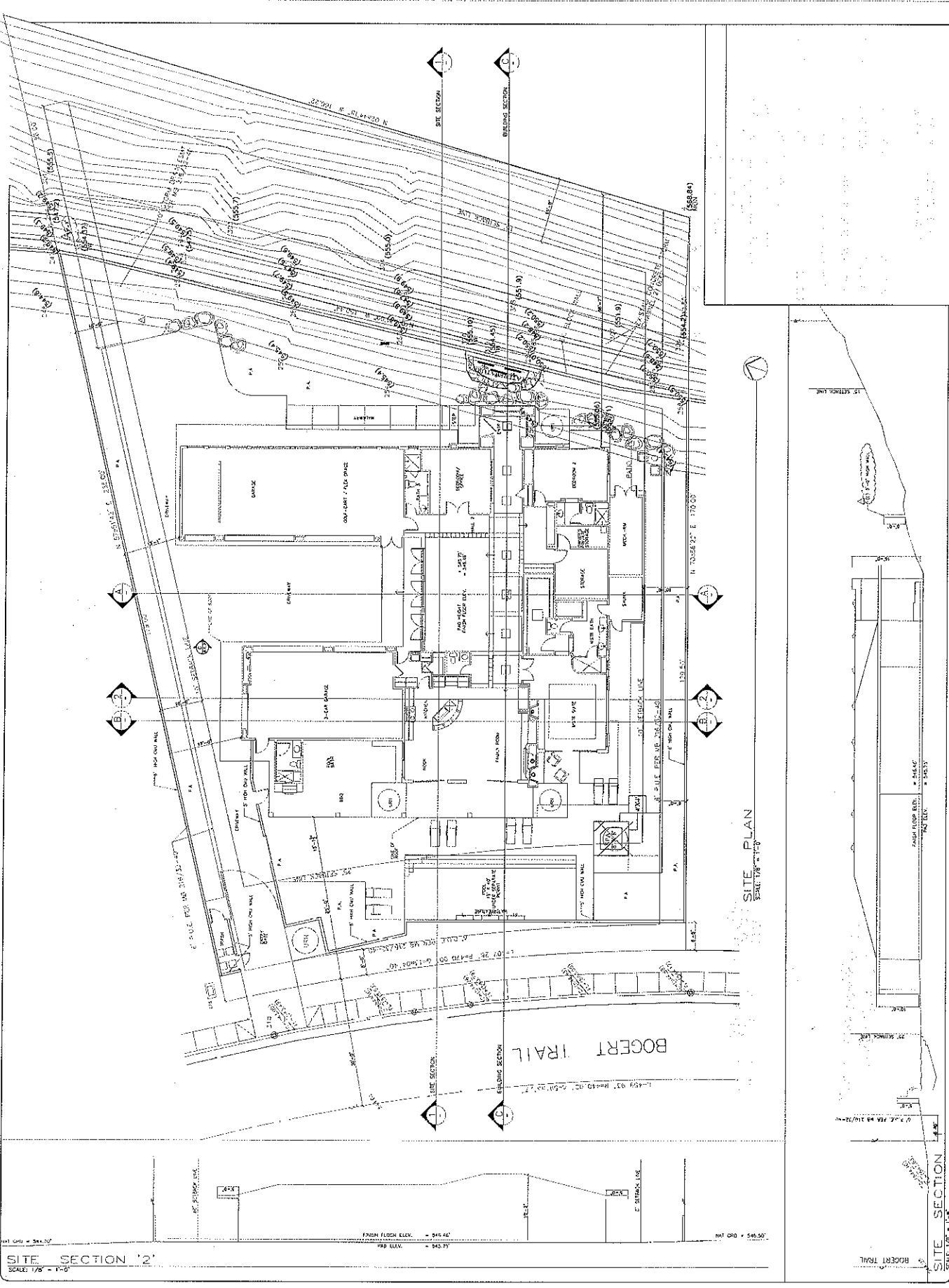
WBB back box or equal) shall be provided on the exterior of the building in an approved location. The horn/strobe shall be out door rated.

**FID 11. Residential Smoke Alarms (CFC 907.2.10):** Provide residential single and multiple-station smoke alarms which shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alarms shall be interconnected.

