



## CITY COUNCIL STAFF REPORT

DATE: NOVEMBER 16, 2016 PUBLIC HEARING

SUBJECT: MODERN DEVELOPMENT LLC., FOR A TENTATIVE TRACT MAP (TTM 37039) FOR THE CONSTRUCTION OF AN EIGHT (8) UNIT CONDOMINIUM PROJECT LOCATED AT 155 WEST SAN RAFAEL DRIVE, ZONE R-2.

CASE: TTM 37039

FROM: David H. Ready, City Manager

BY: Department of Planning Services

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### SUMMARY

The City Council to review a request for a Tentative Tract Map resulting in one lot equaling 53,200-square feet for the purpose of an eight (8) unit condominium project consisting four (4) attached condominium units in two (2) buildings one-story in height to be called "The Collection @ San Rafael".

### RECOMMENDATION:

- 1) Open the public hearing and receive public testimony;
- 2) Adopt Resolution No. \_\_\_\_\_, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 37039 CREATING ONE (1) LOT EQUALING 53,200-SQUARE FEET FOR THE PURPOSE OF AN EIGHT (8) UNIT CONDOMINIUM PROJECT CONSISTING OF FOUR (4) ATTACHED CONDOMINIUM UNITS IN TWO (2) BUILDINGS ON COMMON GROUND LOCATED AT 155 WEST SAN RAFAEL ROAD, ZONE R-2, SECTION 4".

### PRIOR ACTIONS:

On September 14, 2016, the Planning Commission approved a Major Architectural Application to construct an eight-unit condominium complex with common outdoor

areas, off-street parking, and landscaping (Case 3.3930 MAJ); and recommend approval to City Council of the associated Tentative Tract Map (TTM 37039).

**BACKGROUND:**

| <b>Most Recent Ownership</b> |                    |
|------------------------------|--------------------|
| 12/15/2014                   | Modern Development |

| <b>Related Relevant City Actions</b> |   |
|--------------------------------------|---|
| 7/18/2016                            | AAC recommends approval to the Planning Commission subject to final review by a sub-committee regarding: <ol style="list-style-type: none"> <li>1. Paver material.</li> <li>2. Alternative to cultured stone material veneer.</li> <li>3. Study the window proportion on front elevations relative to new material.</li> </ol> Sub-Committee met and all issues have been resolved. |
| 9/14/2016                            | Planning Commission approves a Major Architectural Application (Case 3.3930) for the construction of an eight (8) unit condominium complex and recommended approval of a Tentative Tract Map to the City Council.   |

| <b>Field Check</b> |   |
|--------------------|---|
| July 2016          | Staff visited site to observe existing conditions |

| <b>Neighborhood Notification</b> |   |
|----------------------------------|---|
| 11/10/2016                       | Email notification sent to Racquet Club West Neighborhood Organization. |

| <b>Notification</b> |  |
|---------------------|--|
| 11/05/2016          | Notice sent to all property owners within 500 feet of subject site |

**DETAILS OF APPLICATION REQUEST:**

| <b>Site Area</b> |                    |
|------------------|--------------------|
| Net Area         | 53,200-square feet |

| <b>Surrounding Property</b> | <b>Existing General Plan Designations</b>      | <b>Existing Land Use</b>  | <b>Existing Zoning Designations</b> |
|-----------------------------|--|---------------------------|-------------------------------------|
| Subject Property            | MXD (Mixed-Use / Multi Use), 15 units per acre | Vacant                    | R-2 (Multi-Family Residential)      |
| North                       | MXD (Mixed-Use / Multi Use), 15 units per acre | Industrial                | M-1 (Industrial)                    |
| South                       | ER (Estate Residential), 2 Units per acre      | Single-Family Residential | R-1-A (Single-Family Residential)   |
| East                        | MXD (Mixed-Use / Multi Use), 15 units per acre | Vacant                    | R-2 (Multi-Family Residential)      |

|      |  |        |                                |
|------|--|--------|--------------------------------|
| West | MXD (Mixed-Use / Multi Use), 15 units per acre | Vacant | R-2 (Multi-Family Residential) |
|------|--|--------|--------------------------------|

|                            |                            |
|----------------------------|----------------------------|
| <b>Specific Plan Area</b>  | <b>Compliance</b>          |
| College Park Specific Plan | Yes (see discussion below) |

**DEVELOPMENT STANDARDS:**

Pursuant to Section 92.03.03 of the Palm Springs Zoning Code (PSZC) for the R-2 zone the following standards apply:

| <b>Standard</b>        | <b>Required/Allowed</b>                  | <b>Provided</b>                   | <b>Compliance</b> |
|------------------------|--|-----------------------------------|-------------------|
| Lot Area               | 20,000-square feet                       | 53,200-square feet                | Yes               |
| Lot Width              | 160 feet                                 | 266 feet                          | Yes               |
| Lot Depth              | 180 feet                                 | 200 feet                          | Yes               |
| Front Yard             | 15 feet                                  | 30 feet                           | Yes               |
| Side Yard              | 10 feet                                  | 23 feet                           | Yes               |
| Rear Yard              | 15 feet backing on R-1                   | 17'-6" feet                       | Yes               |
| Building Height (max.) | 15 feet backing on R-1                   | 13'-2" feet                       | Yes               |
| Bldg. Coverage         | 50% lot coverage                         | 36%                               | Yes               |
| Trash Enclosure        | Required                                 | 2 Trash Enclosures                | Yes               |
| Mech. Equip.           | Screened                                 | Ground Mount                      | Yes               |
| Parking                | 1.75 spaces per unit = 14 spaces + guest | 16 garage spaces + 4 guest spaces | Yes               |
| Perimeter Wall         | 6 feet masonry                           | 6 foot combination                | Yes               |

**ANALYSIS:**

The applicant is seeking approval for a Tentative Tract Map to one (1) lot equaling 53,200-square feet in size for the purpose of an eight (8) unit condominium project.

**Site Plan:**

The proposed site consists of two vacant lots to be merged into one 53,200-square foot parcel for the purpose of constructing eight (8) condominium units. The site is located at the intersection of North Indian Canyon Drive and West San Rafael Drive with one driveway providing access to all units. West San Rafael Drive is a semi-improved secondary thoroughfare and the project will require the half widening of the street, construction of curbs and gutters, and a sidewalk along the front of the parcel. The project backs up to R-1 zoned single-family residential one-story properties.

**FINDINGS:**

Findings are required for the proposed subdivision pursuant to Section 66474 of the California Subdivision Map Act. If any of these findings are not met, the City shall deny approval:

*a. That the proposed Tentative Parcel Map is consistent with all applicable general and specific plans.*

The TTM proposes one (1) lot equaling 52,200-square feet for the purpose of an eight (8) unit condominium project. The proposed development consists of eight (8) two bedroom units in two (2) attached buildings. The proposed use meets the density requirement for the Mixed Use/Multi-Use (MXD) land use designation consistent with the General Plan, in addition the proposed density meets the requirement in the College Park Specific Plan and this finding has been met.

*b. The design and improvements of the proposed Tentative Tract Map are consistent with the zone in which the property is located.*

The proposed subdivision is consistent with the R-2 zone in which the property is located. The Tentative Tract Map will consist of one lot equaling 53,200-square feet. The design of the proposed condominium development is consistent with the applicable zoning and the finding has been met.

*c. The site is physically suited for this type of development.*

The proposed development on a vacant flat lot will have access to a public street and will provide an appropriately scaled project that provides a transition from the industrial uses to the north and the low-density residential neighborhood to the south and generally conforms to the College Park Specific Plan by meeting the design guidelines for Planning Area 6 (PA-6). The site is physically suited for this type of development and the finding has been met.

*d. The site is physically suited for the proposed density of development.*

The proposed eight (8) unit condominium project on a 53,200-square foot lot is consistent with the allowable density of 15 dwelling units per acre in the MXD General Plan designation. In addition, the R-2 zone requires 3,000-square feet per dwelling unit which is within the zone density requirement.

*e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.*

The proposed Tentative Tract Map for the development of an 8-unit condominium complex is located on a flat semi graded lot surrounded by existing urban streets with adequate public utilities serving the lot. The surrounding development includes an industrial park,

condominiums, and single-family residences. The proposed 53,200-square foot site is not likely to cause environmental damage or substantially and unavoidably harm unique fish, wildlife, or their habitats.

*f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The design of the proposed condominium complex includes connections to all public utilities including water and sewer systems. The private driveways from West San Rafael Road will provide access to the subject lot. Pedestrian access will connect the condominiums to sidewalks along the secondary thoroughfare.

*g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.*

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

#### ENVIRONMENTAL DETERMINATION:

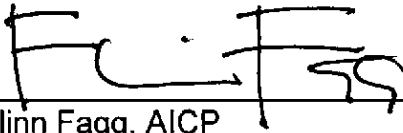
City Staff has evaluated the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project is categorically exempt from the requirements of CEQA pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines. The proposed project is categorically exempt because:

1. The project is consistent with the applicable general plan designation and applicable zoning designation;
2. The project is located within the city limits on sites of no more than five acres substantially surrounded by urban uses;
3. The project is not located on sites that have value as habitat for endangered, rare or threatened species;
4. The project will not result in any significant impacts relating to traffic, noise, air quality, or water quality; and
5. The project can be adequately served by all required utilities and public services.

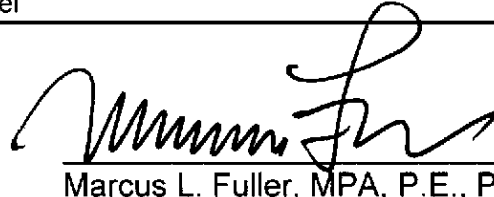
Accordingly, upon approval of this item, a Notice of Exemption will be prepared and filed with the Riverside County Clerk.

#### FISCAL IMPACT:

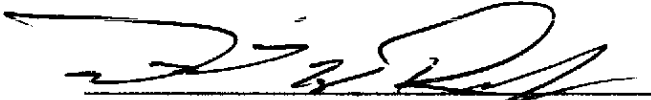
No fiscal impact.



Flinn Fagg, AICP  
Director of Planning Services



Marcus L. Fuller, MPA, P.E., P.L.S.  
Assistant City Manager/City Engineer



David H. Ready, Esq., Ph.D.  
City Manager

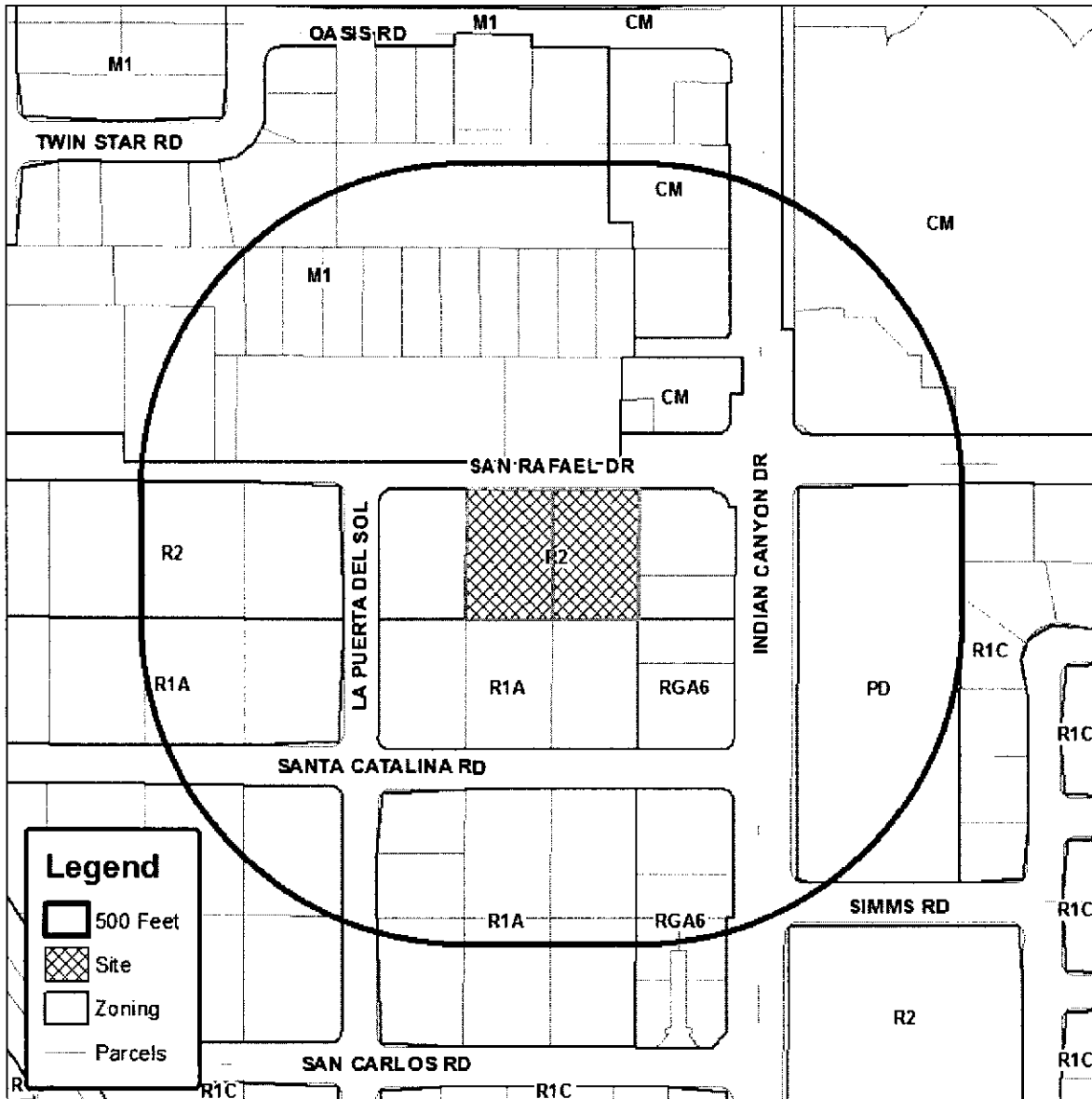
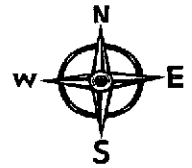
Attachments:

Attachments:

1. Vicinity Map
2. Draft Resolution
3. Planning Commission Resolution #6583
4. Conditions of Approval
5. Planning Commission Staff Report 9/14/2016
6. Planning Commission Minutes of Meeting 9/14/2016
7. Justification Letter
8. Site Photos
9. 3-D Perspective
10. Site/Landscape Plan
11. Building Elevations
12. Tentative Tract Map 37039



# Department of Planning Services Vicinity Map



**Legend**

- 500 Feet
- Site
- Zoning
- Parcels

CITY OF PALM SPRINGS

TTM 37039

155 West San Rafael Road

**CITY OF PALM SPRINGS  
PUBLIC NOTIFICATION**



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Date: November 16, 2016  
Subject: Modern Development – TTM 37039

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**AFFIDAVIT OF PUBLICATION**

I, Kathleen D. Hart, MMC, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on November 5, 2016.

I declare under penalty of perjury that the foregoing is true and correct.

Handwritten signature of Kathleen D. Hart in black ink.

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Kathleen D. Hart, MMC  
Chief Deputy City Clerk

**AFFIDAVIT OF POSTING**

I, Kathleen D. Hart, MMC, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk on November 2, 2016.

I declare under penalty of perjury that the foregoing is true and correct.

Handwritten signature of Kathleen D. Hart in black ink.

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Kathleen D. Hart, MMC  
Chief Deputy City Clerk

**AFFIDAVIT OF MAILING**

I, Kathleen D. Hart, MMC, Chief Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on November 2, 2016, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.  
(68 notices)

I declare under penalty of perjury that the foregoing is true and correct.

Handwritten signature of Kathleen D. Hart in black ink.

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Kathleen D. Hart, MMC  
Chief Deputy City Clerk



NOTICE OF PUBLIC HEARING  
CITY COUNCIL  
CITY OF PALM SPRINGS

TENTATIVE PARCEL MAP 37039  
155 WEST SAN RAFAEL ROAD  
Case TTM 37039

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of November 16, 2016. The City Council meeting begins at 6:00 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of the hearing is to consider an application by Modern Development for a Tentative Tract Map to create a one lot condominium map of eight (8) units. The project is located at 155 West San Rafael Road, Zone R-2, Section 4.

**ENVIRONMENTAL DETERMINATION:** The City has evaluated the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project is categorically exempt from the requirements of CEQA pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA guidelines.

**REVIEW OF PROJECT INFORMATION:** The staff report and other supporting documents regarding this project are available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m., Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

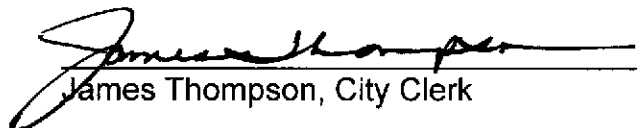
**COMMENT ON THIS APPLICATION:** Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by email at [cityclerk@palmspringsca.gov](mailto:cityclerk@palmspringsca.gov), or letter (for mail or hand delivery) to:

James Thompson, City Clerk  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior, to the public hearing. (Government Code Section 65009[b][2]).

