

Planning Cpmmission Staff Report

DATE:

September 9, 2015

Consent Calendar

SUBJECT:

O2 ARCHITECTURE REQUESTING A MAJOR ARCHITECTURAL APPROVAL ON BEHALF OF HUTKIN FAMILY FOR THE CONSTRUCTION OF AN APPROXIMATELY 5,059-SQUARE FOOT SINGLE-FAMILY RESIDENCE ON AN APPROXIMATELY 24,829-SQUARE FOOT LOT LOCATED AT 3182 BOGERT TRAIL, ZONE R-1-B.

(CASE 3.3900-MAJ) (ER).

FROM:

Director of Planning Services

SUMMARY

The Planning Commission to consider a Major Architectural application for the construction of an approximately 5,059 square foot single-family residence on an approximately 24,829-square foot vacant parcel within the Andreas Hills neighborhood of the City. The proposal includes attached two-car garage, a swimming pool and associated landscape.

RECOMMENDATION:

That the Planning Commission approve the project as recommended by the Architectural Advisory Committee.

ISSUES:

- The parcel is considered a hillside lot; approximately 40 feet in the rear yard area of the parcel is not buildable.
- There is an existing public utility easement located at the rear part of the lot.
- The applicant is seeking a relief to allow 20 feet front yard setback. The required front yard setback is 25 feet.
- The Planning Commission will consider a request for an Administrative Minor Modification for a reduction of front yard setback.

PRIOR ACTIONS:

On September 5, 1985, the City Council approved Tentative Tract Map 18087 for a 51-lot subdivision in the Andreas Hills neighborhood of the City. This proposal is on lot 35 of the tract.

On August 24, 2015, the Architectural Advisory Committee (AAC), reviewed the project and by a vote of 5-0-2, recommended approval to the Planning Commission.

BACKGROUND AND SETTING:

The site which is currently vacant is surrounded by existing residential uses to the east and south and vacant lands to the west and Andrea Hills to the north. The subject parcel is lot 35 of Tentative Tract Map 18087; a 51-lot subdivision approved by the Planning Commission and City Council in the 1980s. The subject property is located along East Bogert Trail. Lot 35 is one of the four remaining vacant parcels on the northerly section of East Bogert Trail. Additional analysis of the site is provided in the analysis section of this memo.

Related Relevant C	ity Actions by Planning, Fire, Building, etc	
	None	
	Most Recent Ownership	
February 10, 2015	Purchased by current owner/applicant.	
	Field Check	
August 13, 2015	Staff visited site to observe existing conditions	
	Notification	
August 5, 2015	Notice of hillside project sent to adjacent property owners	
	Details of Application Request	
	Site Area	
Net Lot Area	24,829-square feet	



AERIAL VIEW OF THE SITE



Perspective of proposed house

ANALYSIS:

Table 1

General Plan			
Land Use Designation	Density	Request	Compliance
ER (Estate Residential)	2 Units/Acre	1 SFR	Conforms
Specific Plan			
None	None	None	None

Table 2

T _G	R-1-B Zone	Proposed: SFR	Compliance	
Uses permitted	Single-Family Residential	Single-Family Residential	ntial Conform	
Density	2 dwelling units/gross acre	2 dwelling units/gross acre	Conforms	
Lot Standards		- 22	<u> </u>	
Min. Lot Area	15,000 Square feet	24,829 sq. ft.	Conforms	
Min. Width	Minimum: 120 Ft.	154.28 ft.	Conforms	
Min. Depth	Minimum: 120 Ft.	170 ft.	Conforms	

Zoning - Building Development Standards

		Palm Springs Zoning Code	Proposed: SFR	Compliance
E	Building Height	Maximum height of 18 ft.	1 story @ 15.11 Ft.	Conforms
Y	ard Setbacks			
	Front	25 Feet	20 Feet	With AMM
	Side	10 Feet	10 Feet	Conforms
	Rear	15 Feet	63 Feet	Conforms
L	ot Coverage	35% Maximum	20%	Conforms
B.	in. Dwelling Size	1,500 Sq. Ft.	5,059 sq. ft.	Conforms

	Existing General Plan Designations	Existing Land Use	Existing Zoning Designations
Subject Site	Estate Residential	Vacant	R-1-B Single-Family Residential
North	Estate Residential	Hill side Open Space	R-1-B Single-Family Residential
South	Estate Residential	Single Family Residence	R-1-B Single-Family Residential
East	Estate Residential	Single Family Residence	R-1-B Single-Family Residential
West	Estate Residential	Vacant	R-1-B Single-Family Residential

Project Description:

The proposed project is by David and Ellen Hutkin and it is for the construction of an approximately 5,029-square foot 15.11 feet high one story single-family residence on approximately 24,829-square foot of a vacant lot. The previously graded parcel is situated on East Bogert Trail in the San Andreas Hills neighborhood. As proposed, the project will include a swimming pool and a spa, attached two-car garage, a five-foot tall garden wall and landscaping. There is an existing sidewalk along the frontage and a six-foot tall CMU wall at the rear of the property.

Site Plan and Project Design:

The project design has the modern style architecture with five-bedrooms, five bathrooms, a media room, a living room, a formal dining room and an attached guest house with a kitchenette and a guest bath. The house is approximately 5,029 square feet in size. The development standards of the proposed house are all consistent with the R-1-B standards in terms of height, rear and side yard setbacks, dwelling size and lot coverage as depicted in Table 2 above.

Landscape Plan:

Conceptual landscape plan for the residence was submitted as part of the major architectural review. Proposed plant selections for the project include the following: 36" box Palo Verde, 36" box fruitless Olive tree, ten to twelve feet tall Mexican Fan Palm, five gallon Indigo Bush, five gallon Regal Mist, five gallon Aloe Vera and five gallon Pink Powder Puff. The proposed drought tolerant landscape plan will also include synthetic turf.

Administrative Minor Modification (AMM) Request.

In addition to the Major Architectural approval, the applicant is requesting an administrative minor modification for a reduction to the required front yard setback of the project. Section 92.01.03 of the Palm Springs Zoning Code, requires a front yard setback of twenty-five (25) feet along local or collector streets. The applicant has proposed a front yard setback of twenty (20) feet along East Bogert Trail.

Before an administrative minor modification may be approved, pursuant to the provisions of PSZC 94.06.01(A)(4) through (A)(8) of this section, all of the following findings shall be made based on evidence presented:

 The requested minor modification is consistent with the general plan, applicable specific plan(s) and overall objectives of the zoning ordinance; The General Plan land use designation for this parcel is Estate Residential. The subject parcel is approximately 24,829 square feet in size and the project therefore is consistent with the General Plan in terms of density.

b. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the minor modification;

The project is located in a hillside area and is surrounded by other similar custom homes. The property is considered a hillside lot consistent with the provisions of Section 93.13.00. of the Zoning Code; approximately forty (40) feet in the rear portion of the parcel is not buildable. Also, there is an existing public utility easement located at the same rear section of the lot.

c. The approval or conditional approval of the minor modification will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or in the vicinity; and

The project is conditioned to conform to all applicable regulatory codes and development standards and thus will not be detrimental to persons residing or working on site or in the vicinity.

d. The approval of the minor modification is justified by environmental features, site conditions, location of existing improvements, or historic development patterns of the property or neighborhood.

The project is proposed on a flat lot that meets the hillside definition with significant topography and other natural features. The proposed design is oriented in a way that the structure will not impede the existing public utility easement located at the rear of the property; thus a justification for siting the house closer than the required twenty-five feet from the front property line.

REQUIRED FINDINGS:

There are no specific required findings for architectural approval which do not require environmental assessments. 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:

 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 site layout ensures that view corridors of the site and its surroundings will not be impacted by the new home since the proposed height will not exceed the permitted height in R-1-B zone. There is an existing sidewalk along East Bogert Trail.

