



## Planning Commission Staff Report

Date: February 22, 2012

Case No.: 3.3531 SFR

Type: Single-Family Residence (Hillside)

Location: 1451 Bogert Trail; Lot 18 in Tract Map 18087 ("*Point Andreas*")

APN: 512-210-049

Applicant: Lorrie & James Etchason

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 an approximately 3,398 square foot single family residence on an approximately 19,602-square foot lot at 1451 Bogert Trail.

### **RECOMMENDATION:**

That the Planning Commission approves Case 3.3531 SFR to allow development of an approximately 3,398 square foot single-family residence, subject to the Conditions of Approval noted in Exhibit A.

### **PRIOR ACTIONS:**

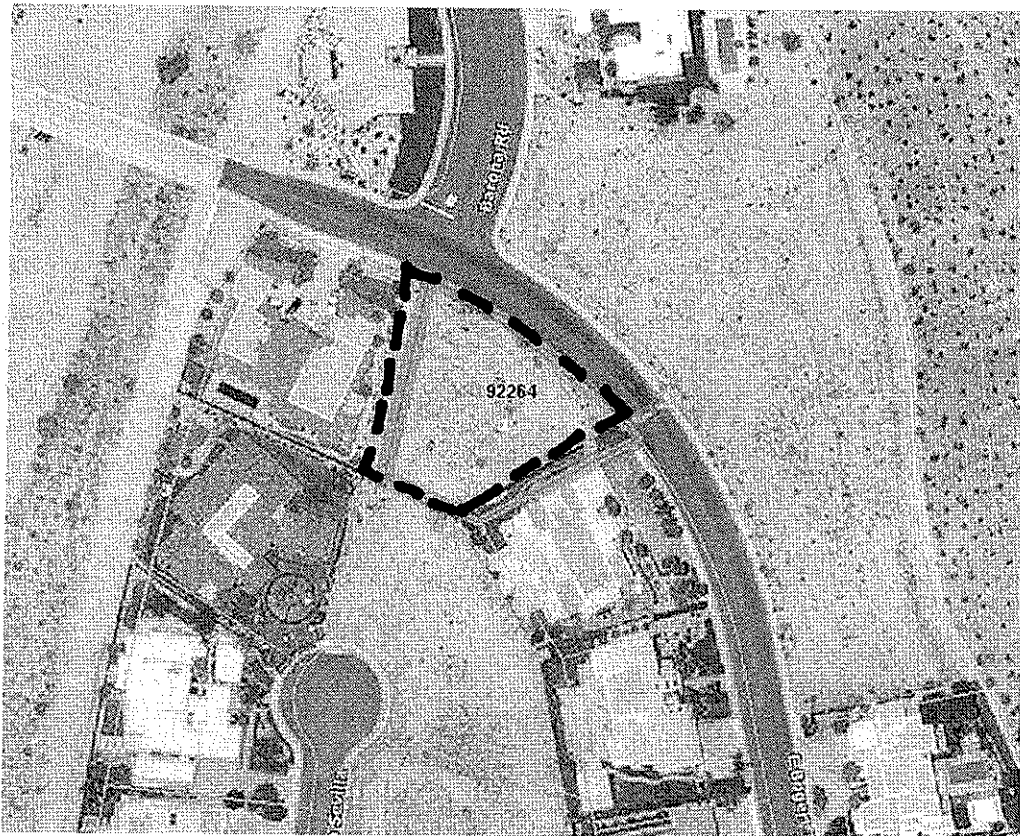
On February 6, 2012, the Architectural Advisory Committee (AAC) reviewed the project and voted 6-1 (Orgtega opposed) to recommend approval to the Planning Commission as submitted. The AAC recommended that the client reposition some trees and shrubs to better accommodate the future growth of individual species.

**BACKGROUND AND SETTING:**

The roughly 19,602-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 a flat vacant lot among other fully developed homesites. It contains no significant vegetation. The surrounding Land Uses are noted in the table below:

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

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



3172 BOGERT TRAIL

**PROJECT DESCRIPTION:**

The project is comprised of an approximately 3,398 square foot custom single family home with a 1,488 square foot 4-car garage. The proposed landscaping on the site is minimal with

<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.

