



CITY OF PALM SPRINGS

DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: August 14, 2013

To: The Planning Commission

From: Ken Lyon, RA, Associate Planner *Ken Lyon*

Subject: A PROPOSED MINOR AMENDMENT TO PDD 321 TO ESTABLISH UNIFORM DEVELOPMENT STANDARDS AND PROCEDURES FOR PROCESSING CHANGES FOR ALL LOTS IN PDD 321, "THE MORRISON"; SECTION 14 SPECIFIC PLAN (CASE 5.1082 AMND-F PDD 321)

At its July 24, 2013 meeting, the Planning Commission reviewed the subject case and continued it to a date certain of August 14, 2013. The Commission requested confirmation from the Homeowners Association (HOA) that HOA board had reviewed the proposal and were in support of the staff recommendation.

Attached please find correspondence between myself and John Weisner, representing Palm Springs Management Group, the management agency for the Morrison HOA. Mr. Weisner reviewed the proposed minor amendment with members of the HOA board and has provided the attached confirmation that the HOA board supports the proposal.

Staff recommends approval by the Planning Commission of the proposed amendment.

Attachments:

Weisner to Lyon e mail dated August 1, 2013
Staff report Case 5.1082 AMND-F dated July 24, 2013

Ken Lyon

From: Ken Lyon
Sent: Thursday, August 01, 2013 3:25 PM
To: Ken Lyon
Subject: FW: Morrison - Planning Commission proposed standardized setbacks

From: John Wiesner [<mailto:john@palmspringsmgmt.com>]
Sent: Thursday, August 01, 2013 3:13 PM
To: Ken Lyon
Subject: RE: Morrison - Planning Commission proposed standardized setbacks

Good Afternoon Ken

The board at the Morrison reviewed the proposed setbacks by the Planning Commission and they have no questions or objections or comments regarding the proposal.

John Wiesner
Palm Springs Management Group
760-904-4192
john@palmspringsmgmt.com



Planning Commission Staff Report

MEETING DATE: JULY 24, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: PROPOSED MINOR AMENDMENT TO PDD 321 TO ESTABLISH UNIFORM DEVELOPMENT STANDARDS AND PROCEDURES FOR PROCESSING CHANGES FOR ALL LOTS IN PDD 321, "THE MORRISON"; SECTION 14 SPECIFIC PLAN (CASE 5.1082 AMND-F PDD 321).

ADDRESS: SOUTHEAST CORNER OF AVENIDA CABALLEROS AND ALEJO ROAD

PROJECT DESCRIPTION:

This minor amendment to Planned Development District 321 proposes to establish uniform development standards and procedures to allow expedited processing of requests for patio covers, trellises, small room additions and other insignificant changes for all lots in PDD 321.

ISSUES:

Each time a homeowner at the Morrison (PDD 321) seeks to construct a minor addition, shade structure, trellis, or the like, the project must be brought before the Architectural Advisory Committee and the Planning Commission as Minor Amendment to the PDD pursuant to PSZC Section 94.03.00 (G).

"...Minor architectural or site changes not affecting the intent of the PD may be approved by the planning commission."

In February 2007, the Planning Commission approved Resolution 6072 authorizing staff to process and approve development applications for insignificant changes to single family residences within planned development districts.

PDD 321 was approved with unique development standards and setbacks for each of the 53 home-sites. This created a situation that requires every application for patio covers, minor room additions and the like to be brought before the Planning Commission and

evaluated as a minor amendment to the PDD. This is because currently, the setbacks and lot coverage ratios must be amended with every application. This application proposes a set of standard setbacks, heights, and lot coverage percentages for the entire Morrison project and designates future projects that conform to these standards as “insignificant changes to the PDD”; approvable at staff level. In doing so, future applications for conforming small accessory structures at the Morrison could be processed more quickly and efficiently. This is consistent with the policy the Planning Commission established for patio covers, trellises and the like for single family residences within PDD’s. (see attached resolution 6072)

Approval of this application would expedite processing and approval of future minor architectural applications that do not change or affect the intent of the PDD. This approach is consistent with the Planning Commission policies for processing similar types of minor applications on PDD’s elsewhere in the City.