 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 an area with similar single-family residential homes. The proposed development will be complementary to the existing development and will be respectful of the R-1-B development standards. The architectural design and style will enhance the immediate surrounding of the Andreas Hills neighborhood. As proposed, the new home is mindful of the existing character of the site and adjoining development.

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;

With the exception of the front yard setback, the proposed development conforms to other setbacks, height limits, minimum and maximum area limits. The maximum height, overall mass are all in keeping with the R-1-B development standards. The project is not seeking for any other development standards of the designated zone.

- 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 with a modern contemporary architectural style consistent with the existing homes in the area. There is consistency in the composition and treatment of the building. The materials and colors are warm hued colors considered to be complementary to the desert.

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. Proposed plant selections for the project include the following: 36" box Palo Verde, 36" box fruitless Olive tree, ten to twelve feet tall Mexican Fan Palm, five gallon Indigo Bush, five gallon Regal Mist, five gallon Aloe Vera and five gallon Pink Powder Puff. The proposed drought tolerant landscape plan will also include synthetic turf.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is Categorically Exempt under CEQA Section 15303 (Class 3 – New Construction – Conversion of Small Structures). Class 3 consists of projects characterized as new or small structures as described below:

a. One single-family residence; or a second dwelling unit in a residential zone.

NOTIFICATION:

Pursuant to Zoning Code Section 93.13.00.B.1.b and c: written notice was mailed to all adjacent property owners informing them of the City's receipt of the application and informing the Andreas Hills Neighborhood Organization of this hearing.

CONCLUSION:

The proposed home is very spacious in its design. The modern architectural design will complement the otherwise simple, clean architecture and proposed building materials. The house is well-sited and fits well in the immediate surrounding with similar housing units. Along with the recommendations of the AAC, Staff is asking the Planning Commission to approve the project as submitted.

Edward Robertson Principal City Planner Flinn Fagg, AICP, Director \
Department of Planning Services

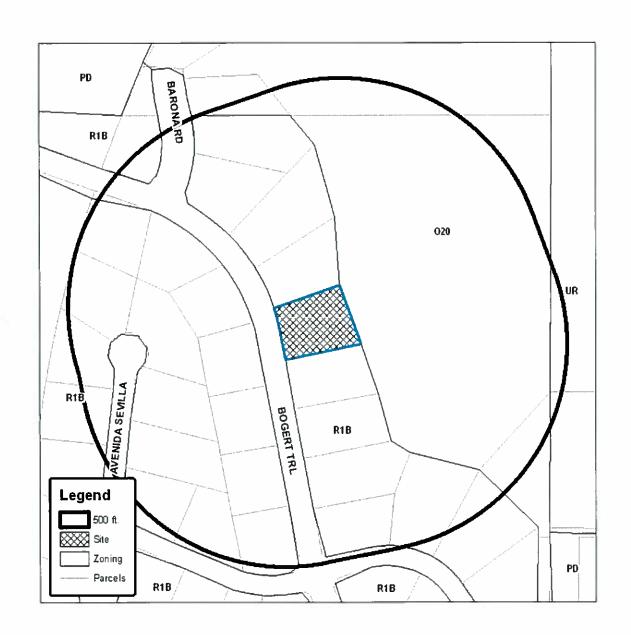
Attachments:

- 1. Vicinity Map
- 2. Resolutions & Conditions of Approval
- 3. AAC Draft Minutes dated August 24, 2015
- 4. Site, Elevations, landscape and Section Plans.



Department of Planning Services Vicinity Map

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CITY OF PALM SPRINGS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING CASE NOS. 3.3900-MAJ; ARCHITECTURAL APPROVAL AND 7.179-AMM; ADMINISTRATIVE MINOR MODIFICATION TO CONSTRUCT AN APPROXIMATELY 5,059-SQUARE FOOT SINGLE FAMILY RESIDENCE LOCATED AT 3182 EAST BOGERT TRAIL, ZONE R-1-B; SECTION 35.

WHEREAS, The Hutkin Family, ("Applicant") has filed an application with the City of Palm Springs for an Architectural approval of the construction of an approximately 5,059 square foot single-family residence; and

WHEREAS, on August 4, 2015, the Architectural Advisory Committee (AAC) reviewed the proposal and voted 7-0 to recommend approval of the project to the Planning Commission; and

WHEREAS, on September 9, 2015, a meeting was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and has been determined to be Categorically Exempt pursuant to Section 15303 (Small Structure/Single-family Residence) 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: Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project has been determined to be categorically exempt from further environmental assessment pursuant to Section 15303 of CEQA Guidelines (Small Structure/Single-family Residence).

Section 2: Administrative Modification Findings:

Before an administrative minor modification may be approved, pursuant to the provisions of PSZC 94.06.01(A)(4) through (A)(8) of this section, all of the following findings shall be made based on evidence presented:

a. The requested minor modification is consistent with the general plan, applicable specific plan(s) and overall objectives of the zoning ordinance:

The General Plan land use designation for this parcel is Estate Residential. The subject parcel is approximately 24,829 square feet in size and the project therefore is consistent with the General Plan in terms of density.

b. The neighboring properties will not be adversely affected as a result of the approval or conditional approval of the minor modification;

The project is located in a hillside area and is surrounded by other similar custom homes. The property is considered a hillside lot consistent with the provisions of Section 93.13.00. of the Zoning Code; approximately forty (40) feet in the rear portion of the parcel is not buildable. Also, there is an existing public utility easement located at the same rear section of the lot.

c. The approval or conditional approval of the minor modification will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or in the vicinity; and

The project is conditioned to conform to all applicable regulatory codes and development standards and thus will not be detrimental to persons residing or working on site or in the vicinity.

d. The approval of the minor modification is justified by environmental features, site conditions, location of existing improvements, or historic development patterns of the property or neighborhood.

The project is proposed on a flat lot that meets the hillside definition with significant topography and other natural features. The proposed design is oriented in a way that the structure will not impede the existing public utility easement located at the rear of the property; thus a justification for siting the house closer than the required twenty-five feet from the front property line.

<u>Section 3:</u> Pursuant to Section 94.04.00 of the Zoning Ordinance for the Architectural review of development projects the Planning Commission finds that:

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 site layout ensures that view corridors of the site and its surroundings will not be impacted by the new home since the proposed height will not exceed the permitted height in R-1-B zone. There is an existing sidewalk along East Bogert Trail.

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 an area with similar single-family residential homes. The proposed development will be complementary to the existing development and will be respectful of the R-1-B development standards. The architectural design and style will enhance the immediate surrounding of the Andreas Hills neighborhood. As proposed, the new home is mindful of the existing character of the site and adjoining development.

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;

With the exception of the front yard setback, the proposed development conforms to other setbacks, height limits, minimum and maximum area limits. The maximum height, overall mass are all in keeping with the R-1-B development standards. The project is not seeking for any other development standards of the designated zone.

- 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 with a modern contemporary architectural style consistent with the existing homes in the area. There is consistency in the composition and treatment of the building. The materials and colors are warm hued colors considered to be complementary to the desert.

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. Proposed plant selections for the project include the following: 36" box Palo Verde, 36" box fruitless Olive tree, ten to twelve feet tall Mexican Fan Palm, five gallon Indigo Bush, five gallon Regal Mist, five gallon Aloe Vera and five gallon Pink Powder Puff. The proposed drought tolerant landscape plan will also include synthetic turf.

Section 4: NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Architectural Review and an Administrative Minor Modification of Case Nos. 3.3900-MAJ & 7.1479-AMM, subject to those conditions set forth in the Conditions of Approval, which are to be satisfied unless otherwise specified.

