



## PLANNING COMMISSION STAFF REPORT

DATE: April 9, 2014

SUBJECT: AMERICAN COASTAL PROPERTIES, LLC FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A 370-SQUARE FOOT ACCESSORY APARTMENT WITH KITCHEN FACILITIES LOCATED AT 941 EAST CHIA ROAD (CASE NO. 5.1329 CUP). (GM)

FROM: Department of Planning Services

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### SUMMARY

The Planning Commission will consider a Conditional Use Permit request to construct a 370-square foot attached accessory apartment with kitchen facilities located at 941 East Chia Road.

### RECOMMENDATION:

Approve, subject to Conditions of Approval.

### ISSUES:

- Proposed project to be evaluated under Section 93.23.13 – Accessory Apartment Housing Pursuant to Section 92.01.01 of the Palm Springs Zoning Code (PSZC)
- Four protest letters have been received.

### BACKGROUND:

<b>Notification</b>	
3/29/2014	Public hearing notice sent to all property owners and registered occupants within 500 feet of the site. As of the writing of this report, staff has received four letters from the public.

<b>Field Check</b>	
April 2014	Staff has visited the site to observe existing conditions

<b>Site Area</b>	
Existing Site	10,085 - square feet
Existing House	Approx. 3,132-square feet
Proposed Accessory Apartment	370 - square feet

Proposed Carport	370 – square feet
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Surrounding Property	Existing General Plan Designations	Existing Land Use	Existing Zoning Designations
Subject Property	Very Low Density Residential (VLDR)	Single-Family Residential	Single-Family Residential (R-1-C)
North	Very Low Density Residential (VLDR)	Single-Family Residential	Single-Family Residential (R-1-C)
South	Very Low Density Residential (VLDR)	Single-Family Residential	Single-Family Residential (R-1-C)
East	Very Low Density Residential (VLDR)	Single-Family Residential	Single-Family Residential (R-1-C)
West	Very Low Density Residential (VLDR)	Single-Family Residential	Single-Family Residential (R-1-C)

**DEVELOPMENT STANDARDS:**

	R-1-C	Proposed Project
Lot Area	10,000 – sq. ft.	10,085-sq. ft. (conforms)
Lot Width	100 feet	101 feet (conforms)
Lot Depth	100 feet	100 feet (conforms)
Front Yard	25 feet	25 feet (conforms)
Side Front Yard	10 feet	10 feet (conforms)
Rear Yard	15 feet	15 feet (conforms)
Building Height (max.)	12 feet at setback line to max 18 at a 4:12 slope	9 feet (conforms)
Bldg. Coverage	35% lot coverage	35% (conforms)
House	1,500 – sq ft	3,502 - sq. ft. (conforms)
Casita	1/50 <sup>th</sup> = 201 – sq. ft. max	307 – sq. ft. (CUP required)
Off-street parking	2 covered spaces	2 covered provided (conforms)

**PROJECT DESCRIPTION:**

The subject property currently is developed with a 3,132-square foot single-family residence built in 1948. The applicant is requesting approval of a Conditional Use Permit (CUP) for a 370-square foot attached accessory apartment with kitchen facilities. The overall project includes a house renovation and the addition of a 370-square foot carport. The new structures will be attached to the east side of the existing house meeting all required setbacks with building materials and colors to match existing. Access to the accessory apartment will be from a door on the north facing elevation and two sliding doors on the south elevation. There is no interior access. The accessory apartment will be an efficiency apartment with bathroom, living and kitchen facilities. Eight windows will be located at the top portion of the building walls under the roof eaves.

## ANALYSIS:

The zoning code does distinguish between an accessory building commonly known as a casita, and an accessory apartment. A CUP is required for an attached accessory apartment which is attached to the main structure and includes cooking facilities. Pursuant to Section 93.23.14 of the Palm Springs Zoning Code (PSZC) a CUP is required when an application is considered an "Accessory Apartment"

*An "Accessory Apartment" shall mean an efficiency dwelling unit as defined in the California Uniform Housing Code incorporated within the living area of a primary single-family residence on a parcel in a designated zoning district. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation.*

Section 92.01.01 of the PSZC requires a CUP for guest houses having provisions for meal preparation over 1/50<sup>th</sup> of the size of the lot.

The zoning code requires that the following conditions be met before a CUP can be applied:

- a) *The accessory apartment shall be attached to the primary dwelling;*

The proposed efficiency apartment is attached to the house and has met the requirement.

- b) *The accessory apartment shall not contain more than 15% of the living area of the primary dwelling and shall not exceed 640-square feet in size;*

The proposed efficiency apartment is less than 640-square feet in size and less than 15% of living area and has met the requirement.

- c) *The accessory apartment shall not be in separate ownership from the primary dwelling;*

The entire parcel is owned by American Coastal Properties with the occupancy of the unit being owner occupied; the requirement has been met.

- d) *The accessory apartment shall be reserved for occupancy by no more than two persons.*

The accessory apartment is an efficiency apartment consisting on one larger room with kitchen facilities, and bathroom and has met the requirement.

- e) *The accessory apartment shall be serviced through the same utility meters as the primary unit.*

The unit will be connected to house one main electrical, water, and sewer line meter and has met the requirement.

## NOTIFICATION

A public hearing notice was sent to property owners within 500 feet of the subject property. As of the writing of this Staff report, four (4) letters in protest have been received citing the following concerns:

- Additional kitchen
- Increased occupancy
- Additional traffic and increased need for parking
- Use as a vacation rental
- Long term rental

In responses to the neighbor's concerns, Staff has proposed conditions of approval requiring that the accessory apartment cannot be metered separately; the use must remain as a single-family residence; and the accessory apartment cannot be rented for less than 30-day periods at any time. Staff notes that the driveway can accommodate two cars to park on site.