**END OF CONDITIONS**

PROJECT NO. 10-000000  
 DATE: 02/15/11  
 DRAWING NO. F1.0  
 SHEET TITLE: SITE FLOOR PLAN  
 PROJECT: PASTURE - YORBA RESERVE  
 3111 BOGERT TRAIL  
 PALM SPRINGS, CA  
 ARCHITECT: [Firm Name]  
 PROJECT MANAGER: [Name]  
 DESIGNER: [Name]  
 CHECKER: [Name]  
 DATE: [Date]

PASTURE - YORBA RESERVE  
 3111 BOGERT TRAIL  
 PALM SPRINGS, CA  
**F1.0**  
 SITE FLOOR PLAN  
 1/8" = 1'-0"  
 FEBRUARY 2011  
 PROJECT BY OWNER



**SITE SECTION '2'**  
 SCALE: 1/8" = 1'-0"

**SITE PLAN**  
 SCALE: 1/8" = 1'-0"

**SITE SECTION**  
 SCALE: 1/8" = 1'-0"

FINISH FLOOR ELEV. = 545.46'  
 100' ELEV. = 543.70'  
 NAT. G.D. = 546.50'



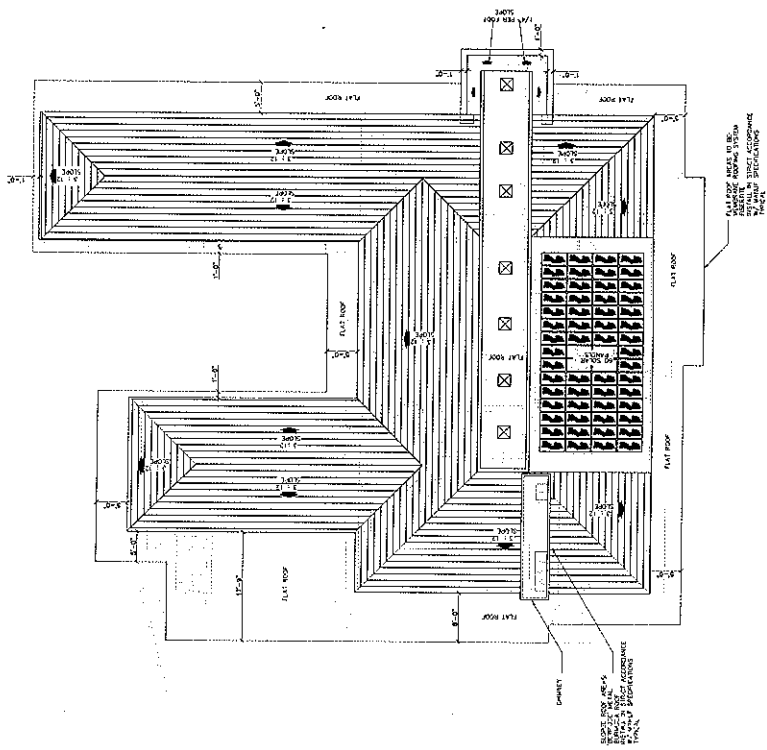
PROJECT NO. 1000000000  
 DATE: MARCH 10, 2011  
 DRAWING NO. 1000000000  
 SHEET NO. 1000000000  
 PROJECT NAME: PASTURE - YORBA RESERVE  
 CLIENT: 3172 BOCKENTHAL  
 ADDRESS: PALM SPRINGS, CA  
 ARCHITECT: J. J. COOPER ARCHITECTS  
 PROJECT MANAGER: J. J. COOPER  
 DESIGNER: J. J. COOPER  
 DRAWN BY: J. J. COOPER  
 CHECKED BY: J. J. COOPER  
 APPROVED BY: J. J. COOPER  
 DATE: MARCH 10, 2011

PASTURE - YORBA RESERVE  
 3172 BOCKENTHAL  
 PALM SPRINGS, CA

# F2.0

## ROOF PLAN

1/8" = 1'-0"  
 FEBRUARY 2011  
 PROJECT IN OWNER'S HANDS



ROOF PLAN  
 SCALE: 1/8" = 1'-0"