ADOPTED this 9 th day of Septembe	г, 2015.
AYES: NOES: ABSENT: ABSTAIN:	
ATTEST:	CITY OF PALM SPRINGS, CALIFORNIA
Flinn Fagg, AICP Director of Planning Services	

EXHIBIT A

Case 3.3900-MAJ & 7.1479-AMM Hutkin Residence - 3182 Bobert Trail

September 9, 2015

CONDITIONS OF APPROVAL

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

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

ADMINISTRATIVE CONDITIONS

- ADM 1. <u>Project Description</u>. This approval is for the project described per Case 3.3900-MAJ & 7.1479-AMM; except as modified with the approved the conditions below:
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped July 29, 2015, including site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Planning Division except as modified by the approved Mitigation Measures and 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. <u>Minor Deviations</u>. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 3.3900-MAJ & 7.1479-AMM. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or

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

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. <u>Time Limit on Approval</u>. Approval of the Architectural Application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.
- ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being

developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP)

 Local Development Mitigation Fee (LDMF) required. All projects within the
 City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians
 reservation are subject to payment of the CVMSHCP LDMF prior to the
 issuance of certificate of occupancy.
- ENV 2. Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$50 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Exemption. Action on this application shall not be considered final until such fee is paid (projects that are Categorically Exempt from CEQA).

PLANNING DEPARTMENT CONDITIONS

- PLN 1. 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. <u>Screen Roof-mounted Equipment</u>. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 4. <u>Surface Mounted Downspouts Prohibited</u>. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 5. <u>Pool Enclosure Approval Required</u>. 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 6. <u>Exterior Alarms & Audio Systems</u>. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 7. <u>"Smart Controllers" for landscape irrigation.</u> Single Family Residential units are to be provided with "smart controllers" for managing efficient use of water for landscape irrigation.
- PLN 8. <u>Pre-wiring for Installation of Photo-voltaic systems</u>. If the project does not include photo-voltaic system(s) for electrical production, "pre-wiring" and appropriate configuration of electrical panels and conduit must be provided to accommodate the future installation of such equipment on rooftops of structures within the proposed development.

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 unit, as well as a Fire Station Fee of \$469.00 per acre shall be paid (or as may be adjusted annually) in accordance with Chapter 9.69.040 and 9.69.060 of the Palm Springs Municipal Code, shall be paid prior to issuance of a building permit.

BOGERT TRAIL

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

ON-SITE

ENG 5. The 6 feet wide public utility easements along the southerly, westerly, and northerly property lines, as well as the 10 feet wide storm drain easement in the easterly portion of the lot, shall be kept clear and free of any and all obstructions. Construction of permanent structures, swimming pools and equipment, or other improvements determined to be an obstruction of the easements shall not be allowed. No new construction shall occur east of the existing block wall in the easterly portion of the site.

SANITARY SEWER

- ENG 6. All sanitary facilities shall be connected to the public sewer system. New laterals shall not be connected at manholes.
- ENG 7. The project is subject to a sewer assessment fee of \$146.19 per lot for construction of the 15" sewer main in Avenida Granada, Calle Palo Fierro and Laverne Way. The fee shall be paid prior to issuance of the building permit.

GRADING

- ENG 8. The pad elevation shall be within 2 inches of that shown on the approved Rough Grading Plan (elevation 546.30) for Tract Map No. 18087 which is on file in the Engineering Division.
- ENG 9. Submit cut and fill quantities to City Engineer to determine if an Engineered Grading Plan is required. If required, the Grading Plan shall be prepared by a California registered Civil Engineer or qualified Architect and submitted to the Engineering Division for review and approval. 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.

Conditions of Approval
Case No. 3.3900-MAJ & 7.1479-AMM

- a. 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; a copy of Soils Report.
- ENG 10. Prior to approval of a Grading Plan (or issuance of a Grading Permit), the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at ACBCI-THPO@aguacaliente.net 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 11. In accordance with an approved PM-10 Dust Control Plan, perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 12. 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 13. 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 14. Prior to issuance of grading permit, the applicant shall provide verification to the City that the Tribal Habitat Conservation Plan (THCP) fee has been paid to the Agua Caliente Band of Cahuilla Indians in accordance with the THCP.
- ENG 15. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 16. A Geotechnical/Soils Report shall be prepared by a California registered Geotechnical Engineer, and incorporated as an integral part of the grading plan for the proposed project. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 17. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 18. 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 (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

DRAINAGE

ENG 19. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to any public storm

- drain system or the adjacent streets without first intercepting and treating with approved Best Management Practices (BMP's).
- ENG 20. The project is subject to a 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 21. 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 22. All proposed utility lines shall be installed underground.
- ENG 23. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 24. 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 25. 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 26. 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 27. 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 28. 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 29. 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 (CAMUTCD), dated November 7, 2014, or subsequent editions in force at the time of construction.
- ENG 30. 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 plans received and dated July 29, 2015. Additional requirements may be required at that time based on revisions to site plans.
- FID 2 Fire Department Conditions were based on the 2013 California Fire Code as adopted by City of Palm Springs, Palm Springs Municipal Code and latest adopted NFPA Standards. Four (4) 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 PLANS AND 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 one set.

Plans shall be submitted to:

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

Counter Hours: 8:00 AM – 6:00 PM, Monday – Thursday

A deposit for Plan Check and Inspection Fees is required at the time of Plan Submittal. Inspection fees are charged at the fully burdened hourly rate of the fire inspector. 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.

- FID 4 **Buildings and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
 - NON-COMPLIANT Existing street does not extend within 150 feet of all exterior walls (>200 feet)
 - VARIANCE Exception 503.1.1, #1.1 applied (fire sprinklers). Approved to extend distance to exterior walls

Fire Personnel Access Requirements: Provide fire personnel 4 ft. access gates and minimum 4 ft. clearance around entire house.

FID 5 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, 2013 Edition, as modified by local ordinance.

- FID 6 Operational Fire Hydrant(s) (CFC 507.1): Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction. They shall be installed and made serviceable prior to and during construction. No landscape planting, walls, or fencing is permitted within 3 feet of fire hydrants, except ground cover plantings.
- FID 7 Residential Smoke and Carbon Monoxide Alarms Installation with Fire Sprinklers R-3 & Household Fire Alarm System (CFC 907.2.11.2, CRC R314 & R315 and California Health & Safety Code 17926): Provide and Install Residential Smoke and Carbon Monoxide Alarms. Alarms shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alterations, repairs and additions, smoke and carbon monoxide alarms shall be interconnected. The operation of any smoke alarm or the fire sprinkler flow switch will cause all smoke alarms within the dwelling to sound and activate the exterior horn/strobe. The operation of any carbon monoxide alarm will cause all carbon monoxide alarms within the dwelling to sound.
- FID 7 Audible Residential Water Flow Alarms NFPA 13D Fire Sprinklers & Household Fire Alarm System (CFC 903.4.2): An approved audible sprinkler flow alarm (Wheelock horn/strobe with WBB back box or equal) shall be provided on the exterior of the building in an approved location. It shall be powered by the household fire alarm system. The horn/strobe shall be outdoor rated.

END OF CONDITIONS

6. O2 ARCHITECTURE FOR A MAJOR ARCHITECTURAL APPROVAL FOR THE CONSTRUCTION OF AN APPROXIMATELY 5,059-SQUARE FOOT SINGLE FAMILY RESIDENCE ON AN APPROXIMATELY 24,829-SQUARE FOOT LOT LOCATED AT 3182 BOGERT TRAIL, ZONE R-1-B. (CASE 3.3900-MAJ). (ER)

Principal Planner Robertson presented the proposed project as outlined in the staff report.

Member Song verified if the neighbors need to be notified. (Yes, notification has been taken care of.)

Member Hirschbein verified the setback reduction.

Member Lockyer questioned the reason for the setback request.

LANCE O'DONNELL, applicant, 02 Architecture, provided details on the setback reduction (driveway and right-of-way) indicating that 1/3 of the site is taken by the hillside.