BACKGROUND AND SETTING:

<i>Related Relevant Prior City Actions</i>	
4-21-10	Planned Development District PDD 321 AMND “The Morrison” was approved by the City Council, establishing 53 single family attached and detached homes and Tentative Tract Map 34165, establishing individual lots, private streets and common landscape areas.
6-24-13	AAC reviewed the proposed standardized development standards and recommended approval of the setbacks with 14’-6” for perimeter setbacks; 12’ height, no roof access and no decks on roofs of accessory structures.

<i>Surrounding Property</i>	<i>Existing General Plan Designations</i>	<i>Existing Land Use</i>	<i>Existing Zoning Designations</i>
Subject Property	PDD 321 ¹	Residential	PDD 321
North	VLDR	Residential	PDD 321
South	HDR	Residential	PDD 321
East	MDR/HDR	Residential	MDR/HR
West	HDR	Residential	PDD

General Plan			
<i>Land Use Designation</i>	<i>F.A.R. / Density</i>	<i>Request</i>	<i>Compliance</i>
Section 14 Specific Plan PDD 321	6.25 DU/ac	No change	Yes

¹ PDD 321 was approved in lieu of a change of zone. Because its location is within the Section 14 Specific Plan, the General Plan land use classifications and Zoning Designations reflect the Specific Plan designations.

ANALYSIS:

Customarily single family zones are established with standard setbacks and lot coverage ratios that provide opportunities for owners to construct patio covers, trellises, and minor room additions without modifying setbacks. The Morrison PDD was approved with unique setbacks established by the footprint of each home and its relative placement on each lot. In doing so, the PD created a situation in which there is virtually no available yard space for any additional structures to be constructed on the lots, (such as an addition, a casita, or patio shade structure or trellis). Essentially on each lot, the distance of the original home to the lot lines - are the setbacks. Table A, attached to this staff report, delineates the current situation with differing setbacks and lot coverage percentages for every lot. With each minor amendment for patio covers, additions and casitas, the City has been adjusting setbacks and lot coverage on a lot-by-lot basis as homeowners seek to construct this type of accessory structure on their lots.

To date, there have been four approved minor amendments to the Morrison PDD reducing setbacks to allow construction of accessory structures or additions; they are listed below.

- Lot 3 – Detached casita/second unit –
 - reduced rear yard setback from 27 feet to 22 feet,
 - Height is roughly 12 feet.
 - Roughly 468 square feet enclosed.
- Lot 18 – Attached casita with patio cover
 - Reduced the rear yard (east) setback from 20 feet to 11 feet
 - Height is 12 feet.
 - Roughly 277 square feet enclosed and 208 square feet of open, covered patio
- Lot 26 – Detached shade pavilion and BBQ
 - Reduced setback from 20 feet to 10 feet
 - No enclosed square footage added, 256 square feet of open, covered patio.
 - Maximum allowable height 11 feet.
- Lot 28 – Detached casita/second unit – (never constructed)
 - reduced rear yard setback from 27 feet to 22 feet,
 - Roughly 468 square feet enclosed and 12 feet in height (as proposed)

Previously-approved amendments that reduce setbacks have occurred on lots on the perimeter of the development. This is most likely because these perimeter lots have more yard space in which to construct accessory structures. As a result, all structures that have been constructed can be seen either from the public street (Avenida Caballeros) or from adjacent residential developments. Where setbacks have been amended, the minimum remaining setback dimension has not been less than ten (10) feet.

The maximum height of the accessory structures previously approved is 12 feet although the maximum height for homes as established by the PDD is 24 feet.

The development standards established in the Morrison PD function similarly to that of a single family residential zone.² Typically accessory structures in R-1 zones must conform to the setbacks of the zone and not exceed 12 feet in height at the setback line.³ Certain accessory type structures (such as temporary portable storage sheds) are permitted in the setbacks in the R-1 zone to a maximum of seven (7) feet in height and 100 square feet in area. Such structures must have a clear access width of at least five feet. Maximum lot coverage in R-1 zones is 35%. The existing lot coverage at the Morrison varies between 24% and 45%. Given the small lot sizes, staff believes a maximum lot coverage of 50% is reasonable. This is consistent with the RGA-6, RGA-8, zones which require at least 50% of the lot to be usable landscaped open space and are zones with density limits that closely resemble that of the Morrison. (RGA-6 and 8 zones limit density to 6 and 8 dwelling units per acre respectively; the Morrison density is 6.25 dwelling units per acre.)