Mexican fan palms, Palo Verde trees and various shrubs and boulders. No turf is proposed and there is no landscaping in the back yard. The site is relatively flat and has been previously graded.

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 proposed home has a finished floor elevation that is roughly two feet above the crown of the road.

The project proposes a large single story two-bedroom home with a casita/guest bedroom and a four-car attached garage. The garage doors directly face the street and are accessed by a turn-around driveway so cars do not have to back out onto the street<sup>2</sup>. The project includes a covered patio facing a swimming pool in the back yard that takes advantage of westerly views of the mountains.

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</b>	<b>Proposed Project</b>
Lot Area	15,000 square feet	19,602 square feet
Lot Width	120 feet	209 feet
Lot Depth	120 feet	164 feet
Front Yard	25 feet	35 feet (conforms)
Side Yard	10 feet	10 feet (conforms)
Rear Yard	15 feet	50 (conforms)
Building Height (max.)	12 feet at setback up to 18 feet; dormer projections permitted	12 feet to a maximum of 17 (conforms)
Building Coverage (max.)	35%	25% (conforms)
Covered off-street Parking	Minimum 2 car off-street covered required for SFR	Four (4) covered off street spaces (conforms)
Dwelling size	1,500 square feet minimum	3,398 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

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

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 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.

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 four 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 circular driveway 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 garage, adjacent to the driveway, with access to the street.

#### **REQUIRED FINDINGS:**

There are no required findings for architectural approval which do not require environmental assessments. However, 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. Specific aspects of design shall be examined to determine whether the proposed development will provide 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 project proposes a single family house with related landscaping, paved drives, and terraces surrounding a swimming pool. The project conforms to the setbacks and requirements for open space and yards. The landscaping is designed to maintain privacy while not blocking views. 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, and is respectful of views from adjacent unbuilt lots. 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. 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 simple volumes clad in stucco. 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 in Section 94.04.00(D)(9) "Architectural Review" of the zoning code. Therefore based on the above analysis, staff is recommending approval of Case 3.3531 SFR, subject to Conditions of Approval outlined in Exhibit A, attached.

#### **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:**

No notification is required.



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Ken Lyon  
Associate Planner