Member Hirschbein verified the length of the driveway.

Member Song asked about the landscape composition with the front wall. She questioned if they would consider an additional Palo Verde at the end of the street frontage.

Member Lockyer verified if the neighbor to the south also had a setback reduction and color of roof.

Member-Secoy Jensen asked if it is possible to meet the program while adhering to the setbacks.

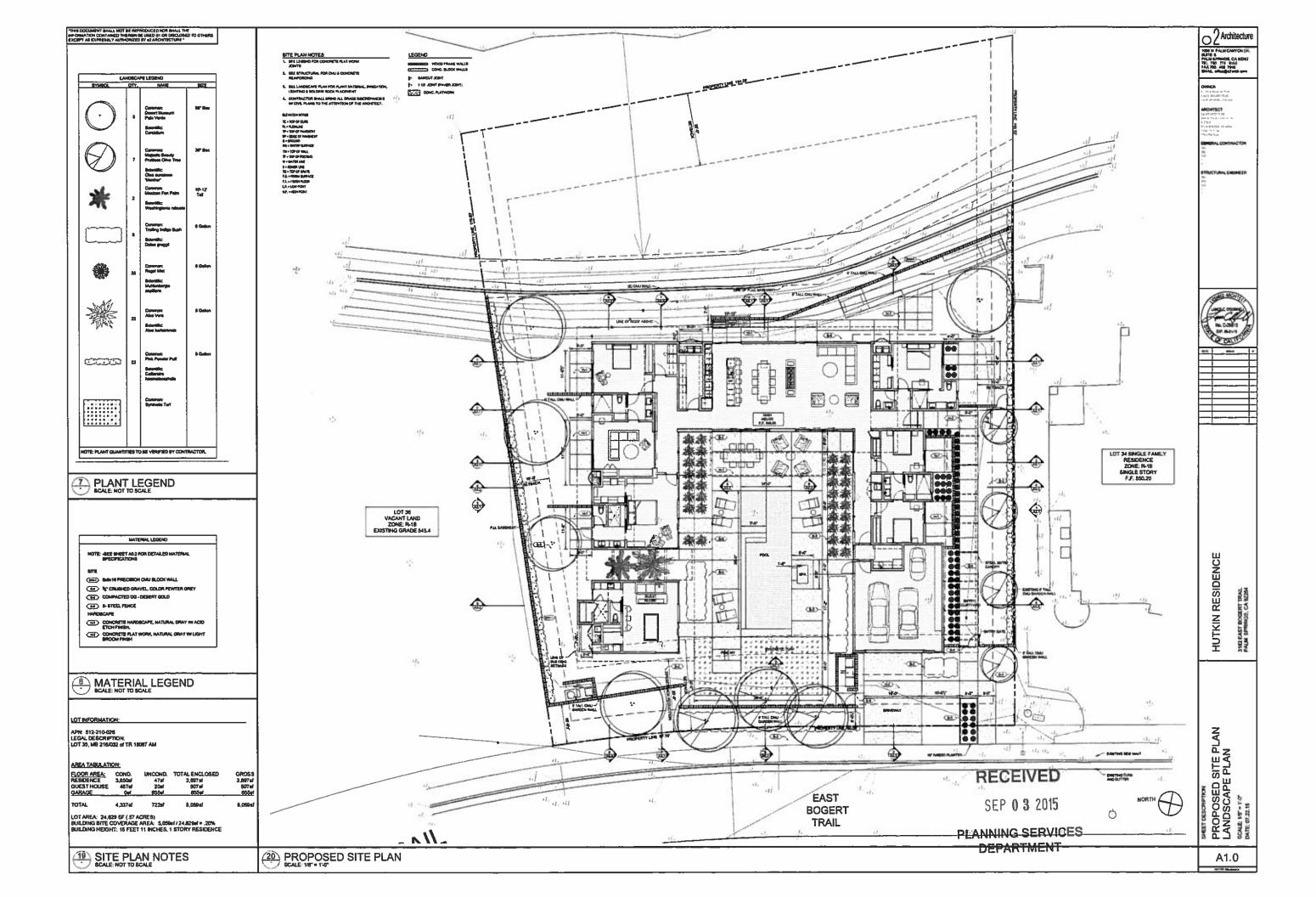
Chair Fredricks verified the plant count and choices vs. what is shown on the plan.

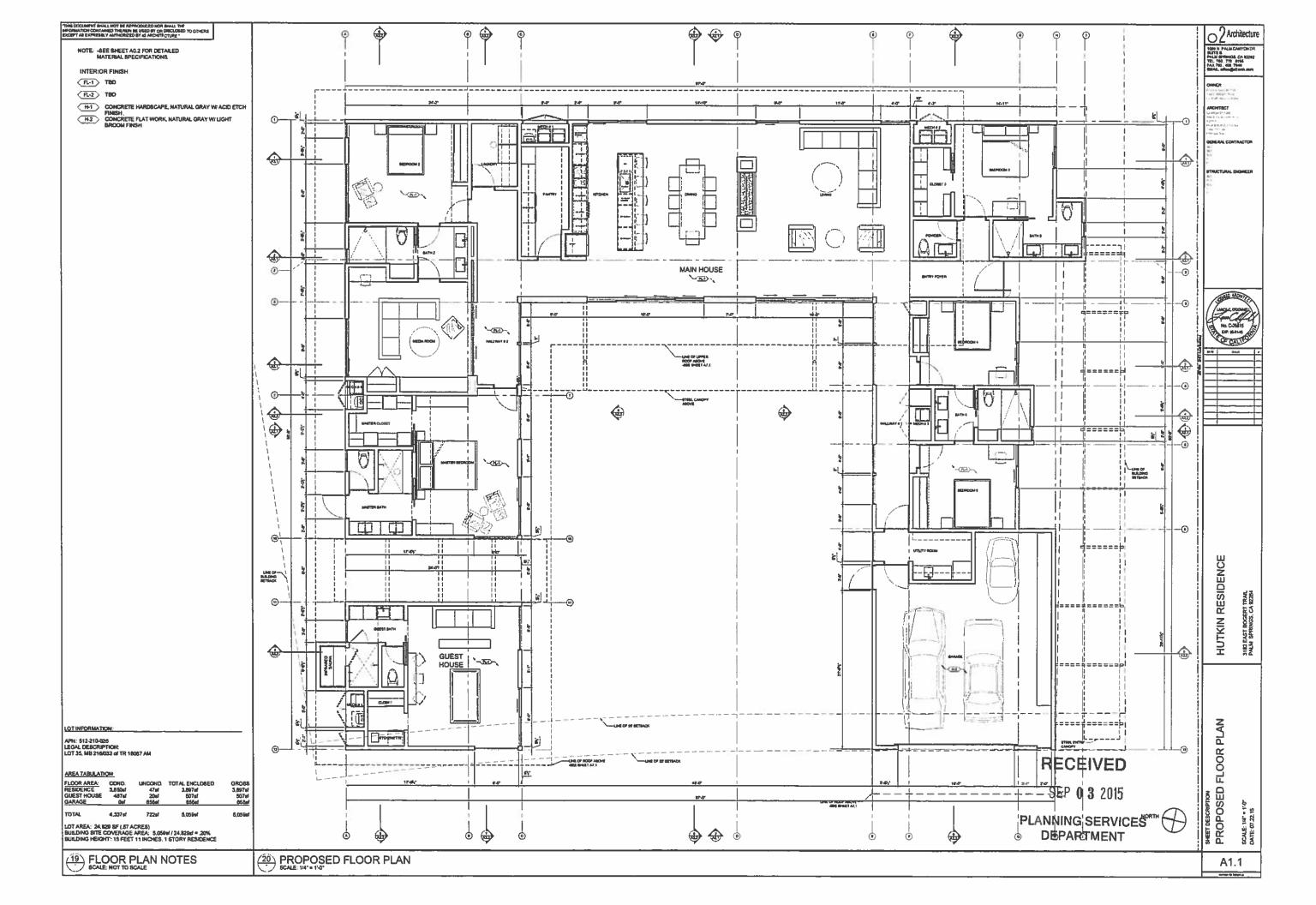
Member Song expressed concern with the north frontage landscape area as being too bare.