Staff proposes uniform development standards as follows that could be applied to the entire development.

- Front Yards: 6 feet where homes are placed close to the street.
- Front Yards: 10 feet where homes are set back closer to the rear property line.
- Interior Side Yards: 0 for attached homes, 4 feet for all others.
- Front Side Yards: 7 feet.
- Rear yards – Front loaded pool lots: 4 feet.
- Rear yards – All others – 10 feet.
- Maximum height of additions or accessory structures – 12 feet.
- No roof decks on accessory structures.
- Maximum lot coverage: 50%.

The AAC recommended rear yard setbacks for “All other non-front-loaded pool lots” at 14’ 6”, however staff believes a ten (10) foot rear yard setback is more appropriate. First, as noted above, the lots within PDD 321 are quite small; averaging only 5,600 square feet. This is over 25% smaller than the smallest lot size in a typical single family residential zone which is 7,500 square feet. Typical rear yard setbacks in R-1 zones are 15 feet. The AAC recommendation of 14’ 6” – besides being an odd dimensional requirement, fails to take into consideration the significantly smaller lot sizes at the Morrison. Furthermore, Staff’s recommendation of ten foot rear yard setbacks has precedent in many similar developments that have been approved in recent years with similar smaller rear yard setbacks; For example:

² Average lot size at the Morrison is 5,600 square feet and the smallest lots are just under 4,600 square feet.

³ The smallest setback for an R-1 zone for a substandard sized lot is 5 feet. In the R-1-D zone (7,500 sf minimum lot size) the minimum standard side yard setback is 7.5 feet.

<u>Development:</u>	<u>Approved Rear Yard Setbacks:</u>
• Eagle Canyon	4' 6" minimum rear yard setback
• Four Seasons	10 feet
• Escena	5 feet
• Luminaire	10 feet
• PS Sol	10 feet on lots abutting adjacent development; 6 feet all others
• Alexander Estates	8 feet
• The Biltmore	8 feet

With a proposed maximum height for accessory structures and additions limited to 12 feet, staff believes the ten foot rear yard setback is an appropriate standard that provides both a good balance of flexibility for minor additions and patio covers while also assuring adequate open space, light and privacy between adjacent dwelling units and structures. The overall intent of the PDD, that of creating attractive attached and detached single family residences with ample outdoor space that is respectful of views and privacy from adjacent developments is preserved.

CONCLUSION

Approval of the proposed uniform development standards and procedures for processing insignificant changes to the PDD will:

- Allow individual homeowners some degree of flexibility for constructing patio covers and minor additions.
- Not change or adversely impact the intent of the PDD.
- Reserve and protect views and privacy within the development.
- Preserve and protect views and privacy of adjacent developments.
- Assure the development continues to be attractively integrated with its surroundings.
- Allow minor architectural applications at the Morrison to be processed in a simple, efficient manner – similar to other single family units in Planned Development Districts.

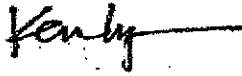
Processing of insignificant changes to PDD 321 would be done at staff level, consistent with the Planning Commission's procedure for insignificant amendments to other PDD's with single family units. Therefore Staff recommends approval of the proposed minor amendment to PDD 321 establishing uniform setbacks and development standards for the entire development and applying the same processing procedures to the Morrison that the Planning Commission established for other similar PDD developments.

ENVIRONMENTAL ASSESSMENT

The proposed project has been evaluated pursuant to the guidelines of the California Environmental Quality Act (CEQA) and has been deemed "Categorically Exempt" under CEQA Section 15305(a) "Minor Alterations in Land Use Limitations".

NOTIFICATION

A hearing notice is not required for a minor amendment to a PDD.



