



## PLANNING COMMISSION STAFF REPORT

Date: March 11, 2009  
Case No.: Case No. 5.0899 – AMND  
Type: Amendment to PDD Development Standards  
Location: NEC of Acanto Way and South Palm Canyon Drive  
APN: 512-290-032  
Applicant: Basel Investors, Inc.  
General Plan: VLDR (Very Low Density Residential)  
Zone: PDD 271 (Planned Development District)  
From: Craig A. Ewing, AICP, Director of Planning Services  
Project Planner: Scott Taschner, Assistant Planner

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### PROJECT DESCRIPTION

The application is a request by Basel Investors, Inc., to amend the development standards for lots in excess of 28,000 square feet in the Alta subdivision to include tennis courts and second units which are larger than what the Palm Springs Zoning Code (PSZC) and State Law allows for.

### RECOMMENDATION

That the Planning Commission approve Case No. 5.0899 AMND, allowing second units up to 1721 square feet and tennis courts on lots in excess of 28,000 square feet in the Alta Planned Development District (PDD 271) located at the northeast corner of Acanto Way and South Palm Canyon Drive, subject to conditions of approval.

## **PRIOR ACTIONS**

On December 22, 2008 the Architectural Advisory Committee (AAC) reviewed the current proposal and voted 4-0-2 (King, O'Donnell, Sahlin, Ortega) to recommend approval to the Planning Commission as submitted. However, the AAC had the following suggestions:

- Create a solution for solar control on second unit's west elevation
- Get comments from Engineering Department regarding the guest parking stalls
- Lower the roof line of the addition to give prominence to the main structure

The applicant has made revisions to the plans which include installation of an electric exterior roll-down shade outside the upper section of the guest house windows. The applicant has also removed one of the parking spaces, and added of landscaping to screen the additional parking area.

## **BACKGROUND AND SETTING**

The project site is located on Lot 62 of Tract 30050 in the Alta Subdivision near the northeast corner of Acanto Way and South Palm Canyon Drive. The lot in question was originally two separate back-to-back interior lots that were each about 14,300 square feet. The lots have recently been merged to create one large lot of about 28,600 square feet. The main residence is a completed single-family residence on the southern portion of the merged lot. While the second unit and tennis court are proposed on the northern portion of the merged lot. A copy of the recordation, provided by the Engineering Department, is included in this packet as attachment No. 13

## **ANALYSIS**

The proposed project consists of a second unit, an outdoor deck, a tennis court, a combination wall/fence, perimeter walls, and additional landscaping.

More specifically, the proposal includes the following:

- a 1720 square foot two bedroom second unit
- a standard size tennis court (60' x 120', approximately)
- a 10 foot high tennis court combination wall/fence
- 6 foot high perimeter wall (along adjoining side property lines)
- landscape screening for the tennis court and guest parking area

### The Second Unit

The proposed second unit is approximately 1,720 square feet in size and proposes two bedrooms, two bathrooms, and central living room with a wetbar, refrigerator, and

fireplace. The central living room in the second unit opens onto a patio deck which overlooks the tennis court.

The second unit proposes many features which are consistent with the architecture of the main house and other structures within the Alta development. Some of the features are the angled roof structure, the use of straight and angled architectural features, the use of complimentary materials, and the use of a complimentary color palate. All colors and materials used for the guesthouse will be consistent with those used on the existing main house.

The City and/or State regulations require second unit to conform to the following standards:

- A second unit may be erected, without a kitchen, which occupies no more than 1/50<sup>th</sup> of the lot area (by right of zone, Palm Springs Zoning Ordinance).
- A second unit, provided with a kitchen, which occupies more than 1/50<sup>th</sup> of the lot (with approval of a Conditional Use Permit, Palm Springs Zoning Ordinance).
- Under state law, municipalities shall allow detached second units up to 1200 square feet provided they meet certain requirements, the most relevant requirements to the current proposal is that the second unit is provided with a kitchen and has a main permitted residence on the same lot.

Under these provisions Planning Staff must allow a detached second unit up to 1200 square provided the unit has a kitchen. The proposal is for a detached 1,720 square foot second unit. Therefore, staff is bringing forward the current PDD amendment proposal to the Planning Commission.

#### Building Height

The building height restrictions for the approved Planned Development District (Alta) refer back to regulations of the Palm Springs Zoning Ordinance. Pursuant to Section 92.01.03(B)(6) the building height can not exceed 12 feet at minimum setback, with a 4:12 slope thereafter to a maximum of 18 feet in height. The current proposal shows the height approximately 1.85 feet (or 1 foot 10 ½ inches) over the height limit as determined by planning staff. Staff is therefore, recommending Condition of Approval No. PLN1, stating that "The building height shall not exceed twelve (12) feet in height at minimum setback. From the minimum setback, the height may be allowed to increase along a plane which has a slope of 4:12, until a building height of 18 feet is attained. The baseline for measuring building height shall be determined as defined by the Palm Springs Zoning Code, Section 92.01.03(B)(6)."

### Roof Overhang

Pursuant to Section 93.01.00(F), Permitted Projections, roof overhangs may extend into a required side yard not more than four (4) inches per foot of setback. The proposed roof overhang on the east side of the guest house is approximately six (6) feet in length. Staff is recommending Condition of Approval No. PLN2, stating that "the guest house roof overhang on the east side of the property shall be reduced to a maximum of forty (40) inches".

Staff also notes that potential noise impacts of a tennis court will be minimized by the fact that the client is not proposing night lighting for the tennis court. A Conditional Use Permit would be required for night lighting of the tennis court and the design guidelines for the Home Owners Association (HOA) prohibit night lighting of tennis courts.

### The Tennis Court

The proposed tennis court is a standard sized doubles tennis court and the finished grade/surface of the tennis court is approximately 2 feet below grade. The project will require remediation of the on-site drainage and has been conditioned as such in the Engineering Conditions of Approval. Condition No. ENG11 which states, "all stormwater runoff across the property shall be accepted, conveyed, and released into an appropriate drainage system, as required by the City Engineer".

The proposed tennis court fence is a 10 foot high combination wall/fence. The block wall portion is 6 feet in height with a 4 foot high fence on top of the wall. The block wall portion will be a smooth plaster finish colored to match the existing walls in the development. The fence portion will be constructed with a 1 ½ welded frame with perforated metal.

Night lighting of the tennis court is not being proposed. A Conditional Use Permit would be required for night lighting of the tennis court and the design guidelines for the Home Owners Association (HOA) prohibit any night lighting of tennis courts in the development.

### Landscaping

The proposed landscaping palette includes a mix of Citrus Sinenses, Mexican Blue Palm, California Fan Palm, Natal Plum, Japanese Blueberry, Texas Ranger, Regal Mist Muhly Grass, Mexican Fence Post, Totem Pole Cactus, and Paolo Verde. The proposed landscaping is consistent with the landscaping used for the main house and is comprised of drought-tolerant plants which are ecologically compatible to the low-desert environment.

## REQUIRED FINDINGS

Pursuant to Section **94.03.00(C)** of the Zoning Code, the Planning Commission is authorized to establish a full range of development standards appropriate to the orderly development of a site for which a Planned Development is approved. Section **94.03.00(G)** allows the Planning Commission to modify Final Development Plans of Planned Developments. The Commission may approve minor architectural or site changes that do not affect the intent of the PD.

- 1) *That the use is in keeping with the stated intent and purpose of the Planned Development.*

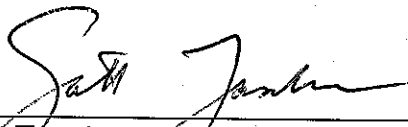
The proposed amendment to the final development plans have been reviewed by staff. Staff has determined that the project, as conditioned, is consistent with the land use policies of the City and will not have any impact on the purpose and original intent of the previously approved planned development district as conditioned. Furthermore, the Home Owners Association has approved the project, and the Architectural Advisory Committee recommended approval of the project to the Planning Commission. Staff concludes the granting of the request would have less of an impact than what the property was originally designated for; the footprint of the second unit is less than half the size of a single-family dwelling on a similarly-sized lot. Staff notes that the impacts of the proposed tennis court are comparable to other accessory uses which are typical of single-family residences throughout the city. Therefore, staff recommends that the Planning Commission find the proposal to be minor and approve the amendment as proposed.

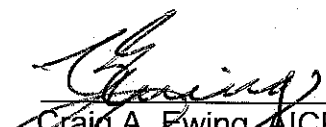
## ENVIRONMENTAL ASSESSMENT

Pursuant to Section 15162 of the California Environmental Act (CEQA), the preparation of further environmental documentation is not necessary since the circumstances of the project have not changed. The present request could not therefore, result in any new environmental impacts beyond those already assessed in the adopted mitigated negative declaration.

## NOTIFICATION

Review of minor changes to a Final Development Plan does not require public notice per Section 94.03.00(G) of the PSZC.

  
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Scott Taschner  
Assistant Planner