## REQUIRED FINDINGS

The Planning Commission must make certain findings in order to approve this Conditional Use Permit pursuant to Section 94.02.00 of the Palm Springs Zoning Code; those findings are analyzed by staff below:

- 1) *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

The subject property is zoned R-1-C (Single-Family Residential) and Pursuant to Section 93.23.14 of the Palm Springs Zoning Code (PSZC), an accessory apartment is permitted with the approval of a Conditional Use Permit. Therefore, the use applied for at the site is one for which a conditional use permit is authorized by the PSZC.

- 2) *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The accessory apartment will provide alternative housing needs for the owner occupied parcel. Therefore, the use is desirable for the development of the community and in harmony with the various elements of the General Plan.

- 3) *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping, and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood.*

The existing 3,132-square foot single-family residence along with the proposed 370-square foot attached accessory apartment and 370-square foot carport meets all required setbacks for the R-1-C zone. The renovation of a house built in 1948 will upgrade the current housing stock and is consistent with other improvements to adjoining and abutting properties.

- 4) *That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The property is located along East Chia Road in the El Mirador Neighborhood in a residential area of similar 10,000-square foot lots. Houses within the neighborhood are mainly owner occupied with driveways leading to two car garages providing off-street parking. Thus, the traffic generated by the proposed use is similar to other uses located within the neighborhood, and the streets and highways are properly designed and improved to carry the type and quantity of traffic generated by the use.

- 5) *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

The proposal is construct a 370-square foot accessory apartment for the use of the property owner. Conditions of Approval have been included in the attached Exhibit A to ensure that the use operates in a manner which protects the public health, safety and general welfare. These conditions include limiting the use of the accessory apartment to owner occupants.

## **CONCLUSION**

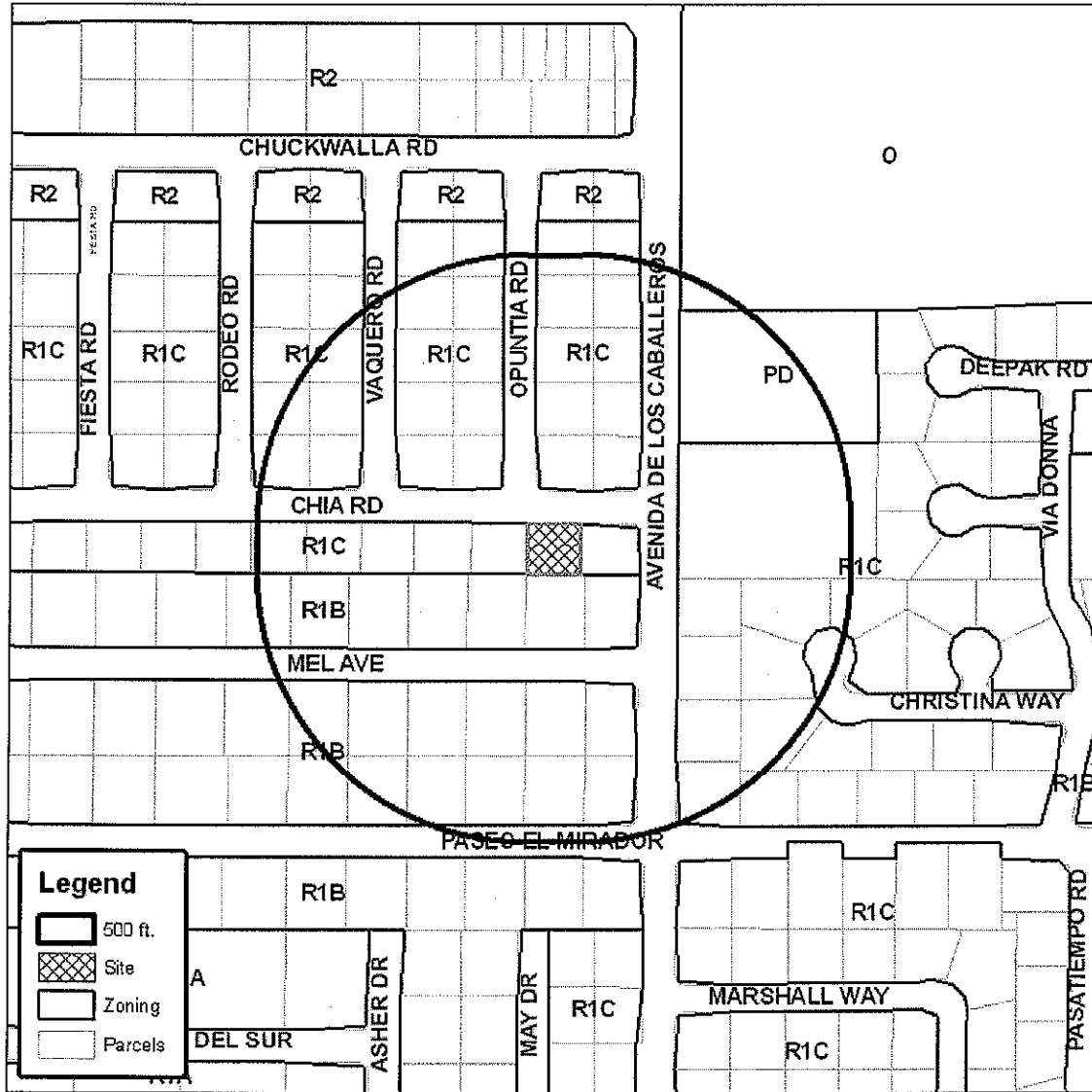
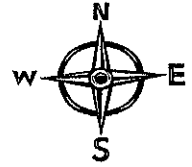
The project is consistent with the land use policies of the General Plan, and section 93.23.14 of the PSZC. Staff is able to recommend findings necessary for approval of the proposed use. On that basis, staff is recommending approval of the proposal.