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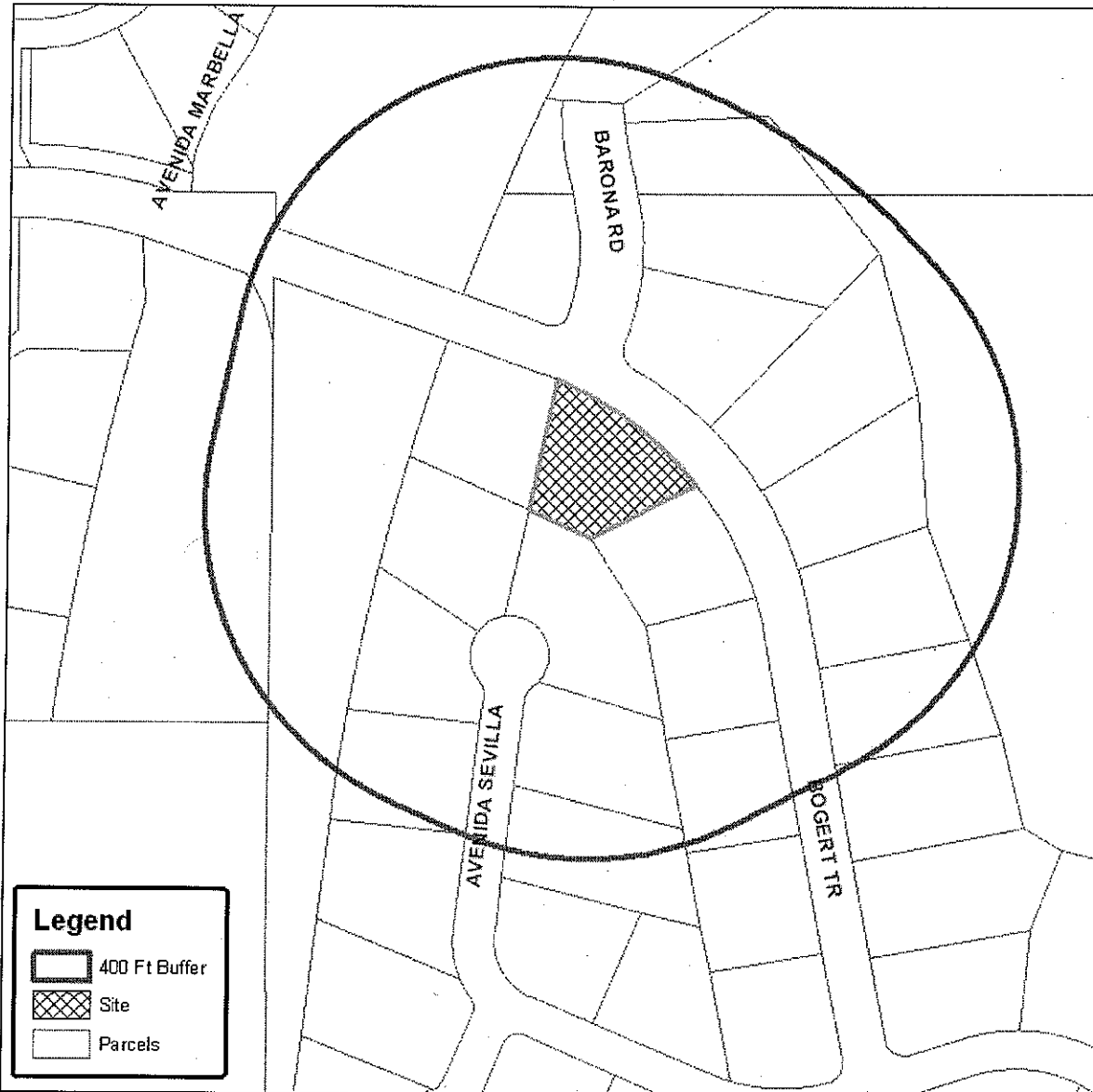
Craig A. Ewing, AICP  
Director of Planning Services

#### **Attachments:**

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



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**CASE NO:** 3.3531 SFR

**APPLICANT:** Lorrie & James  
Etchason

**DESCRIPTION:** A proposed single family residence  
at 1451 Bogert Trail, Zone R1B Section 35.

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

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 3.3531 SFR; AN APPLICATION FOR 3,398 SQUARE FOOT SINGLE FAMILY RESIDENCE ON A ROUGHLY 19,602 SQUARE FOOT LOT AT 1451 BOGERT TRAIL; ZONE R-1-B, SECTION 35.

WHEREAS, Lorrie and Jim Etchason (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 single family residence on a lot at 1451 Bogert Trail, Zone R-1-B APN: 512-210-049; and

WHEREAS, on February 6, 2012, the Architectural Advisory Committee (AAC) reviewed the proposed project and voted 6-1 (Ortega opposed) to recommend approval of the project to the Planning Commission with the comment that the applicant should review the placement of trees such that they are not crowding each other at maturity; and

WHEREAS, on February 22, 2012, a public meeting for Major Architectural Application Case 3.3531 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: Tract Map 18087 requires proposed development within the tract 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, paved drives, and terraces surrounding a swimming pool. The project conforms to the setbacks and



requirements for open space and yards. The landscaping is designed to maintain privacy while not blocking views. The Planning Commission 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, and is respectful of views from adjacent unbuilt lots. 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. Perimeter walls conform to the development standards of the Zoning Code. Therefore the Planning Commission 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 simple volumes clad in stucco. The materials and colors are warm hued colors considered to be complementary to the desert. 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 Case 3.3531 SFR; a 3,398 square foot single family home on a roughly 19,602 square foot lot at 1451 Bogert Trail, subject to those

conditions set forth in the attached Exhibit A, which are to be satisfied unless otherwise specified.