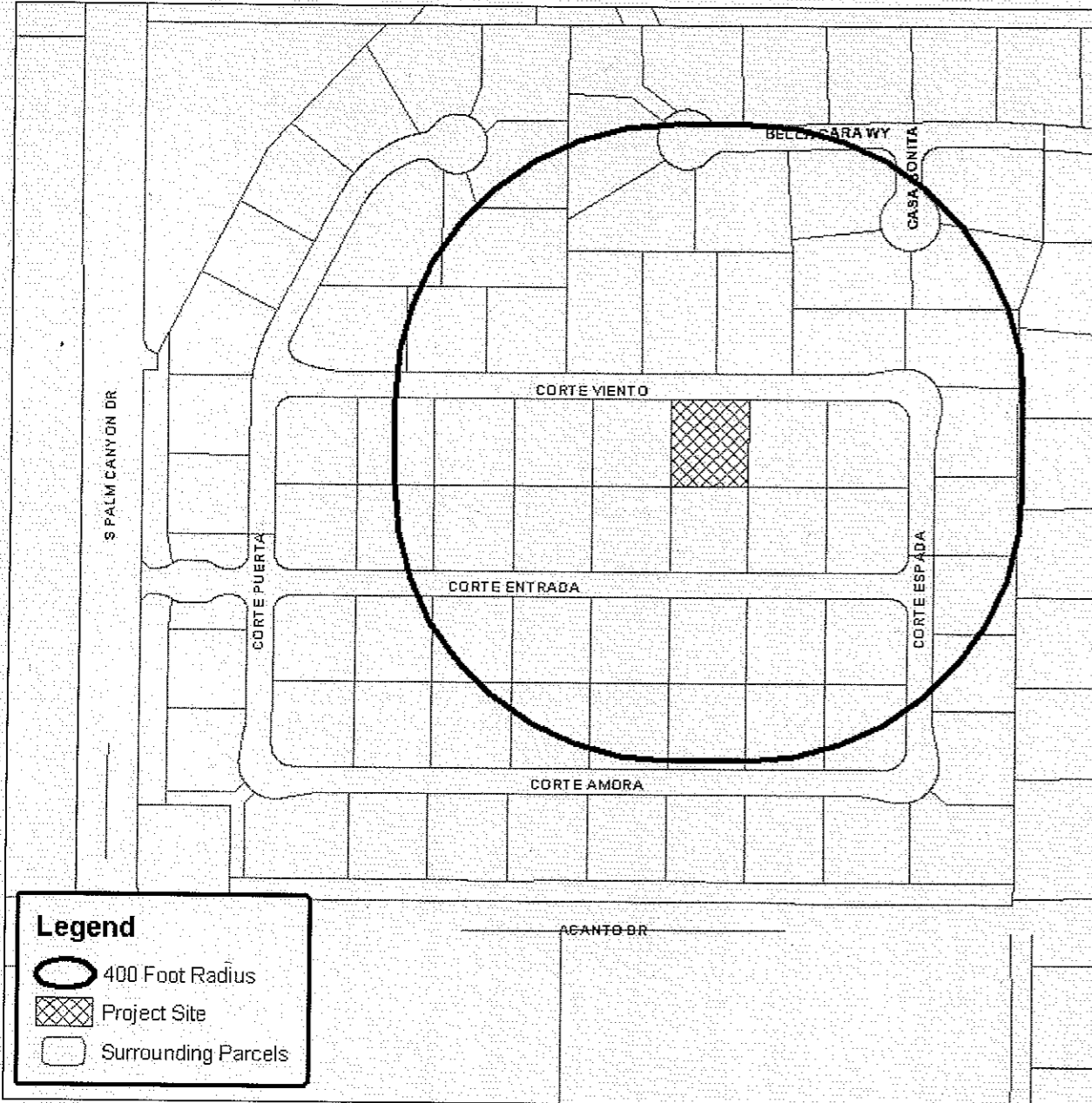
  
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Craig A. Ewing, AICP  
Director of Planning Services

**Attachments:**

1. Vicinity Map
2. Draft Resolution
3. Draft Conditions of Approval
4. Site Plan
5. Landscape Plan
6. Elevations
7. Roof Plan
8. Ceiling Plan
9. Site Sections
10. Site photographs
11. HOA Approval
12. Recordation of lot merger



# Department of Planning Services Vicinity Map



**Legend**

- 400 Foot Radius
- Project Site
- Surrounding Parcels

## CITY OF PALM SPRINGS

**CASE NO:** 5.0899 AMND /  
PDD 271

**APPLICANT:** Basel Investors, Inc.

**DESCRIPTION:** An amendment to the development standards of the Planned Development District (PDD 271) for the Alta housing development located at the northeast corner of Acanto Way and South Palm Canyon Drive, Section 35.

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

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A REQUEST TO AMEND PLANNED DEVELOPMENT DISTRICT 271, TTM 30050, CASE NO. 5.0899, TO ALLOW SECOND UNITS UP TO 1721 SQUARE FEET AND TENNIS COURTS ON DOUBLE LOT PROPERTIES IN THE ALTA DEVELOPMENT LOCATED AT THE NORTHEAST CORNER OF ACANTO WAY AND SOUTH PALM CANYON DRIVE, ZONE PD-271, SECTION 35.

WHEREAS, Basel Investors, Inc., ("Applicant") has filed an application with the City pursuant to Section 94.03.00 (G) of the Palm Springs Zoning Code to amend Planned Development District 271, Case No, 5.0899; and

WHEREAS, on March 11, 2009, a public meeting was held by the Planning Commission in accordance with applicable law; and

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

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: Pursuant to the requirements of Section 94.03.00(G), the Planning Commission finds:

- 1) *That the use is in keeping with the stated intent and purpose of the Planned Development.*
  - a. The allowance of a 1721 square foot second unit on a lots over 28,000 square feet is minor because it is less than the size of a single-family dwelling that would be allowed on a similarly-sized single lot (approximately 14,000 square feet).
  - b. The allowance of a tennis court on the lot property is minor because it is adequately accommodated and screened on the site.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves an amendment to Case No. 5.0899, TTM 30050, PDD 271 to allow second units up to 1721 square feet and tennis courts on lots in excess of 28,000 square feet within the Alta development

ADOPTED this 11th day of March, 2009.



AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Craig A. Ewing, AICP  
Director of Planning Services

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

EXHIBIT A

Case No. 5.0899 AMND / PD 271 / TTM 30050

AMENDMENT TO FINAL PLANNED DEVELOPMENT

BASEL INVESTORS, INC.

MARCH 11, 2009

**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**

- ADM1 Project Description. This approval is for the project described per Case No. 5.0899 PD AMND; except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM2 The site shall be developed and maintained in accordance with the approved plans, date stamped March 11, 2009, 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.
- ADM3 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.
- ADM4 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.
- ADM5 Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers

or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.0899 AMND. 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.

- ADM6 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.
- ADM7 Time Limit on Approval. Approval of the (Planned Development District (PDD) Tentative Tract Map (TTM) and Major Architectural Applications (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.
- ADM8 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.
- ADM9 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.

#### **ENVIRONMENTAL ASSESSMENT CONDITIONS**

- ENV1 Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Permit Fee (LDMF) required. All projects within the City

of Palm Springs are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.

ENV2 Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$64 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Exemption. Action on this application shall not be considered final until such fee is paid (projects that are Categorically Exempt from CEQA).

ENV3 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.

#### PLANNING DEPARTMENT CONDITIONS

PLN 1. The building height shall not exceed twelve (12) feet in height at minimum setback. From the minimum setback, the height may be allowed to increase along a plane which has a slope of 4:12, until a building height of 18 feet is attained. The baseline for measuring building height shall be determined as defined by the Palm Springs Zoning Code, Section 92.01.03(B)(6).\

PLN 2. The guest house roof overhang on the east side of the property shall be reduced to a maximum of forty (40) inches.

PLN 3. Outdoor Lighting Conformance. Exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.

PLN 4. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs

Municipal Code. 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. Refer to Chapter 8.60 of the Municipal Code for specific requirements.

- PLN 5. 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.

#### **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, app appropriate permits must be secured.

#### **ENGINEERING DEPARTMENT CONDITIONS**

##### **STREETS**

- ENG1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.

##### **LA MIRADA**

- ENG2. Construct a driveway approach in accordance with City of Palm Springs Standard Drawing No. 201.

ENG3. All broken or off grade street improvements shall be repaired or replaced.

#### SANITARY SEWER

ENG4. All sanitary facilities shall be connected to the public sewer system. The existing sewer service to the property shall be used for new sanitary facilities.

#### GRADING

ENG5. The City's equestrian and hiking trail adjacent to the property shall be cleared of all existing boulders and other obstructions, as required by the City Engineer. The trail shall be re-graded as necessary to provide access.

ENG6. Submit cut and fill quantities to City Engineer to determine if a Grading Plan is required. If required, the Grading Plan shall be submitted to the Engineering Division for review and approval by the City Engineer prior to issuance of grading permit. If the earthwork quantity is less than 50 cubic yards, a formal grading plan is not required. To qualify for the exemption, a signed original written statement of design earthwork quantities from the owner (or design professional, prepared on company letterhead) shall be provided to the Engineering Division. Exemption of a formal Grading Plan reviewed and approved by the City Engineer does not exempt the applicant from a site grading plan that may be required from the Building Department, or any other requirement that may be necessary to satisfy the Uniform Building Code.

- a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at [www.AQMD.gov](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.

ENG7. Prior to approval of a Grading Plan, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer, Richard Begay, or the Tribal Archaeologist, Patty Tuck at (760) 325-3400, 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.

ENG8. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.

ENG9. 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.

ENG10. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan (if required). The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

#### DRAINAGE

ENG11. All stormwater runoff across the property shall be accepted and conveyed in a manner acceptable to the City Engineer and released to an approved drainage system. Stormwater runoff may not be released directly to the adjacent streets without first intercepting and treating with approved Best Management Practices (BMP's).

ENG12. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$ 9212.00 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

#### GENERAL

ENG13. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

ENG14. On phases or elements of construction following initial site grading (e.g., sewer, storm drain, or other utility work requiring trenching) associated with this project, the applicant shall be responsible for coordinating the scheduled construction with the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. Unless the project site has previously been waived from any requirements for Tribal monitoring, it is the applicant's responsibility to notify the Tribal Historic Preservation Officer, Richard Begay, or the Tribal Archaeologist, Patty Tuck at (760) 325-3400, for any subsequent phases or elements of construction that might require Tribal monitoring. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during construction, and to arrange payment of any required fees associated with Tribal monitoring. Tribal monitoring requirements may extend to off-site construction performed by utility companies on behalf of the applicant (e.g. utility line extensions in off-site streets), which shall be the responsibility of the applicant to coordinate and arrange payment of any required fees for the utility companies.

ENG15. All proposed utility lines shall be installed underground.

ENG16. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.



ENG17. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

ENG18. 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.

ENG19. 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.

ENG20. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

#### TRAFFIC

ENG21. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development.

ENG22. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated September 26, 2006, or subsequent editions in force at the time of construction.

ENG23. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

#### FIRE DEPARTMENT CONDITIONS

##### ***Additional Requirements***

FID1. These conditions are subject to final plan check and review. Initial Fire Department conditions have been determined based on information provide by City of Palm Springs Planning Department and a site visit. Additional requirements may be

required at the time additional information is provided or when building plans are submitted.

### **Codes and Standards**

**FID2.** The California Fire Code (CFC) is the 2007 Edition with additions, deletions and amendments per City of Palm Springs Ordinance 1736.

**FID3.** NFPA 13D and 72, 2007 Edition per City of Palm Springs Ordinance 1736.

### **Fire Protection Water System**

**FID4. Fire Hydrant Flow and Number of Fire Hydrants:** Fire hydrants shall be provided in accordance with California Fire Code (CFC) Appendix B, Section B101.1 for the protection of buildings, or portions of buildings, hereafter constructed. Since an approved fire sprinkler system is required, the required fire flow has been reduced by 50%. The required fire hydrant flow for this project is 1,250 gallons per minute (CFC Appendix B, Section B105) and one available fire hydrant is required. (CFC Appendix C, Section C103) One available fire hydrant must be within 250 feet from any point on your lot street or road frontage but with a dead-end street the requirement is 200 feet and the average spacing between fire hydrants is 500 feet. (CFC Appendix C, Section C105) Fire hydrants # 794 and 795 have an average spacing between fire hydrants of 450 feet and fire hydrant # 794 is 350 feet from any point on your lot street or road frontage. Southridge Drive has a 6 inch dead-end water main with a flow capability of approximately 750 gallons per minute. The alternatives to address the above deficiencies are:

- Alternative I is to upgrade the water main from fire hydrant # 794 (corner of Southridge Circle/Drive) to the water tanks up the hill.
- Alternative II is to install a household fire alarm system in compliance with NFPA 72 that provides fire sprinkler valve and fire flow monitoring. This alternative will decrease the Fire Department's response time.