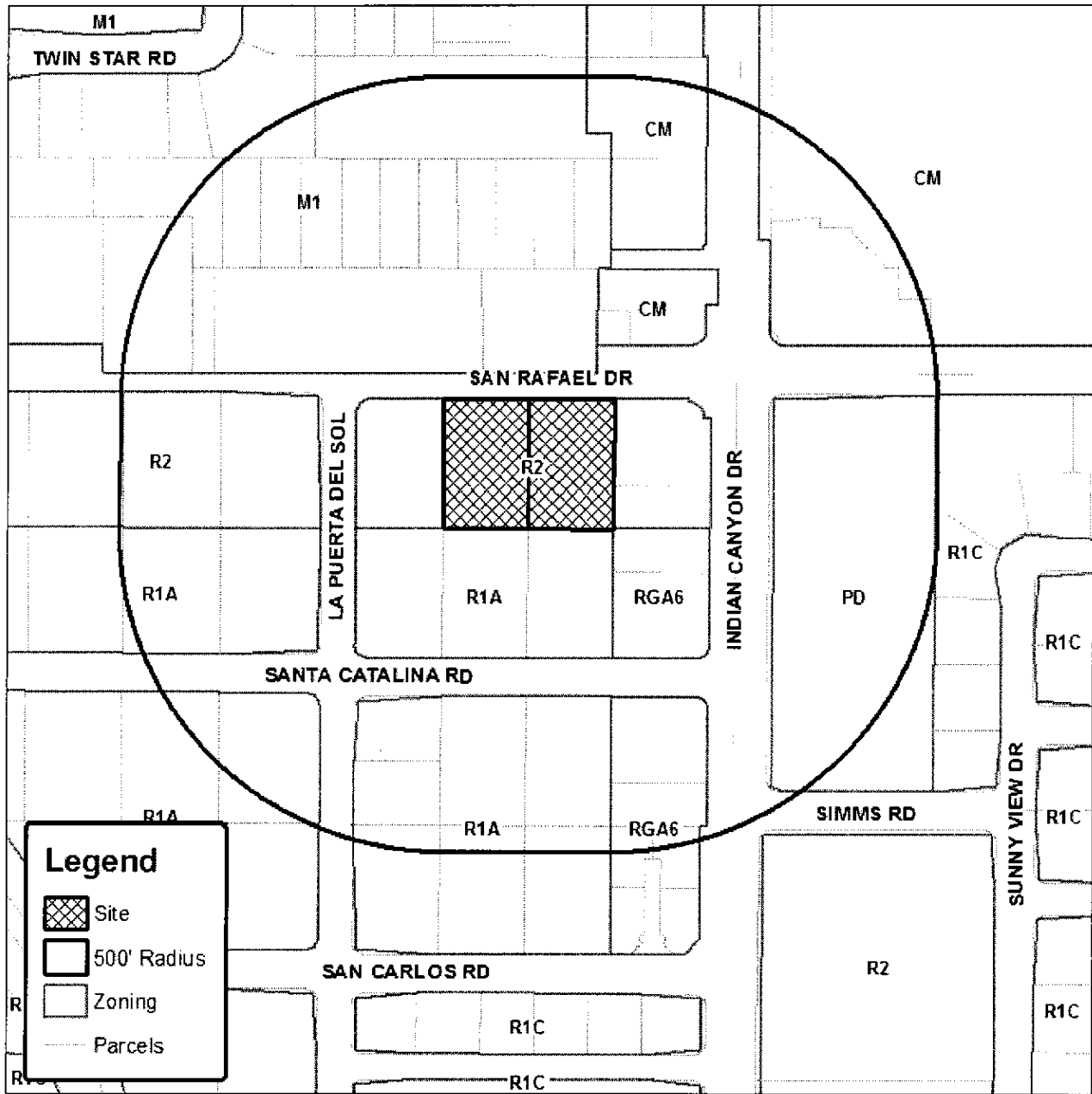
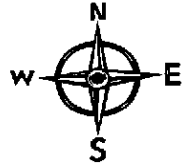
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Glenn Mlaker, Associate Planner, at (760) 323-8245 or [glenn.mlaker@palmspringsca.gov](mailto:glenn.mlaker@palmspringsca.gov).

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253 x 8742.

  
James Thompson, City Clerk



# Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING TENTATIVE TRACT MAP 37039, CREATING ONE (1) LOT EQUALING 53,200-SQUARE FEET FOR THE PURPOSE OF AN EIGHT (8) UNIT CONDOMINIUM PROJECT CONSISTING OF FOUR (4) ATTACHED CONDOMINIUM UNITS IN TWO (2) BUILDINGS ON COMMON GROUND LOCATED AT 155 WEST SAN RAFAEL ROAD, ZONE R-2, SECTION 4, APN 504-121-002 & -003.

THE CITY COUNCIL FINDS AND DETERMINES AS FOLLOWS:

A. Modern Development, ("Applicant") has filed an application with the City pursuant to Chapter 9.62 of the City's Municipal Code (Maps) and Section 66426 of the State of California Subdivision Map Act, for a Tentative Tract Map for condominium purposes located at 155 West San Rafael Road, Zone R-2, Section 4 ("TTM 37039").

B. On September 14, 2016, the Planning Commission held a public hearing on the application to consider TTM 37039 in accordance with applicable law, and after carefully review and consideration of all evidence presented in connection with the hearing on the matter, including but limited to the staff report, and all written and oral testimony presented and voted 6-0-1 to recommend approval to the City Council.

C. A notice of public hearing of the City Council of the City of Palm Springs to consider TTM 37039 was given in accordance with applicable law.

D. On November 16, 2016, the City Council held a public hearing to consider TTM 37039 in accordance with applicable law.

E. The City Council has carefully reviewed and considered all of the evidence presented in connection with the meetings on the proposed project, including but not limited to the staff report, and all written and oral testimony presented and finds that the proposed project complies with the requirements of Chapter 9.62 of the City's Municipal Code (Maps) and Section 66426 of the State of California Subdivision Map Act.

F. Pursuant to Municipal Code Chapter 9.64 (Maps) and the State of California Subdivision Map Act Section 66474, the City Council finds as follows:

*a. That the proposed Tentative Parcel Map is consistent with all applicable general and specific plans.*

The TTM proposes one (1) lot equaling 53,200-square feet for the purpose of an

eight (8) unit condominium project. The proposed development consists of eight (8) two bedroom units in two (2) attached buildings. The proposed use meets the density requirement for the Mixed Use/Multi-Use (MXD) land use designation consistent with the General Plan, in addition the proposed density meets the requirement in the College Park Specific Plan and this finding has been met.

*b. The design and improvements of the proposed Tentative Tract Map are consistent with the zone in which the property is located.*

The proposed subdivision is consistent with the R-2 zone in which the property is located. The Tentative Tract Map will consist of one lot equaling 53,200-square feet. The design of the proposed condominium development is consistent with the applicable zoning and the finding has been met.

*c. The site is physically suited for this type of development.*

The proposed development on a vacant flat lot will have access to a public street and will provide an appropriately scaled project that provides a transition from the industrial uses to north and the low-density residential neighborhood to the south and generally conforms to the College Park Specific Plan by meeting the design guidelines for Planning Area 6 (PA-6). The site is physically suited for this type of development and the finding has been met.

*d. The site is physically suited for the proposed density of development.*

The proposed eight (8) unit condominium project on a 53,200-square foot lot is consistent with the allowable density of 6.1 – 15 dwelling units per acre in the MXD General Plan designation. In addition, the R-2 zone requires 3,000-square feet per dwelling unit which is within the zone density requirement.

*e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.*

The proposed Tentative Tract Map for the development of an 8-unit condominium complex is located on a flat semi graded lot surrounded by existing urban streets with adequate public utilities serving the lot. The surrounding development includes an industrial park, condominiums, and single-family residences. The proposed 53,200-square foot site is not likely to cause environmental damage or substantially and unavoidably harm unique fish, wildlife, or their habitats.

*f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The design of the proposed condominium complex includes connections to all

public utilities including water and sewer systems. The private driveways from West San Rafael Road will provide access to the subject lot. Pedestrian access will connect the condominiums to sidewalks along the secondary thoroughfare.

*g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.*

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS RESOLVES AS FOLLOWS:

#### SECTION 1. CEQA

City Staff has evaluated the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project is categorically exempt from the requirements of CEQA pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines. The proposed project is categorically exempt because:

1. The project is consistent with the applicable general plan designation and applicable zoning designation;
2. The project is located within the city limits on sites of no more than five acres substantially surrounded by urban uses;
3. The project is not located on sites that have value as habitat for endangered, rare or threatened species;
4. The project will not result in any significant impacts relating to traffic, noise, air quality, or water quality; and
5. The project can be adequately served by all required utilities and public services.

Accordingly, upon approval of this item, a Notice of Exemption will be prepared and filed with the Riverside County Clerk.

#### SECTION 2. Tentative Tract Map

The City Council hereby approves Tentative Tract Map 37039 for one (1) lot equaling 53,200-square feet for the purpose of an eight (8) unit condominium project consisting of four attached condominium units in two buildings on common ground located at 155 West San Rafael Road subject to the conditions of approval attached herein as Exhibit "A".

ADOPTED this 16th day of November, 2016.

\_\_\_\_\_  
David H. Ready, City Manager

ATTEST:

\_\_\_\_\_  
James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PALM SPRINGS )

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. \_\_\_\_\_ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
James Thompson, City Clerk  
City of Palm Springs, California

file

RESOLUTION NO. 6583

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION (CASE NO. 3.3930 MAJ); AND A TENTATIVE TRACT MAP (TTM 37039) FOR THE CONSTRUCTION OF AN EIGHT (8) UNIT CONDOMINIUM PROJECT LOCATED AT 155 WEST SAN RAFAEL DRIVE, ZONE R-2, SECTION 4. (CASES 3.3930 MAJ; 37039 TTM)

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

A. Modern Development, ("Applicant") has filed an application with the City pursuant to Section 94.04.00 of the Zoning Ordinance for the construction of an eight (8) unit condominium complex; and pursuant to Chapter 9.62 of the City's Municipal Code (Maps) and Section 66426 of the State of California Subdivision Map Act, for a Tentative Tract Map for condominium purposes located at 155 West San Rafael Road, Zone R-2, Section 4 (Project).

B. On July 18, 2016, the Architectural Advisory Committee voted 6-0 to recommend approval of the Project subject to final review by a sub-committee with the following comments:

1. Provide paver color and material.
2. Find alternative to façade stone veneer material.
3. Revise side elevation window proportions.

C. A notice of public hearing of the Planning Commission of the City of Palm Springs to consider Cases 3.3930 MAJ and TTM 37039 was given in accordance with applicable law.

D. On September 14, 2016, the Planning Commission held a public hearing was held on the application to consider Cases 3.3930 MAJ and TTM 37039 in accordance with applicable law.

E. The City has evaluated the Project for compliance with the California Environmental Quality Act (\*CEQA) and has determined that the Project is categorically exempt from the requirements of CEQA pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA guidelines.

And,

The proposed Project is categorically exempt because:

1. The Project is consistent with the applicable general plan designation and applicable zoning designation,

2. The Project is located within the city limits on sites of no more than five acres substantially surrounded by urban uses.
3. The Project is not located on sites that have value as habitat for endangered, rare or threatened species;
4. The Project will not result in any significant impacts relating to traffic, noise, air quality, or water quality; and
5. The Project can be adequately served by all required utilities and public services.

Accordingly, upon approval of this item, a Notice of Exemption will be prepared and filed with the Riverside County Clerk.

F. 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.

G. Pursuant to Section 94.04.00 of the Palm Springs Zoning Code, the Planning Commission finds:

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 proposed site consists of two vacant lots to be merged into one 53,200-square foot parcel for the purpose of constructing eight (8) condominium units in two (2) buildings. The site will have direct access from West San Rafael Road which is a secondary thoroughfare with one driveway leading to four (4) attached condominium units in two buildings. West San Rafael Road is a semi-improved street and the Project will require the half widening of the road, construction of curbs and gutters, and a sidewalk along the front of the parcel. The main driveway is not gated and will provide access to garages for each unit.

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 proposed development will be setback thirty (30) feet from the front property line with two landscaped water retention ponds on either side of the entry driveway. The Project backs up to R-1 zoned single-family residential one-story properties and will be sympathetic to the surrounding residential neighborhood by having a 17'-6" rear yard setback and one-story in height. The development will provide a



transition from the industrial uses present along the north side of West San Rafael Drive and the low density residential properties to the south.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens towers or signs) and effective concealment of all mechanical equipment;*

The proposed development will be one-story with a maximum height of 13'-11" to the top of the building parapet. The building setbacks are consistent and conform to the R-2 zone development standards. The adjacent properties immediately to the south are low density one-story single-family residences. The parcels across West San Rafael Drive are one-story industrial buildings containing a mix of auto related and warehouse uses. "The Collection @ San Rafael" as proposed will provide an appropriately scaled project that provides a transition from the industrial uses to the low-density residential neighborhood and generally conforms to the College Park Specific Plan.

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,*

Building materials will include stucco walls painted "Dove Grey" for the main body and "Fallbrooke" beige color for accents, and grey block veneer on the front and side facades, and ash grey block walls separating the units. The garage doors will be anodized aluminum door frames with a tinted grey glass finish. Other building materials include aluminum window frames in a bright silver color, galvanized metal roof flashing; and corrugated metal steel roofs as patio covers. The design of the four unit buildings includes a series of garage doors fronting the access driveway with entry doors setback.

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 landscape plan for the area fronting West San Rafael Drive will contain two storm water retention basins on both sides of the complex entry driveway. This

landscaped area will include palm trees at 10 feet tall, agave, yucca, ocotillo, lantana, and cactus. The project will provide proper irrigation techniques to allow plants to continue in a thriving and lush state. The complex interior will include a mixture of plants found at the entryway with the addition to several 36" box Desert Museum trees. All ground cover will include boulders, rubble, and two shades of decomposed granite in brown colors. The individual driveways will be constructed of acid washed concrete in a grey color.

H. Pursuant to Municipal Code Chapter 9.64 (Maps) and the State of California Subdivision Map Act Section 66474, the City Council finds as follows:

*a. That the proposed Tentative Parcel Map is consistent with all applicable general and specific plans.*

The TTM proposes one (1) lot equaling 52,200-square feet for the purpose of an eight (8) unit condominium project. The proposed development consists of eight (8) two bedroom units in two (2) attached buildings. The proposed use meets the density requirement for the Mixed Use/Multi-Use (MXD) land use designation consistent with the General Plan, in addition the proposed density meets the requirement in the College Park Specific Plan and this finding has been met.

*b. The design and improvements of the proposed Tentative Tract Map are consistent with the zone in which the property is located.*

The proposed subdivision is consistent with the R-2 zone in which the property is located. The Tentative Tract Map will consist of one lot equaling 53,200-square feet. The design of the proposed condominium development is consistent with the applicable zoning and the finding has been met.

*c. The site is physically suited for this type of development.*

The proposed development on a vacant flat lot will have access to a public street and will provide an appropriately scaled project that provides a transition from the industrial uses to north and the low-density residential neighborhood to the south and generally conforms to the College Park Specific Plan by meeting the design guidelines for Planning Area 6 (PA-6). The site is physically suited for this type of development and the finding has been met.

*d. The site is physically suited for the proposed density of development.*

The proposed eight (8) unit condominium project on a 53,200-square foot lot is consistent with the allowable density of 6.1 – 15 dwelling units per acre in the MXD General Plan designation. In addition, the R-2 zone requires 3,000-square feet per

dwelling unit which is within the zone density requirement.

*e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.*

The proposed Tentative Tract Map for the development of an 8-unit condominium complex is located on a flat semi graded lot surrounded by existing urban streets with adequate public utilities serving the lot. The surrounding development includes an industrial park, condominiums, and single-family residences. The proposed 53,200-square foot site is not likely to cause environmental damage or substantially and unavoidably harm unique fish, wildlife, or their habitats.

*f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The design of the proposed condominium complex includes connections to all public utilities including water and sewer systems. The private driveways from West San Rafael Road will provide access to the subject lot. Pedestrian access will connect the condominiums to sidewalks along the secondary thoroughfare.

*g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.*

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

THE PLANNING COMMISSION RESOLVES:

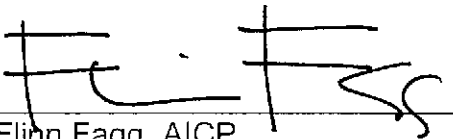
Based upon the foregoing, the Planning Commission hereby approves Case 3.930 MAJ for a Major Architectural Application for the construction of an 8-unit condominium complex, and Tentative Tract Map 37039 for condominium purposes located at 155 West San Rafael Road subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 14th day of September, 2016.

AYES: 6, Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Middleton, Commissioner Hudson, Vice-Chair Weremiuk, Chair Calerdine  
NOES: None.  
ABSENT: 1, Commissioner Lowe  
ABSTAIN: None.

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA



Flihn Fagg, AICP  
Director of Planning Services

RESOLUTION NO. 6583

EXHIBIT A

Major Architectural 3.3930 MAJ  
Tentative Tract Map 37039 TTM

Eight-Unit Condominium Complex located at  
155 West San Rafael Road

September 14, 2016

**CONDITIONS OF APPROVAL**

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

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

**ADMINISTRATIVE CONDITIONS**

- ADM 1. Project Description. This approval is for the project described per Case 3.3930 MAJ and TTM 37039;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped September 1, 2016, 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. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of

Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 3.3973 MAJ. 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 Approval. Approval of the Major Architectural Application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and

approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- 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).
- ADM 11. Comply with City Noise Ordinance. This use 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. CC&R's The applicant prior to issuance of building permits shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. These CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances.
- ADM 13. CC&R's. Prior to recordation of a final Tentative Tract Map or issuance of building permits, the applicant shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. The draft CC&R package shall include:
- a. The document to convey title
  - b. Deed restrictions, easements, of Covenant Conditions and Restrictions to be recorded.
  - c. Provisions for joint access to the proposed parcels, and any open space restrictions.

d. A provision, which provides that the CC&R's may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

Approved CC&R's are to be recorded following approval of the final map. The CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances,

ADM 14. CC&R's Deposits & Fees. The applicant shall submit to the City of Palm Springs, a deposit in the amount of \$3,500, for the review of the CC&R's by the City Attorney. A \$675 filing fee shall also be paid to the City Planning Department for administrative review purposes.