Ken Lyon, RA
Associate Planner

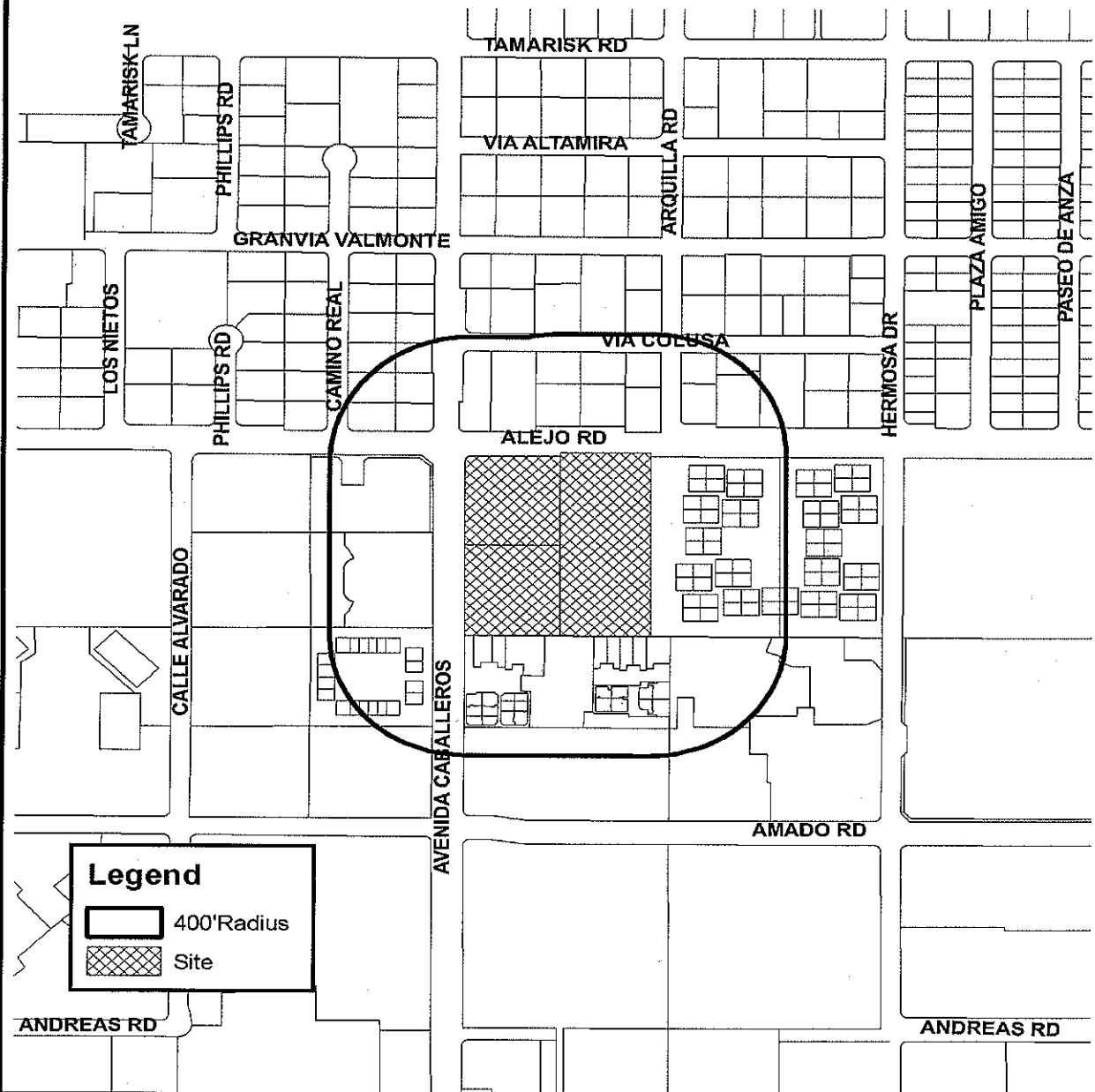
M. Margo Wheeler, AICP
Director of Planning Services

Attachments:

- Vicinity Map
- Draft Resolution
- Exhibit A Existing lot coverage and setbacks for PDD 321
- Planning Commission Resolution 6072
- AAC minutes of June 24, 2013



Department of Planning Services Vicinity Map



Legend

- 400' Radius
- Site

CITY OF PALM SPRINGS

CASE: 5.1082 AMND – F
PD 321,

APPLICANT: City of Palm Springs

DESCRIPTION: A minor amendment to a previously approved PDD and TTM proposing uniform development standards and processing guidelines for insignificant changes to PDD 321; located at the southeast corner of Avenida Caballeros and Alejo Road, PDD 321, Section 14 (IL).