The Fire Department will assume Alternative II.

**FID5.** Additional fire hydrants are not required.

### **Fire Department Access**

**FID6. Buildings and Facilities (CFC 503.1.1):** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. The only access to this house is down the existing driveway. The driveway is 15 feet - 9 inches wide and 170 feet to the house. This driveway doesn't meet the Fire Department's apparatus access road standards. The Fire Department will allow the

existing driveway as an Existing Non-Conforming access road. The property owner shall be responsible for any damage to the driveway from Fire Department emergency operations.

### ***Fire Protection Systems***

**FID7. Fire Sprinklers Required:** An automatic fire sprinkler system is required per City of Palm Springs Ordinance 1736, Amendments # 36 and 48. This requirement shall apply to the existing house and the proposed addition. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13D, 2007 Edition, as modified by local ordinance. The contractor should submit fire sprinkler plans as soon as possible. No portion of the fire sprinkler system may be installed prior to plan approval.

**FID8. Residential Smoke Alarms Installation With Fire Sprinklers (CFC 907.2.10.1.2, 907.2.10.2 & 907.2.10.3):** Provide Residential Smoke Alarms (FIREX # 0498 accessory module connected to multi-station FIREX smoke alarms or equal per dwelling and fire sprinkler flow switch). Alarms shall receive their primary power from the building wiring, and shall be equipped with a battery backup. In new construction, alarms shall be interconnected so that operation of any smoke alarm causes all smoke alarms within the dwelling to sound.

**FID9. Additional Residential Smoke Alarm Requirements (11.5.1 NFPA 72, 2007 Edition):** Where the interior floor area for a given level of a dwelling unit, excluding garage areas, is greater than 500 Sq. Ft., the additional requirements are that all points on the ceiling shall have:

- A smoke alarm within a distance of 30 ft travel distance or
- An equivalent of one smoke alarm per 500 Sq. Ft. of floor area.

**FID10. Audible Residential Water Flow Alarms (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. The horn/strobe shall be outdoor rated.

**FID11. Household Fire Alarm System:** This system is required per Condition 4.

**FID12. Valve and Water-Flow Monitoring (CFC 903.4 & 11.7.8 NFPA 72):** All valves controlling the fire sprinkler system water supply, and all water-flow switches, shall be electrically monitored. All control valves shall be locked in the open position. Valve and water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station. The valve and water-flow monitoring system shall comply with the requirements of NFPA 72, 2007 Edition.

**FID13. Central Station Protective Signaling Service (CFC 903.4.1 & 11.7.8 NFPA 72):** A UL listed and certified Protective Signaling Service (Central Station Service) is required. Provide the Fire Department with proof of listing and current certificate. The Fire Department shall be notified immediately of change in service.

***Building Requirements***

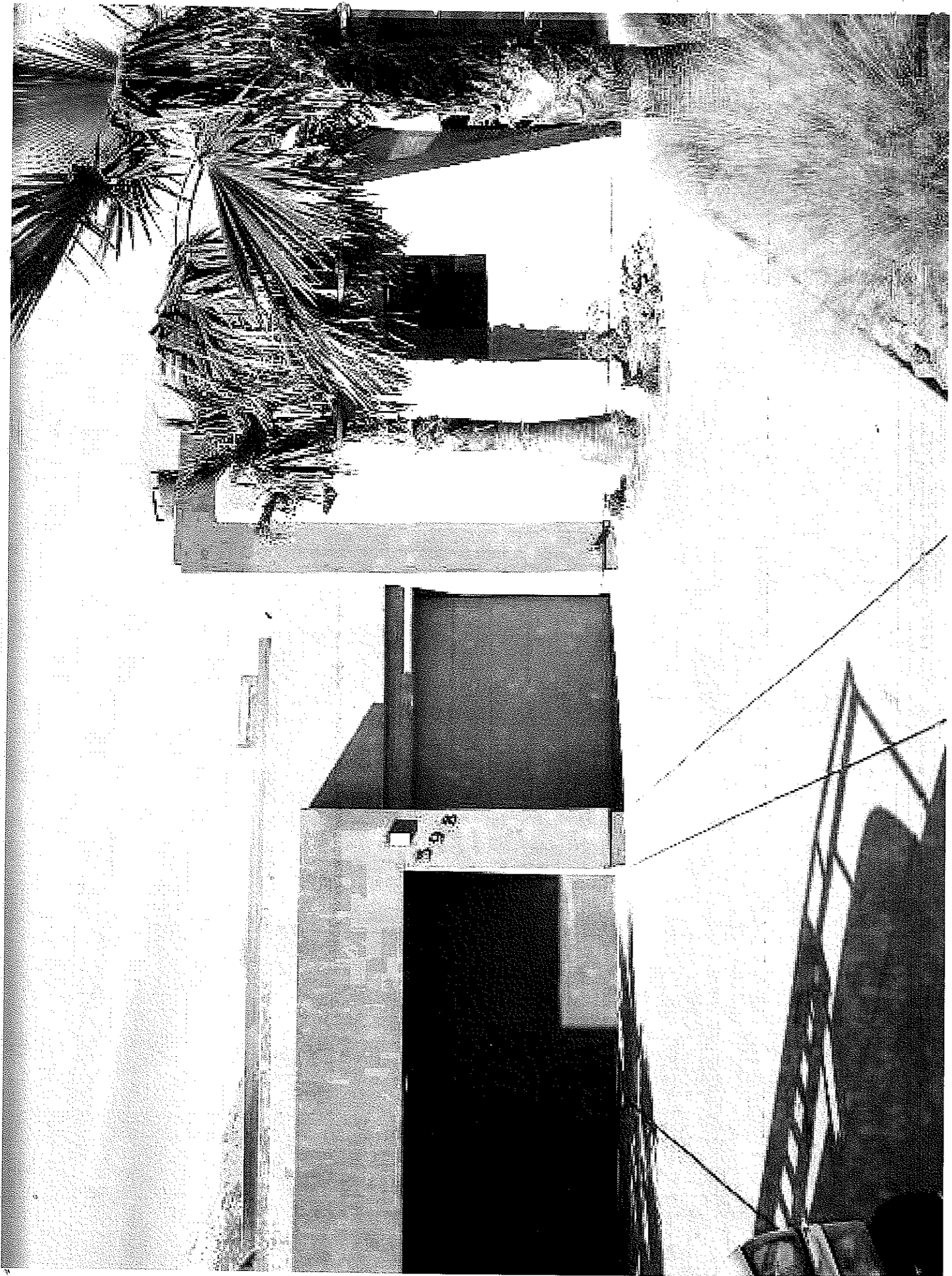
**FID14. Wildland-Urban Interface Fire Area:** This building site is located in a geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires.

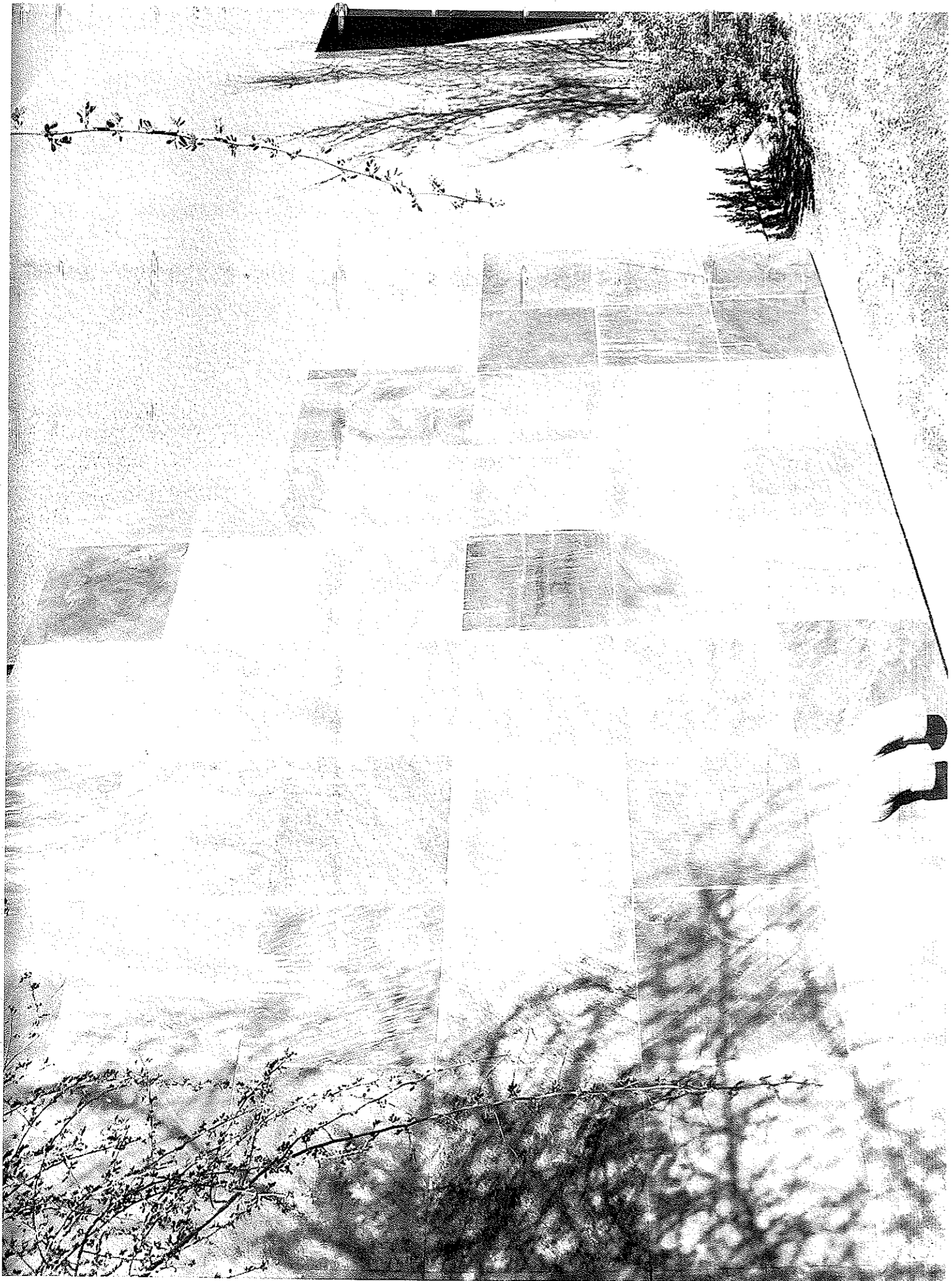
**FID15. Construction Methods & Requirements Within Established Limits (CFC 4705.2):** Construction methods intended to mitigate wildfire exposure shall comply with the California Building Code Chapter 7A, and this chapter.