ADM 15. CC&R's Noise Disclosure. The CC&R's shall have a disclosure statement regarding the location of the project relative to roadway noise, City special events, roadway closures for special events and other activities which may occur in the Central Business District, Desert Museum and Desert Fashion Plaza. Said disclosure shall inform perspective buyers about traffic, noise and other activities which may occur in this area.

ADM 16. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

## **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. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at [www.dfg.ca.gov](http://www.dfg.ca.gov) for more information.



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

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

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

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

## **PLANNING DEPARTMENT CONDITIONS**

PLN 1. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.

- PLN 2. 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. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.
- PLN 4. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 5. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 6. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 7. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 8. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.
- PLN 9. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 10. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

- PLN 11. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.
- PLN 12. Notice to future buyers on views. All prospective buyers of units shall be notified that there are no written or implied rights to the preservation of scenic views from the parcel.
- PLN 13. Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Department which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approved tentative map:
- a. The document to convey title.
  - b. Deed restrictions, easements, covenant conditions and restrictions that are to be recorded.
  - c. The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for joint access to the proposed parcels and open space restrictions. The approved documents shall contain a provision which provides that they may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

#### **POLICE DEPARTMENT CONDITIONS**

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

#### **BUILDING DEPARTMENT CONDITIONS**

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

#### **FIRE DEPARTMENT CONDITIONS**

- FID 1. These conditions are subject to final plan check and review. Initial Fire Department conditions have been determined from the plans received and dated January 19, 2016. 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. No deferred submittals accepted.

**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.

FID 4. 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. Conditions of Approval** – “Conditions of Approval” received from the Palm Springs Planning Department must be submitted with each plan set. Failure to submit will result in a delay of plan approval.

**FID 5. Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW)

and shall be surfaced so as to provide all-weather driving capabilities.

- Entire access road meets fire lane requirements – signage and/or curb markings required
- No street parking allowed on either side, or within fire department turnaround
- Hammerhead turnaround does not meet Palm Springs requirements

FID 6. **Traffic Calming Devices (CFC 503.4.1):** Traffic calming devices shall be prohibited unless approved by the fire code official.

FID 7. **Operational Fire Hydrant(s) (CFC 507.1, 507.5 & C105.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided.

Maximum distance from any point on street frontage to a public hydrant – 200 feet (reduced from 250' due to dead-end street).

Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction and shall be serviceable prior to and during construction

FID 8. **NFPA 13R 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 13R, 2013 Edition, as modified by local ordinance. Shall comply with Palm Springs Fire Code Appendix L.

FID 9 **Single- and Multiple-Station Smoke Alarms (CFC 907.2.11):** Listed single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.4 and NFPA 72.

- Exception: For Group R occupancies. A fire alarm system with smoke detectors located in accordance with this section may be installed in lieu of smoke alarms. Upon actuation of the detector, only those notification appliances in the dwelling unit or guest room where the detector is actuated shall activate.

FID 10 **Audible Residential Water Flow Alarms - NFPA 13R 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.

## 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. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. Master planned roadways (San Rafael) shall be improved to the *College Park Specific Plan* design standards on and adjacent to the site, as generally identified herein, or to alternative design standards proposed by the applicant and approved by the City.

#### SAN RAFAEL DRIVE

- ENG 4. Dedicate an additional 4 feet to provide the ultimate half street right-of-way width of 44 feet along the entire frontage.
- ENG 5. Construct a 6 inch curb and gutter, 32 feet south of centerline along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 6. Construct a 28 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the driveway approach shall be located 297 feet east from the centerline of La Puerta Del Sol.
- ENG 7. Construct a 5 feet wide sidewalk 2' to 3' feet behind the curb along the entire frontage in accordance with the *College Park Specific Plan* and the City of Palm Springs Standard Drawing No. 210.
- ENG 8. Construct a Type C curb ramp meeting current California State Accessibility standards on each side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 214. The applicant shall ensure that an appropriate path of travel, meeting ADA

guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

ENG 9. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to clean sawcut edge of pavement along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 110. (Additional pavement removal and replacement may be required upon review of existing pavement cross-sections, and to ensure grade breaks of the pavement cross-section do not occur within a travel lane.) If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 10. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### ON-SITE

ENG 11. The minimum pavement section for all on-site pavement (specify drive aisles, parking spaces, etc.) shall be 2-1/2 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 12. All on-site drive aisles shall be two-way with a minimum 28 feet wide travelway (as measured from face of curb) where no on-street parking is proposed.

ENG 13. On-site drive aisles (or parking lot) shall be constructed with curbs, gutters, and cross-gutters, as necessary to accept and convey street surface drainage of the on-site streets to the on-site drainage system, in accordance with applicable City standards.

- ENG 14. Parking shall be restricted along both sides of the 28 feet wide drive aisles. Regulatory Type R26 "No Parking" signs or red curb shall be installed along the drive aisles as necessary to enforce parking restrictions. A Home Owners Association shall be responsible for regulating and maintaining required no parking restrictions, which shall be included in Covenants, Conditions, and Restrictions required for the development.

#### SANITARY SEWER

- ENG 15. All on-site sewer systems shall be privately maintained by a Home Owners Association (HOA). Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.
- ENG 16. All on-site sewer systems shall be privately maintained by the Commercial Shopping Center. Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.
- ENG 17. If an on-site private sewer system is proposed to collect sewage from the development and connect to the existing public sewer system, sewer plans shall be submitted to the Engineering Division for review and approval. Private on-site sewer mains for residential projects shall conform to City sewer design standards, including construction of 8 inch V.C.P. sewer main and standard sewer manholes. Sewer manhole covers shall be identified as "Private Sewer". A profile view of the on-site private sewer mains is not necessary if sufficient invert information is provided in the plan view, including elevations with conflicting utility lines. Plans for sewers other than the private on-site sewer mains, i.e. building sewers and laterals from the buildings to the on-site private sewer mains, are subject to separate review and approval by the Building Division.

#### GRADING



ENG 18. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

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 has 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; a copy of the associated Hydrology Study and a copy of the project-specific Water Quality Management Plan.

ENG 19. Prior to approval of 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](mailto: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 20. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 21. Temporary dust control 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 22. 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 23. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 24. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 25. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 26. The applicant shall provide pad (or finish floor) elevation certifications for all building (or structure) pads in conformance with the approved grading plan (if required), to the Engineering Division prior to construction of any building (or structure) foundation.

- ENG 27. 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).

#### WATER QUALITY MANAGEMENT PLAN

- ENG 28. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).
- ENG 29. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from within the underground parking garage and the on-site private drive aisles. Direct release of nuisance water to adjacent public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- a. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk

Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.

b. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall:

c. Demonstrate that all structural BMPs have been constructed and installed in conformance with approved plans and specifications;

d. Demonstrate that applicant is prepared to implement all non-structural BMPs included in the approved Final Project-Specific Water Quality Management Plan (WQMP), conditions of approval, or grading/building permit conditions; and

e. Demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

## DRAINAGE

ENG 30. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. On-site open space, in conjunction with dry wells and other subsurface solutions

should be considered as alternatives to using landscaped parkways for on-site retention.

ENG 31. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$ 6511.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

ENG 32. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.

#### GENERAL

ENG 33. 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, Mission Springs Water District, 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 34. All proposed utility lines shall be installed underground.

ENG 35. In accordance with Chapter 8.04.401 of the City of Palm Springs Municipal Code, all existing and proposed electrical lines of thirty-five thousand volts or less and overhead service drop conductors, and all gas, telephone, television cable service, and similar service wires or lines, which are on-site, abutting, and/or transecting, shall be installed underground unless specific restrictions are shown in General Orders 95 and 128 of the California Public Utilities Commission, and service requirements published by the utilities. The existing overhead utilities across the south and east property lines meet the requirement to be installed underground. The applicant is advised to investigate the nature of these utilities, the

availability of undergrounding these utilities with respect to adjacent and off-site properties, and to present its case for a waiver of the Municipal Code requirement, if appropriate, to the Planning Commission and/or City Council as part of its review and approval of this project.

If utility undergrounding is deferred in accordance with specific direction by the Planning Commission and/or City Council, the record property owner shall enter into a covenant agreeing to underground all of the existing overhead utilities required by the Municipal Code in the future upon request of the City of Palm Springs City Engineer at such time as deemed necessary. The covenant shall be executed and notarized by the property owner and submitted to the City Engineer prior to issuance of a grading permit. A current title report; or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A covenant preparation fee in effect at the time that the covenant is submitted shall be paid by the developer prior to issuance of any grading or building permits.

- ENG 36. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 37. Upon approval of any improvement plan (if required) 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 by the City Engineer.
- ENG 38. 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 39. 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 40. 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.

ENG 41. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation Fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

MAP

ENG 42. The developer shall apply for an annexation to the City of Palm Springs Community Facilities District established for public safety services and submit required applications, waivers, and consent forms to the annexation prior to approval of a final map. Payment of an annexation fee (\$7,500) and shall be made at the time of the application.

ENG 43. A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.

ENG 44. A copy of draft Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations. The CC&R's shall be approved by the City Attorney prior to approval of the Final Map by the City Council, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.

ENG 45. Upon approval of a final map, the final map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file, DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing

exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

- ENG 46. Acceptance of public improvements required of this development shall be completed by resolution of the City Council to release the faithful performance bond and acceptance of replacement maintenance bond to be held for one year. An inspection will be performed nine months after said acceptance as part of the notice of completion process, a notice of completion will be filed certifying the improvements are complete.

#### TRAFFIC

- ENG 47. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel. Minimum clearance on public sidewalks shall be provided by either an additional dedication of a sidewalk easement (if necessary)) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the frontage of the subject property.
- ENG 48. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 49. 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 50. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

**END OF CONDITIONS**



RESOLUTION NO.

EXHIBIT A

Tentative Tract Map 37039 TTM

Eight-Unit Condominium Complex located at  
155 West San Rafael Road

November 16, 2016

**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 TTM 37039;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped September 1, 2016, 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. 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 TTM 37039. 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 Approval. Approval of the Major Architectural Application (MAJ) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and

approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- 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).
- ADM 11. Comply with City Noise Ordinance. This use 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. CC&R's The applicant prior to issuance of building permits shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. These CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances.
- ADM 13. CC&R's. Prior to recordation of a final Tentative Tract Map or issuance of building permits, the applicant shall submit a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning for approval in a format to be approved by the City Attorney. The draft CC&R package shall include:
- a. The document to convey title
  - b. Deed restrictions, easements, of Covenant Conditions and Restrictions to be recorded.
  - c. Provisions for joint access to the proposed parcels, and any open space restrictions.

d. A provision, which provides that the CC&R's may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

Approved CC&R's are to be recorded following approval of the final map. The CC&R's may be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances,

- ADM 14. CC&R's Deposits & Fees. The applicant shall submit to the City of Palm Springs, a deposit in the amount of \$3,500, for the review of the CC&R's by the City Attorney. A \$675 filing fee shall also be paid to the City Planning Department for administrative review purposes.
- ADM 15. CC&R's Noise Disclosure. The CC&R's shall have a disclosure statement regarding the location of the project relative to roadway noise, City special events, roadway closures for special events and other activities which may occur in the Central Business District, Desert Museum and Desert Fashion Plaza. Said disclosure shall inform perspective buyers about traffic, noise and other activities which may occur in this area.
- ADM 16. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.

## **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. California Fish & Game Fees Required. The project is required to pay a fish and game impact fee as defined in Section 711.4 of the California Fish and Game Code. This CFG impact fee plus an administrative fee for filing the action with the County Recorder shall be submitted by the applicant to the City in the form of a money order or a cashier's check payable to the Riverside County Clerk prior to the final City action on the project (either Planning Commission or City Council determination). This fee shall be submitted by the City to the County Clerk with the Notice of Determination. Action on this application shall not be final until such fee is paid. The project may be eligible for exemption or refund of this fee by the California Department of Fish & Game. Applicants may apply for a refund by the CFG at [www.dfg.ca.gov](http://www.dfg.ca.gov) for more information.

- ENV 3. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.
- ENV 4. Cultural Resource Site Monitoring. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)
- a). A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.
  - b). Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

#### **PLANNING DEPARTMENT CONDITIONS**

- PLN 1. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.

- PLN 2. 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. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. The applicant shall submit a sign program to the Department of Planning Services prior to the issuance of building permits.
- PLN 4. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 5. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 6. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 7. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 8. Pool Enclosure Approval Required. Details of fencing or walls around pools (material and color) and pool equipment areas shall be submitted for approval by the Planning Department prior to issuance of Building Permits.
- PLN 9. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 10. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

- PLN 11. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.
- PLN 12. Notice to future buyers on views. All prospective buyers of units shall be notified that there are no written or implied rights to the preservation of scenic views from the parcel.
- PLN 13. Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Department which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approved tentative map:
- a. The document to convey title.
  - b. Deed restrictions, easements, covenant conditions and restrictions that are to be recorded.
  - c. The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for joint access to the proposed parcels and open space restrictions. The approved documents shall contain a provision which provides that they may not be terminated or substantially amended without the consent of the City and the developer's successor-in-interest.

#### **POLICE DEPARTMENT CONDITIONS**

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

#### **BUILDING DEPARTMENT CONDITIONS**

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

#### **FIRE DEPARTMENT CONDITIONS**

- FID 1. These conditions are subject to final plan check and review. Initial Fire Department conditions have been determined from the plans received and dated January 19, 2016. 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. No deferred submittals accepted.

**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.

FID 4. 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. Conditions of Approval** – “Conditions of Approval” received from the Palm Springs Planning Department must be submitted with each plan set. Failure to submit will result in a delay of plan approval.

**FID 5. Surface (CFC 503.2.3):** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (73,000 lbs. GVW)



and shall be surfaced so as to provide all-weather driving capabilities.

- Entire access road meets fire lane requirements – signage and/or curb markings required
- No street parking allowed on either side, or within fire department turnaround
- Hammerhead turnaround does not meet Palm Springs requirements

FID 6. **Traffic Calming Devices (CFC 503.4.1):** Traffic calming devices shall be prohibited unless approved by the fire code official.

FID 7. **Operational Fire Hydrant(s) (CFC 507.1, 507.5 & C105.1):** An approved water supply capable of supplying the required fire flow for fire protection shall be provided.

Maximum distance from any point on street frontage to a public hydrant – 200 feet (reduced from 250' due to dead-end street).

Operational fire hydrant(s) shall be installed within 250 feet of all combustible construction and shall be serviceable prior to and during construction

FID 8. **NFPA 13R 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 13R, 2013 Edition, as modified by local ordinance. Shall comply with Palm Springs Fire Code Appendix L.

FID 9 **Single- and Multiple-Station Smoke Alarms (CFC 907.2.11):** Listed single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.4 and NFPA 72.

- Exception: For Group R occupancies. A fire alarm system with smoke detectors located in accordance with this section may be installed in lieu of smoke alarms. Upon actuation of the detector, only those notification appliances in the dwelling unit or guest room where the detector is actuated shall activate.

FID 10 **Audible Residential Water Flow Alarms - NFPA 13R 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.

## 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. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plan(s) shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. Master planned roadways (San Rafael) shall be improved to the *College Park Specific Plan* design standards on and adjacent to the site, as generally identified herein, or to alternative design standards proposed by the applicant and approved by the City.

## SAN RAFAEL DRIVE

- ENG 4. Dedicate an additional 4 feet to provide the ultimate half street right-of-way width of 44 feet along the entire frontage.
- ENG 5. Construct a 6 inch curb and gutter, 32 feet south of centerline along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 200.
- ENG 6. Construct a 28 feet wide driveway approach in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the driveway approach shall be located 297 feet east from the centerline of La Puesta Del Sol.
- ENG 7. Construct a 5 feet wide sidewalk 2' to 3' feet behind the curb along the entire frontage in accordance with the *College Park Specific Plan* and the City of Palm Springs Standard Drawing No. 210.
- ENG 8. Construct a Type C curb ramp meeting current California State Accessibility standards on each side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 214. The applicant shall ensure that an appropriate path of travel, meeting ADA

guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

ENG 9. Construct pavement with a minimum pavement section of 3 inches asphalt concrete pavement over 6 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal, from edge of proposed gutter to clean sawcut edge of pavement along the entire frontage in accordance with City of Palm Springs Standard Drawing No. 110. (Additional pavement removal and replacement may be required upon review of existing pavement cross-sections, and to ensure grade breaks of the pavement cross-section do not occur within a travel lane.) If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 10. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### ON-SITE

ENG 11. The minimum pavement section for all on-site pavement (specify drive aisles, parking spaces, etc.) shall be 2-1/2 inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

ENG 12. All on-site drive aisles shall be two-way with a minimum 28 feet wide travelway (as measured from face of curb) where no on-street parking is proposed.

ENG 13. On-site drive aisles (or parking lot) shall be constructed with curbs, gutters, and cross-gutters, as necessary to accept and convey street surface drainage of the on-site streets to the on-site drainage system, in accordance with applicable City standards.