ADOPTED this 22nd day of February, 2012.

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 3.3531 SFR

A Single Family Home at 1451 Bogert Trail  
February 22, 2012

**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 3.3531 SFR; except as modified with the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped December 5, 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 3.3531 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, 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. 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 8. 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) NOT required.

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).

ENV 3. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.

ENV 4. Cultural Resource Site Monitoring. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)

a). A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.

b). Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

## **PLANNING DEPARTMENT CONDITIONS**

PLN 1. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to

issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.

- PLN 2. 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 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 off-white, beige or tan.
- PLN 4. 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 5. 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 6. 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 7. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 8. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 9. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.

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**

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

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

#### **STREETS**

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

ENG 2. A Road and Bridge Impact Fee of \$2,704 per single family residential unit; as well as a Fire Station Fee of \$469.00 per acre for single family residential units (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 street improvements as necessary to construct the two proposed driveway approaches 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. The 20 feet wide public sewer easements located along the west property line and adjacent to the north property line, shall be kept clear and free of any and all

obstructions to allow for the continued operation and maintenance of the public sewer main within the easement. Construction of permanent structures, swimming pools and equipment, or other improvements determined to be an obstruction of the public sewer easement shall not be allowed. Planting of large trees or other planting material with invasive or deep root structures shall be restricted. Access to the public sewer easements from Bogert Trail shall be maintained, including, if necessary, 15 feet wide gates with lock and access provided to the City of Palm Springs. The City has the right to enter the site, clear and remove any and all improvements and/or obstructions within the easement, and the right to charge all costs incurred in enforcing this provision to the owner(s) of property. The City is not required to replace in like kind, any landscaping or other improvements within the public sewer easement in the event repair or replacement of the existing sewer main is required, and that the City shall be limited to leaving the property in a rough graded condition following any such repair or replacement.

- ENG 6. No structures shall be constructed within the 6 feet wide public utility easements along the north, east, and west property lines.

#### SANITARY SEWER

- ENG 7. All sanitary facilities shall be connected to the public sewer system. The existing on-site public sewer service to the property shall be used for new sanitary facilities. 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, 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 as needed. 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 Rough Grading Plan for Tract Map No. 18087 (545.40) which is on file in the Engineering Division unless otherwise approved by the City Engineer.
- ENG 16. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 17. 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 18. 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 19. The applicant shall provide pad 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 20. 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 21. Direct release of on-site nuisance water or stormwater runoff shall not be permitted to Bogert Trail. Provisions for the interception of nuisance water from entering adjacent public streets from the project site shall be provided through the use of a minor storm drain system that collects and conveys nuisance water to landscape or parkway areas, and in only a stormwater runoff condition, pass runoff directly to the streets through parkway or under sidewalk drains.
- ENG 22. 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 23. 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. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.
- ENG 24. All proposed utility lines shall be installed underground.
- ENG 25. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 26. 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 27. The original improvement plans prepared for the proposed development and approved by the City Engineer (if required) shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

ENG 28. 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 29. 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 30. 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 31. 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 32. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

#### FIRE DEPARTMENT CONDITIONS

These Fire Department conditions may not provide all requirements. Detailed plans are still required for review.

FID 1 These conditions are subject to final plan check and review. Initial fire department conditions have been determined on the site plan dated December 5, 2011. Additional requirements may be required at that time based on revisions to site plans.

FID 2 Fire Department Conditions were based on the 2010 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**      **Plot Plan:** Prior to completion of the project, an 8.5"x11" plot plan or drawing, and an electronic version in an industry standard file format capable of being used in a geographical information system (GIS) preferably an ESRI shape file(s) shall be provided to the fire department. The GIS file shall be projected in the California State Plane Zone VI coordinate system and capable of being re-projected into the North American Datum 1983 coordinate system. PDF files by themselves will not meet this requirement. The GIS and ESRI shape file(s) shall clearly show all access points, fire hydrants, KNOX™ box locations, fire department connections, dwelling unit or suite identifiers, main electrical panel location(s), sprinkler riser and fire alarm locations. Industry standard symbols used in emergency management and pre-fire planning are encouraged. Large projects may require more than one page. AutoCAD files will be accepted but must be approved prior to acceptance.