**FID16. Establishment Of Limits (CFC 4705.3):** The establishment of limits for the Wildland-Urban Interface Fire Area's required construction methods shall be designated pursuant to the California Public Resources Code for State Responsibility areas or by a local agency following a finding supported by substantial evidence in the record that the requirements of this section are necessary for effective fire protection within the area. This wildland-urban interface area has been designated as a "Very High Fire Hazard Severity Zone".

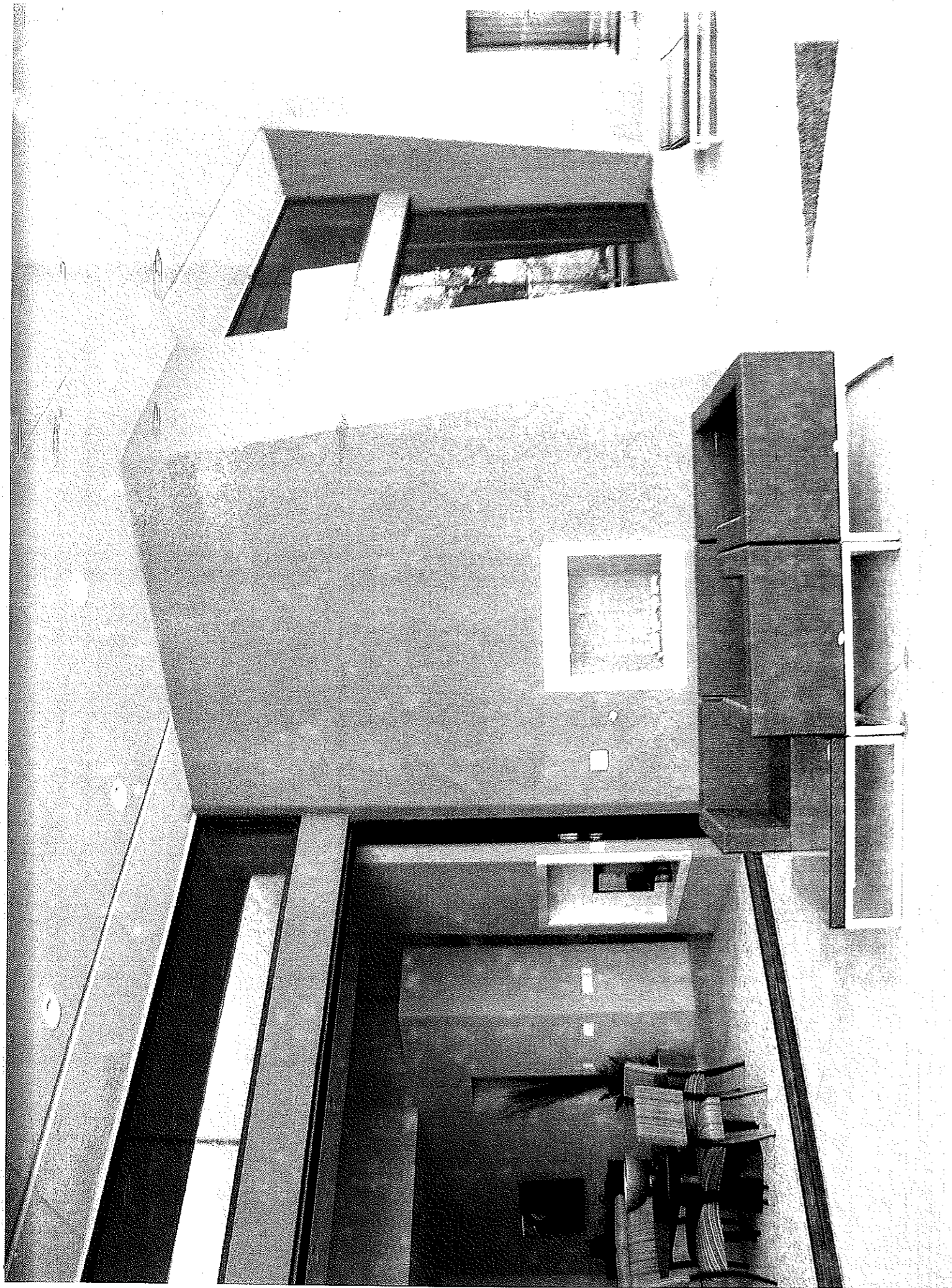
**FID17. Premises Identification (CFC 505.1):** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4" high for R-3 occupancies and 6" - 12" for all other occupancies depending on distance from street with a minimum stroke width of 0.5".