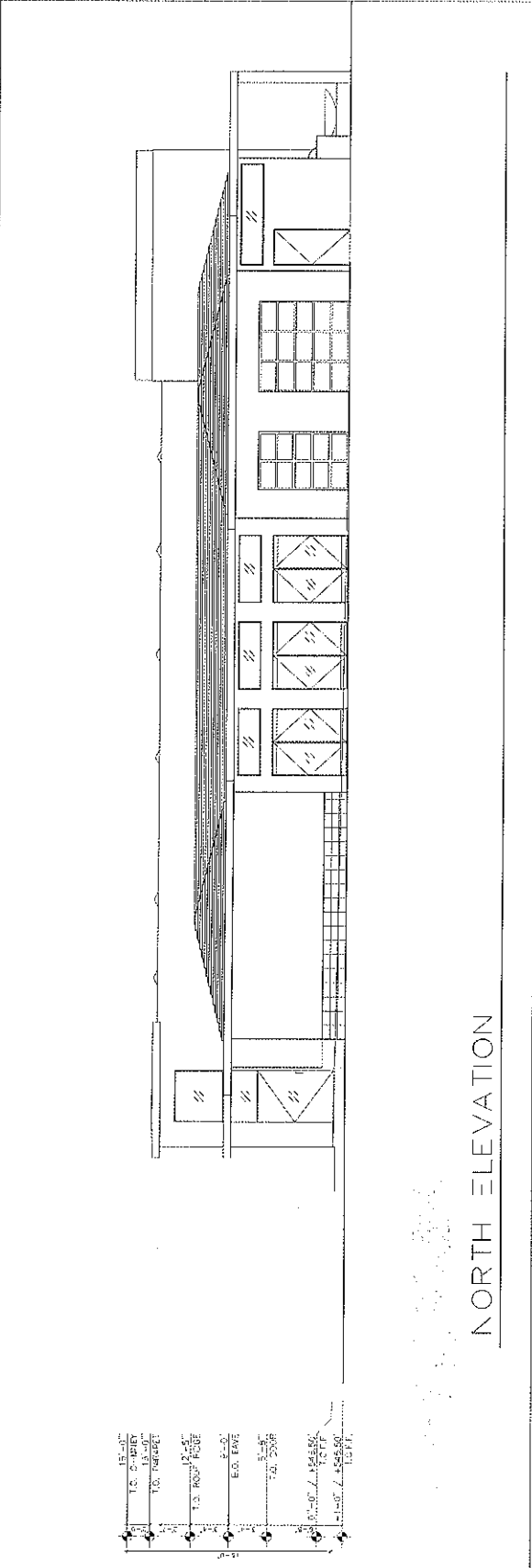
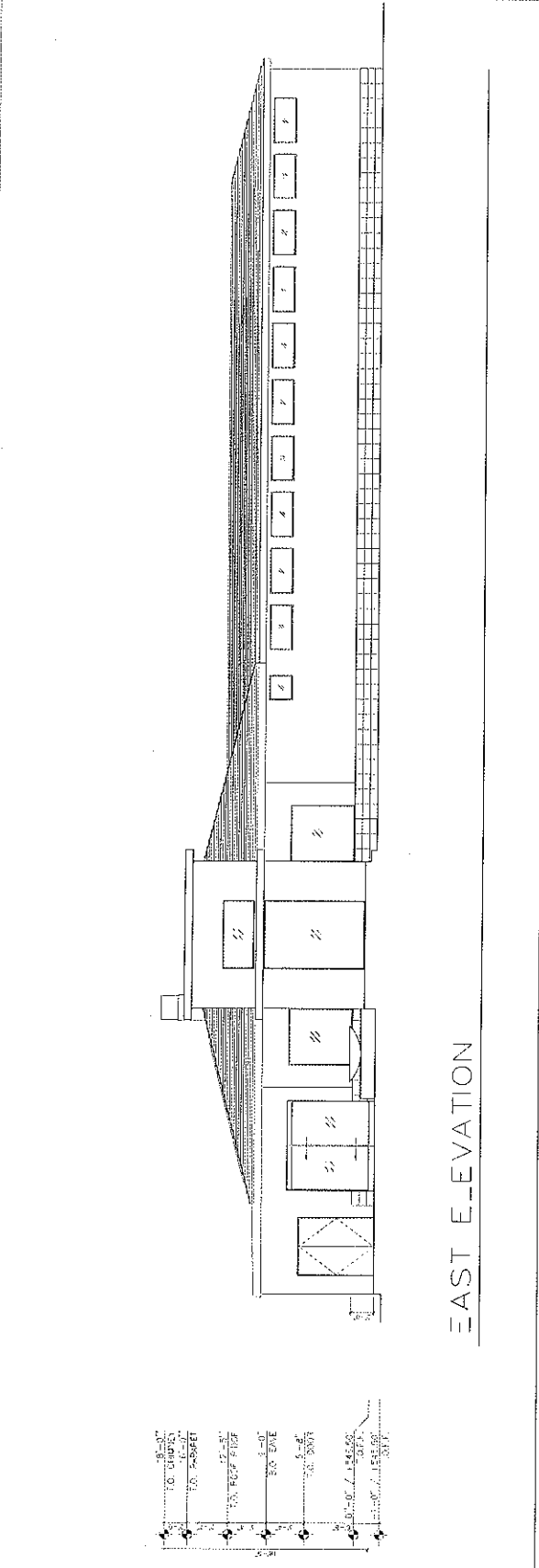
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PASTORIE - YOSEMI RESERVANCE  
 3112 ROBERT TOWN  
 PALM SPRINGS, CA