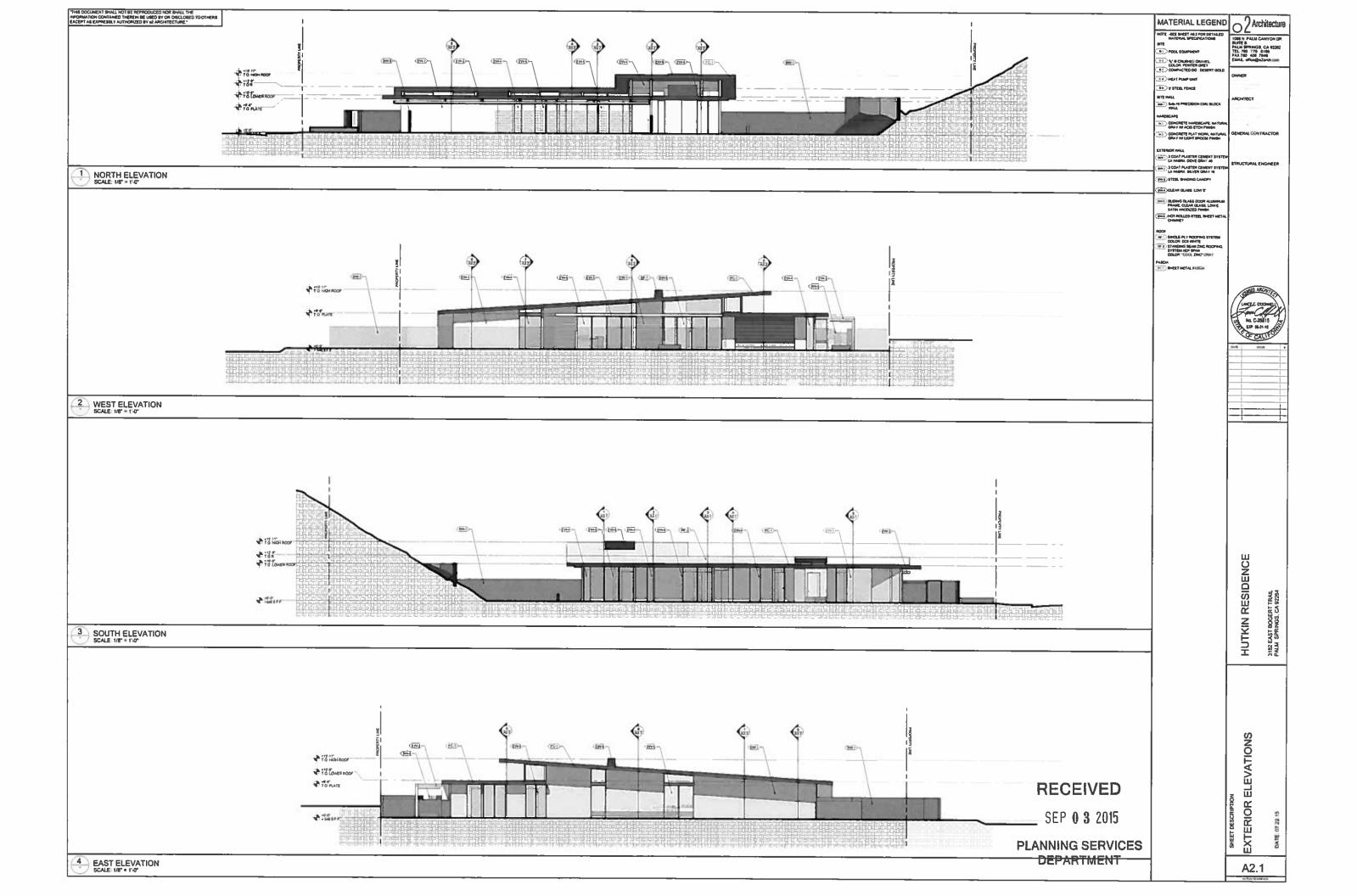
Member Fauber said he likes the general design of the house and restraint of the design. He asked if solar panels will be added.

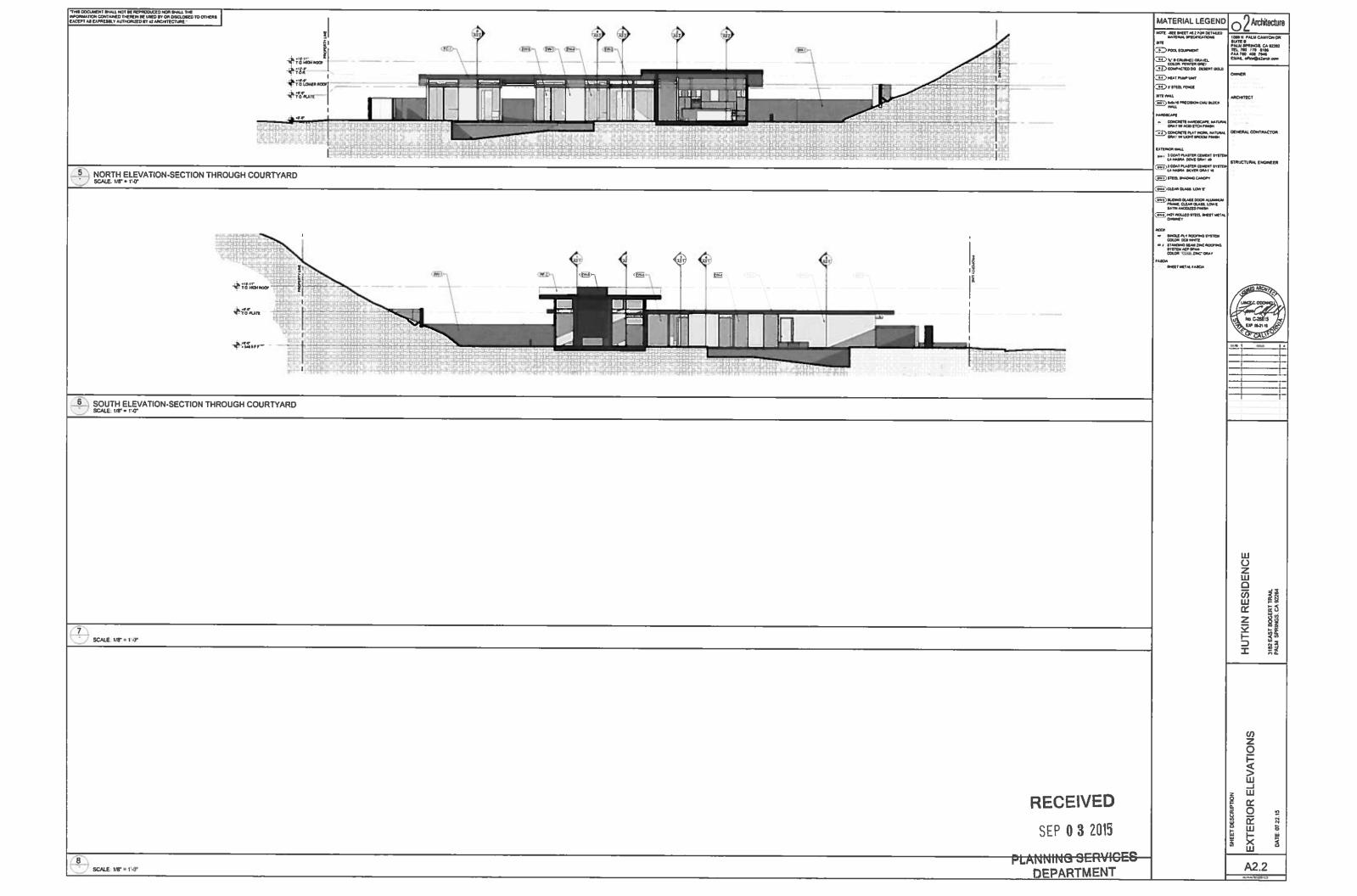
Member Hirschbein said he also supports the design and suggested the entry canopy should extend further.