- ENG 14. Parking shall be restricted along both sides of the 28 feet wide drive aisles. Regulatory Type R26 "No Parking" signs or red curb shall be installed along the drive aisles as necessary to enforce parking restrictions. A Home Owners Association shall be responsible for regulating and maintaining required no parking restrictions, which shall be included in Covenants, Conditions, and Restrictions required for the development.

#### SANITARY SEWER

- ENG 15. All on-site sewer systems shall be privately maintained by a Home Owners Association (HOA). Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.
- ENG 16. All on-site sewer systems shall be privately maintained by the Commercial Shopping Center. Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.
- ENG 17. If an on-site private sewer system is proposed to collect sewage from the development and connect to the existing public sewer system, sewer plans shall be submitted to the Engineering Division for review and approval. Private on-site sewer mains for residential projects shall conform to City sewer design standards, including construction of 8 inch V.C.P. sewer main and standard sewer manholes. Sewer manhole covers shall be identified as "Private Sewer". A profile view of the on-site private sewer mains is not necessary if sufficient invert information is provided in the plan view, including elevations with conflicting utility lines. Plans for sewers other than the private on-site sewer mains, i.e. building sewers and laterals from the buildings to the on-site private sewer mains, are subject to separate review and approval by the Building Division.

#### GRADING

ENG 18. Submit a Precise Grading Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.

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 has 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; a copy of the associated Hydrology Study and a copy of the project-specific Water Quality Management Plan.

ENG 19. Prior to approval of 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](mailto: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 20. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 21. Temporary dust control 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 22. 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 23. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 24. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre (if there is disturbance of 5,000 square feet or more) at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 25. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan (if required) or prior to issuance of any permit.
- ENG 26. The applicant shall provide pad (or finish floor) elevation certifications for all building (or structure) pads in conformance with the approved grading plan (if required), to the Engineering Division prior to construction of any building (or structure) foundation.

- ENG 27. 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).

#### WATER QUALITY MANAGEMENT PLAN

- ENG 28. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&R's) required for the development (if any).
- ENG 29. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from within the underground parking garage and the on-site private drive aisles. Direct release of nuisance water to adjacent public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- a. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk

Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific Water Quality Management Plan (WQMP). Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to issuance of any grading or building permits.

b. Prior to issuance of certificate of occupancy or final City approvals (OR of "final" approval by City), the applicant shall:

c. Demonstrate that all structural BMPs have been constructed and installed in conformance with approved plans and specifications;

d. Demonstrate that applicant is prepared to implement all non-structural BMPs included in the approved Final Project-Specific Water Quality Management Plan (WQMP), conditions of approval, or grading/building permit conditions; and

e. Demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

## DRAINAGE

ENG 30. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. On-site open space, in conjunction with dry wells and other subsurface solutions



should be considered as alternatives to using landscaped parkways for on-site retention.

ENG 31. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$ 6511.00 per acre in accordance with Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

ENG 32. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&R's) required for this project.

#### GENERAL

ENG 33. 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, Mission Springs Water District, 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 34. All proposed utility lines shall be installed underground.

ENG 35. In accordance with Chapter 8.04.401 of the City of Palm Springs Municipal Code, all existing and proposed electrical lines of thirty-five thousand volts or less and overhead service drop conductors, and all gas, telephone, television cable service, and similar service wires or lines, which are on-site, abutting, and/or transecting, shall be installed underground unless specific restrictions are shown in General Orders 95 and 128 of the California Public Utilities Commission, and service requirements published by the utilities. The existing overhead utilities across the south and east property lines meet the requirement to be installed underground. The applicant is advised to investigate the nature of these utilities, the

availability of undergrounding these utilities with respect to adjacent and off-site properties, and to present its case for a waiver of the Municipal Code requirement, if appropriate, to the Planning Commission and/or City Council as part of its review and approval of this project.

If utility undergrounding is deferred in accordance with specific direction by the Planning Commission and/or City Council, the record property owner shall enter into a covenant agreeing to underground all of the existing overhead utilities required by the Municipal Code in the future upon request of the City of Palm Springs City Engineer at such time as deemed necessary. The covenant shall be executed and notarized by the property owner and submitted to the City Engineer prior to issuance of a grading permit. A current title report; or a copy of a current tax bill and a copy of a vesting grant deed shall be provided to verify current property ownership. A covenant preparation fee in effect at the time that the covenant is submitted shall be paid by the developer prior to issuance of any grading or building permits.

- ENG 36. All existing utilities shall be shown on the improvement plans if required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.
- ENG 37. Upon approval of any improvement plan (if required) 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 by the City Engineer.
- ENG 38. 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 39. 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 40. 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.

ENG 41. This property is subject to the Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation Fee (CVMSHCP-LDMF). The LDMF shall be paid prior to issuance of Building Permit.

MAP

ENG 42. The developer shall apply for an annexation to the City of Palm Springs Community Facilities District established for public safety services and submit required applications, waivers, and consent forms to the annexation prior to approval of a final map. Payment of an annexation fee (\$7,500) and shall be made at the time of the application.

ENG 43. A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.

ENG 44. A copy of draft Covenants, Conditions and Restrictions (CC&R's) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations. The CC&R's shall be approved by the City Attorney prior to approval of the Final Map by the City Council, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.

ENG 45. Upon approval of a final map, the final map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file, DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing

exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

- ENG 46. Acceptance of public improvements required of this development shall be completed by resolution of the City Council to release the faithful performance bond and acceptance of replacement maintenance bond to be held for one year. An inspection will be performed nine months after said acceptance as part of the notice of completion process, a notice of completion will be filed certifying the improvements are complete.

#### TRAFFIC

- ENG 47. A minimum of 48 inches of clearance for accessibility shall be provided on public sidewalks or pedestrian paths of travel. Minimum clearance on public sidewalks shall be provided by either an additional dedication of a sidewalk easement (if necessary) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the frontage of the subject property.
- ENG 48. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 49. 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 50. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

**END OF CONDITIONS**



PLANNING COMMISSION STAFF REPORT

DATE: SEPTEMBER 14, 2016

SUBJECT: MODERN DEVELOPMENT LLC., FOR A MAJOR ARCHITECTURAL APPLICATION CASE 3.3930 MAJ; AND A TENTATIVE TRACT MAP (TTM 37039) FOR THE CONSTRUCTION OF AN EIGHT (8) UNIT CONDOMINIUM PROJECT LOCATED AT 155 WEST SAN RAFAEL DRIVE, ZONE R-2. (CASES 3.3930 MAJ; 37039 TTM)

FROM: Flinn Fagg, AICP, Director of Planning Services

SUMMARY

This is a request for a Major Architectural Application and Tentative Tract Map for condominium purposes for the construction of an eight (8) unit condominium project consisting of one-story attached units in two buildings. The project is to be called "The Collection @ San Rafael".

RECOMMENDATION:

Staff recommends approval of the application, subject to conditions.

BACKGROUND INFORMATION:

| <b>Most Recent Ownership</b> |                    |
|------------------------------|--------------------|
| 12/15/2014                   | Modern Development |

| <b>Related Relevant City Actions</b> |   |
|--------------------------------------|---|
| 7/18/2016                            | AAC recommends approval to the Planning Commission subject to final review by a sub-committee regarding: <ol style="list-style-type: none"> <li>1. Paver material.</li> <li>2. Alternative to cultured stone material veneer.</li> <li>3. Study the window proportion on front elevations relative to new material.</li> </ol> Sub-Committee met and all issues have been resolved. |

| <b>Neighborhood Meeting / Notification</b> |  |
|--|--|
| 9/8/2016                                   | Email notification sent to Racquet Club West Organization. |

| <b>Field Check</b> |   |
|--------------------|---|
| July 2016          | Staff visited site to observe existing conditions |

**DETAILS OF APPLICATION REQUEST:**

| <b>Site Area</b> |                    |
|------------------|--------------------|
| Net Area         | 53,200-square feet |

| <b>Surrounding Property</b> | <b>Existing General Plan Designations</b>      | <b>Existing Land Use</b>  | <b>Existing Zoning Designations</b> |
|-----------------------------|--|---------------------------|-------------------------------------|
| Subject Property            | MXD (Mixed-Use / Multi Use), 15 units per acre | Vacant                    | R-2 (Multi-Family Residential)      |
| North                       | MXD (Mixed-Use / Multi Use), 15 units per acre | Industrial                | M-1 (Industrial)                    |
| South                       | ER (Estate Residential), 2 Units per acre      | Single-Family Residential | R-1-A (Single-Family Residential)   |
| East                        | MXD (Mixed-Use / Multi Use), 15 units per acre | Vacant                    | R-2 (Multi-Family Residential)      |
| West                        | MXD (Mixed-Use / Multi Use), 15 units per acre | Vacant                    | R-2 (Multi-Family Residential)      |

| <b>Specific Plan Area</b>  | <b>Compliance</b>          |
|----------------------------|----------------------------|
| College Park Specific Plan | Yes (see discussion below) |

**DEVELOPMENT STANDARDS:**

Pursuant to Section 92.03.03 of the Palm Springs Zoning Code (PSZC) for the R-2 zone the following standards apply:

| <b>Standard</b>        | <b>Required/Allowed</b>                  | <b>Provided</b>                   | <b>Compliance</b> |
|------------------------|--|-----------------------------------|-------------------|
| Lot Area               | 20,000-square feet                       | 53,200-square feet                | Yes               |
| Lot Width              | 160 feet                                 | 266 feet                          | Yes               |
| Lot Depth              | 180 feet                                 | 200 feet                          | Yes               |
| Front Yard             | 15 feet                                  | 30 feet                           | Yes               |
| Side Yard              | 10 feet                                  | 23 feet                           | Yes               |
| Rear Yard              | 15 feet backing on R-1                   | 17'-6" feet                       | Yes               |
| Building Height (max.) | 15 feet backing on R-1                   | 13'-2" feet                       | Yes               |
| Bldg. Coverage         | 50% lot coverage                         | 36%                               | Yes               |
| Trash Enclosure        | Required                                 | 2 Trash Enclosures                | Yes               |
| Mech. Equip.           | Screened                                 | Ground Mount                      | Yes               |
| Parking                | 1.75 spaces per unit = 14 spaces + guest | 16 garage spaces + 4 guest spaces | Yes               |
| Perimeter Wall         | 6 feet masonry                           | 6 foot combination                | Yes               |

## ANALYSIS:

### **Site Plan:**

The proposed site consists of two vacant lots to be merged into one 53,200-square foot parcel for the purpose of constructing eight (8) condominium units. The site is located at the intersection of North Indian Canyon Drive and West San Rafael Drive with one driveway providing access to all units. West San Rafael Drive is a semi-improved secondary thoroughfare and the project will require the half widening of the street, construction of curbs and gutters, and a sidewalk along the front of the parcel. The proposed development will be setback thirty (30) feet from the front property line with two landscaped water retention ponds on either side of the entry driveway. The project backs up to R-1 zoned single-family residential one-story properties. The proposed new development will be sympathetic to the surrounding residential neighborhood by having a 17'-6" rear yard setback and be one-story in height. The development will provide a transition from the industrial uses present along the north side of West San Rafael Drive and the low density residential properties to the south.

The main driveway will not be gated and will provide access to garages for each unit. A "hammerhead" turnaround will be located at the rear of the development meeting Fire Department standards. Two trash enclosures at the rear of the parcel on either side of the driveway will service the development. Guest parking will be accommodated on-site with four spaces located at the development entrance.

### **Mass and Scale:**

The proposed development will be one-story with a maximum height of 13'-11" to the top of the building parapet. The adjacent properties immediately to the south are low density one-story single-family residences. The parcels across West San Rafael Drive are one-story industrial buildings containing a mix of auto related and warehouse uses. "The Collection @ San Rafael" as proposed will provide an appropriately scaled project that provides a transition from the industrial uses to the low-density residential neighborhood.

### **Building Design and Detailing:**

The "Collection @ San Rafael" will consist of four attached condominium units in two buildings oriented north to south along the access driveway. Unit A will be a 2,408-square foot two bedroom with office/bedroom and two car garage; and Unit B will be a 2,418-square feet two bedroom with optional den/bedroom and two car garage. Each unit will have a pool in the rear yard setback 5' feet from perimeter wall.

Building materials to include stucco walls painted "Dove Grey" for the main body and "Fallbrooke" beige color for accents, and grey block veneer on the front and side facades, and ash grey block walls separating the units. The garage doors will be anodized aluminum door frames with a tinted grey glass finish. Other building materials include aluminum window frames in a bright silver color, galvanized metal roof flashing, and corrugated metal steel roofs as patio covers. The design of the four unit buildings includes a series of garage doors fronting the access driveway with entry doors setback. The perimeter six (6) foot tall wall will be a combination of corrugated metal steel and masonry CMU block wall, in addition each unit will be separated by a six (6) foot tall masonry block wall.

**Landscaping and Buffers:**

The landscape plan for the area fronting West San Rafael Drive will contain two storm water retention basins on both sides of the complex entry driveway. This landscaped area will include numerous Washingtonia Filifera palm trees at 10 feet tall, agave, yucca, ocotillo, lantana, and cactus. The complex interior will include a mixture of plants found at the entryway with the addition of four 36" box Desert Museum trees. All ground cover will include boulders, rubble, and two shades of decomposed granite in brown colors. The individual driveways will be constructed of acid washed concrete in a grey color.

**College Park Specific Plan:**

The subject site is located within the College Park Specific Plan which provides design guidelines for Planning Area 6 (PA-6). While these guidelines are not firm development standards, they were devised to help in the future planning of West San Rafael Drive. A stated goal of these guidelines is to provide quality housing that is well integrated with surrounding neighborhoods and the local street system. The following is a comparison of the stated specific plan guidelines with relative to the proposed development:

1. Development should be limited to one-story multi-family units that are clustered to form interior courtyards that provide protection from the prevailing northerly winds.

Proposed buildings to be one-story with a maximum height of 13'-11" feet. The project consists of four attached condominium units in two buildings oriented north to south along a main interior plaza or courtyard. The plan meets the stated goal.



2. Residential units shall be designed to optimize season-appropriate shade and solar gain, and shall use roof designs that facilitate the use of rooftop solar.

Building elevations show appropriately sized roof overhangs and patio covers to act as solar control. All buildings will be wired for photovoltaic panels and the project meets the goal.

3. Access and circulation for this development shall rely on a single main access drive off San Rafael Drive.

The proposed project meets this goal by providing one main access point from San Rafael Drive. All units will face the driveway and provide a two car garage.

4. Covered and uncovered parking shall be provided in accordance with parking standards set forth in Section II of the Specific Plan. Parking areas and landscaping shall be located along the southern site boundary to buffer residences to the south.

Plan provides sixteen (16) garage spaces for each dwelling unit and four (4) guest spaces located at the complex entry. The large rear yard setback of 17'-6" provides a buffer area to the single-family residences to the south and the plan has met the goal.

5. Open space amenities shall include thoughtfully conceived desert themed gardens.

The project open space includes the placement of two (2) landscaped water retention ponds located at the front entry along with a perimeter six (6) foot tall combination wall of corrugated metal steel and masonry CMU block wall, in addition each unit will be separated by a six (6) foot tall masonry block wall. The individual driveways will be constructed of acid washed concrete in a grey color. Based upon these design elements the project meets this stated goal.

6. The streetscape along San Rafael Drive and North Indian Canyon Drive should include a six foot masonry wall or serpentine comparable design.

The project includes the placement of a complex entry feature that will enhance the overall streetscape with lush landscaping to include numerous Washingtonia Filifera palm trees at 10 feet tall, agave, yucca, ocotillo, lantana, and cactus. The perimeter wall will be a six (6) foot tall combination of corrugated metal steel and masonry CMU block and the plan meets the goal.

### **Architectural Advisory Committee**

The Architectural Advisory Committee (AAC) reviewed the project at the July 18, 2016 meeting and voted to recommend approval to the Planning Commission with three revisions to be reviewed by a sub-committee:

1. Paver material.
2. Alternative to cultured stone material veneer.
3. Study the window proportion on front elevations relative to new material.

Based upon the recommendations of the AAC and review by the sub-committee, the applicant has revised the plans changing the driveway surfaces to an acid washed concrete grey color; the original stone veneer on the front and side facades have been replaced with 4"x16" vertical grey block; and a more proportional widening of the side elevation window. The revised plans meet the recommendations of the AAC.

### **Architectural Review Criteria:**

PSZC Section 94.04.00(D) requires an evaluation of the proposed development to determine if it will provide a desirable environment for its occupants, be compatible with the character of the adjacent and surrounding developments, and whether it is good composition, material, textures, and colors. Conformance shall be evaluated based on the following criteria:

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 proposed site consists of two vacant lots to be merged into one 53,200-square foot parcel for the purpose of constructing eight (8) condominium units in two (2) buildings. The site will have direct access from West San Rafael Road which is a secondary thoroughfare with one driveway leading to four attached condominium units in two buildings. West San Rafael Road is a semi-improved street and the project will require the half widening of the road, construction of curbs and gutters, and a sidewalk along the front of the parcel. The main driveway is not gated and will provide access to garages for each unit.

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 proposed development will be setback thirty (30) feet from the front property line with two landscaped water retention ponds on either side of the entry driveway. The project backs up to R-1 zoned single-family residential one-story properties and will

be sympathetic to the surrounding residential neighborhood by having a 17'-6" rear yard setback and one-story in height. The development will provide a transition from the industrial uses present along the north side of West San Rafael Drive and the low density residential properties to the south.