RESOLUTION NO.

OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING CASE 5.1082 AMND-F; A MINOR AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 321 ESTABLISHING UNIFORM SETBACKS AND DEVELOPMENT STANDARDS AND ESTABLISHING GUIDELINES FOR PROCESSING INSIGNIFICANT CHANGES ON ALL LOTS FOR PDD 321 "THE MORRISON"; A GATED COMMUNITY OF 53 SINGLE FAMILY HOMES ON INDIVIDUAL LOTS ON AN APPROXIMATELY 8.5 ACRE PARCEL AT THE SOUTHEAST CORNER OF AVENIDA CABALLEROS AND ALEJO ROAD, ZONE PDD 321, SECTION 14 (IL).

WHEREAS, The City of Palm Springs, ("Applicant") has filed an application with the City pursuant to Section 94.03.00(G) (*Modification of Final Development Plan for a PDD*) of the Zoning Code requesting approval for a minor amendment to a previously Planned Development District proposing standardized setbacks and development standards for PDD 321 and establishing guidelines for processing insignificant changes within the PDD consistent with other residential PDD's; and

WHEREAS, on April 21, 2010 the City Council adopted Ordinance 1771; an amendment to Planned Development District 321 and Tentative Tract 34165 in lieu of a Change of Zone. This amendment established the project scope with 53 single family attached and detached homes and modified the tract map to create individual lots for each of the homes as well as private streets and common landscaped areas, and

WHEREAS, with the approval of PDD 321, a matrix with unique setbacks and development standards for each lot was adopted, and

WHEREAS on June 24, 2013 the Architectural Advisory Committee reviewed Case 5.1082 PDD 321 AMND-F and voted unanimously to recommend its approval by the Planning Commission, and

WHEREAS, on July 24, 2013, a meeting was held by the Planning Commission regarding Case 5.1082 PDD 321 AMND-F in accordance with applicable law; and

WHEREAS, at said meeting the Planning Commission discussed the practical application of Section 94.03.00 G, including the effect of small additions to individual homes within Planned Development District 321, and

WHEREAS, the Planning Commission has determined that the integrity of the Planned Development District must be preserved through careful and deliberate oversight of changes, including minor site and architectural changes, and

WHEREAS, the Commission also believes that certain modifications to individual residential units within Planned Development District 321 may be of such an insignificant nature that they do not rise to the level of "minor architectural or site

changes”, including certain patio covers, awnings, trellises, and additions of limited amounts of square footage, and

WHEREAS, with the establishment of standard setbacks and development standards for PDD 321, the Planning Commission is able to apply the same guidelines for processing insignificant changes to the PDD for this development that it established for other residential PDD's with adoption of Resolution 6072, and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Guidelines, the application has been determined to be a project subject to environmental analysis under CEQA; 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 application is deemed Categorically Exempt from further analysis under CEQA, pursuant to Section 15305 “Minor Alterations in Land Use Limitations.
- Section 2: Pursuant to Section 94.02.00 G, a minor amendment to a PDD may be approved by the Planning Commission if it “*does not modify the intent of the PD*”. The intent of the PDD was to establish a neighborhood of attached and detached single family homes on small, individual lots within a gated community. The PDD essentially established a single family “zone” with lot sizes averaging 5,566 square feet.
- Section 3: That allowing insignificant changes to individual residential units within an approved Final Development Plan of a Planned Development District allow homeowners to add value to, and more fully appreciate and enjoy their home without compromising the overall identity of the PDD.
- Section 4: Insignificant changes shall be limited to small exterior changes and additions which do not affect the overall density, intensity, identity or general appearance of the PDD.
- Section 5: That insignificant additions do not rise to the status of a “minor site or architectural changes” to the entire PDD and therefore need not be subject to the provisions of PSZC Section 94.03.00 G.
- Section 6: That insignificant additions may be applied for, and approved by the Department of Planning Services, through an appropriate over-the-counter process in order to expedite the permitting process and provide documentation of the change.