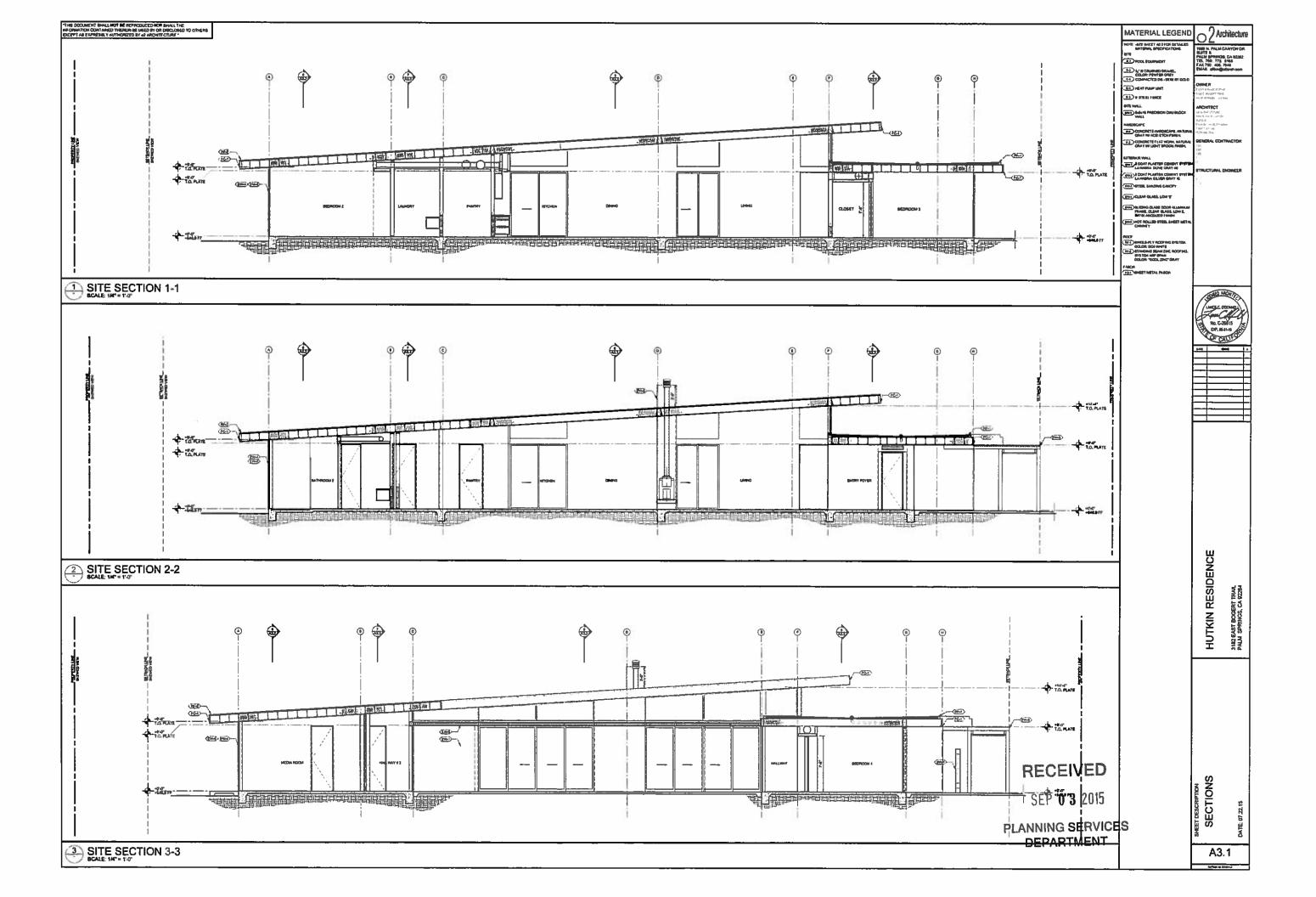
M/S/C (Fredricks/Fauber, 5-0-2 absent Purnel/Cassady) Approve, as presented.