**F3.0**  
 ELEVATIONS

1/4" = 1'-0"  
 FEBRUARY 2011  
 PROJECT BY DWGNE



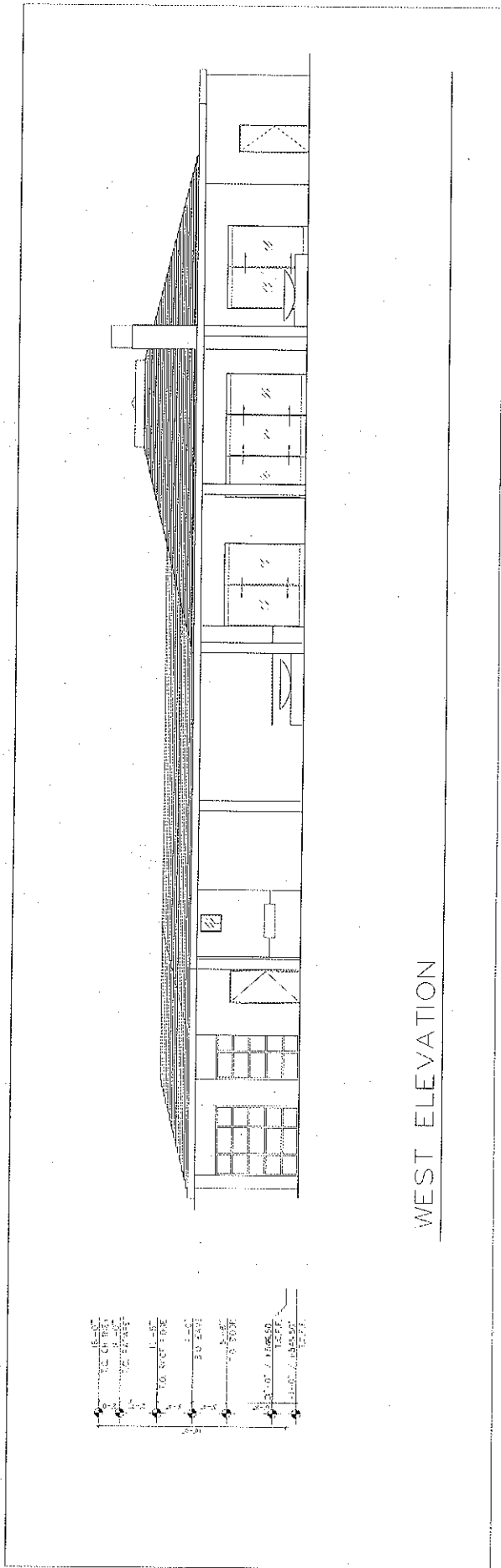
1/4" = 1'-0"  
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 DATE \_\_\_\_\_  
 DRAWN BY \_\_\_\_\_  
 CHECKED BY \_\_\_\_\_  
 APPROVED BY \_\_\_\_\_  
 TITLE \_\_\_\_\_  
 SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_  
 PROJECT NAME \_\_\_\_\_  
 PROJECT ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
 CLIENT NAME \_\_\_\_\_  
 CLIENT ADDRESS \_\_\_\_\_  
 CLIENT PHONE \_\_\_\_\_  
 CLIENT FAX \_\_\_\_\_  
 CLIENT EMAIL \_\_\_\_\_  
 ARCHITECT NAME \_\_\_\_\_  
 ARCHITECT ADDRESS \_\_\_\_\_  
 ARCHITECT PHONE \_\_\_\_\_  
 ARCHITECT FAX \_\_\_\_\_  
 ARCHITECT EMAIL \_\_\_\_\_