## **ENVIRONMENTAL**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project has been determined to be categorically exempt from further environmental review pursuant to Section 15301(a) (Existing Facilities).



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**CASE NO:** 5.1329 CUP

**APPLICANT:** Edward Marshall

**DESCRIPTION:** Conditional Use Permit to allow for a 360-square foot attached casita with kitchen facilities located at 941 East Chia Road, Zone R-1-C, Section 11.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT, CASE NO. 5.1329, TO CONSTRUCT A 370-SQUARE FOOT ACCESSORY APARTMENT WITH KITCHEN FACILITIES LOCATED AT 941 EAST CHIA ROAD.

WHEREAS, American Coastal Properties, LLC ("Applicant") has filed an application with the City pursuant to Sections 94.02.00 of the Palm Springs Zoning Code (PSZC) to construct a 370-square foot accessory apartment with kitchen facilities at 941 East Chia Road, R-1-C Zone, Section 11; and

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider the application for Conditional Use Permit, Case No. 5.1329 was given in accordance with applicable law; and

WHEREAS, on April 9, 2014, a public hearing on the application for Conditional Use Permit, Case No. 5.1329 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed Conditional Use Permit is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301(e) (Class 1 - Existing Facilities) of the CEQA Guidelines; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: The Planning Commission finds that this Conditional Use Permit is Categorically Exempt from environmental review pursuant to Section 15301(e) (Class 1- Existing Facilities) of the California Environmental Quality Act Guidelines.

Section 2: Pursant to Section 93.23.14 of the Palm Springs Zoning Code (PSZC) a CUP is required when an application is considered an "Accessory Apartment"

*An "Accessory Apartment" shall mean an efficiency dwelling unit as defined in the California Uniform Housing Code incorporated within the living area of a primary single-family residence on a parcel in a designated zoning district. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation.*

The zoning code requires that the following conditions be met before a CUP can be applied:

- a) *The accessory apartment shall be attached to the primary dwelling;*

The proposed efficiency apartment is attached to the house and has met the requirement.

- b) *The accessory apartment shall not contain more than 15% of the living area of the primary dwelling and shall not exceed 640-square feet in size;*

The proposed efficiency apartment is less than 640-square feet in size and less than 15% of living area and has met the requirement.

- c) *The accessory apartment shall not be in separate ownership from the primary dwelling;*

The entire parcel is owned by American Coastal Properties with the occupancy of the unit being owner occupied; the requirement has been met.

- d) *The accessory apartment shall be reserved for occupancy by no more than two persons.*

The accessory apartment is an efficiency apartment consisting on one larger room with kitchen facilities, and bathroom and has met the requirement.

- e) *The accessory apartment shall be serviced through the same utility meters as the primary unit.*

The unit will be connected to house one main electrical, water, and sewer line meter and has met the requirement.

Section 3: Pursuant to Zoning Ordinance Section 94.02.00, the Planning Commission finds that:

- 1) *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

The subject property is zoned R-1-C (Single-Family Residential) and Pursuant to Section 93.23.14 of the Palm Springs Zoning Code (PSZC), an accessory apartment is permitted with the approval of a Conditional Use Permit. Therefore, the use applied for at the site is one for which a conditional use permit is authorized by the PSZC.

- 2) *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*



The accessory apartment will provide alternative housing needs for the owner occupied parcel. Therefore, the use is desirable for the development of the community and in harmony with the various elements of the General Plan.

- 3) *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping, and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood.*

The existing 3,132-square foot single-family residence along with the proposed 370-square foot attached accessory apartment and 370-square foot carport meets all required setbacks for the R-1-C zone. The renovation of a house built in 1948 will upgrade the current housing stock and is consistent with other improvements to adjoining and abutting properties.

- 4) *That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The property is located along East Chia Road in the El Mirador Neighborhood in a residential area of similar 10,000-square foot lots. Houses within the neighborhood are mainly owner occupied with driveways leading to two car garages providing off-street parking. Thus, the traffic generated by the proposed use is similar to other uses located within the neighborhood, and the streets and highways are properly designed and improved to carry the type and quantity of traffic generated by the use.

- 5) *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

The proposal is construct a 370-square foot accessory apartment for the use of the property owner. Conditions of Approval have been included in the attached Exhibit A to ensure that the use operates in a manner which protects the public health, safety and general welfare. These conditions include limiting the use of the accessory apartment to owner occupants.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Conditional Use Permit Case No. 5.1329, subject to those conditions set forth in Exhibit A, which are to be satisfied unless otherwise specified.

ADOPTED this 9th day of April, 2014.

AYES:  
NOES:

ABSENT:  
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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M. Margo Wheeler, AICP  
Director of Planning Services

RESOLUTION NO.