**FID 4**      **PLANS AND PERMITS**

When there are significant changes in occupancy, water supply, storage heights, type, and quantity of storage, storage configurations, Tenant Improvements or any other changes which may affect the fire sprinkler system design, the owner, tenant or contractor shall submit plans and secure permits:

Complete plans for private fire service mains or fire sprinkler systems should be submitted for approval well in advance of installation. Plan reviews can take up to 20 working days. Submit a minimum of four (4) sets of drawings for review. Upon approval, the Fire Prevention Bureau will retain two sets.

Plans shall be submitted to:

**City of Palm Springs  
Building and Safety Department  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262**

**Counter Hours: M – TH, 8:00 AM – 11:00 AM and 2:00 PM – 6:00 PM**

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. The minimum fee is \$ 208.00. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall

be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall indicate all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supportive data (calculations and manufacturer's technical data sheets) shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

Plot Plan: Prior to completion of the project, a 8.5"x11" plot plan and an electronic CAD version shall be provided to the fire department. This shall clearly show all access points, fire hydrants, knox box locations, fire department connections, unit identifiers, main electrical panel locations, sprinkler riser and fire alarm locations. Large projects may require more than one page.

- FID 5      **Access During Construction (CFC 503):** Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs.
- FID 6      **Access Road Dimensions (CFC 503.2.1):** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs.
- FID 7      **Fire Apparatus Access Gates (8.04.260 PSMC):** Entrance gates shall have a clear width of at least 15 feet and be equipped with a frangible chain and padlock.
- FID 8      **Fire Department Access:** Fire Department Access Roads shall be provided and maintained in accordance with (Sections 503 CFC)
- **Minimum Access Road Dimensions:**

1. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, a greater width for private streets may be required by the City engineer to address traffic engineering, parking, and other issues. The Palm Springs Fire Department requirements for two-way private streets, is a minimum width of 24 feet is required for this project, unless otherwise allowed by the City engineer. No parking shall be allowed in either side of the roadway.
2. Roads must be 30 feet wide when parking is not allowed on only one side of the roadway.
3. Roads must be 40 feet wide when parking is not restricted.

**FID 9**      **Premises Identification (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 numbers or alphabetical letters. Numbers shall be a minimum of 4 inches high for R-3 occupancies and 6" - 12" for all other occupancies depending on distance from street with a minimum stroke width of 0.5 inch. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.

**FID 10**      **NFPA 13D Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13D, 2010 Edition, as modified by local ordinance. The contractor should submit fire sprinkler plans as soon as possible. No portion of the fire sprinkler system may be installed prior to plan approval.

**FID 11**      **Residential Smoke and Carbon Monoxide Alarms Installation with Fire Sprinklers (CFC 907.2.10.1.2, 907.2.10.2 & 907.2.10.3; CRC R315):** Provide and install Residential Smoke and Carbon Monoxide Alarms (Kidde SM120X Relay / Power Supply Module connected to multi-station Kidde smoke and carbon monoxide alarms or equal system 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, carbon monoxide alarm or fire sprinkler flow switch causes all smoke and carbon monoxide alarms within the dwelling to sound and activate the exterior horn/strobe.

The wiring of this system shall be in accordance with Kidde SM120X Relay / Power Supply Module manual and Figure 2 (see attached). The

120 volt device wired to turn on when alarm sounds is the exterior horn / strobe. The pull for fire device is the fire sprinkler flow switch.

- FID 12      **Additional Residential Smoke Alarm Requirements (NFPA 72: 29.5.1.3):** Where the interior floor area for a given level of a dwelling unit, excluding garage areas, is greater than 1,000 Sq. Ft., the additional requirements are that all points on the ceiling shall have:
- a.      A smoke alarm within a distance of 30 ft travel distance or
  - b.      An equivalent of one smoke alarm per 500 Sq. Ft. of floor area.