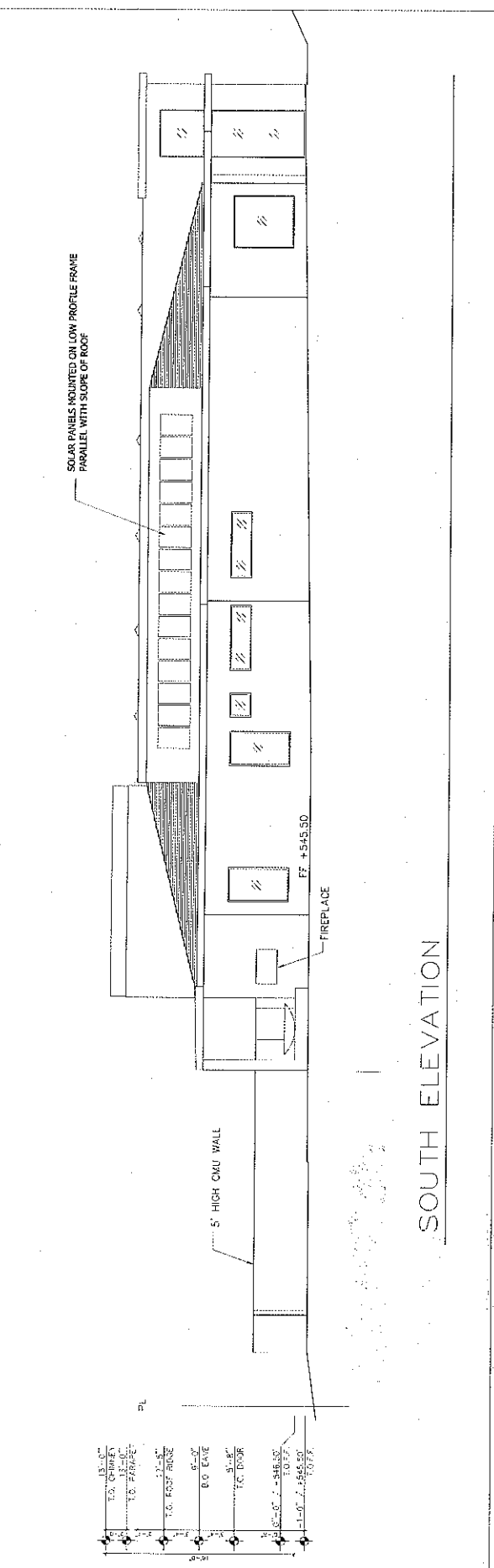
PROJECT: WINDMILLER  
 3172 EGGERT TRL  
 PALM SPRINGS, CA

**F3.1**  
 ELEVATIONS

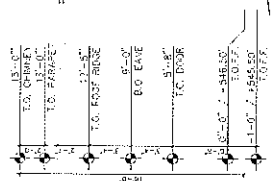
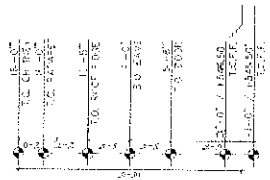
1/17/11  
 WILIAM HENNING  
 1335 LAMAR BLVD  
 LOS ANGELES, CA 90001  
 (213) 477-1111