**EXHIBIT A**

Case 5.1329 CUP  
Accessory Apartment

941 East Chia Road

April 9, 2014

**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 5.1329 CUP, except as modified the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans on file, date stamped January 30, 2014, 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 5.1329 CUP. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter

and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Commencement of Use. The time limit for commencement of the use authorized by this conditional use permit shall be two (2) years from the effective date of approval. A conditional use permit shall become effective after an elapsed period of fifteen (15) days from the date of the decision by the commission authorizing the permit.
- 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. Permits will not be issued until the appeal period has concluded.
- ADM 9. Cause No Disturbance. The owner shall monitor outdoor parking areas, walkways, and adjoining properties and shall take all necessary measures to ensure that customers do not loiter, create noise, litter, or cause any disturbances while on-site. The owner and operator shall ensure that at closing time, all customers leave the property promptly and that the property is clean and secure before the owner/operator leaves the premises. The Police Chief, based upon complaints and/or other cause, may require on-site security officers to ensure compliance with all City, State, and Federal laws and conditions of approval. Failure to comply with these conditions may result in revocation of this permit, temporary business closure or criminal prosecution.

- ADM 10. Grounds for Revocation. Non-compliance with any of the conditions of this approval or with City codes and ordinances, State laws; any valid citizen complaints or policing and safety problems (not limited to excessive alcohol consumption, noise, disturbances, signs, etc) regarding the operation of the establishment; as determined by the Chief of Police or the Director of Building and Safety, may result in proceedings to revoke the Conditional Use Permit. In addition, violations of the City Codes and Ordinances will result in enforcement actions which may include citations, arrest, temporary business closure, or revocation of this permit in accordance with the law.
- ADM 11. Comply with City Noise Ordinance. This use and property shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 12. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers.

#### **PLANNING DEPARTMENT CONDITIONS**

- PLN 1. Accessory Apartment may not be rented for less than 30-day periods at any time.
- PLN 2. There shall be no separate utility meters allowed for the accessory apartment.
- PLN 3. The accessory apartment may not be sold separately.
- PLN 4. There may not be an additional accessory apartment allowed on the site.
- PLN 5. New construction for accessory apartment and carport to match existing house in building materials and colors.
- PLN 6. 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 7. Notice to future buyers on views. All prospective buyers of lots within the Ridge Mountain subdivision shall be notified that there are no written or implied rights to the preservation of scenic views from any of the lots.

**BUILDING DEPARTMENT CONDITIONS**

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

**END OF CONDITIONS**

**RANDALL  
BARNETT**

ARCHITECTURE

T 760-218-5700  
F 949.340.8044

RECEIVED

JAN 30 2014

PLANNING SERVICES  
DEPARTMENT

5 - 1329

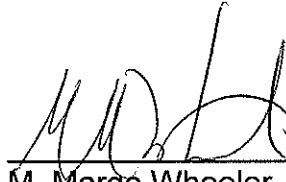
Justification Letter  
Conditional Use Permit  
941 E. Chia Road  
Palm Springs, CA  
92262

The project is an attached casita and carport addition to a single family residence. The intended use of the casita is use by the residents of the dwelling and not for rental purposes. The use of the carport is to provide two covered off-street parking places. The use is properly one for which a conditional use permit is authorized by the zoning code. The use is desirable for the development of the community by adding property value and is in harmony with the general plan. The site is adequate in size and shape to accommodate such use and the project is within the setbacks required as well as providing proper use of walls, landscaping and yards. The site for the proposed use properly relates to the street.



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Glenn Mlaker, AICP  
Assistant Planner



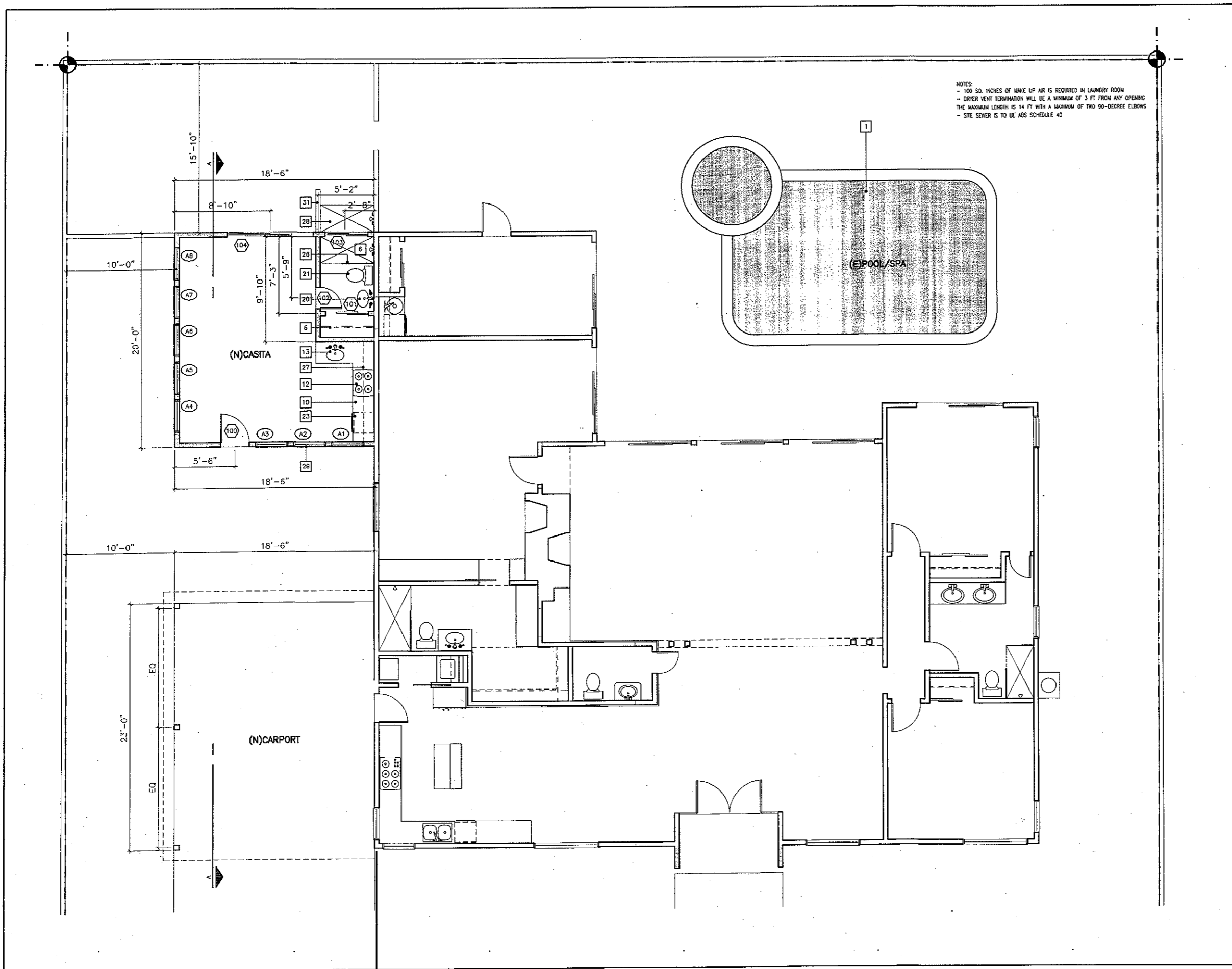
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M. Margo Wheeler, AICP  
Director of Planning Services