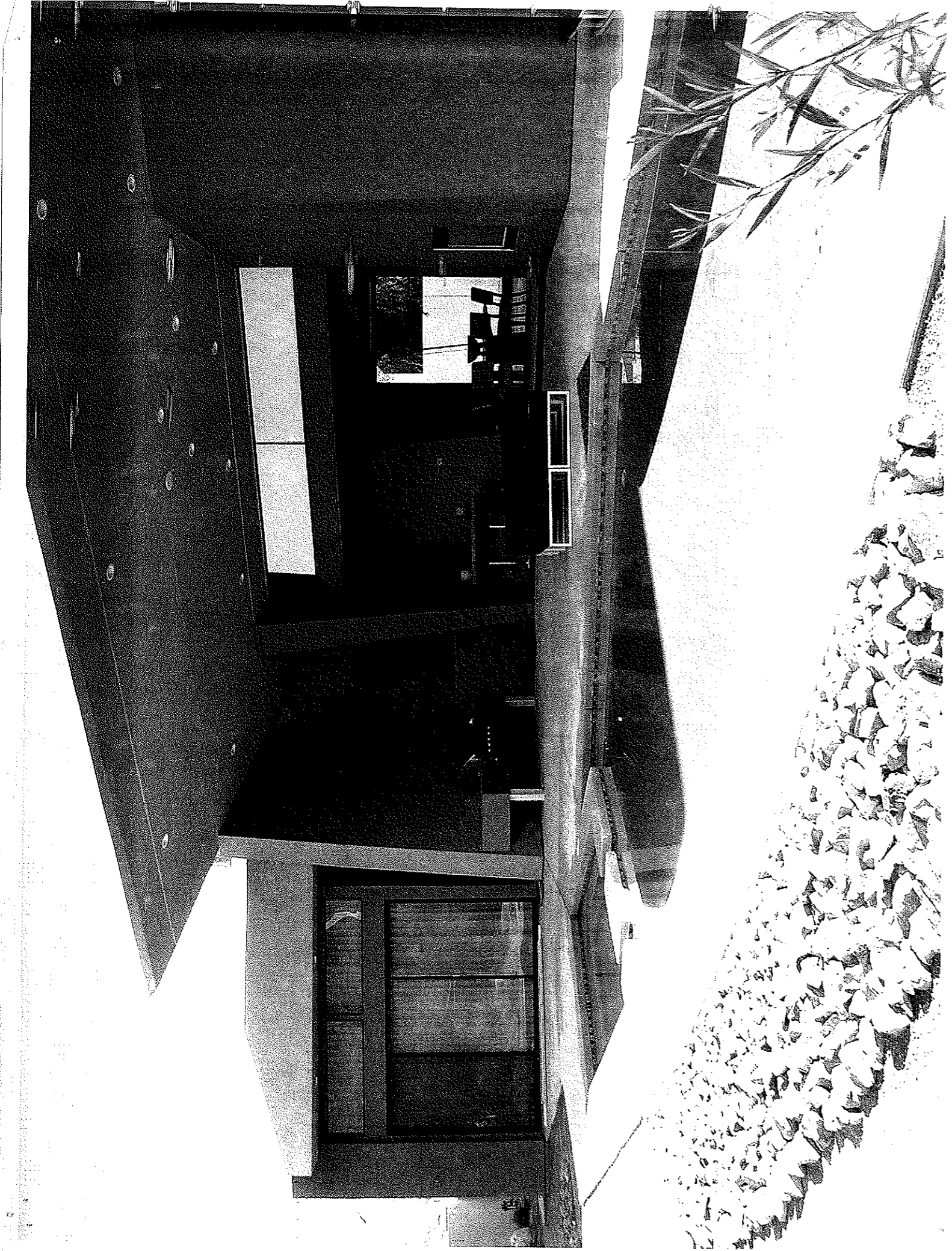
**END OF CONDITIONS**





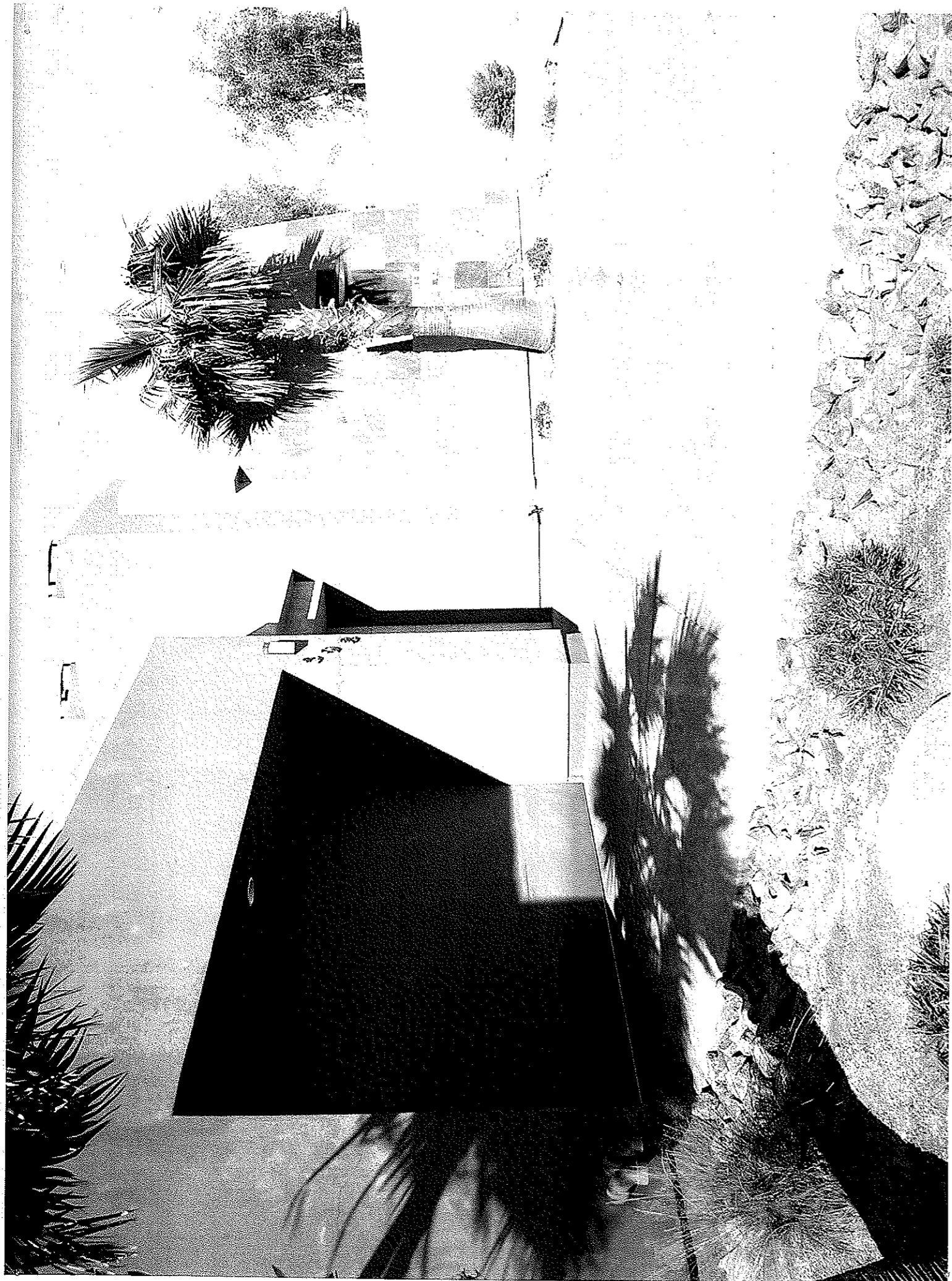


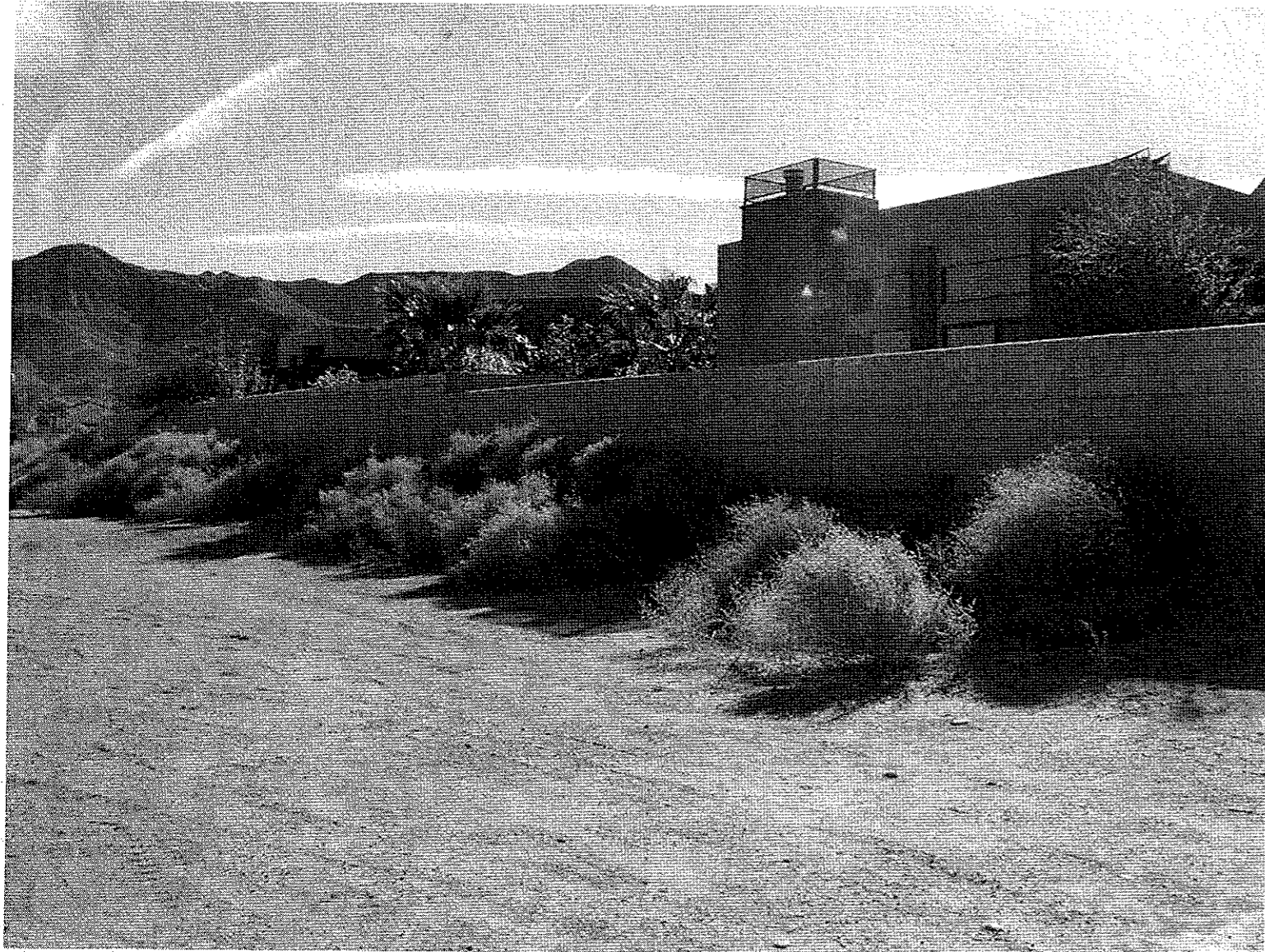










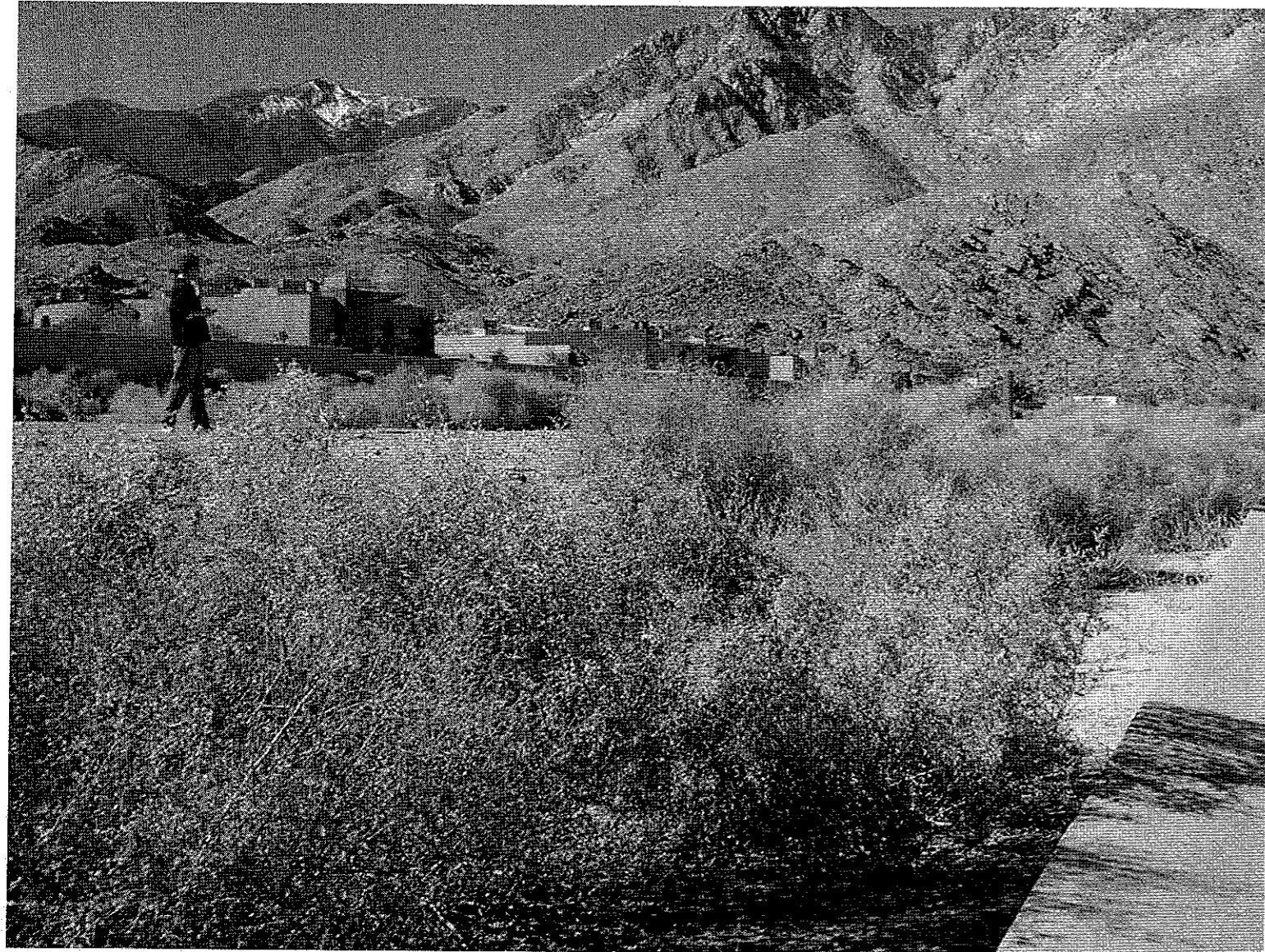


LOOKING SOUTH EAST





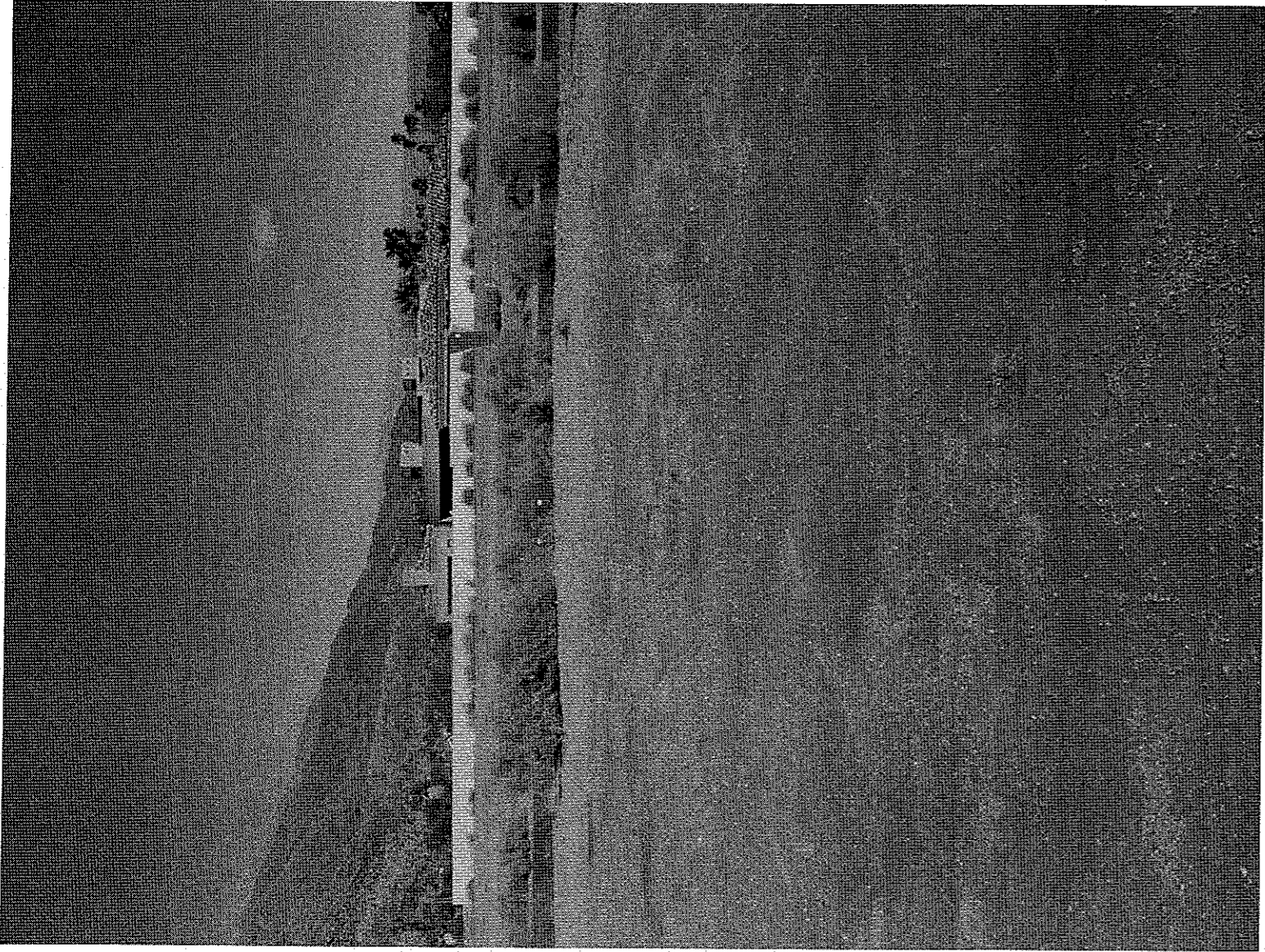
LOOKING WEST



LOOKING SOUTHWEST  
(CURB IN VIEW)



LOOKING NORTH



REC-1

JAN 22 09

Andy Sands  
Managing Partner  
Concert Realty Partners, LLC  
601 South Figueroa Street, Suite 3400.  
Los Angeles, CA 90017

Andy Sands:

Regarding: Alta, 293 Lautner Ln, Palm Springs, CA. Previously approved on 11-14-08 see attached signed letter.

Attached is Patel Architecture's submission to the Alta Review Committee for a revision to a previously approved Guest House and Tennis Court to be built on 293 Lautner Lane. Included sheets are: Site Plan, Building and site wall Elevation and Aerial Perspective.

Our objective is to obtain approval from the Alta Review Committee for a revision to the North Elevation of the previously proposed Tennis Court wall. This revisions was drafted as requested by the city of Palm Springs Planning Department.

In addition, as stated in our previous submittal to you, we have listed your concerns below, which will still need to be addressed prior to any construction taking place.

1. All site walls are to be finished in smooth plaster w/ the same colors used in the Alta complex.
2. All colors and materials used for the guesthouse are to be the same as the existing main house (lot 57).
3. The parking area must be built in concrete similar to an Alta home driveway.
4. The landscaping must be similar to the main house and must help to break up the solidness of the tennis court wall as seen from the street.
5. The fencing above the tennis court walls must be brown and consistent with the colors used in the Alta complex.
6. No pole light fixtures are to be installed at the tennis court.

7. Any issue not included in this proposal must be submitted to the Alta design and listed by written approval must be obtained from the Alta Review Committee prior to making additional modifications.

By signing this letter, the Alta Review Committee approves the revision to the Tennis Court north-facing site wall.

Sincerely,

Patel Architecture

Approved By:

Alta Review Committee Representative (print name): Paul White, Vice President

Signature: [Signature]

Date: 1/21/09

DOC # 2008-0507982

09/17/2008 08:00A Fee:33.00

Page 1 of 9

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



Recording  
Requested by and  
After Recording  
Return to:

Public Works and Engineering  