Section 7: Development Standards and Setbacks for all lots in Planned Development District 321 are hereby modified to be as follows:

- Front Yards: 6 feet where homes are placed close to the street.
- Front Yards: 10 feet where homes are set back closer to the rear property line.
- Interior Side Yards: 0 for attached homes, 4 feet for all others.
- Front Side Yards: 7 feet.
- Rear yards – Front loaded pool lots: 4 feet.
- Rear yards – All others – 10 feet.
- Maximum height of additions or accessory structures – 12 feet.
- No roof decks on accessory structures.
- Maximum lot coverage: 50%.

Any other development standards not noted herein shall follow the development standards for the R-1-D zone.

Section 8: All previous setbacks for PDD 321 shown in Exhibit "A: PDD 321; TTM 34165 AMND - LOT AREAS, SETBACKS AND COVERAGE" are hereby made null and void and henceforth, the setbacks shown above shall apply to all lots in PDD 321.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case 5.1082 PDD 321 AMND-F, and hereby directs staff to accept, process and review insignificant changes to residential dwelling units in PDD 321 according to the standard setbacks and development standards listed in Section 7 for all lots in PDD 321 as follows:

1. Insignificant changes to the PDD shall be limited to the following additions on attached and detached single family dwellings:
 - a. Patio covers, trellises, and other unenclosed coverings.
 - b. Window awnings conforming to the color scheme of the applicable PDD.
 - c. Additions of enclosed square footage that do not cause the maximum lot coverage noted in Section 7 to be exceeded.
2. Insignificant changes may be reviewed and approved through the Minor Architectural Approval process or other procedure as determined by the Director of Planning Services.
3. Decisions on insignificant changes may be appealed to the Planning Commission in accordance with established appeal procedures..

ADOPTED this twenty-fourth day of July 2013.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Margo Wheeler, AICP
Director of Planning Services