**ATTACHMENTS**

1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. Justification letter
4. Site / Floor Plan
5. Correspondence from neighbors





NOTES:  
 - 100 SQ. INCHES OF MAKE UP AIR IS REQUIRED IN LAUNDRY ROOM  
 - DRYER VENT TERMINATION WILL BE A MINIMUM OF 3 FT FROM ANY OPENING  
 - THE MAXIMUM LENGTH IS 14 FT WITH A MAXIMUM OF TWO 90-DEGREE ELBOWS  
 - SITE SEWER IS TO BE ABS SCHEDULE 40

- KEYNOTES**
- 1 (E)POOL/SPA TO REMAIN
  - 2 (N)GLS SLIDING DOORS, TYP.
  - 3 (E)FIREPLACES TO REMAIN
  - 4 BUILT-IN CABINET - PTD.
  - 5 PTD. W.D. CLADDING AT WALL
  - 6 (N)CLOSET W/POLE AND SHELF
  - 7 (N)DECORATIVE BLOCK WALL
  - 8 REFRIGERATOR
  - 9 -
  - 10 COUNTERTOP @36" A.F.F.
  - 11 COUNTERTOP @42" A.F.F.
  - 12 RANGE
  - 13 SINK
  - 14 DISHWASHER
  - 15 FULL HEIGHT CABINET
  - 16 MASTER CLOSET
  - 17 BURNER-ADV
  - 18 WASHER AND DRYER  
DRYER TO BE A DIRECT VENTED HIGH EFFICIENCY UNIT
  - 19 LAW
  - 20 PEDESTAL SINK
  - 21 WC
  - 22 SHOWER
  - 23 UNDERCOUNTER REFRIGERATOR
  - 24 (E)H/VAC
  - 25 WATER HEATER - RELOCATED  
TO BE ENCLOSED IN A LISTED ASSEMBLY/TAP TO TERMINATE EXHT.
  - 26 12" T. TEMP GLS @SHOWER
  - 27 SHELF/CABINETS ADV
  - 28 OUTDOOR SHOWER
  - 29 INDICATES LOCATION OF OVERSTORY WINDOWS
  - 30 COUNTERTOP @30" AFF
  - 31 BLOCK PRIVACY WALL
- 5-5-1329  
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 PLANNING SERVICES  
 DEPARTMENT

**WALL LEGEND**

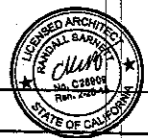
- Wall to Remain
- Demo Wall/Fixtures
- New Wall