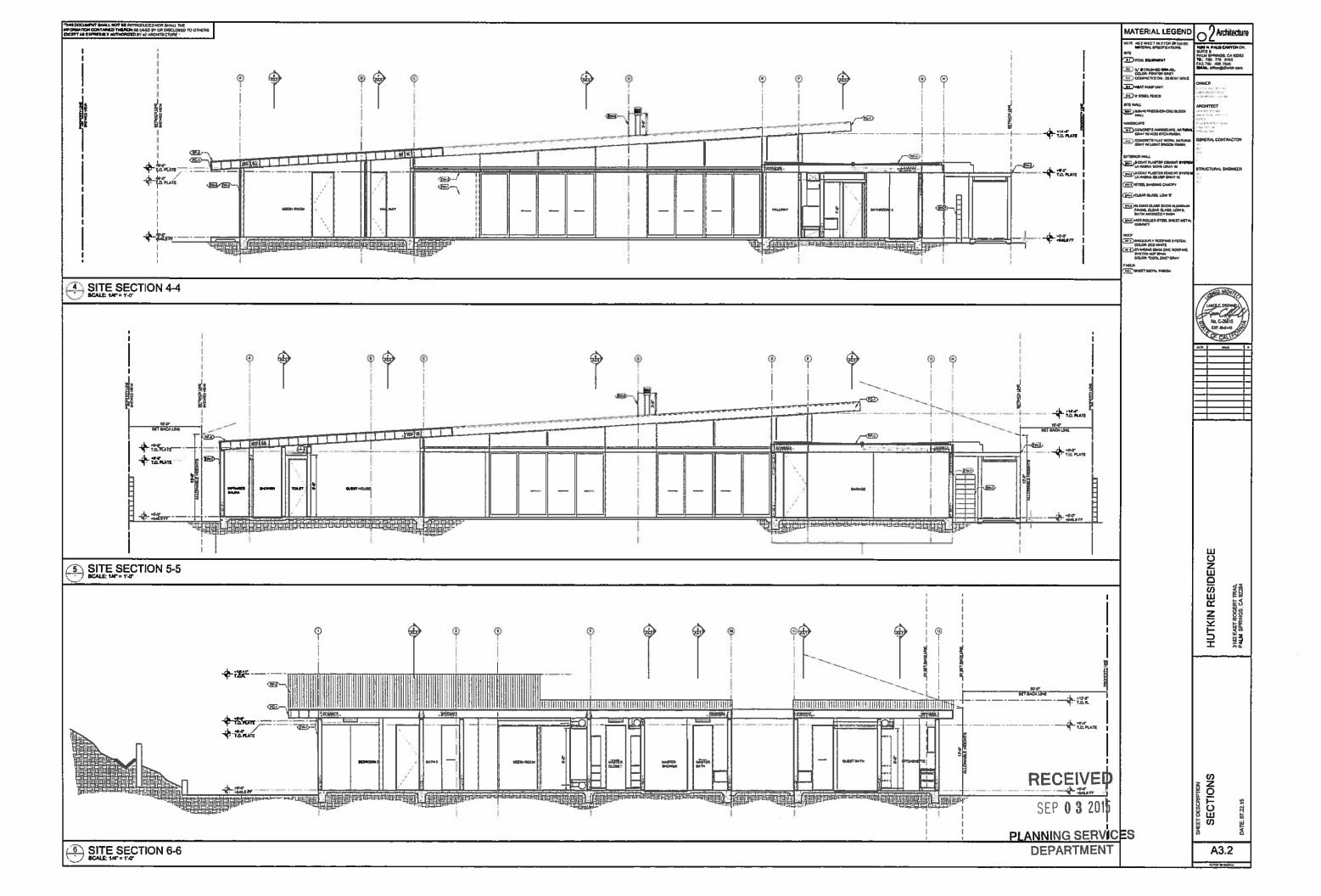


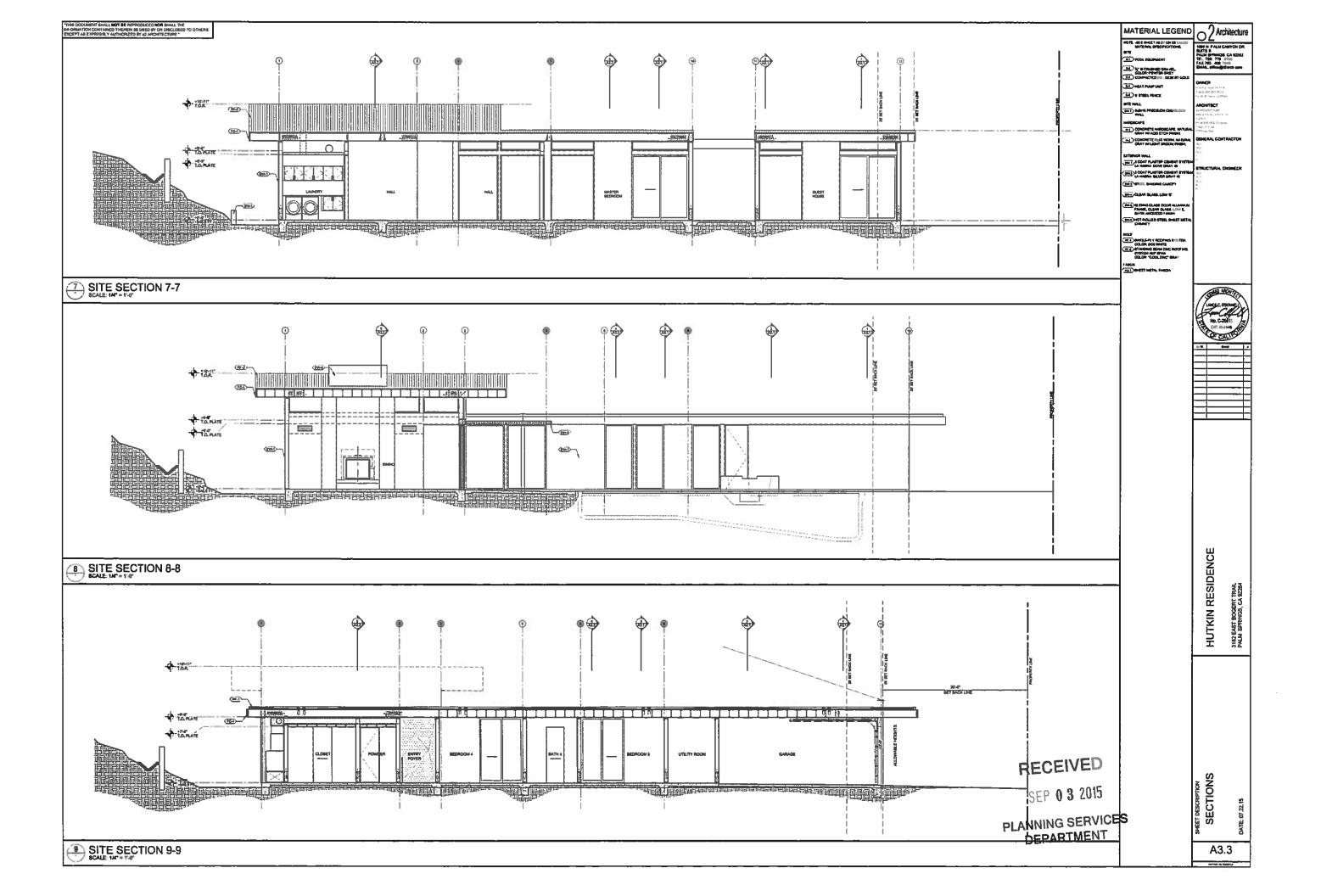
















MATERIAL LEGEND Architecture

SE HEAT FLAP LINET T STEEL FENCE



NORTH-EAST BIRD'S EYE VIEW SCALE: NOT TO SCALE







HUTKIN RESIDENCE

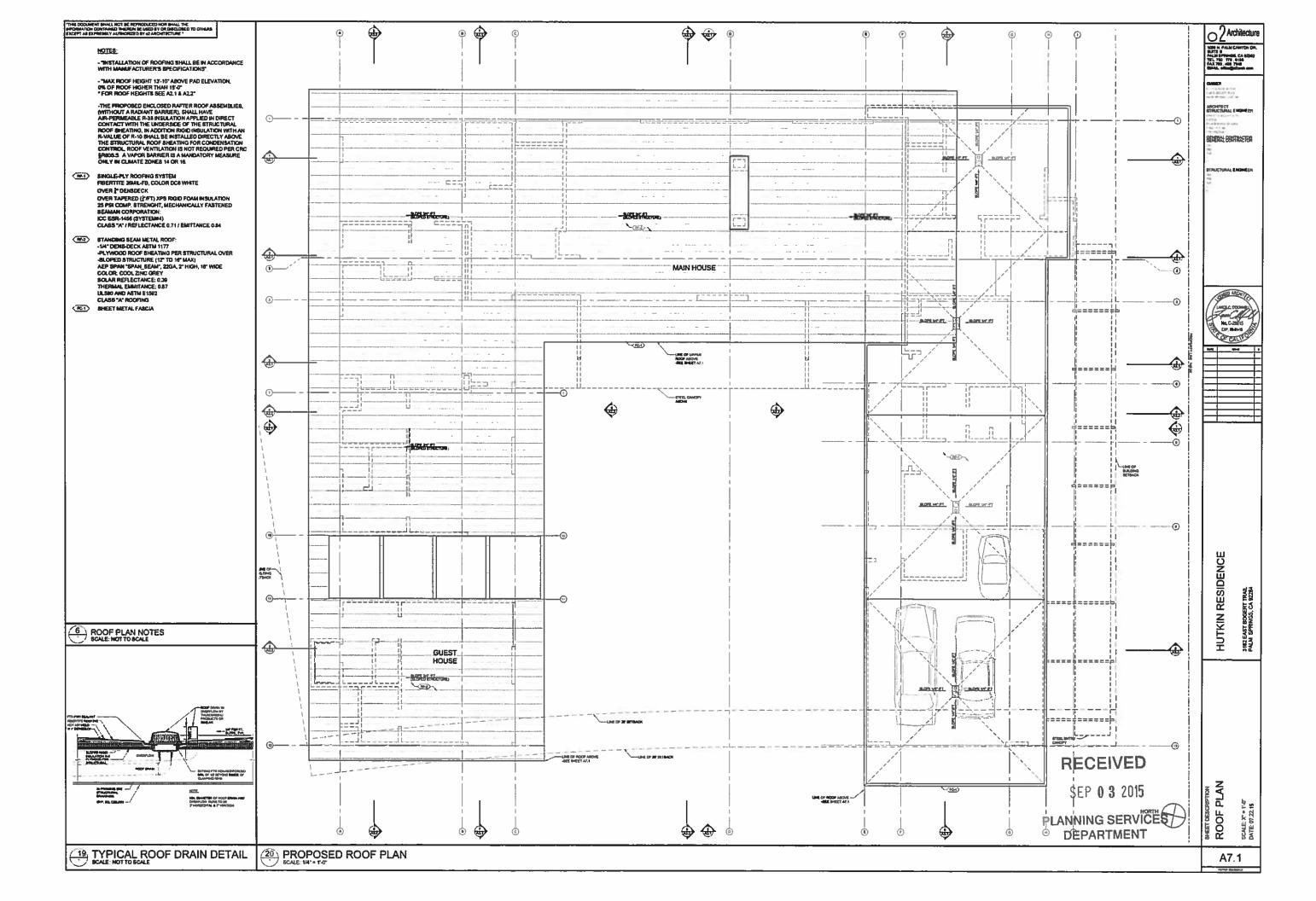
3162 EAST BOGERT TRAIL PALM SPRINGS, CA 92264