WEST ELEVATION



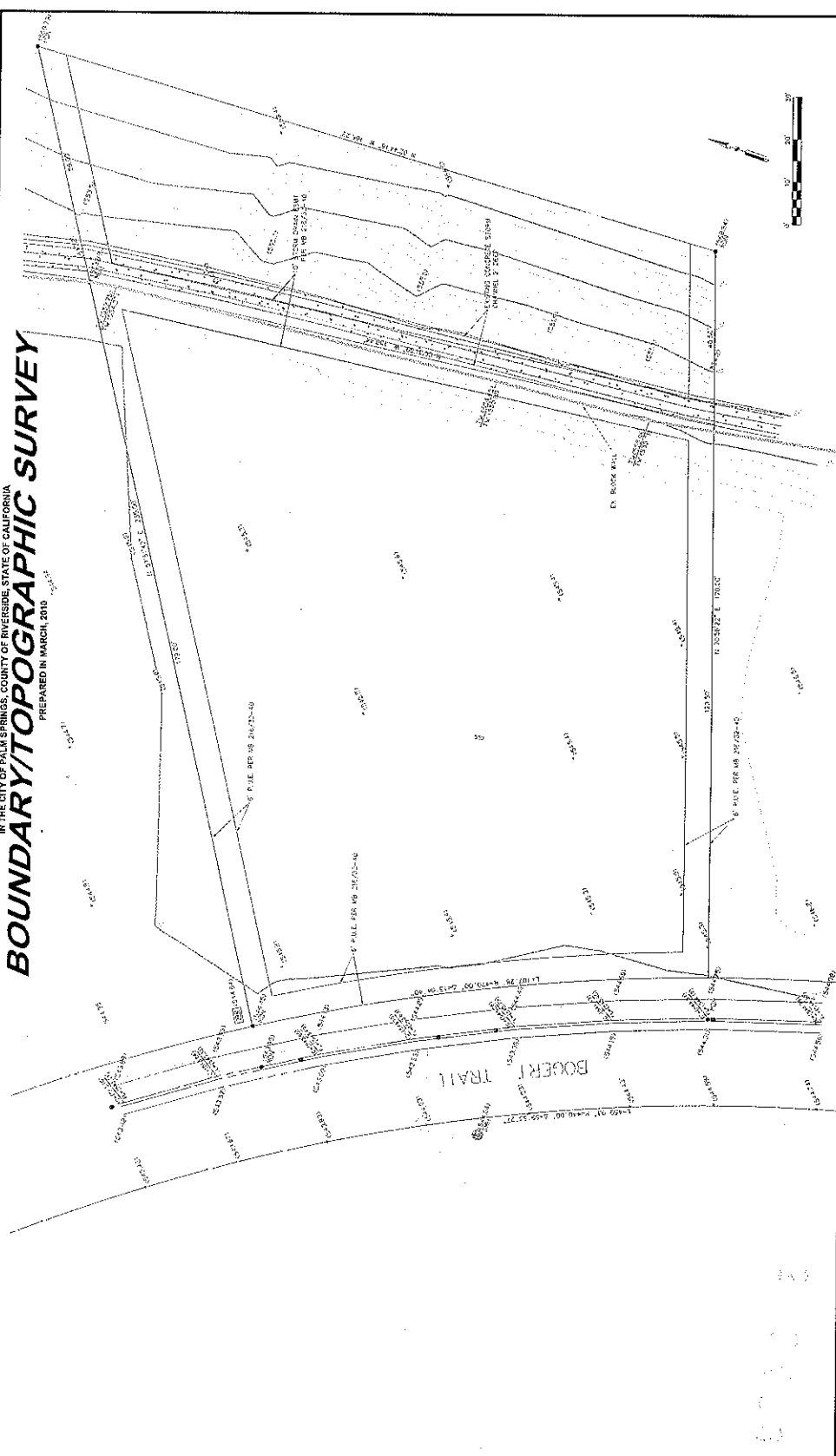
SOUTH ELEVATION





# BOUNDARY/TOPOGRAPHIC SURVEY

IN THE CITY OF FALLS SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
 PREPARED IN MARCH, 2010



<b>LEGEND</b>	BEC GROUND CURVE PA 4 VEGETATION	1" = 1" (Scale) DATE: JAN 20, 2010 ELEVATION: 845.85	<b>PASTURE RESIDENCE</b> APN: 5121007 LOT: 18 TRACT: 1807 (WB 21002-40) BOBERT TRAIL, FALLS SPRINGS, CA
<b>PROPOSED UNDER THE SUPERVISION OF:</b>	<b>DATE:</b>	<b>APPROVED BY:</b>	<b>DRAWN BY:</b>
<b>PRINCIPAL:</b>	<b>DATE:</b>	<b>APPROVED BY:</b>	<b>DRAWN BY:</b>
* WHITE SERVICE * WHITE SERVICE * WHITE SERVICE * WHITE SERVICE * WHITE SERVICE	* WHITE SERVICE * WHITE SERVICE * WHITE SERVICE * WHITE SERVICE * WHITE SERVICE	* WHITE SERVICE * WHITE SERVICE * WHITE SERVICE * WHITE SERVICE * WHITE SERVICE	* WHITE SERVICE * WHITE SERVICE * WHITE SERVICE * WHITE SERVICE * WHITE SERVICE