Department  
City of Palm Springs  
Box 2743  
Palm Springs, CA 92263

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File No. PM 08-07  
DTT = \$0

NO DOCUMENTARY STAMPS NEEDED

**GRANT DEED**

For a Valuable Consideration, receipt of which is hereby acknowledged,

**Basel Investors, Inc., a company limited by shares incorporated under the laws of the British Virgin Islands**

Hereby GRANT(S) to

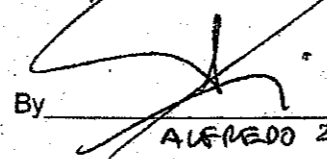
**Basel Investors, Inc., a company limited by shares incorporated under the laws of the British Virgin Islands**

That certain property in the City of Palm Springs, County of Riverside, State of California being the Approved Legal Description of that certain Parcel Merger No. PM 08-07 as more particularly described in Exhibit "A" attached hereto and made a part hereof, comprising 1 page.

Note: This grant deed implements and recognizes the parcel merger pursuant to Parcel Merger No. PM 08-07 as approved by the City of Palm Springs. The primary function of the deed is to provide constructive notice of the parcel merger pursuant to Government Code Section 66499.20.3/4 and to perfect the intent of Parcel Merger No. PM 08-07 as approved. The property subject to this Parcel Merger is owned by a single entity; hence ownership conveyance is a nonessential secondary function of this deed.

Date: 8-6-08

**Basel Investors, Inc., a company limited  
by shares incorporated under the laws of  
the British Virgin Islands**

By   
ALFREDO ZOLEZZI GARRETÓN

Its PRESIDENT/CEO



RECEIVED

MAR 04 2009



LAUTNER LANE

GUESTHOUSE:		
COMMON ROOM	540.8	S.F.
BEDROOM 1	444.3	S.F.
BATH 1	132.5	S.F.
MECH 1	39.0	S.F.
BEDROOM 2	425.8	S.F.
BATH 2	99.4	S.F.
MECH 2	39.1	S.F.
TOTAL LIVABLE	1642.8	S.F.
TOTAL	1720.9	S.F.

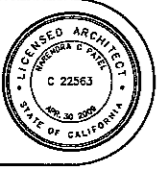
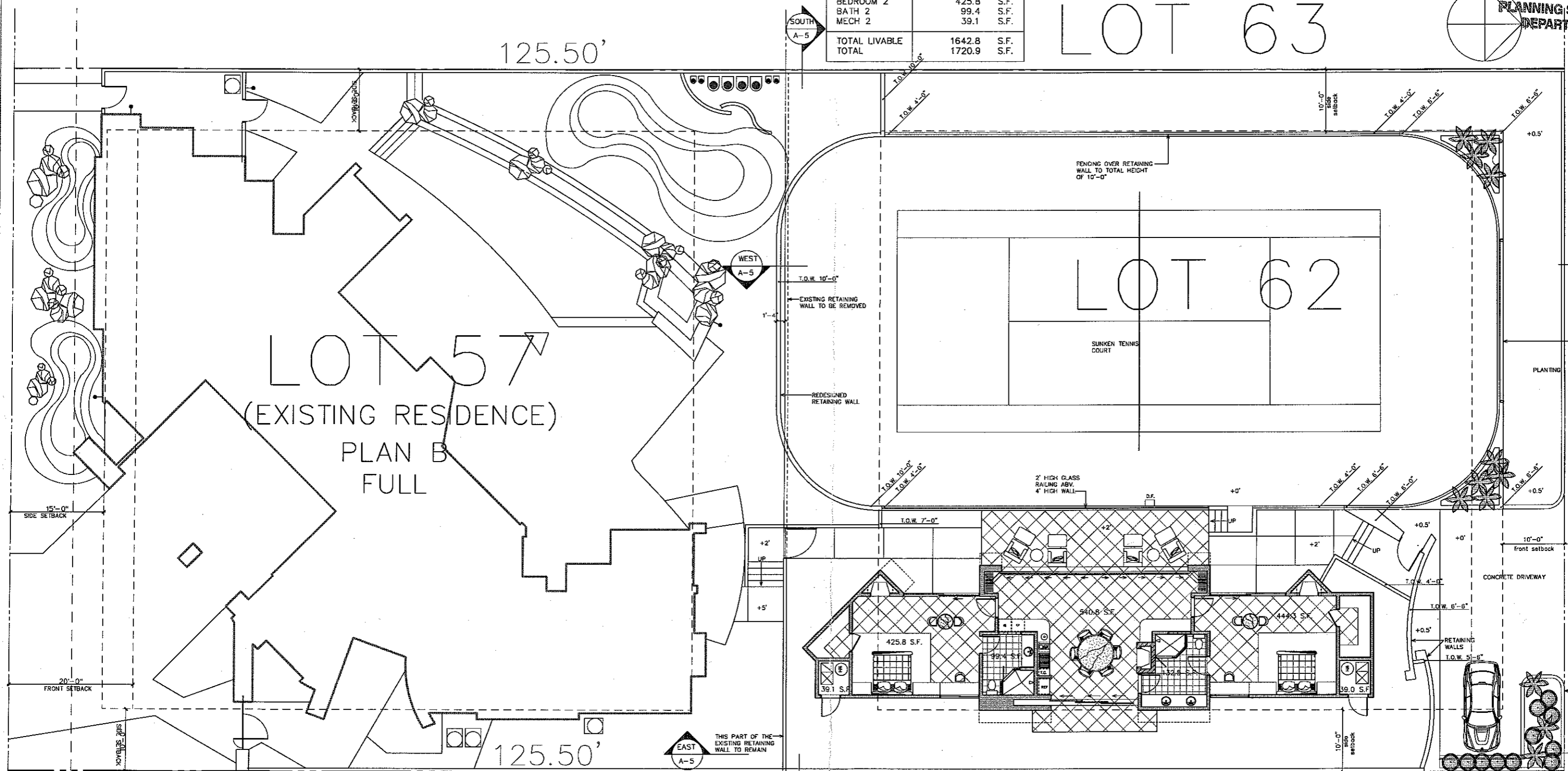
NOTE: ALL ELEVATION REFERENCES MEASURED FROM 0' (STREET)

LOT 63

LOT 62

LOT 61

LOT 57  
(EXISTING RESIDENCE)  
PLAN B  
FULL



■ PATEL ARCHITECTURE  
 ■ Green Architecture and Interior Design  
 Narendra Patel A.I.A. Architect ■  
 ■ www.patelarchitecture.com  
 71 7th San Jacinto drive, Rancho Mirage CA 92270 Tel: 760 776 5031  
 Fax: 760 423 0310

**LOT-62 GUEST HOUSE AND TENNIS**  
**ALTA, PALM SPRINGS, CA.**  
 PRELIMINARY DESIGN

SITE PLAN

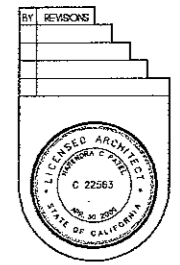
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GUESTHOUSE:	
COMMON ROOM	540.8 S.F.
BEDROOM 1	444.3 S.F.
BATH 1	132.5 S.F.
MECH 1	39.0 S.F.
BEDROOM 2	425.8 S.F.
BATH 2	98.4 S.F.
MECH 2	39.1 S.F.
TOTAL LIVABLE	1642.8 S.F.
TOTAL	1720.9 S.F.