EXHIBIT A – PDD 321 AMND; TTM 34165 AMND - LOT AREAS, SETBACKS COVERAGE

LOT #	AREAS (S.F.)					TABULATED PERCENTAGES				SETBACKS & YARDS			
	Lot Area	Bldg Area	Pool	Drive-way	Patio / Walks	Lot Cover-age	Drive-way	Open Space	Land-scape	N'LY	S'LY	E'LY	W'LY
1	5758	1660	360	177	1627	32%	3%	68%	34%	4	3	7	27
2	5560	1660	360	177	1627	33%	3%	70%	31%	4	5	6	28
3	6163	1660	360	177	1627	30%	3%	73%	38%	4	5	7	27
4	7719	1661	360	177	1627	24%	2%	78%	50%	23	5	6	28
5	6414	1661	360	188	1072	29%	3%	74%	49%	28	6	5	6
6	5882	1661	360	188	1134	31%	3%	72%	43%	28	6	5	0
7	5833	1661	360	188	684	32%	3%	72%	50%	28	6	5	4
8	5852	1661	360	188	1134	32%	3%	72%	43%	28	6	5	0
9	5809	1661	360	188	684	32%	3%	71%	50%	28	6	5	4
10	6120	1661	360	188	1072	30%	3%	73%	46%	27	6	5	0
11	6673	1662	360	71	1198	26%	1%	75%	51%	34	0	20	5
12	4953	1662	360	222	660	38%	4%	66%	41%	0	0	21	8
13	5547	1661	360	263	906	35%	5%	70%	42%	0	5	21	8
14	5710	1661	360	222	660	33%	4%	71%	49%	5	0	20	8
15	5545	1661	360	263	906	35%	5%	70%	42%	0	5	21	8
16	5708	1661	360	222	660	33%	4%	71%	49%	5	0	20	8
17	5545	1661	360	263	906	35%	5%	70%	42%	0	5	21	8
18	5710	1661	360	222	660	33%	4%	71%	49%	5	0	20	8
19	7418	1661	360	263	906	26%	4%	78%	57%	0	20	21	8
20	6362	1661	360	188	1015	29%	3%	74%	49%	7	29	6	0
21	5939	1661	360	188	1015	31%	3%	72%	46%	6	29	0	4
22	5981	1661	360	188	1015	31%	3%	72%	46%	7	29	5	0
23	5907	1661	360	188	1015	31%	3%	72%	45%	6	29	0	5
24	5950	1661	360	188	1015	31%	3%	72%	46%	6	29	5	0
25	6478	1661	360	188	1015	29%	3%	74%	50%	6	28	0	5
26	7724	1660	360	177	1627	24%	2%	79%	50%	0	24	9	26
27	5562	1660	360	177	1627	33%	3%	70%	31%	4	0	7	26
28	6120	1660	360	177	1627	30%	3%	73%	38%	0	5	7	27
29	6352	1660	360	177	1627	29%	3%	74%	40%	9	0	6	28
30	6095	1660	258	288	758	32%	5%	73%	51%	16	17	5	17
31	6126	1660	258	180	743	36%	4%	68%	45%	10	20	5	11
32	5257	1660	258	288	758	37%	5%	68%	44%	16	17	5	11
33	5281	1660	258	288	758	37%	5%	69%	44%	16	17	5	11
34	6109	1660	258	180	743	36%	4%	68%	44%	10	20	5	11
35	5998	1660	258	288	758	32%	5%	72%	51%	16	17	5	11
36	5756	1660	258	353	773	35%	6%	71%	47%	4	20	5	4
37	4746	1660	258	407	773	44%	9%	65%	35%	4	23	5	4
38	4567	1660	258	353	773	44%	8%	64%	33%	4	20	5	9
39	4567	1660	258	353	773	44%	8%	64%	33%	4	20	5	9
40	4745	1660	258	407	773	44%	9%	65%	35%	4	23	5	4
41	5219	1660	258	353	773	39%	7%	68%	42%	4	20	12	9
42	6092	1660	258	288	758	32%	5%	73%	51%	16	17	5	17
43	5125	1660	258	180	743	36%	4%	68%	45%	10	19	5	11
44	5256	1660	258	288	758	37%	5%	68%	44%	16	17	5	11
45	5280	1660	258	288	758	37%	5%	69%	44%	13	20	5	11
46	5089	1660	258	180	743	36%	4%	67%	44%	10	20	5	11
47	5998	1660	258	288	758	32%	5%	72%	51%	16	17	12	11
48	5756	1660	258	407	773	36%	7%	71%	46%	4	19	5	4
49	4747	1660	258	407	773	44%	9%	65%	35%	4	23	5	4
50	4568	1660	258	407	773	45%	9%	64%	32%	4	19	5	9
51	4568	1660	258	407	773	45%	9%	64%	32%	4	19	5	9
52	4765	1660	258	344	765	42%	7%	65%	36%	4	23	5	9
53	5221	1660	258	407	773	40%	8%	68%	41%	4	19	12	9

Avg. 5683
 Tot. 301225 88004 16632 13312 50652

RESOLUTION NO. 6072

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA ESTABLISHING GUIDELINES FOR MINOR CHANGES TO PLANNED DEVELOPMENT DISTRICTS UNDER SECTION 94.03.G OF THE PALM SPRINGS ZONING CODE.

WHEREAS, Section 94.03.G of the Palm Springs Zoning Code allows minor changes to Final Planned Developments to be approved by the Planning Commission, as follows:

G. Modification of Final Development Plan.

The final development plan may be modified by submitting a request for such modification according to the same procedure as is required in the initial review and approval process, including public hearing by the planning commission and city council in accordance with Section 94.02.00. Minor architectural or site changes not affecting the intent of the PD may be approved by the planning commission. No council action is necessary for minor changes except appealed decisions (emphasis added); and

WHEREAS, on February 8, 2007, the Planning Commission held a public meeting, at which meeting the Commission discussed the practical application of Section 94.03.G, including the effect of small additions to individual homes within Planned Development Districts; and

WHEREAS, the Planning Commission has determined that the integrity of the Planned Development District must be preserved through careful and deliberate oversight of changes, including minor site and architectural changes; and

WHEREAS, the Commission also believes that certain additions to individual residential units within Planned Development Districts may be of such an insignificant nature that they do not rise to the level of "minor architectural or site changes", including certain patio covers, awnings, trellises, garden walls and additions of limited amounts of square footage.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: That allowing insignificant additions to individual residential units within an approved Final Development Plan of a Planned Development District allows homeowners to add value to, and more fully appreciate and enjoy their home without compromising the overall identity of the PDD.