3. *Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens towers or signs) and effective concealment of all mechanical equipment;*

The proposed development will be one-story with a maximum height of 13'-11" to the top of the building parapet. The building setbacks are consistent and conform to the R-2 zone development standards. The adjacent properties immediately to the south are low density one-story single-family residences. The parcels across West San Rafael Drive are one-story industrial buildings containing a mix of auto related and warehouse uses. "The Collection @ San Rafael" as proposed will provide an appropriately scaled project that provides a transition from the industrial uses to the low-density residential neighborhood and generally conforms to the College Park Specific Plan by meeting the design guidelines for Planning Area 6 (PA-6).

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,*

Building materials to include stucco walls painted "Dove Grey" for the main body and "Fallbrooke" beige color for accents, and grey block veneer on the front and side facades, and ash grey block walls separating the units. The garage doors will be anodized aluminum door frames with a tinted grey glass finish. Other building materials include aluminum window frames in a bright silver color, galvanized metal roof flashing, and corrugated metal steel roofs as patio covers. The design of the four unit buildings includes a series of garage doors fronting the access driveway with entry doors setback.

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 landscape plan for the area fronting West San Rafael Drive will contain two storm water retention basins on both sides of the complex entry driveway. This landscaped area will include palm trees at 10 feet tall, agave, yucca, ocotillo, lantana, and cactus. The project will provide proper irrigation techniques to allow plants to continue in a thriving and lush state. The complex interior will include a mixture of plants found at the entryway with the addition to several 36" box Desert Museum trees. All ground cover will include boulders, rubble, and two shades of decomposed granite in brown colors. The individual driveways will be constructed of acid washed concrete in a grey color.

### **Tentative Tract Map**

Findings are required for the proposed subdivision pursuant to Section 66474 of the California Subdivision Map Act. If any of these findings are not met, the City shall deny approval:

*a. That the proposed Tentative Parcel Map is consistent with all applicable general and specific plans.*

The TTM proposes one (1) lot equaling 52,200-square feet for the purpose of an eight (8) unit condominium project. The proposed development consists of eight (8) two bedroom units in two (2) attached buildings. The proposed use meets the density requirement for the Mixed Use/Multi-Use (MXD) land use designation consistent with the General Plan, in addition the proposed density meets the requirement in the College Park Specific Plan and this finding has been met.

*b. The design and improvements of the proposed Tentative Tract Map are consistent with the zone in which the property is located.*

The proposed subdivision is consistent with the R-2 zone in which the property is located. The Tentative Tract Map will consist of one lot equaling 53,200-square feet. The design of the proposed condominium development is consistent with the applicable zoning and the finding has been met.

*c. The site is physically suited for this type of development.*

The proposed development on a vacant flat lot will have access to a public street and will provide an appropriately scaled project that provides a transition from the industrial uses to north and the low-density residential neighborhood to the south and generally conforms to the College Park Specific Plan by meeting the design guidelines for Planning Area 6 (PA-6). The site is physically suited for this type of development and the finding has been met.

*d. The site is physically suited for the proposed density of development.*

The proposed eight (8) unit condominium project on a 53,200-square foot lot is consistent with the allowable density of 6.1 – 15 dwelling units per acre in the MXD General Plan designation. In addition, the R-2 zone requires 3,000-square feet per dwelling unit which is within the zone density requirement.

*e. The design of the subdivision is not likely to cause environmental damage or substantially and avoidably injure fish, wildlife, or their habitats.*

The proposed Tentative Tract Map for the development of an 8-unit condominium complex is located on a flat semi graded lot surrounded by existing urban streets with adequate public utilities serving the lot. The surrounding development includes an industrial park, condominiums, and single-family residences. The proposed 53,200-square foot site is not likely to cause environmental damage or substantially and unavoidably harm unique fish, wildlife, or their habitats.

*f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.*

The design of the proposed condominium complex includes connections to all public utilities including water and sewer systems. The private driveways from West San Rafael Road will provide access to the subject lot. Pedestrian access will connect the condominiums to sidewalks along the secondary thoroughfare.

*g. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.*

There are no known public easements across the subject property; therefore the design of the subdivision will not conflict with easements for access through or use of the property. Any utility easements can be accommodated within the project design.

## ENVIRONMENTAL ANALYSIS

City Staff has evaluated the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project is categorically exempt from the requirements of CEQA pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines. The proposed project is categorically exempt because:

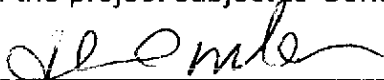
1. The project is consistent with the applicable general plan designation and applicable zoning designation;

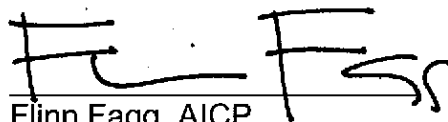
2. The project is located within the city limits on sites of no more than five acres substantially surrounded by urban uses;
3. The project is not located on sites that have value as habitat for endangered, rare or threatened species;
4. The project will not result in any significant impacts relating to traffic, noise, air quality, or water quality; and
5. The project can be adequately served by all required utilities and public services.

Accordingly, upon approval of this item, a Notice of Exemption will be prepared and filed with the Riverside County Clerk.

FINDINGS:

The project as proposed conforms to the development standards for the R-2 zone and is a by-right project. The College Park Specific Plan provides general guidelines for site layout, access, open space, streetscape design and building massing which are met by the proposed development. Based upon this determination, Staff recommends approval of the project subject to Conditions of Approval.

  
\_\_\_\_\_  
Glenn Mlaker, AICP  
Associate Planner

  
\_\_\_\_\_  
Flinn Fagg, AICP  
Director of Planning Service

Attachments:

1. Vicinity Map
2. Resolution
3. Conditions of Approval
4. Justification Letter
5. AAC Minutes of July 18, 2016 Meeting
6. Site Photos
7. 3-D Perspective
8. Site/Landscape Plan
9. Building Elevations
10. Floor Plan
11. Roof Plan
12. Grading Plan
13. Tentative Tract Map 37039

## EXCERPT OF MINUTES

At the Planning Commission meeting of the City of Palm Springs, held September 14, 2016, the Planning Commission took the following action:

### ITEM:

**2.A. MODERN DEVELOPMENT LLC., FOR A MAJOR ARCHITECTURAL APPLICATION CASE 3.3930 MAJ; AND A TENTATIVE TRACT MAP (TTM 37039) FOR THE CONSTRUCTION OF AN EIGHT (8) UNIT CONDOMINIUM PROJECT LOCATED AT 155 WEST SAN RAFAEL ROAD, ZONE R-2 (CASE NOS. 3.3930 MAJ / 37039 TTM).**

### DISCUSSION:

Associate Planner Mlaker provided an overview on the proposed eight unit condominium complex.

The Commission had technical questions pertaining to:

- Widening of the street and setback.
- Trash enclosures.
- The CV Link.
- The gap in-between the parcels.

Chair Calerdine opened the public hearing:

MIKE MENDOZA, representing Modern Development, provided details pertaining to the architectural design, colors and landscape. He provided details about the trash enclosures.

JUDY DEERTRACK, spoke in favor of the proposed project; noting that this project is what happens when you follow the General Plan.

There being no further speakers the public hearing was closed.

Commissioner Middleton will be making a motion to approve the project finding that this project conforms to the zoning code and create a harmonious relationship and improve the community.

Vice-Chair Weremuik requested an allowance for the pools to have 3 feet to the edge of the lot line.

Commissioner Donenfeld as the seconder to the motion, said this is great job and is an example for others to follow.

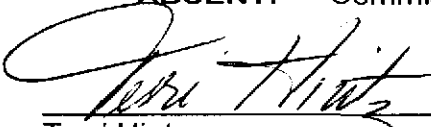
**ACTION:**

**Motion:** Commissioner Middleton, seconded by Commissioner Donenfeld and unanimously carried 6-0-1 on a roll call vote.

I, TERRI HINTZ, Planning Administrative Coordinator for the City of Palm Springs, hereby certify that the above action was taken by Planning Commission of the City of Palm Springs on the 14<sup>th</sup> day of September, 2016, by the following vote:

**AYES:** Commissioner Donenfeld, Commissioner Hirschbein,  
Commissioner Middleton, Commissioner Hudson, Vice-Chair  
Weremiuk, Chair Calderine

**ABSENT:** Commissioner Lowe

  
\_\_\_\_\_  
Terri Hintz  
Planning Administrative Coordinator



January 14, 2016

To Whom It May Concern  
Planning Department  
City Of Palm Springs, California

**PROJECT DATA:**

PROJECT ADDRESS: LOT No.8 and No.9 SAN RAFAEL DRIVE – PALM SPRINGS,  
CA 92262

PROJECT DESCRIPTION: Multi Family Residence

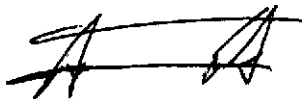
OCCUPANCY TYPE: R-2

TYPE OF CONSTRUCTION: V-B

**JUSTIFICATION LETTER:**

This Letter of Intent for the Proposed Multi Family Residence With a (8) Eight Units with (2) Two Car Garage attached on a R-2 Zoning Location In the City Of Palm Springs Limits, Following The Major Architectural Review (94.04.00(D) Guidelines and requirements.

This Dwellings will be build under the Approved California Building Codes and City Planning and Building Department Guidelines.



---

**Mr. Henrik Antonian**  
Owner

**RECEIVED**

JAN 19 2016

**PLANNING SERVICES  
DEPARTMENT**

3.3930



11/07/2016

74



11/07/2016

75



11/07/2016

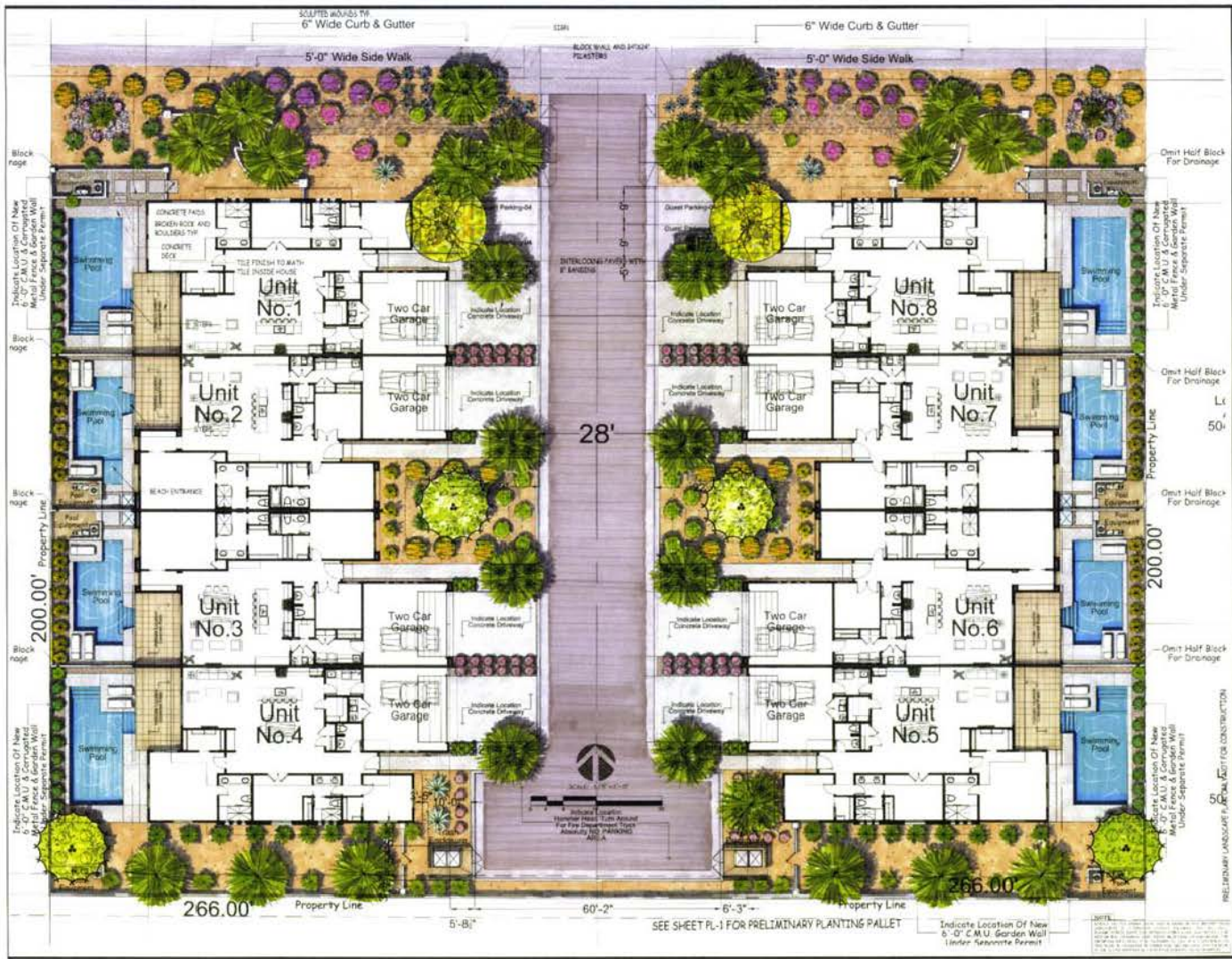
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SEP 01 2016  
PLANNING SERVICES

RECEIVED  
SEP 01 2016  
PLANNING SERVICES  
77

F 3 - 3930



SEE SHEET PL-1 FOR PRELIMINARY PLANTING PALLET

|  |   |
|--|---|
|  | <p><b>San Rafael Drive</b><br/>         A.P.N. 504-121-002 &amp; 003<br/>         PALM SPRINGS CALIFORNIA 92232</p> |
| <p><b>Preliminary landscape plan</b></p> |   |
| <p><b>PL-2</b></p>                       |   |

Luis A. Sandoval & Associates Inc.  
 Landscape Architecture  
 4535 Buena Vista Ave., Suite 200  
 Palm Springs, CA 92262  
 Phone: 760.325.1111  
 Fax: 760.325.1112  
 www.lasandoval.com



Front Side Elevation  
Scale: 1/8" = 1'-0"

### Exterior Material Legend

- Exterior Walls** Stone Finish Veneer Selection Prior To Construction
- The Roof Material** FOUR PLY BUILT UP ROOFING SYSTEM  
AVAILABLE DECK
- MATERIALS:**  
Asphalt (Flat Ply) 2 1/2" Lbs. (1.22 sq/ft)  
Base Sheet 1 Ply  
Fiberglass 2 Ply  
Cap Sheet 1 Ply
- ICC Evaluation Report ESR-1274  
Thermal And Moisture Protection
- Garage Doors** Aluminum Glass Combination Garage Door Veneer Selection
- Window & Doors** Sliding French  
Flooring Tolerant Glass (Areas Of Human Motion)  
Frame Color Wood Aluminum Clear Or Custom
- Wrought Iron** Bronze Tone Finish
- Light Fixtures** Bronze Tone Finish Veneer Selection Type and Model Prior To Construction

**MIKE MENDOZA**  
Design Architect  
1700 80X 80X  
Desert Hot Springs, CA 92240  
Phone: 1-(760) 275-1816  
Fax: 1-(760) 288-4008  
e-Mail Address: mm2117@aol.com

These Plans, Specifications & Schedules are not to be construed as a contract. They are subject to the terms and conditions of the contract documents. The contractor shall be responsible for obtaining all necessary permits and for compliance with all applicable laws, codes and regulations. The contractor shall be responsible for the accuracy of all information and for the completion of all work shown on these plans.