NOTE:  
ALL ELEVATION REFERENCES  
MEASURED FROM 0' (STREET)



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Kavercho Patel AIA, Architect  
www.patelarchitecture.com  
7710e Adams Street, Torrance, CA 90503  
Tel: 310.206.2031

**LOT 62 GUESTHOUSE AND TENNIS**

**SITE PLAN PRELIMINARY DESIGN**

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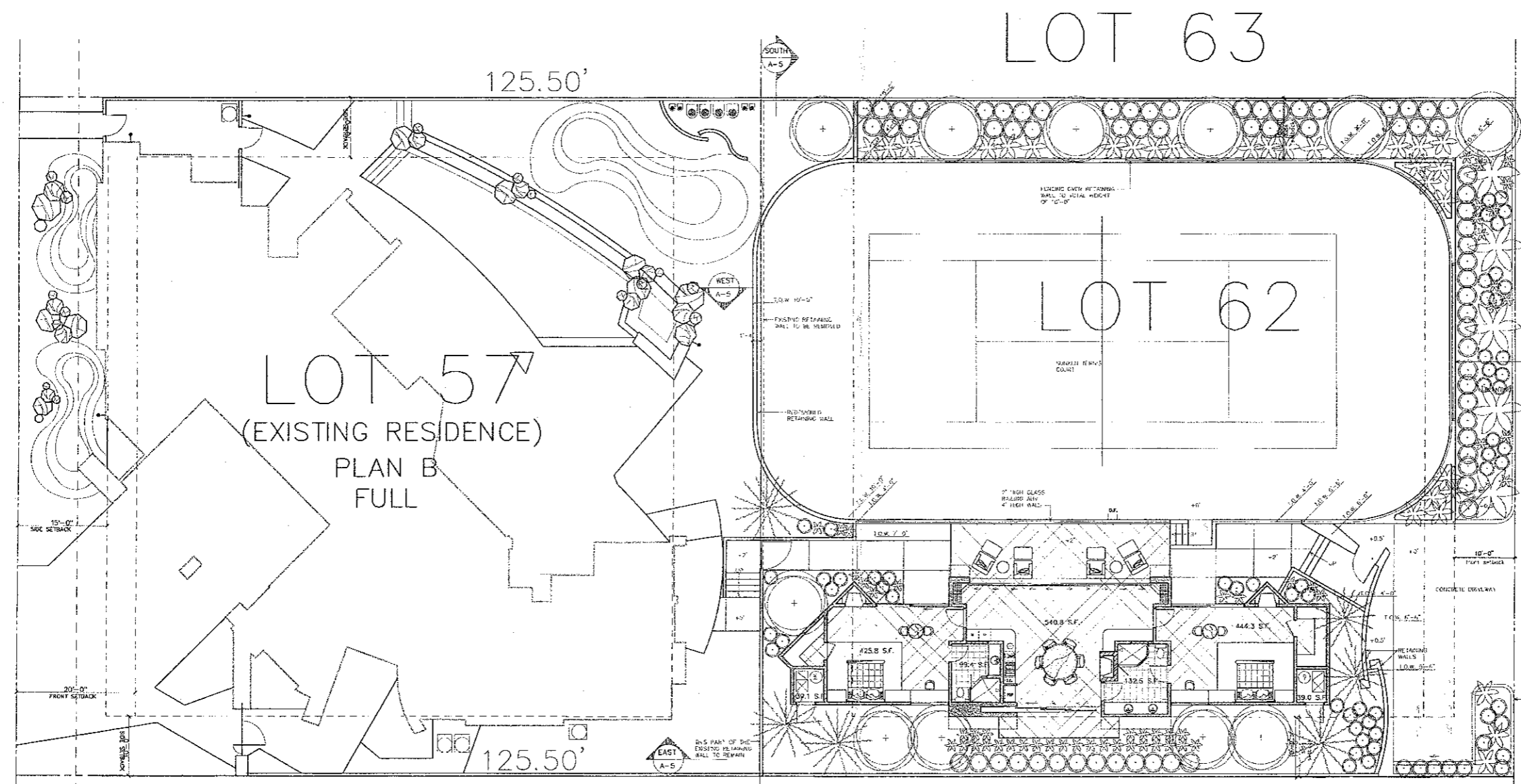
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**PLANNING SERVICES DEPARTMENT**

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PLANNING SERVICES DEPARTMENT

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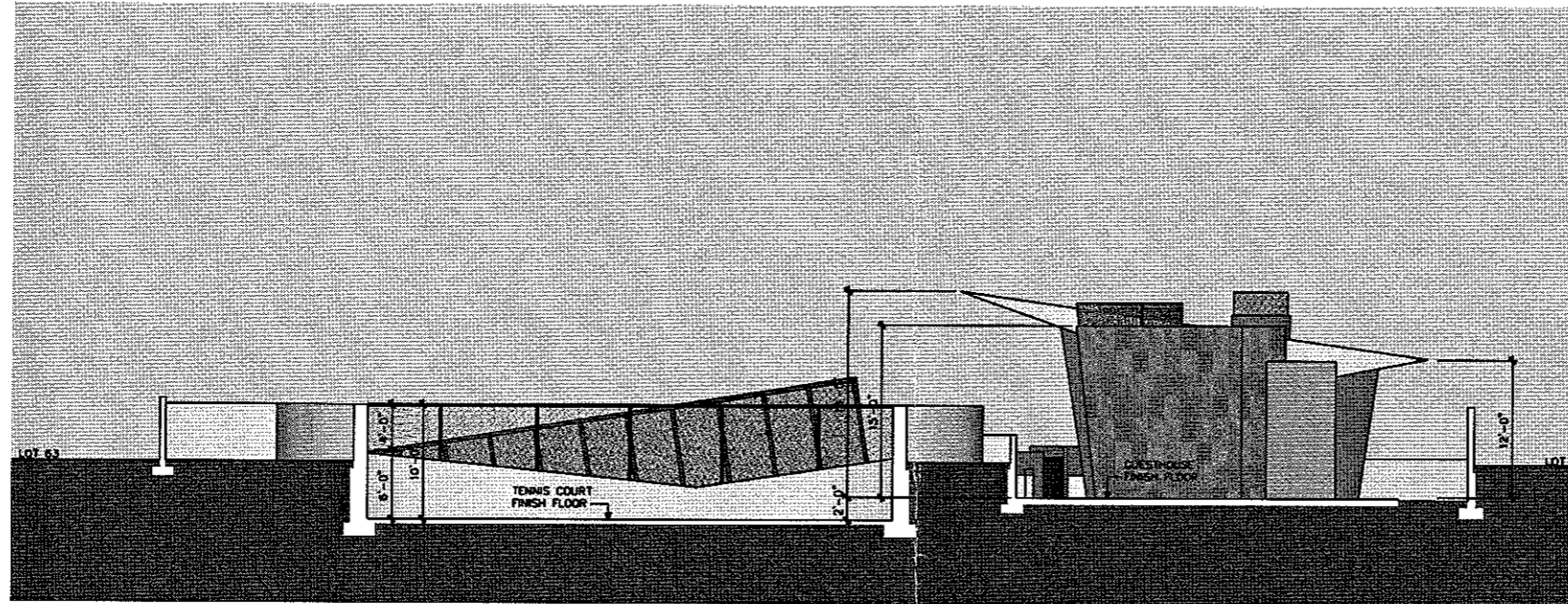
LOT 63

LOT 62

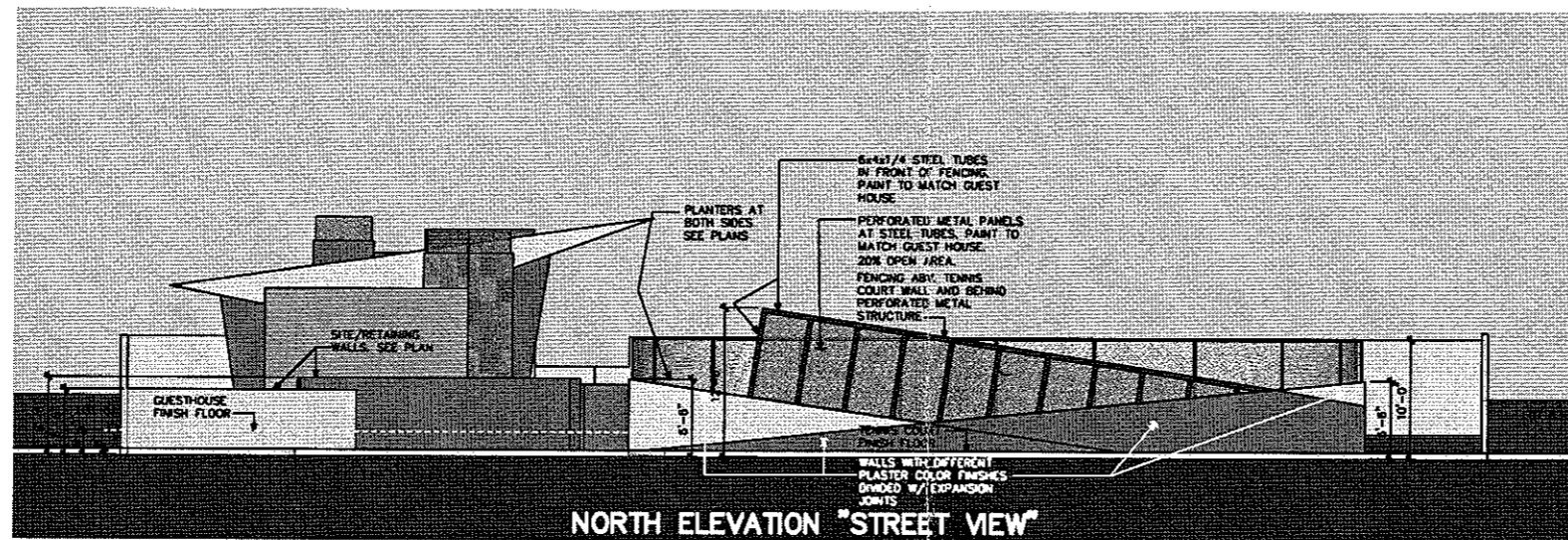
LOT 57  
(EXISTING RESIDENCE)  
PLAN B  
FULL