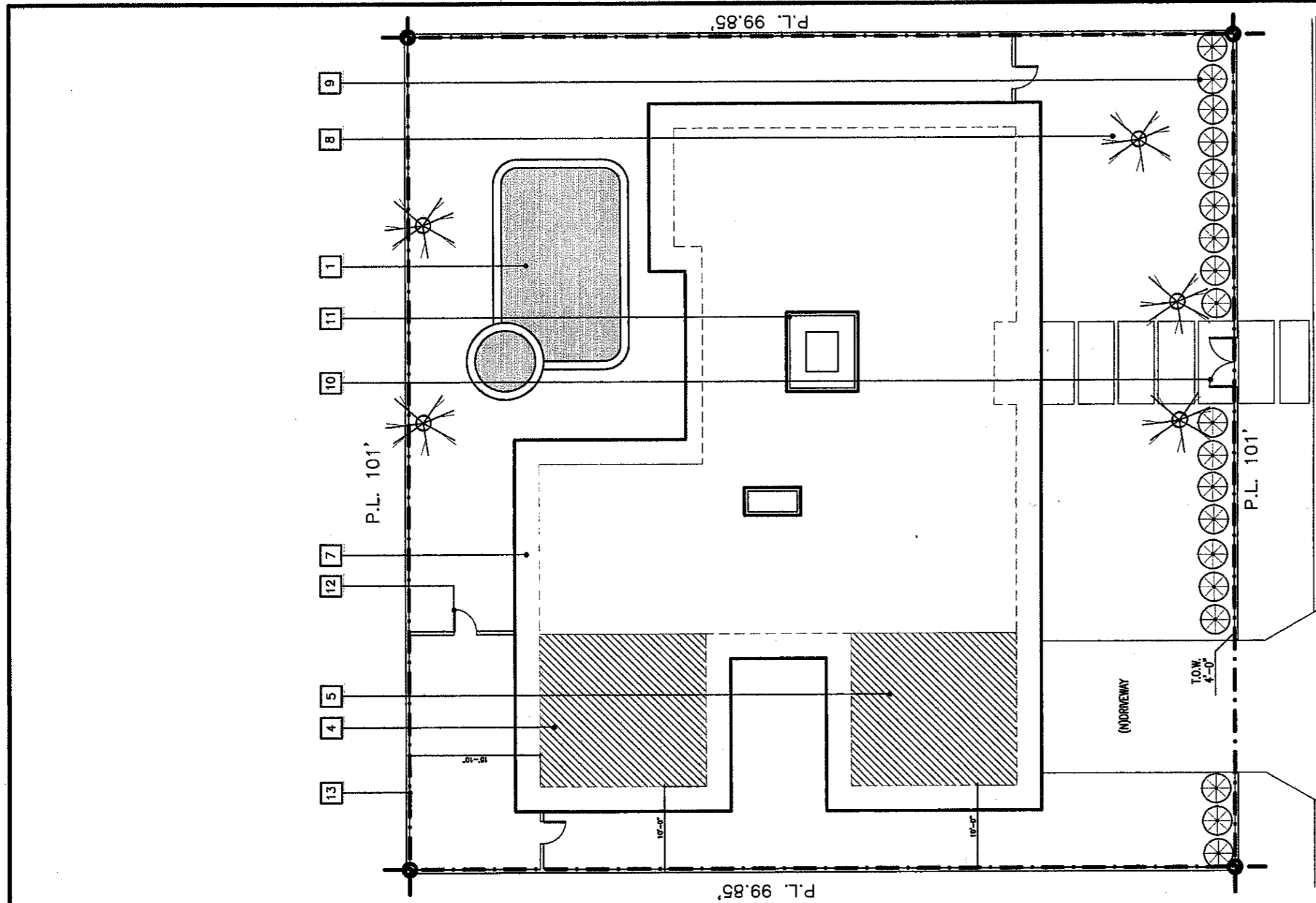
A.3  
 FLOOR  
 PLAN  
 1.29.14

SCALE: 1/4"=1'-0"

941 E. CHIA ROAD PALM SPRINGS, CA 92262

BARNETT ARCHITECTS 140 TAMARISK #1 PALM SPRINGS, CA 92262 760.218.5700





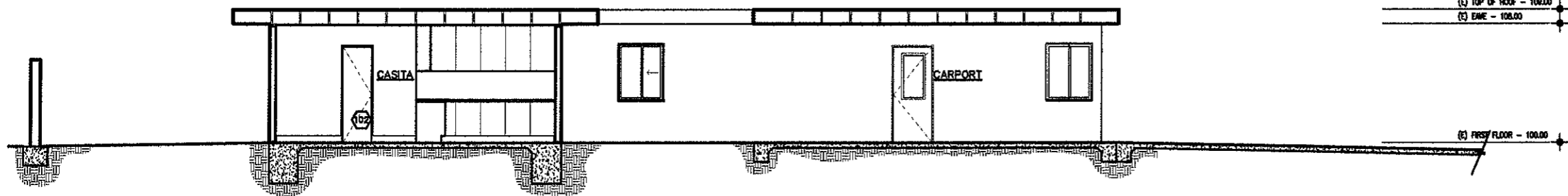
NOTE:  
TOPOGRAPHY OF LOT IS FLAT

**KEYNOTES**

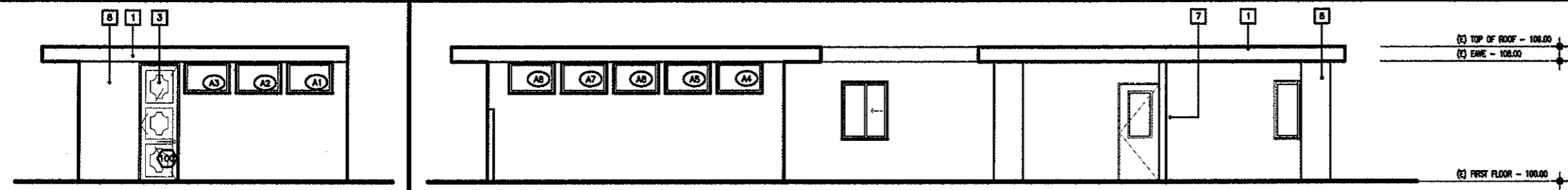
- 1 (E)POOL/SPA TO REMAIN
- 2 DASHED LINES INDICATES DEMO, TYP
- 3 (E)CARPORT
- 4 SHADED AREA INDICATES AREA OF NEW SQUARE FOOTAGE
- 5 (N)CARPORT
- 6 (E)GATE/WALL TO BE REMOVED
- 7 INDICATES LINE OF WALL BELOW
- 8 INDICATES (E)PALMS TO REMAIN
- 9 (N)FICUS HEDGE AT PROPERTY WALL
- 10 (N)GATE AT ENTRY
- 11 INDICATES CORRUGATED ALUM. SCREEN WALL AROUND (E)A/C
- 12 GATES WITH SELF-CLOSING HINGES - TYP.
- 13 (E)WALLS AT PROPERTY LINE TO REMAIN