Section 2: That insignificant changes shall be limited to small exterior changes and additions which do not affect the overall density, intensity, identity or general appearance of the Planned Development District.

Section 3: That insignificant additions do not rise to the status of "minor site or architectural changes" to the entire PDD and therefore need not be subject to the provisions of Section 94.03.G.

Section 4: That insignificant additions may be applied for, and approved by the Department of Planning Services, through an appropriate over-the-counter process in order to expedite the permitting process and provide documentation of the change.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby directs staff to accept, process and review insignificant changes to residential dwelling units within Planned Development Districts, as follows:

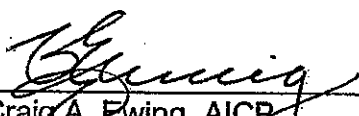
1. Insignificant changes to an approved Final Development Plan shall be limited to the following additions on attached and detached single family dwellings:
 - a. Patio covers, trellises and other unenclosed coverings located in the side and rear yards.
 - b. Window awnings conforming to the color scheme of the applicable PDD.
 - c. Walls and fences not exceeding 5 feet in any yard, except enclosure of the front yard shall not be permitted without Planning Commission approval.
 - d. Additions of enclosed square footage not to exceed 250 square feet and located only in the interior side or rear yards.
2. Insignificant changes may be reviewed and approved through the Minor Architectural Approval process or other procedure as determined by the Director of Planning Services.
3. Decisions on insignificant changes may be appealed to the Planning Commission in accordance with established appeal procedures.

ADOPTED this 28th day of February, 2007.

AYES: 5 / Scott/Cohen/Marantz/Hochanadel/Ringlein
NOES: None
ABSENT: 1 / Hutcheson
ABSTAIN: 1 / Caffery

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA



Craig A. Ewing, AICP
Director of Planning Services

4. CASE 5.1082 PLANNED DEVELOPMENT DISTRICT 321 AMENDMENT – A request by Cindy and Craig Block for approval of a minor amendment to PDD 321 “The Morrison” for two shade structures at 420 Chelsea Drive; Section 14.

Chair Secoy-Jensen asked if HOA had approved.

Associate Planner Newell said not yet.

Applicant representative Sean Flannery concurred.

Stephanie Austin, speaking against the project said the neighboring adjacent properties to the east have lost all their privacy. The white tent was 4' above the wall and was put up without approval and was an eyesore.

Committee Member Purnel asked about the percentage of shade generated by the trellis.

The applicant did not have an answer.

ACTION: M/S/C (Secoy-Jensen/Hirschbein (6-0)). Chair Secoy-Jensen moved to continue the item to a date uncertain awaiting material and color submittal and approval from HOA.

5. CASE 5.1082 PLANNED DEVELOPMENT DISTRICT 321 AMENDMENT – A request by Bill Scott for approval of a minor amendment to PDD 321 “The Morrison” for a room addition at 484 Chelsea Drive; Section 14.

Committee Member Purnel asked if landscaping was part of project.

Applicant representative Sean Flannery said no.

Stephanie Austin, speaking against the proposal said the setbacks are confusing, the project does not have a good history of being a good neighbor and their privacy has been destroyed.

Committee Member Hirschbein said over 14 feet is a good setback.

Chair Secoy-Jensen reminded the committee the HOA had approved.

ACTION: M/S/C (Fauber/Cassady (5-0)). Motion to approve with added condition, “No roof access or deck”.

6. CASE 5.1082 PLANNED DEVELOPMENT DISTRICT 321 AMENDMENT – A request by the City of Palm Springs for approval of a minor amendment to PDD 321 “The Morrison” establishing uniform development standards and procedures for processing insignificant changes for all lots in PDD 321, “The Morrison”, Section 14.