Revisions: \_\_\_\_\_ Date: \_\_\_\_\_

Plan Check Reference: 20-03-2015



Inside Garage & Entrance Elevation  
Scale: 1/8" = 1'-0"



Back Yard Side Elevation  
Scale: 1/8" = 1'-0"



Rear Side Elevation  
Scale: 1/8" = 1'-0"

#### 4 - Exterior Finish

- ☐ See Roof Plan for Material and Colors
- ☐ 3/8" x 1/4" Checker Plate
- ☐ Manufactured Wood Tiles 18" x 18"
- ☐ CMU 8" Block With Exposed Rebar Color Gray, Smooth

#### 5 - Utilities

- ☐ See MEP's Plans
- ☐ Trenching Schedule Ref
- ☐ CA 1-1 Service Box
- ☐ See Water Location Veneer in Utility Company

#### 6 - Doors and Windows

- ☐ Windows - Refer To Window Schedule
- ☐ Doors - Refer To Door Schedule
- ☐ Stone Radiator (Available Garage Door - Refer To Door Schedule)
- ☐ Custom Entry Door - Refer To Door Schedule

#### 1 - Spatial

- ☐ Top Of Block Unit - Top Of Garage Deck
- ☐ Front Court Unit
- ☐ Align Top of the Window with Top Of Door
- ☐ Top of Walk

#### 2 - Site

- ☐ See Work - Refer To Civil and Landscape Drawings
- ☐ See Notes - Refer to Landscape Drawings

#### 3 - Metals

- ☐ Commercial Stone Metal Finish
- ☐ Commercial Stone Metal Roof Veneer Selection
- ☐ Commercial Stone Metal
- ☐ Metals (2) Aluminum (2) Screen Veneer 1/4" x 1/4" x 1/4"
- ☐ Top Of 8" Block Radiator Finish Selection
- ☐ Top Of 1/2" Screen Ceiling in Garage

Client Name:  
**Mr. Henrik Antonian**  
1857 Arvin Drive  
Glendale, CA 91208  
Phone No. 1-(818) 955-5111  
E-mail Address:  
glendaleairheat@sbcglobal.net

Job Address:  
LOT No. 8 & No.9  
San Rafael Drive  
Palm Springs, CA 92262

Sheet Name:  
**Exterior Elevations & General Notes**

Date: October 2015

Drawn By: Mike Mendoza

Sign By: \_\_\_\_\_

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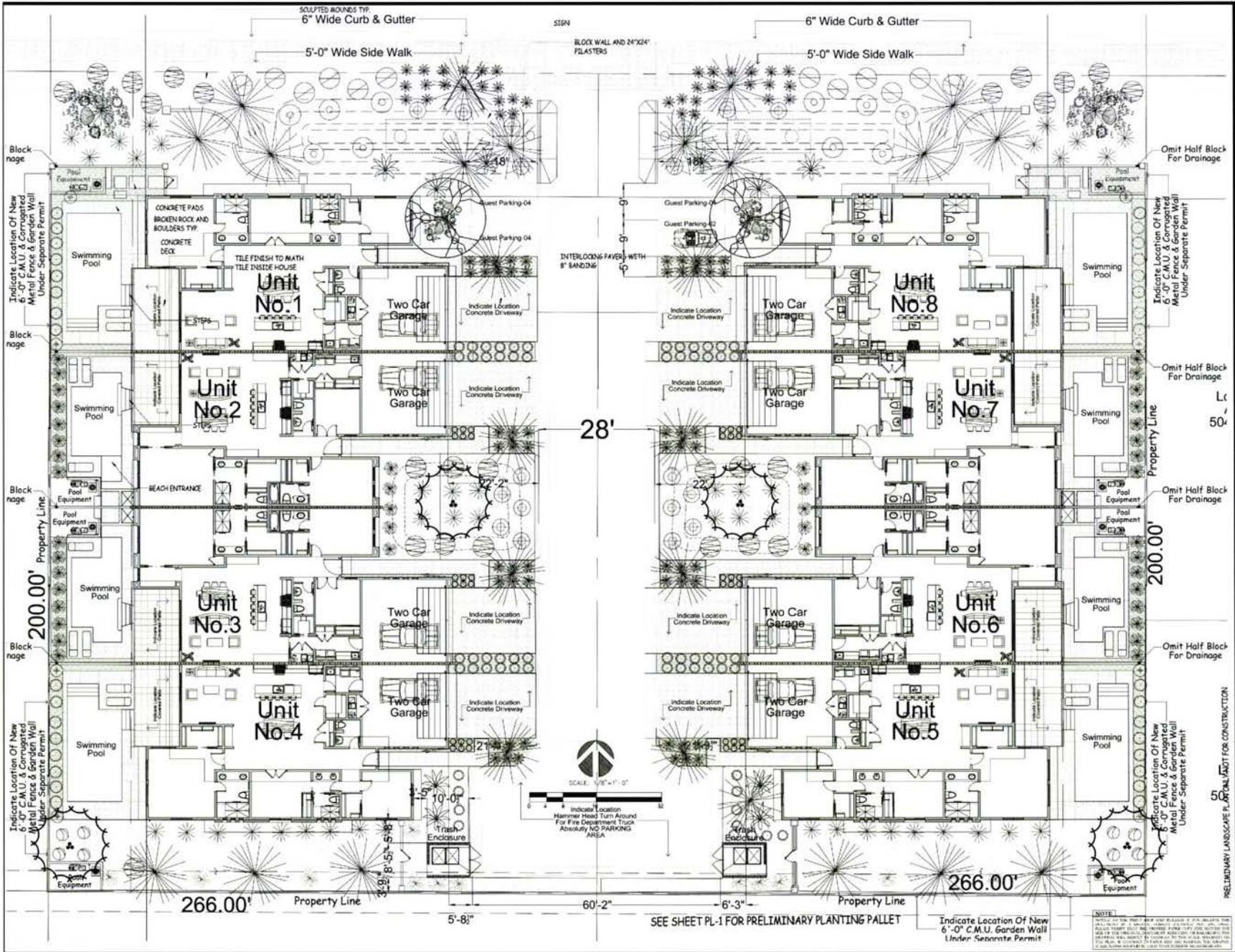
OCT 18 2015

PLANNING SERVICES DEPARTMENT

Scale: 3/16" = 1'-0"

A1.06

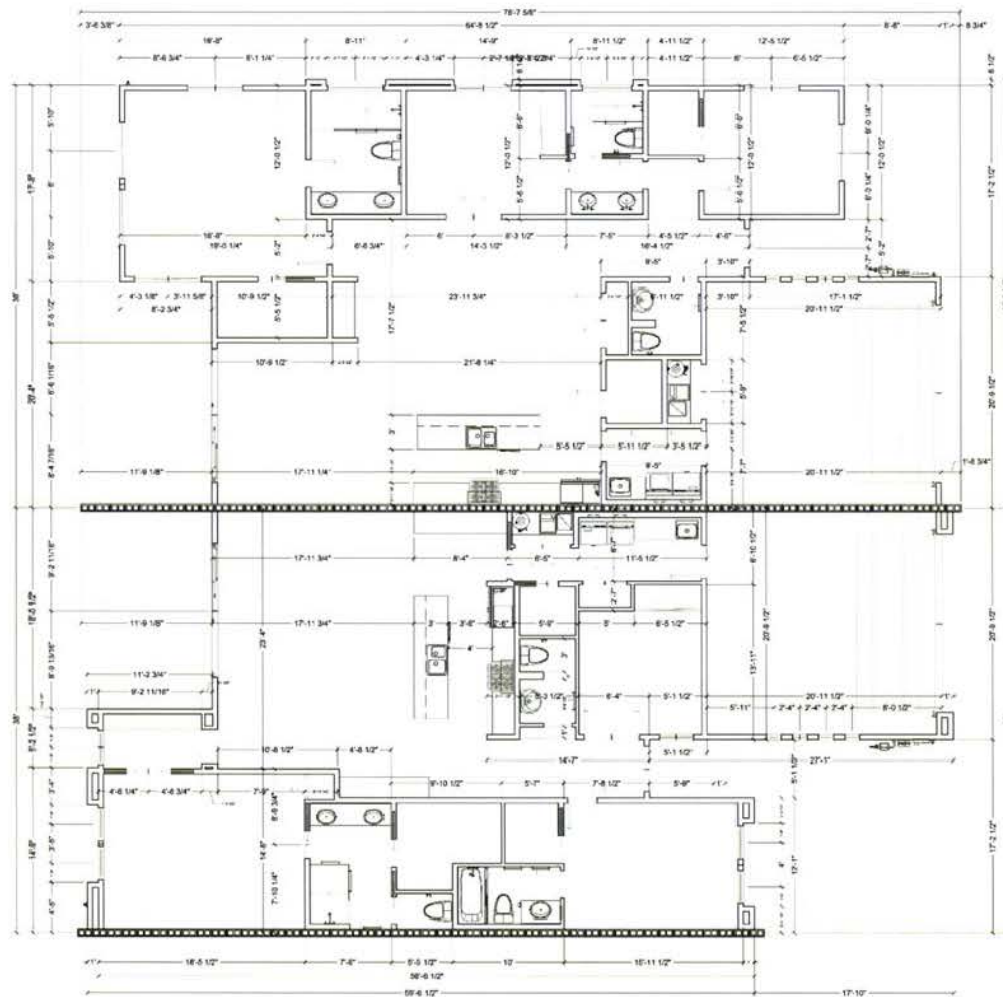
3-3930



|  |
|--|
| <p> <b>Luis A. Sandouval &amp; Associates Inc.</b><br/>           Landscape Architecture<br/>           4700 Wilshire Blvd., Suite 100<br/>           Palms Desert, CA 92260<br/>           T (909) 774-8441 F (909) 774-8449<br/>           Luis@luisa.com         </p> |
| <p> <b>San Rafael Drive</b><br/>           A.P.N. 504-121-002 &amp; 003<br/>           PALM SPRINGS CALIFORNIA 92282<br/>           LA QUINCY, CALIFORNIA 92531         </p>   |
| <p> <b>Preliminary landscape plan</b> </p>   |
|  |
| <p>           JOB NO.<br/>           DRAWING NO.<br/>           DATE: 10/27/2015<br/>           SCALE: 1/8" = 1'-0"<br/>           SHEET: 57 OF 57         </p>  |
| <p> <b>PL-2</b> </p>   |







### Dimension Floor Plan

Scale 3/16" = 1'-0"

#### MIKE MENDOZA

Design Principal  
 P. O. BOX 882  
 Desert Hot Springs, CA 92240  
 Phone: 1-(760) 275-1816  
 Fax: 1-(760) 288-4026  
 e-Mail Address: sm2177@aol.com

I have prepared this drawing to the best of my knowledge and belief in accordance with the provisions of the California Building Code, the California Mechanical Code, the California Electrical Code, the California Fire Code, and the California Fire Prevention Code. I am not responsible for any errors or omissions in this drawing or for any consequences that may arise from its use. This drawing is the property of Mike Mendoza and shall not be reproduced or used in any manner without the written consent of Mike Mendoza.

#### Revisions Date

Plan Check Revisions 08-20-2018

#### Revisions Date

Planning Revisions 1 08-20-2018

Planning Revisions 2 07-27-2018

Planning Revisions 3 08-21-2018

Owner Name  
**Mr. Henrik Artonian**  
 1857 Arvin Drive  
 Glendale, CA 91208  
 Phone No. 1-(618) 955-5111  
 E-mail Address: glendaleairmeat@abcglobal.net

Job Address  
 Lot No. 8 & No. 9  
 155 - San Rafael Drive  
 Palm Springs, CA 92262

Sheet Name  
**Dimension Floor Plan**

Date: January 2018

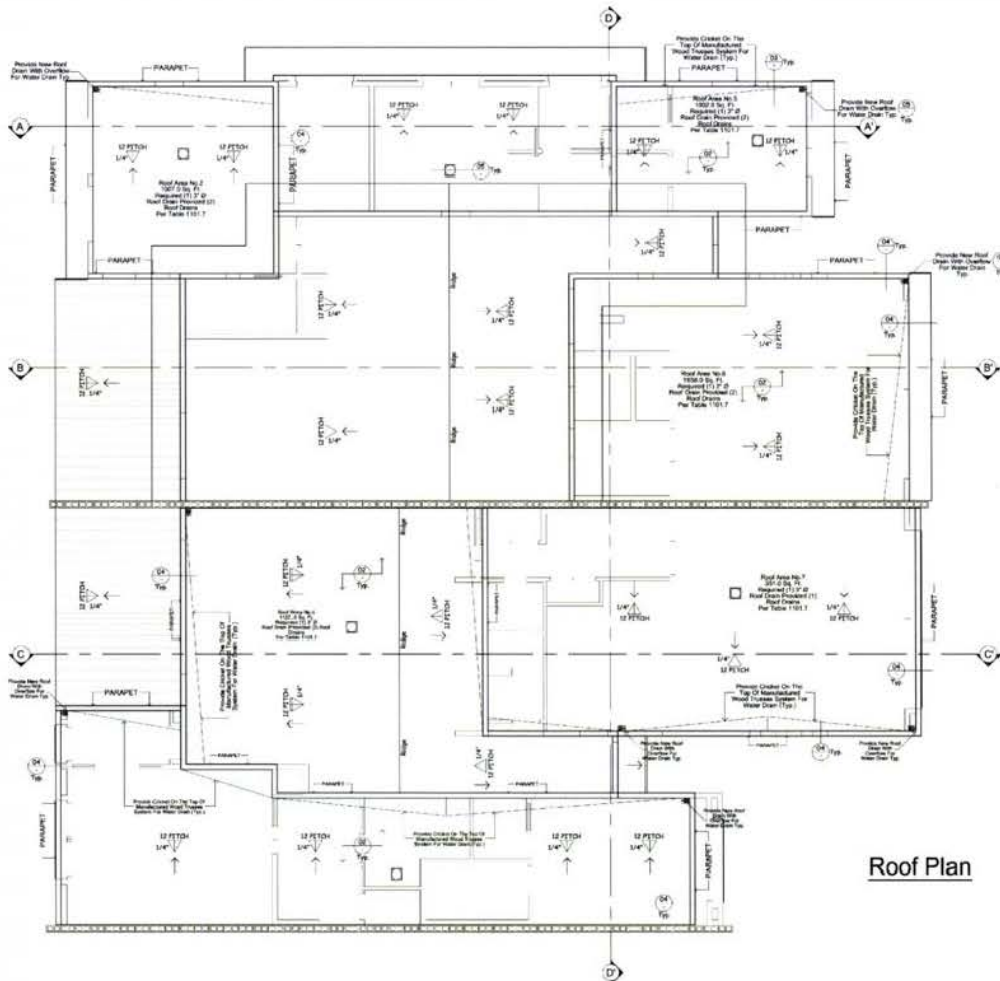
Drawn By: Mike Mendoza

Sign By:

Sheet Number:

# A1.03

Scale: 3/16" = 1'-0"



Roof Plan

**SYMBOLS**

- Indicate Slope Direction
- 1/4" PITCH Indicate Pitch Roof On Manufactured Wood Trusses
- 1/2 PITCH Indicate Location Power Attic Vent
- Flat Profile Roof Material

**FOUR PLY BUILT UP ROOFING SYSTEM NAILABLE DECK**

- MATERIALS:**
- Asphalt (Per Ply) 25 Lbs. (1.22 kg/m<sup>2</sup>)
  - Base Sheet 1 Ply
  - Ply Sheets 2 Plys
  - Cap Sheet 1 Ply

ICC Evaluation Report ESR-1274  
Thermal And Moisture Protection.

**TABLE 1101.7 SIZING OF HORIZONTAL RAINWATER PIPING 1,2**

| SIZE OF PIPE (INCHES) | MAXIMUM ALLOWABLE SPACING (FEET) | REGISTERED ROOF AREAS (SQUARE FEET) |          |          |          |
|-----------------------|----------------------------------|-------------------------------------|----------|----------|----------|
|                       |                                  | 1.5 INCHES                          | 2 INCHES | 3 INCHES | 4 INCHES |
| 3                     | 48                               | 280                                 | 1548     | 1180     | 828      |
| 4                     | 132                              | 410                                 | 3300     | 2600     | 2120     |
| 5                     | 198                              | 590                                 | 4500     | 4200     | 3770     |
| 6                     | 264                              | 840                                 | 6000     | 5600     | 4900     |
| 8                     | 432                              | 1320                                | 10000    | 9200     | 7900     |
| 10                    | 612                              | 1980                                | 14000    | 13000    | 11400    |
| 12                    | 792                              | 2700                                | 19000    | 17500    | 15300    |
| 15                    | 1188                             | 4050                                | 28000    | 26000    | 22800    |

**Sections Legend:**

- Section General Notes**
- A. Refer to floor plan for dimension not shown.
  - B. Refer Foundation plan for more information.
  - C. Refer to framing plans for member sizes and layouts.
  - D. Typical Insulation, see Energy Calculations more information.
  - E. Provide 26 Ga. Weep Screen.
    - a. Weep Screen shall be placed a minimum 4" inches above the earth or 2" inches above paved areas.
  - F. Provide 1" inch Clear Space from Insulation to Roof Sheathing for all flow.
  - G. Provide Radiant Barrier at Gable Ends Typical.

**01 Built up Roofing Membrane**

**03 Roof To Wall Detail**

**05 Roof Drain W/Over Flow**

**06 Roof Vent Detail**

**BIRGAN ROOF MOUNTED POWERED ATTIC VENTILATORS**

ICC-ES PMG Listing PMG - 1212

**ATTIC VENTILATION REQUIREMENTS DWELLING & GARAGE**

ALL THE VENTS ARE LOCATED ABOVE

Att. Area = 5,337.0 SQ. FT.  
5,850.0 SQ. FT. 150' x 37' 0" x 144' = 5,337.0 SQUARE INCHES TOTAL  
TOTAL AREA REQUIRED ABOVE RAISED = 5,337.0 SQUARE INCHES  
Use 6 Count 1050 CFM Power Attic Ventilators "BIRGAN"  
6,500.0 Actual CFM's = 150' x 42' x 144' = 6,048. Required Net Square Inches

TOTAL AREA REQUIRED = 5,337.0 SQ. IN.  
TOTAL AREA PROVIDED = 6,048.0 SQ. IN.