☉ E. CHIA ROAD

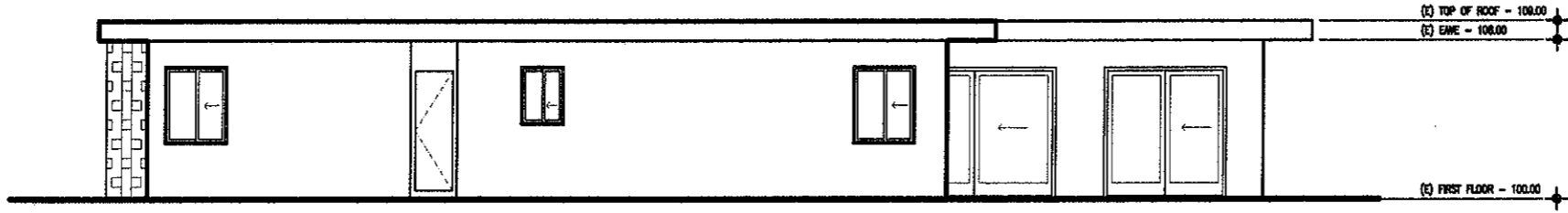




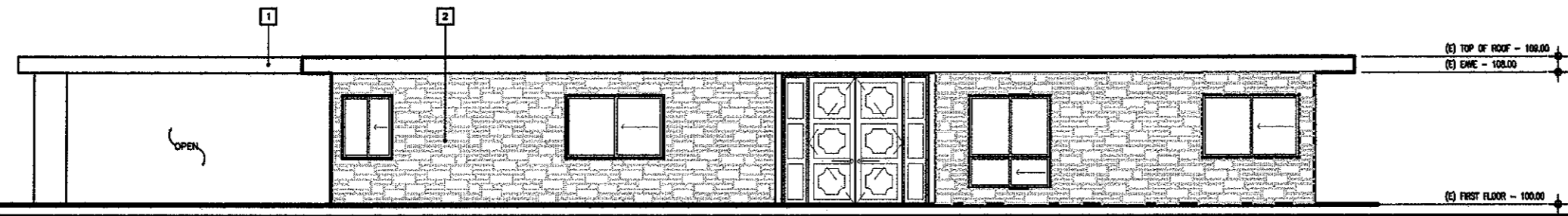
6 SECTION A-A SCALE: 1/4"=1'-0"



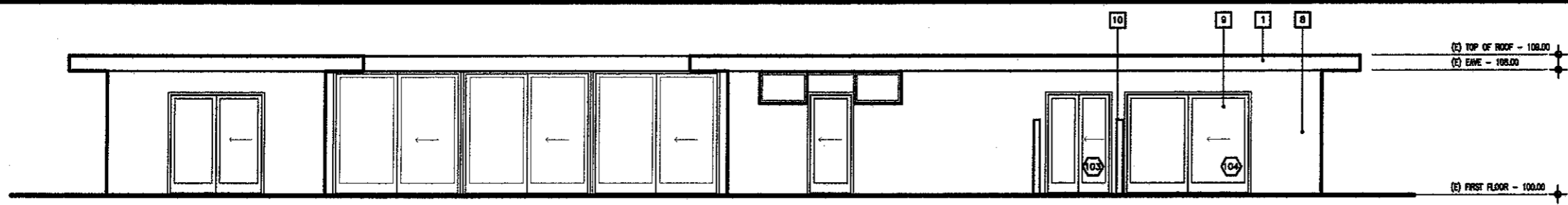
5 CASITA ELEVATION 4 EAST ELEVATION SCALE: 1/4"=1'-0"



3 WEST ELEVATION SCALE: 1/4"=1'-0"



2 NORTH ELEVATION SCALE: 1/4"=1'-0"



1 SOUTH ELEVATION SCALE: 1/4"=1'-0"

- KEYNOTES
- 1 PTD. WD. FASCA
  - 2 (C)STONE CLADDING
  - 3 (P)PTD. WD. DOOR
  - 4 REUSE (C)WINDOW AT MASTER CLD.
  - 5 (B)BRZEZE BLOCK WALL
  - 6 (H)HOT WATER HEATER CENG. PTD.
  - 7 WD. POST PER STRUCTURAL
  - 8 EXT. PLASTER MARCH(C)
  - 9 (Q)ALUM. SLIDING DOORS
  - 10 BLOCK PRIVACY WALL @SHOWER
  - 11 IN SLEEPING ROOMS THE BOTTOM OF THE CLEAR OPENING SHALL NOT EXCEED 44" ANY FLOOR, TYP.

941 E. CHIA ROAD PALM SPRINGS, CA 92262

BARNETT ARCHITECTS 140 TAMARISK #1 PALM SPRINGS, CA 92262 760.218.5700

A.4  
FLOOR  
PLAN

11.20.13

## Glenn Mlaker

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**From:** Ron Siegel <ronsiegelinps@verizon.net>  
**Sent:** Friday, March 28, 2014 2:43 PM  
**To:** Jay Thompson  
**Cc:** Becky Chamberlain; Edward Marshall; Murray Specktor; Peter East; roxann ploss; Steve Dinga; 'nina & roland haskell'  
**Subject:** 941 Chia addition

Jay Thompson  
City Council

I am very concerned about Mr. Edward Marshall's request to add a casita with kitchen to the property at 941 E. Chia Rd. The addition of the kitchen in a separate building in essence creates a property for two families, related or not. I believe this is a very bad precedent not only for our neighborhood but for the residential property throughout the city. Permitting one or two additional residents in a single residence community could increase the existing properties occupants by as much as 50%. Add another car ,or two, without a garage and you can see where this can lead. Our neighborhood is very low density with an average of less than 2 people per household. Most days and nights there are no cars parked on the street unless a Vacation Rental is in use. We were at one time informed that 941 was being renovated to be used as a Vacation Rental and if this is so then this part of Chia Rd will be dominated by more Vacation Rentals than owner/residents.