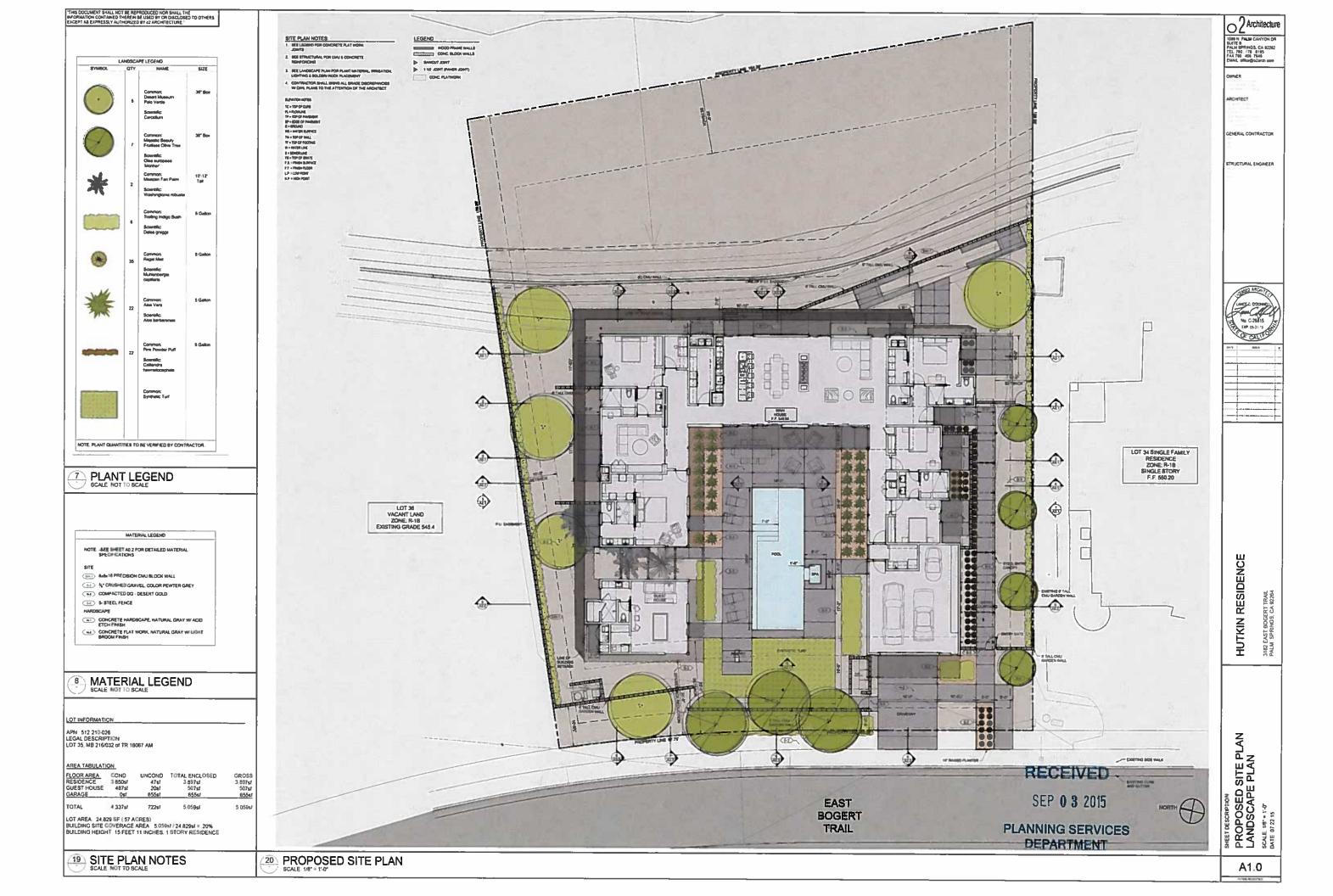
EXTERIOR PERSPECTIVE VIEWS

SOUTH-WEST BIRD'S EYE VIEW SCALE NOT TO SCALE

NORTH-WEST BIRD'S EYE VIEW SCALE NOT TO SCALE

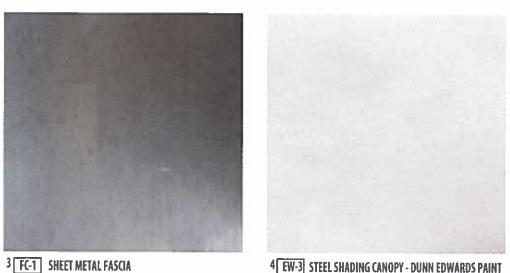
A3.4





0 0 0 8

South - East Bird's Eye View



4 EW-3 STEEL SHADING CANOPY - DUNN EDWARDS PAINT "COOL DECEMBER" DE6369



9 H-1 CONCRETE HARDSCAPE, NATURAL GRAY W/ACID ETCH FINISH



1 SW-1 ANGELUS 6"x8"x16" PRECISION CMU BLOCK STACKED BOND COLOR: CHARCOAL



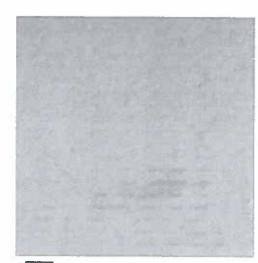
6 EW-5 SLIDING GLASS DOOR ALUMINUM FRAME, SATIN ANODIZED FINISH



11 S-2 3/8" CRUSHED GRAVEL, COLOR PEWTER GREY



² EW-1 3 COAT PLASTER CEMENT SYSTEM LA HABRA: DOVE GREY 40



7 RF-1 SINGLE-PLY ROOFING SYTEM COLOR: DC6 WHITE



12 5-3 COMPACTED DESERT GOLD - DG

1089 N. Palm Canyon Dr. suite_b Palm Springs_CA

tel. 760.778.8165 fax.760.406.7946

project title:

Hutkin Residence

address:

3182 E. Bogert Trail Palm Springs, CA 92264

sheet description:

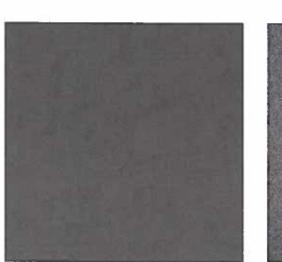
Materials Board

scale: N.T.S date: 07.22.2015

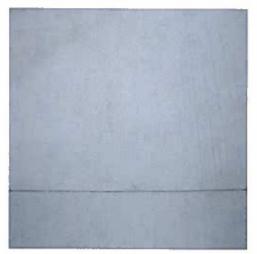
RECEIVED

SEP 0 3 2015

PLANNING SERVICES
DEPARTMENT



8 RF-Z STANDING SEAM ZINC ROOFING SYSTEM, AEP SPAN COLOR: 'COOL ZINC' GRAY



5 EW-4 CLEAR GLASS, LOW 'E'

10 H-2 CONCRETE FLAT WORK, NATURAL GRAY W/LIGHT BROOM FNISH