**Provide Radiant Barrier On Roof Sheathing From Factory Direct DO NOT Apply on Job Site**

**MIKE MENDOZA**  
Design Principal  
P. O. BOX 692  
Desert Hot Springs, CA 92240  
Phone: 1-(760) 275-1616  
Fax: 1-(760) 298-4008  
e-Mail Address: m23177@aol.com

**Revisions**

Plan Check Revisions 05-05-2018

**Revisions**

Planning Revisions 1 09-26-2018  
Planning Revisions 2 07-27-2018  
Planning Revisions 3 08-31-2018

Owner Name  
**Mr. Henrik Artonian**  
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Phone No. 1-(818) 955-5111  
E-mail Address  
glendeclearheat@sbcglobal.net

Job Address  
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155 - San Rafael Drive  
Palm Springs, CA 92262

**Roof Plan & General Notes**

Date: January 2018

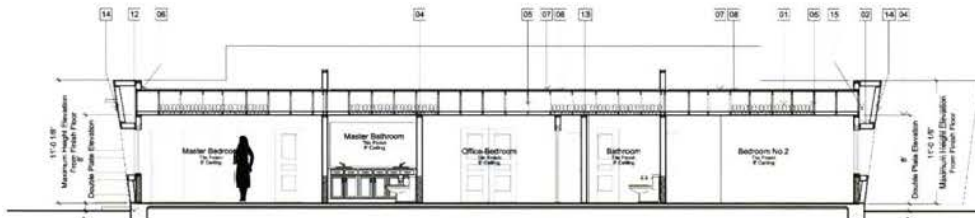
Drawn By: Mike Mendoza

Rev. By:

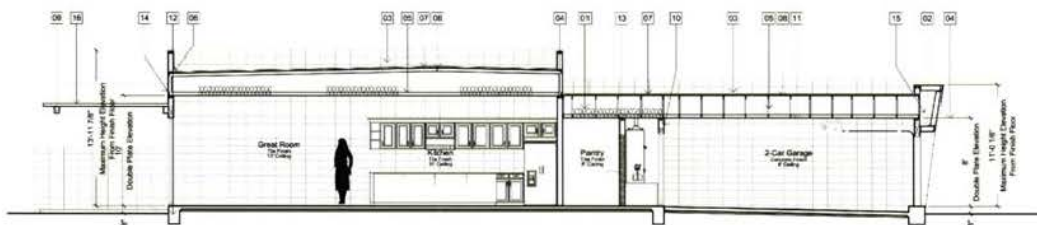
Sheet Number:

**A1.04**

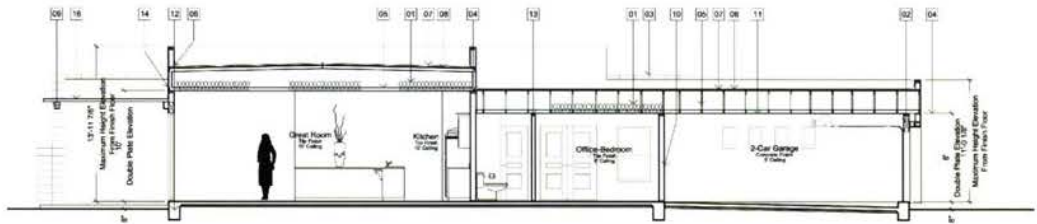
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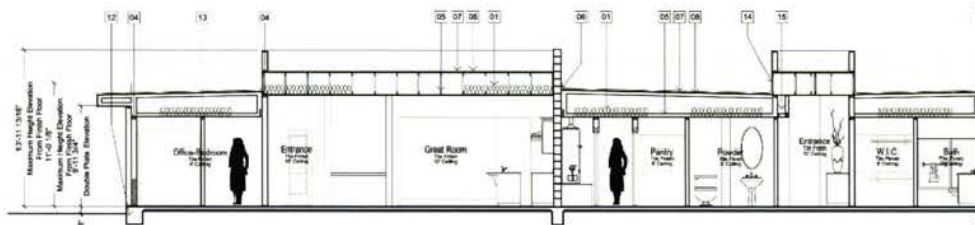
**Cross Section A-A'**  
Scale: 1/8" = 1'-0"



**Cross Section B-B'**  
Scale: 1/8" = 1'-0"



**Cross Section C-C'**  
Scale: 1/8" = 1'-0"



**Cross Section D-D'**  
Scale: 1/8" = 1'-0"

### Section Reference Notes

- 01 Insulation: R-21 On Exterior Walls & R-38 On Ceiling Per T-24 See Energy and Acoustical Requirements.
- 02 Framing Members. See Framing Plans.
- 03 C.M.U. Wall 1Hr. Fire Wall Grey Color
- 04 Double 2x Nail Plate
- 05 Manufactured Wood Trusses See Truss Calculations From manufacturer For Detail & Installation
- 06 2x Members To Create Slope To Drain Water (Rippers)
- 07 FOUR PLY BUILT UP ROOFING SYSTEM NAILABLE DECK
- 08 Plywood Sheathing See Structural Plans.
- 09 4x Steel Beam See Structural Plans.
- 10 Provide 5/8" Type 'X' Gypsum Board from Foundation to Ceiling at all interfaces of Garage and Living Space.
- 11 Provide 5/8" Type 'X' Gyp. Board at Ceiling.
- 12 Typical Foundation See Foundation Page For Dimensions
- 13 Interior Non Bearing Wall See Framing For Anchorage Details
- 14 Exterior Plaster See Color Board for more information. Exterior cement plaster application shall consist of a 1-Coat + 1" EPS Power Wall (1) One Coat Stucco System. must include one layer of water resistive barrier, having a flame-spread index of 25 or less and smoke-developed index of 450 or less. The water resistive barrier must be installed over the sheathing in accordance with IRC Section 1403.2 EPS insulation board with a nominal 1.5 pcf (24 kg/m) density must be installed at a 1 inch (25 mm) thickness horizontally in running bond to the sheathing. The left insulation board and water resistive barrier must be positively fastened to the studs framing. The Stucco System must be applied at a 1/2 inch (12.5 mm) minimum thickness. ICC-ES Evaluation Report ESR-1194
- 15 Flat Soffit, Drywall Finish, Height To Be Determine On Job Site.
- 16 Comugated Metal Sheet Roof

### Sections Legend:

- Section General Notes**
- A. Refer to floor plan for dimension not shown.
  - B. Refer Foundation plan for more information.
  - C. Refer to framing plans for member sizes and layouts.
  - D. Typical Insulation, see Energy Calculations more information.
  - E. Provide 26 Ga. Weep Scream.
    - a. Weep Scream shall be placed a minimum 4" inches above the earth or 2" inches above paved areas.
    - Provide 1" inch Clear space from Insulation to Roof Sheathing for air flow.
- a. Wall Insulation R-21  
 b. Ceiling Insulation R-38  
 c. Acoustical Walls R-21

**MIKE MENDOZA**  
 Design Principal  
 P. O. BOX 662  
 Desert Hot Springs, CA 92240  
 Phone: 1-(760) 275-1515  
 Fax: 1-(760) 286-4008  
 e-Mail Address: mm23177@aol.com

These Plans, Drawings & Specifications, are not to be construed as a contract. The contract shall be the contract documents prepared by the owner. The contractor shall be responsible for obtaining all necessary permits to construct on site. All work shall conform to applicable codes and regulations and subject to local laws.

| Revisions              | Date       |
|------------------------|------------|
| Plan Check Revisions 1 | 05-04-2018 |

| Revisions            | Date       |
|----------------------|------------|
| Planning Revisions 1 | 06-20-2018 |
| Planning Revisions 2 | 07-27-2018 |
| Planning Revisions 3 | 08-31-2018 |

Owner Name  
**Mr. Henrik Artonian**  
 1857 Arvin Drive  
 Glendale, CA 91208  
 Phone No. 1-(818) 905-5111  
 E-mail Address  
 glendaleairheat@sbcglobal.net

Job Address  
 Lot No. 8 & No. 9  
 155 - San Rafael Drive  
 Palm Springs, CA 92262

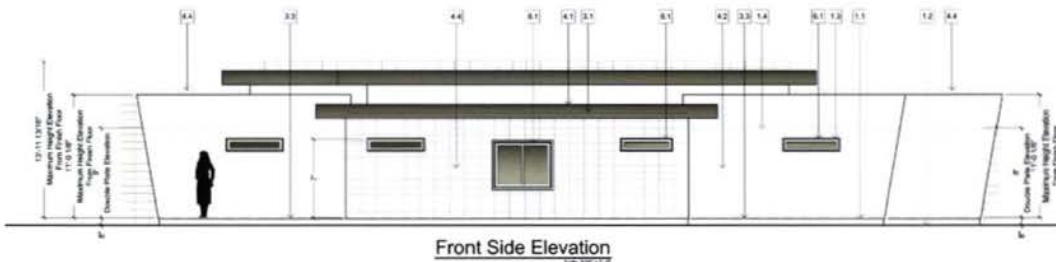
### Interior Elevations & General Notes

Date: January 2018  
 Drawn By: Mike Mendoza  
 Sign By:

Sheet Number:

**A1.05**

Scale: 3/8" = 1'-0"



Front Side Elevation  
Scale: 1/8" = 1'-0"

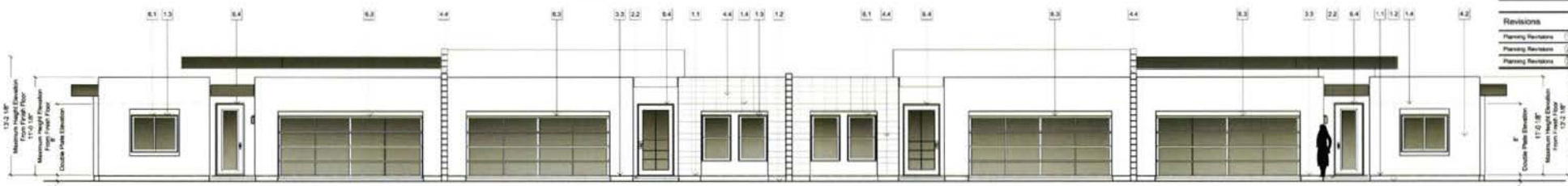
**Exterior Material Legend**

- Exterior Walls** Stone Panel Vary Selection Type To Construction
- Tile Roof Material** FOUR PLY BUILT UP ROOFING SYSTEM  
NAILABLE DECK
- MATERIALS**
  - Asphalt (Shr Ply) 20 Lbs (11.22 SqYd)
  - Base Sheet 1 Ply
  - Ply Sheets 2 Plys
  - Cap Sheet 1 Ply
- CC Evaluation Report** ESR-1274  
Thermal And Moisture Protection
- Garage Doors** Aluminum Glass Combination Garage Door - Vary Selection
- Window & Doors** Stone Panel  
Pseudo-Temporary Glass to Allow Of Humid Impact  
Frame Color: Wood - Constructed Cap Or Substitute
- Wrought Iron** Bronze Turn Finish
- Light Fixtures** Bronze Stone Panel Vary Selection Type and Model Prior To Construction

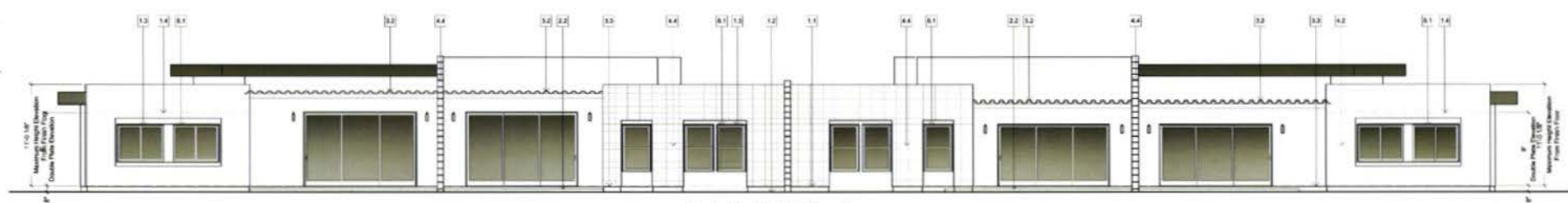
**MIKE MENDOZA**  
Design Principal  
P. O. BOX 692  
Desert Hot Springs, CA 92240  
Phone: 1-760-275-1616  
Fax: 1-760-286-4008  
e-Mail Address: mm21177@aol.com

These Plans, Specifications & Schedules are not to be construed as a contract or a warranty of any kind. The contractor shall be responsible for obtaining all necessary permits and for the accuracy of all information. The contractor shall be responsible for the construction and for the quality of all materials and workmanship. The contractor shall be responsible for the completion of all work within the specified time frame. The contractor shall be responsible for the payment of all bills and for the satisfaction of all parties involved.

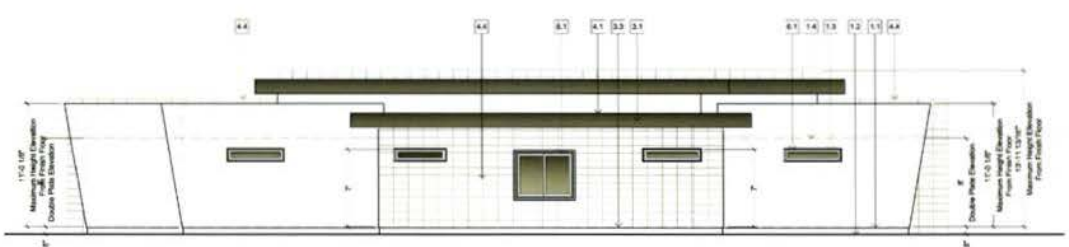
| Revisions              | Date       |
|------------------------|------------|
| Plan Check Revisions 1 | 05-05-2013 |
|                        |            |
|                        |            |
|                        |            |
| Revisions              | Date       |
| Planning Revisions 1   | 09-25-2013 |
| Planning Revisions 2   | 07-27-2013 |
| Planning Revisions 3   | 08-31-2013 |



Inside Garage & Entrance Elevation  
Scale: 1/8" = 1'-0"



Back Yard Side Elevation  
Scale: 1/8" = 1'-0"



Rear Side Elevation  
Scale: 1/8" = 1'-0"

- 4 - Exterior Finish**
  - 1) See Roof Plan for Material and Colors
  - 2) 3/8" Galv. 27" Exterior Panel
  - 3) Interlocking Sheet Trusses (LVL)
  - 4) Call On Block Wall Footing Subject To City, County, Regional and State Structural Engineering Review on 2009/12/14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100/101/102/103/104/105/106/107/108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000
- 5 - Utilities**
  - 1) See MEP Plans for Locations, U.G.S. By Electrical Panel
  - 2) Telephone Service Box
  - 3) CATV Service Box
  - 4) Gas Meter Location Vary To AEM's Contract
- 6 - Doors and Windows**
  - 1) Windows - Refer To Window Schedule
  - 2) Doors - Refer To Door Schedule
  - 3) Metal Structural Overhead Garage Door - Refer To Door Schedule
  - 4) Custom Entry Door - Refer To Door Schedule



Client Name  
**Mr. Henrik Artonian**  
1857 Arvin Drive  
Glendale, CA 91206  
Phone No. 1-(818) 955-5111  
E-mail Address  
gendalesairmail@sbccgoal.net

Job Address  
Lot No. 8 & No 9  
155 - San Rafael Drive  
Palm Springs, CA 92262

Sheet Name  
**Exterior Elevations & General Notes**

Date: January 2013  
Drawn By: Mike Mendoza  
Sign By:

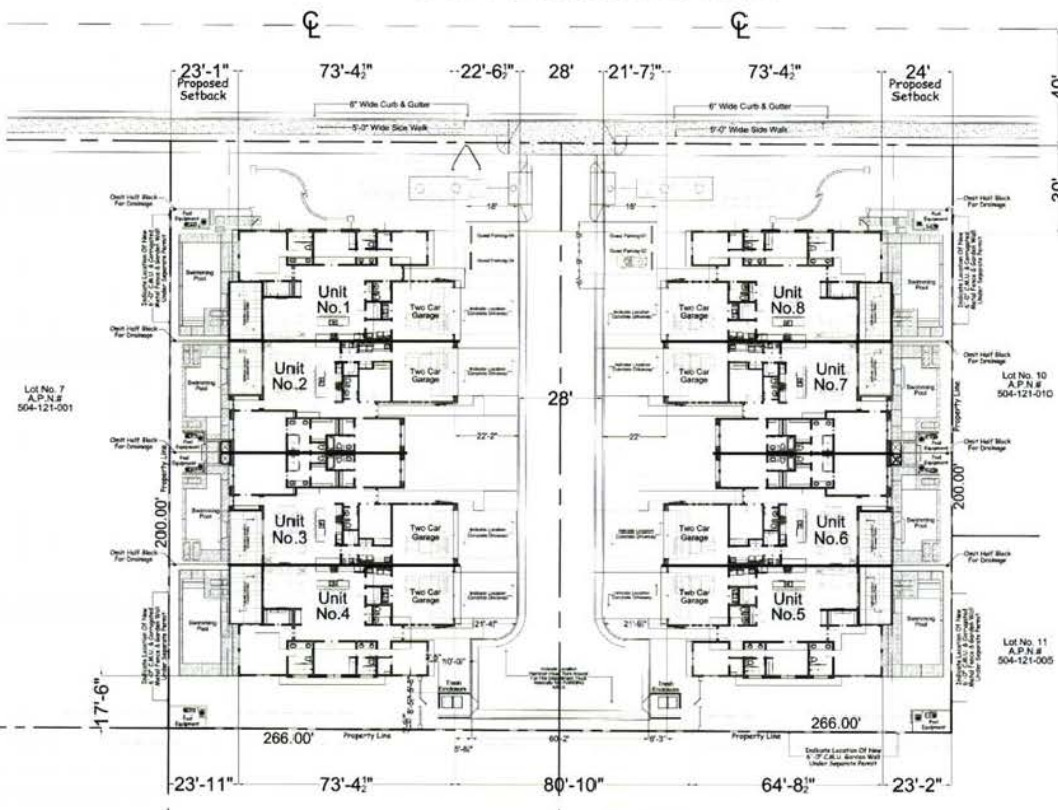
Sheet Number

**A1.06**

# Site Plan

1" = 20'-0"

## San Rafael Drive



### Tabulation Area:

Based on Square Feet and Percentage

|  |          |             |   |        |   |
|--|----------|-------------|---|--------|---|
| Site Area                                  | 53,200.0 | Square Feet | = | 100.00 | % |
| Building Area                              | 18,204.0 | Sq. Ft.     | = | 34.21  | % |
| Garage Area                                | 19,308.0 | Sq. Ft.     | = | 36.29  | % |
| Total Area                                 | 37,512.0 | Sq. Ft.     | = | 70.50  | % |
| Drainage and Parking Areas                 | 8,320.0  | Sq. Ft.     | = | 15.64  | % |
| Open Space Area (Landscaping & Recreation) | 27,967.0 | Sq. Ft.     | = | 52.39  | % |

### Unauthorised Changes & Uses:

The designer preparing these plans will not be responsible for, or liable for, unauthorised changes to these plans. All changes to the plans must be in writing and must be approved by the preparer of these plans.