I urge you to reject this variance to maintain the character of our very quiet and safe neighborhood.

Thank you  
Ronald Siegel  
695 E. Chia Rd  
760-325-6507

## Glenn Mlaker

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**From:** Roxann Ploss <riploss@gmail.com>  
**Sent:** Friday, March 28, 2014 11:50 AM  
**To:** Jay Thompson  
**Cc:** bridgette sullenger; schneider/Martinedes, joel & ed; murray specktor; ron siegel; BECKY CHAMBERLAIN  
**Subject:** for the planning commission

Hello, All,

For several months now, Deepwell Neighborhood Org. has been quite vocal in its concerns about the loss of neighborhood character, related traffic/parking issues, noise pollution and so forth when there is a "clustering" of vacation rentals in a small area.

It now appears that El Mirador NOrg is facing the same concerns. The owner(s) of 941 Chia has applied for a permit to place a 360 sf casita with kitchen on an already cramped piece of property. Since the purchase of the house last year, the expressed intent has always been to treat this house not as a residence but strictly as a vacation rental. Thus the request for a casita/"granny flat" can only indicate the desire to turn this residence into a small hotel which could easily accommodate 8-12 people (or more).

Since the owners of 877 Chia have also indicated the intention of applying for a short-term rental permit, that means one long-time, working resident will literally be wedged between non-residents who are only here to party.

We had this same situation several years ago and it was disastrous; in fact, it was the impetus behind getting the VRO to begin with.

This expansion is not motivated by more room for the resident family; I repeat, it seems calculated ONLY to create a small hotel in a residential neighborhood.

Realizing that the interest in developing some sort of vacationers-to-residents ratio is within the purview of only the City Council, I nevertheless ask that you seriously consider the over-building of this property as a negative for a quiet, virtually crime-free area. I hope, most sincerely and as someone who will be directly impacted by these changes, that you will vote "no".

Thank you for your time,

Roxann Ploss

**930 Chia Road**

Palm Springs, Ca.

"You cannot maintain a soul of a community if you detach it from history." Dani Dayan

## Glenn Mlaker

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**From:** Bridgette Sullenger <bridgettesullenger@gmail.com>  
**Sent:** Friday, March 28, 2014 11:10 AM  
**To:** Jay Thompson  
**Subject:** conditional use at 941 east chia road

Hello James;

I hope this email finds you well. I have some concerns about the conditional use permit issued to Edward Marshall for 941 East Chia Road with a planning commission date of April 9, 2014. .

First, the map of the vicinity that the planning commission has issued is incorrect. Please note that the third house in that is listed as "the site" is actually MY HOME AT 901 EAST CHIA ROAD not 941. I believe City Hall records need updating.

Second, myself and other neighbors were under the impression that Mr. Marshall has sold this home to a group of investors. Why then, is Mr. Marshall the one applying for this conditional use to allow for a 360 square foot attached casita with kitchen?

Third, the work on the property has been stalled; there are padlocks and fences up which make it a very undesirable view in the neighborhood not to mention the relentless visits from Time Warner Cable as they need access to the property for cable work on Mel Avenue.

I very much appreciate your time and assistance in updating City Hall records to reflect 941 as the second property in from Avenida Caballeros and to reflect 901 as the third property in. And, I would appreciate any additional information you may be able to supply as an additional casita with kitchen facilities usually means that the home will be a continual rental which I fully object.

Thank you again for your time.



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\*Dr. B.A. Sullenger\*  
760-774-3448

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## Glenn Mlaker

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**From:** Terri Hintz  
**Sent:** Wednesday, April 02, 2014 9:25 AM  
**To:** Glenn Mlaker  
**Subject:** FW: For Planning Commission

Hi Glenn,

This just came in to attach with your PC staff report.

Thanks,

*Terri*

Terri Hintz  
Planning Administrative Coordinator  
City of Palm Springs  
Planning Department  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262  
Tel. (760) 323-8245 ext. 8759 / Fax (760) 322-8360

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**From:** Jay Thompson  
**Sent:** Wednesday, April 02, 2014 9:21 AM  
**To:** Terri Hintz  
**Cc:** Margo Wheeler  
**Subject:** FW: For Planning Commission

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**From:** [LydiaLane@aol.com](mailto:LydiaLane@aol.com) [<mailto:LydiaLane@aol.com>]  
**Sent:** Wednesday, April 02, 2014 7:26 AM  
**To:** Jay Thompson  
**Subject:** For Planning Commission

**RE: CUP 5.1329**

Dear Jay

We are writing to express our objection to the Conditional Use Permit 5.1329 for Edward Marshall at 941 East Chia Road. We do not want to have this property developed for vacation rental purposes.

We live at 900 Mel Avenue and this said property on Chia is adjacent to our northeast corner of our lot. There has been a vacation rental on the northwest corner of our lot for a number of years and have often had poolside parties going on until late hours disturbing us and we do not want to have another such vacation rental.

Please feel free to contact us if you want to discuss this further.

Kind regards,



Lydia and Alex Kremer  
900 E. Mel Avenue  
Palm Springs, CA 92262  
760 285-8047