One smoke alarm per 500 Sq. Ft. is evaluated by dividing the total interior square footage of floor area per level by 500 Sq. Ft.

- FID 13      **Carbon Monoxide Alarm or Detector Locations (NFPA 720: 9.4.1.1 & 9.4.1.2; CRC R315.3):** Carbon monoxide alarms or detectors shall be installed as follows:
- (1) Outside of each separate dwelling unit sleeping area in the immediate vicinity of the bedrooms
  - (2) On every occupiable level of a dwelling unit, including basements, excluding attics and crawl spaces
  - (3) Other locations where required by applicable laws, codes, or standards

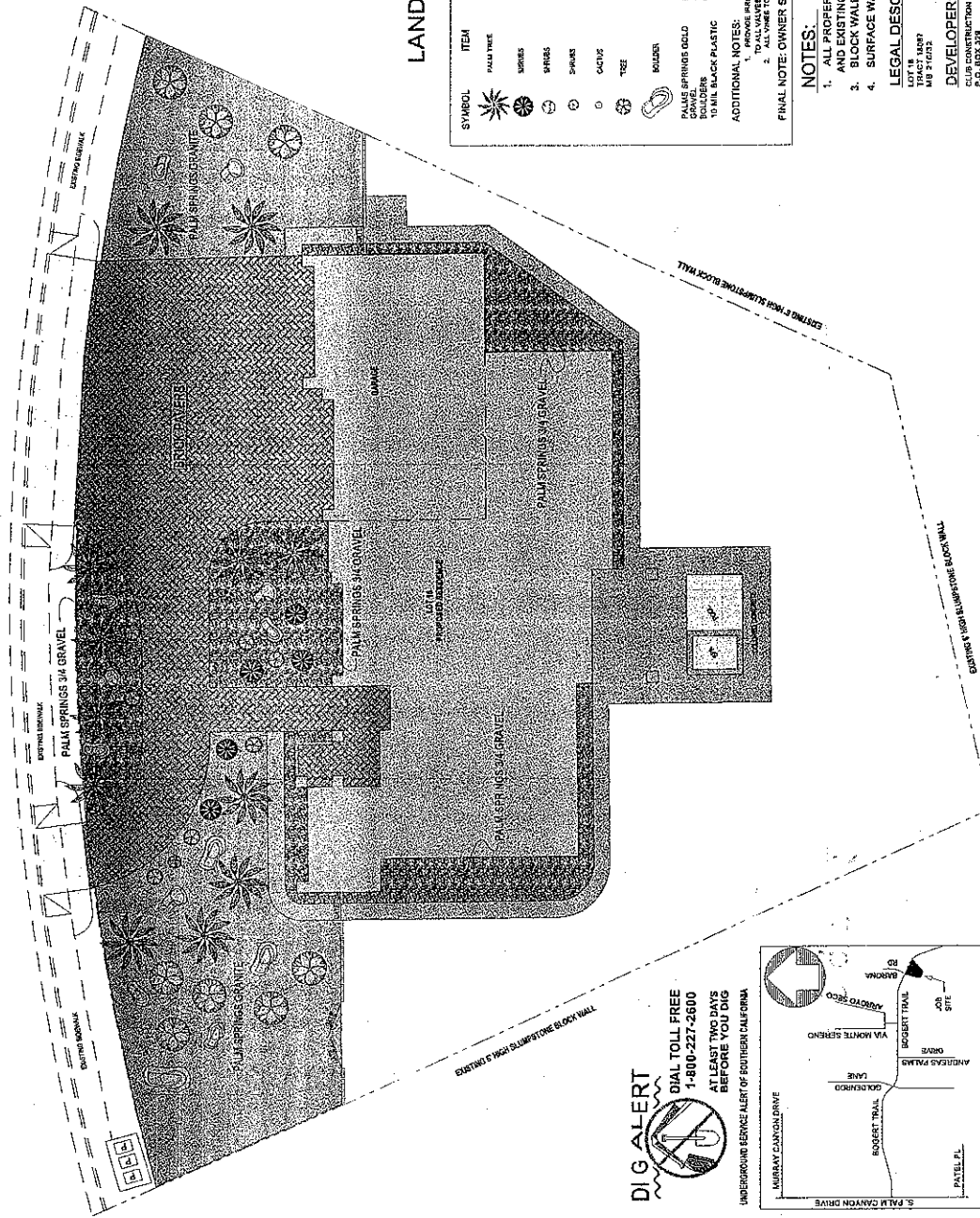
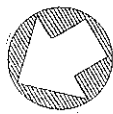
Each alarm or detector shall be located on the wall, ceiling, or other location as specified in the manufacturer's published instructions that accompany the unit.