### Residential Mandatory Measures:

- Storm water drainage and retention during construction. Projects which disturb less than one acre of soil and are not part of a larger common plan of development which in total disturbs one acre or more, shall manage storm water drainage during construction. In order to manage storm water drainage during construction, one or more of the following measures shall be implemented to prevent flooding of adjacent property, prevent erosion and retain soil runoff on the site.
  - Retention basins of sufficient size shall be utilized to retain storm water on the site.
  - Where storm water is conveyed to a public drainage system, collection point, gutter or similar disposal method, water shall be filtered by use of a barrier system, wattle or other method approved by the enforcing agency.
  - Compliance with a wattle installed storm water management ordinance.

### Projections:

Concealed, new overhangs, exterior balconies and similar projections extending beyond the face shall conform to the requirements of this section and Section 1406 Exterior egress balconies and exterior exit stairways shall also comply with Sections 1014.6 and 1021.1, respectively. Projections shall not extend beyond the distance determined by the following two methods, whichever result in the lesser projection.
 

- Point one-third the distance to the top of the face from an assumed vertical plane located where unobstructed openings are required or accordance with Section 704.8.
- More than 12 inches (305 mm) into areas where openings are prohibited. C.B.C. Chapter 7, Section 704.2.

### Storm Water And Retention:

Projects disturbing less than one acre shall comply with Section 4.106.2 of The California Green Building Standards Code (CGBC) Compliance.
 **USE STRAW WATTLES**  
 Straw Wattles or Fiber Rolls are very similar to Straw Bales, however, they come in rolls and are designed to be placed along the contours of a slope to prevent sediment discharge. Straw Wattles allow water to seep through the material while preventing the transfer of sediment. Proper installation of Straw Wattles requires the Wattles to be stromched into the ground at least 2" - 3" deep and spaced roughly every six feet (6'). Minimum Stake requirements of Straw Wattles increases on a slope to roughly one stake every four feet (4'). Additionally, the proper layout of Straw Wattles requires the ends to be looped up in a "J" fashion on each end to prevent the water plus silt-laden sediment from just flowing around the ends, thus defeating their intended purpose.

### Utility Companies:

- Power:** Southern California Edison  
73-540 Highway 111  
Palm Desert, CA 92260  
Telephone: 1-(800) 656-6555  
Fax Number: 1-(760) 339-9117  
e-Mail Address: www.sed.com
- Water:** Desert Water Agency  
1200 Gene Autry Trail  
Palm Springs, CA 92264  
Telephone: 1-(760) 323-4971  
e-Mail Address: www.dwa.org
- Gas Company:** Southern California Gas Company  
81-807 Dr. Cameron Boulevard # C-7  
Indio, CA 92201  
Telephone: 1-(800) 340-0183  
Telephone: 1-(760) 340-2225  
Palm Springs School Unified District  
980 East Tehachaz Canyon Way  
Palm Springs, CA 92276  
Telephone: 1-(760) 416-8000
- Cable T.V.:** Warner-Cable Road Runner  
Palm Springs, CA 92264  
Telephone: 1-(800) 340-0183  
Telephone: 1-(760) 340-2225  
Palm Springs, CA 92263-2743  
Phone Number: 1-(760) 323-6245  
Fax Number: 1-(760) 322-8360  
e-Mail Address: www.opain-springs.ca.us
- School District:** Palm Springs School Unified District
- Permit Assistance Center:** Palm Springs Building & Safety Dept  
3020 East Tehachaz Canyon Way  
Palm Springs, CA 92263-2743  
Phone Number: 1-(760) 323-6245  
Fax Number: 1-(760) 322-8360  
e-Mail Address: www.opain-springs.ca.us

Name & Address of Owner:  
Mr. Henrik Antonian  
1857 Arvin Drive  
Glendale, CA 91208  
Phone Number: 1-(818) 955-5111

Name & Address of Applicant:  
Mr. Henrik Antonian  
1857 Arvin Drive  
Glendale, CA 91208  
Phone Number: 1-(818) 955-5111  
E-Mail Address: gorden@arvin@jagobogal.net

A. P. N. Number = 504-121-002 & 003

Job Address:  
Lot No. 8 and No. 9 San Rafael Drive  
Palm Springs, CA 92262

Legal Description:  
Lot 202 5' W 14 1/4 W 1/4 Sec. 1 T. 4 S. R. 4 E  
M. B. 3rd of Grand Park Estates No. 9 Map Book 001 Page 22  
Riverside County Records, Riverside, California.

Title Exhibit: Multi Family Residence  
Conditioning Living Area: 15,824.0 Sq. Ft.  
2-Car Garage Area: 3,480.0 Sq. Ft.  
Covered Patio Area: 1,724.0 Sq. Ft.  
Mechanical Room Area: 182.0 Sq. Ft.  
Lot Area: 53,200.0 Sq. Ft. 1.23 Acres  
Thomas Brothers Map Page & Coordinates: 758 04 Year 2005  
Zoning Classification: R-2 Multi Family  
Sewage: On City Sewer

### Code Requirements:

This Project Complies with:

|      |                            |
|------|----------------------------|
| 2013 | California Building Code   |
| 2013 | California Electrical Code |
| 2013 | California Fire Code       |
| 2013 | California Fire Code       |
| 2013 | California Fire Code       |
| 2013 | California Fire Code       |
| 2013 | California Fire Code       |
| 2013 | California Fire Code       |
| 2013 | California Fire Code       |
| 2013 | California Fire Code       |

All other State and Local Codes that are applicable.

Occupancy: R-2  
Type of Construction: V-B  
Sprinklers Required: YES

### Residential Mandatory Measures:

- Storm water drainage and retention during construction. Projects which disturb less than one acre of soil, and are not part of a larger common plan of development which in total disturbs one acre or more, shall manage storm water drainage during construction. In order to manage storm water drainage during construction, one or more of the following measures shall be implemented to prevent flooding of adjacent property, prevent erosion and retain soil runoff on the site.
  - Retention basins of sufficient size shall be utilized to retain storm water on the site.
  - Where storm water is conveyed to a public drainage system, collection point, gutter or similar disposal method, water shall be filtered by use of a barrier system, wattle or other method approved by the enforcing agency.
  - Compliance with a wattle installed storm water management ordinance.

Finish Floor = 000.00  
Pad Elev. = 000.00

If Finish Floor of dwelling is not above upstream manhole provide Backwater Valve per C.P.C. 710. Fixtures above such elevation shall not discharge through the backwater valve.

### Note:

- Foundation Elevation Must Be 18" (Inches) Above Top Of Curb Or Crown Of Street Unless Engineered Design Provides Equivalent Protection. (1805 CBC Ord. amendment)
- Minimum 50 % Front Yard Landscaping
- Landscape To City Standards
- All Existing Block Walls to be Sound Construction and 6' high from Proposed Site Side.

**MIKE MENDOZA**  
Design Principal  
P. O. BOX 692  
Desert Hot Springs, CA 92240  
Phone: 1-(760) 275-1816  
Fax: 1-(760) 286-4008  
e-Mail Address: m23177@aol.com

These Plans, Drawings & Specifications, as well as any amendments, are the property of the Designer. They are to be used only for the project and site specifically identified herein. They are not to be used for any other project, site or location without the written consent of the Designer. The Designer shall not be responsible for any errors or omissions in these Plans, Drawings & Specifications, or for any consequences arising therefrom, whether or not such errors or omissions are caused in whole or in part by negligence or any other cause.

| Revisions            | Date       |
|----------------------|------------|
| Plan Check Revisions | 05-05-2018 |

| Revisions          | Date       |
|--------------------|------------|
| Planning Revisions | 05-26-2018 |
| Planning Revisions | 07-27-2018 |
| Planning Revisions | 08-31-2018 |

Owner Name:  
**Mr. Henrik Antonian**  
1857 Arvin Drive  
Glendale, CA 91208  
Phone No. 1-(818) 955-5111  
e-Mail Address: gorden@arvin@jagobogal.net

Job Address:  
Lot No. 8 & No. 9  
155 - San Rafael Drive  
Palm Springs, CA 92262

### Site Plan & General Notes

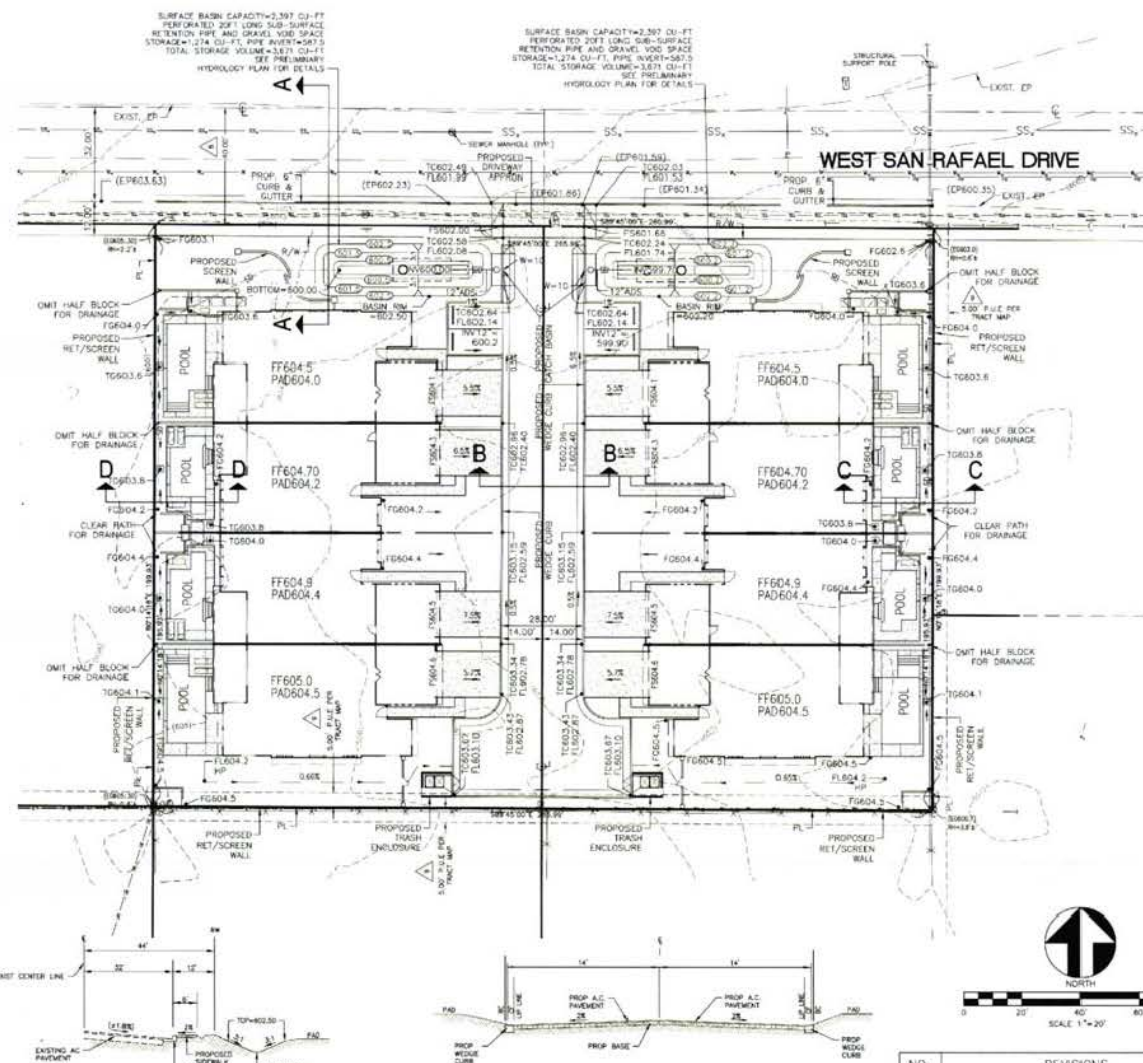
Date: January 2018  
Drawn By: Mike Mendoza  
Sign By:

Sheet Number:  
**SP.01**

Scale: 1" = 20'-0"



IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
**PRELIMINARY GRADING PLAN**  
 FOR PROPOSED CONDOMINIUM PLAN FOR TRACT NO 37039  
 BEING LOTS 8 & 9 OF VISTA DEL MONTE TRACT PER MB 018, PAGE 77  
 LOCATED AT SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SAN BERNARDINO MERIDIAN  
 MAY 2015



**OWNER**  
 MODERN DEVELOPMENT LLC  
 129 E LINCOLN AVE  
 BURBANK CA 91502

**LEGAL DESCRIPTION**  
 LOTS 8 & 9 OF VISTA DEL MONTE TRACT PER MB 18/77

**ASSESSOR'S PARCEL NO.**  
 504-121-002 & -003

**UTILITIES:**  
 ELECTRIC: SOUTHERN CALIFORNIA EDISON  
 CONTACT: AMBER N. WRIGHT  
 (760) 202-4250  
 GAS: SO CALIFORNIA GAS COMPANY  
 CONTACT: 1-800-427-2200  
 TELEPHONE: VERIZON COMPANY  
 CONTACT: LARRY MOORE  
 (760) 778-3601  
 WATER: DESERT WATER AGENCY  
 CONTACT: DEBBIE RANDALL  
 (760) 323-4971 EXT 146  
 TV CABLE: THE TIME WARNER CABLE  
 CONTACT: DALE SCHWABE  
 (760) 674-5452

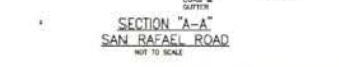
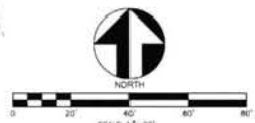
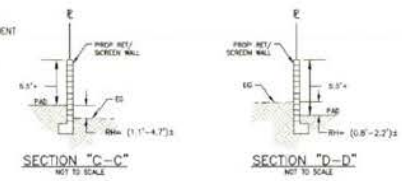
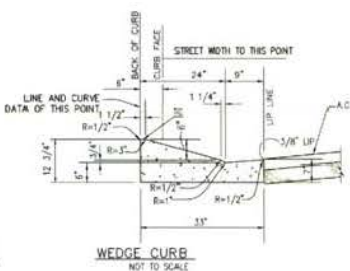
**ENGINEER**  
 FOMOTOR ENGINEERING  
 225 SOUTH CIMC DRIVE, SUITE 1-5  
 PALM SPRINGS, CALIFORNIA 92262  
 TELEPHONE: (760) 323-1842  
 FAX: (760) 323-1742  
 EMAIL: PHILLIP@FOMOTOR.COM  
 PHILLIP K. FOMOTOR, R.C.E. 47284

**GROSS AREA**  
 GROSS AREA=53,179 SF = 1.22 ACRES

**LAND USE**  
 EXISTING: VACANT  
 PROPOSED: RESIDENTIAL

**EARTHWORK**  
 RAW CUT: 930 CY  
 RAW FILL: 1950 CY

- LEGEND**
- BOUNDARY
  - EXIST. FENCE
  - EXIST. UNDERGROUND TV CABLE
  - EXIST. UNDERGROUND TELEPHONE LINE
  - EXIST. UNDERGROUND ELECTRIC LINE
  - EXIST. SEWER LINE
  - EXIST. WATER LINE
  - EXIST. WATER LINE
  - EXIST. WALL
  - EXIST. CONTOUR
  - PROP. CONCRETE
  - EXIST. FIRE HYDRANT
  - EXIST. WATER VALVE
  - EXIST. SEWER MANHOLE
  - EXIST. TV CABLE BOX
  - EXIST. IRRIGATION VALVE
  - EXIST. SEWER CLEANOUT
  - AIR CONDITIONING UNIT
  - EXIST. TELEPHONE BOX
  - EXIST. UTILITY STRUCTURE
  - EXIST. HEDGE
  - STORM WATER FLOW DIRECTION
  - EXISTING
  - MB
  - MAP BOOK
  - ( )
  - EXISTING
  - TOP OF GRADE
  - TOP OF CURB
  - PROP.
  - PROP.
  - STORM DRAIN
  - FLOW LINE
  - AC
  - ACRE
  - RETAINING HEIGHT
  - CLURB FACE
  - BACK OF CURB
  - EDGE OF PAVEMENT
  - PROP. WALL
  - CATCH BASIN



| NO. | REVISIONS | APPROVED DATE | SEAL |
|-----|-----------|---------------|------|
|     |           |               |      |
|     |           |               |      |
|     |           |               |      |

PREPARATION DATE: 11/17/2015

**FOMOTOR ENGINEERING**  
 225 S CIMC DRIVE, SUITE 1-5  
 PALM SPRINGS, CA 92262  
 (760) 323-1842 FAX (760) 323-1742

**PRELIMINARY**

CITY OF PALM SPRINGS, STATE OF CALIFORNIA  
**PRELIMINARY GRADING PLAN**  
 FOR PROPOSED  
 CONDOMINIUM TRACT NO 37039  
 LOTS 8 & 9 OF VISTA DEL MONTE TRACT  
 PER MB 18, PAGE 77  
 APR: 504-121-002 & -003