- FID 14      **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 outdoor rated.

**END OF CONDITIONS**



# BOGERT TRAIL



## LANDSCAPE PLANT SCHEDULE

SYMBOL	ITEM	TYPE	COMMON NAME
	PALM TREE	(1)	MEXICAN FAN PALM
	MORINGA	(2)	TEA MANGO
	BANANA	(3)	AGAVE
	SPRING	(4)	ROSE OF SHARON
	CACTUS	(5)	BARRETT CACTUS
	TREE	(6)	PALE YEW
	BUSH	(7)	YUCCA
	PALM SPRINGS GOLD	(8)	GROUND COVER
	DRAGON	(9)	"PALM SPRINGS GOLD"
	BOLDER	(10)	"PALM SPRINGS GOLD"
	TO BE PLACED PLASTIC	(11)	BOULDER-ASORTED SIZES

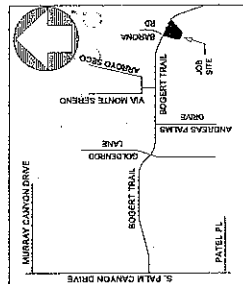
**ADDITIONAL NOTES:**  
 1. ALL PLANTINGS ARE FOR ALL LANDSCAPE PROVIDED. THIS IS INDICATED, BUT NOT LIMITED TO ALL WALLS, SPACING, HEIGHT, AND TRAIL, ETC.  
 2. ALL PLANTS TO BE PLANTED TO WALLS & INCORPORATE WERE ASKED ALL WALLS.

**FINAL NOTE: OWNER SHALL MAKE ALL FINAL LANDSCAPE MATERIALS SELECTIONS**

- NOTES:**
- ALL PROPERTY LINES, EASEMENTS & BUILDINGS, BOTH PROPOSED AND EXISTING ARE SHOWN ON THE GRADING PLAN.
  - BLOCK WALLS ARE A SEPARATE PERMIT.
  - SURFACE WATER SHALL DRAIN AWAY FROM THE BUILDING. SEE GRADING PLAN.
- LEGAL DESCRIPTION:**  
 TRACT 1627  
 AB 31032
- ASSASSINATOR'S PARCEL NO.:**  
 017-110-449
- DEVELOPER:**  
 CLUB CONSTRUCTION  
 P.O. BOX 329  
 PALM SPRINGS, CA 92246  
 (760) 251-1416
- SITE ADDRESS:**  
 1451 BOGERT TRAIL  
 PALM SPRINGS, CA 92262



**DIAL ALERT**  
 DIAL TOLL FREE  
 1-800-227-2600  
 AT LEAST TWO DAYS  
 BEFORE YOU DIG  
 UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA



**VICINITY MAP**  
 NO SCALE

Jim Etchason  
 1451 Bogert Trail  
 Palm Springs, CA 92262

LANDSCAPING PLAN

CLUB CONSTRUCTION  
 P.O. BOX 329  
 DESERT HOT SPRINGS, CA. 92240  
 (760) 251-1416

NO.	1
DATE	
BY	
CHECKED	
APPROVED	

Revised	by	

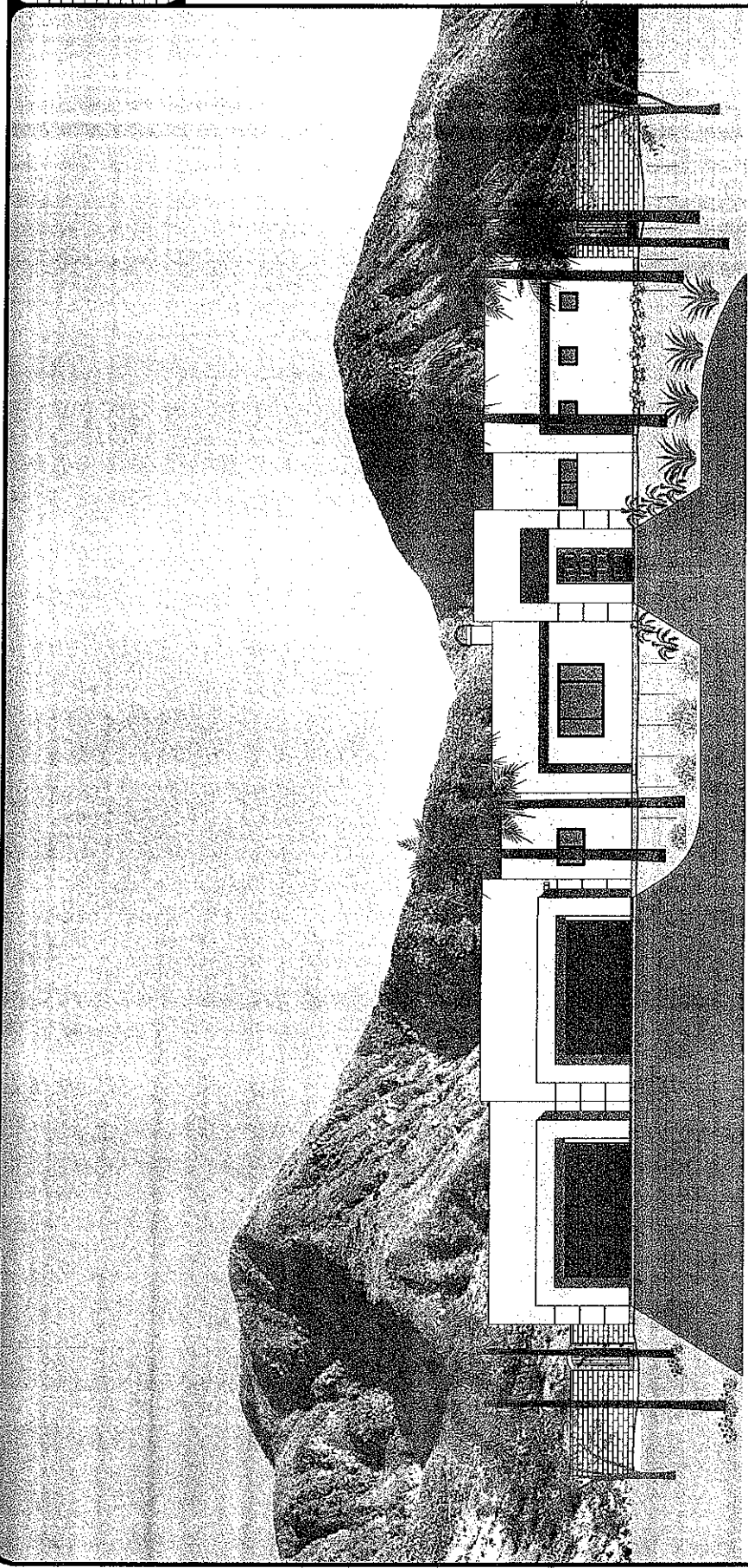
Front Elevation for:  
 Etchason Residence  
 1451 Bogert Trail  
 Palm Springs, CA

Club Construction  
 P.O. Box 329  
 Desert Hot Springs, CA 92240  
 (760) 251-1415

DATE	1/29/71
BY	3/15/71
SCALE	
ELEVATION	
FOOTING	

2

Elevations



*1451 Bogert Trail*  
 FRONT ELEVATION



Street View