LOT 61

LAUTNER LANE



SOUTH ELEVATION



NORTH ELEVATION "STREET VIEW"

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PLANNING SERVICES  
DEPARTMENT

NOTE:  
ALL MATERIALS AND PAINT COLORS  
TO BE THE SAME AS THE MAIN  
HOUSE (LOT 57)



BY REVISIONS

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Norendra Patel A.I.A., Architect  
www.patelarchitecture.com  
2771 San Jacinto Ave., Rancho Mingo, CA 92270 Tel: 760 776 8031  
Fax: 760 762 0300

**ELEVATIONS**

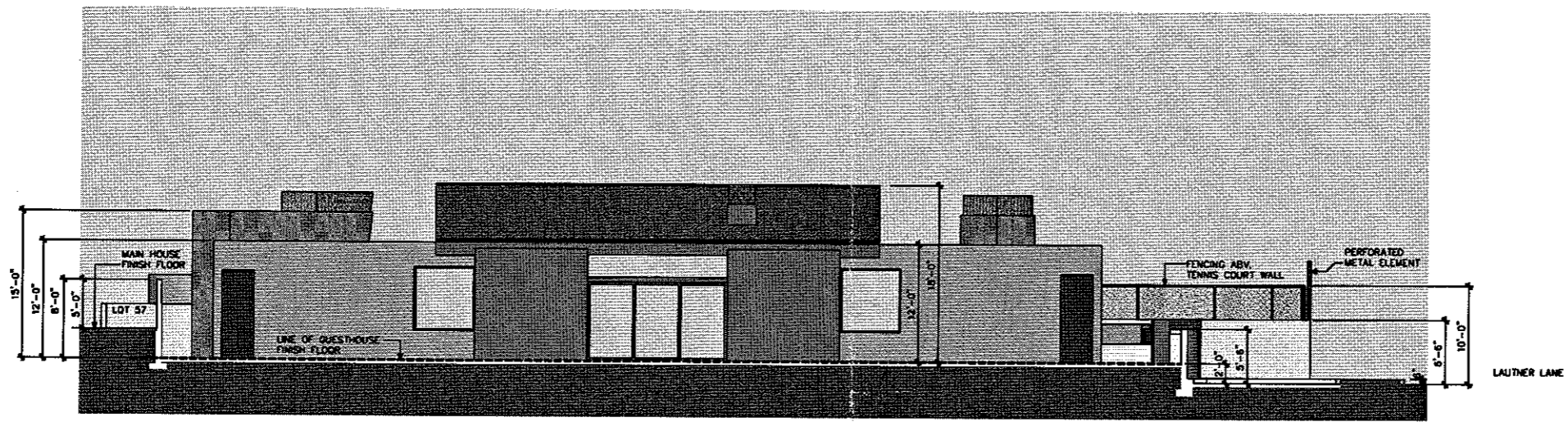
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**LOT 62 GUESTHOUSE  
AND TENNIS**

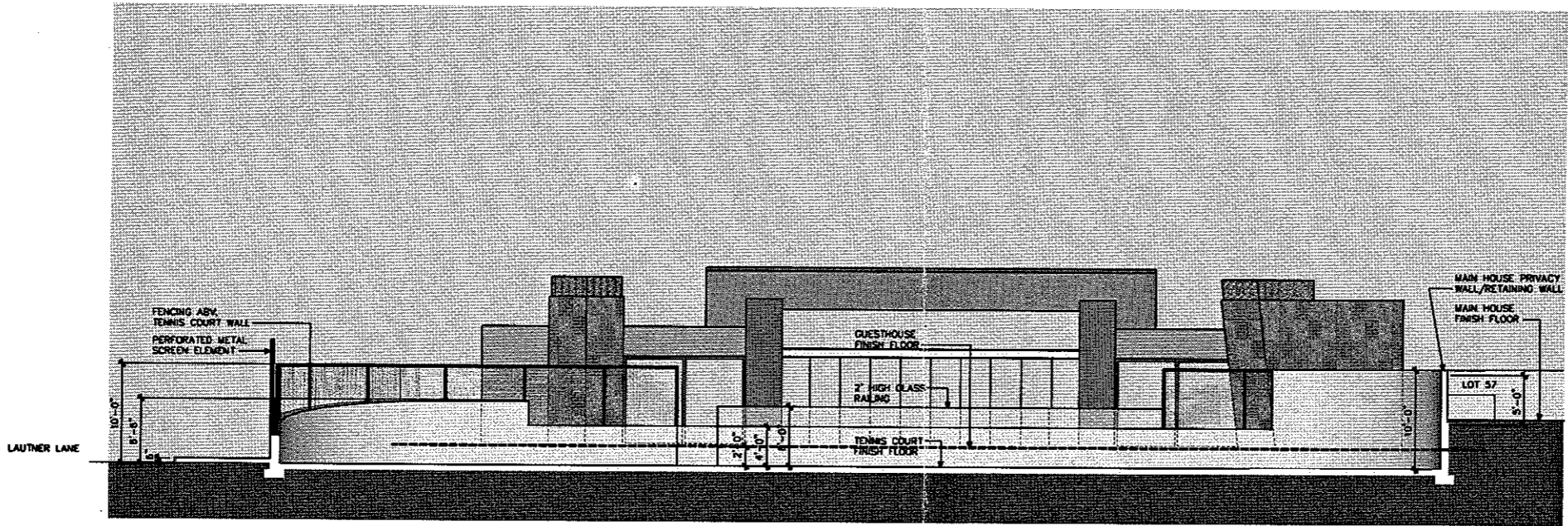
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EAST ELEVATION



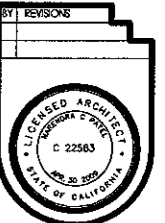
WEST ELEVATION

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DEPARTMENT

NOTE:  
ALL MATERIALS AND PAINT COLORS  
TO BE THE SAME AS THE MAIN  
HOUSE (LOT 57)



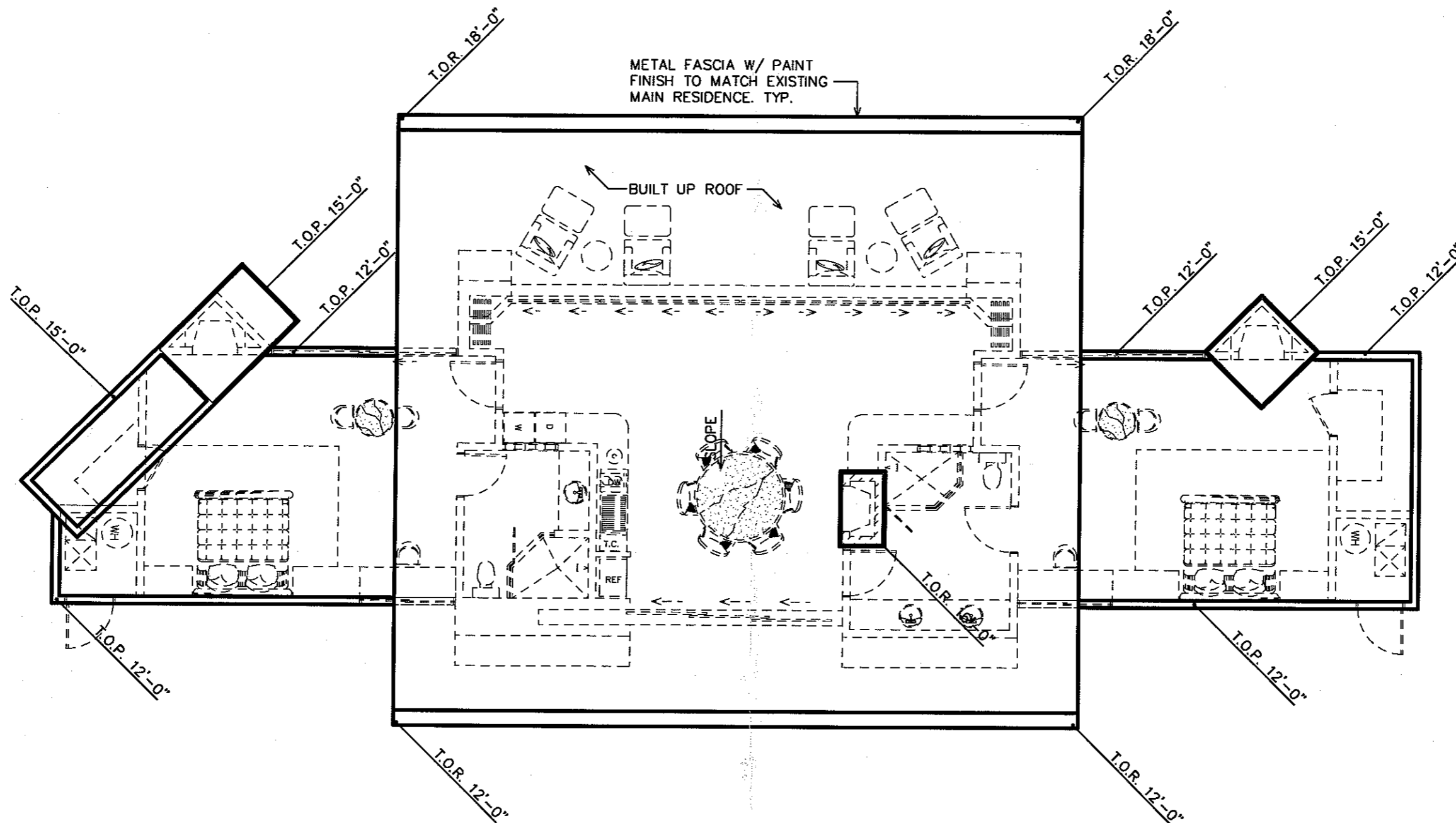
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Narendra Patel AIA, Architect  
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**ELEVATIONS**  
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LOT 62 GUESTHOUSE  
AND TENNIS

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SCALE 1/16"=1'-0"  
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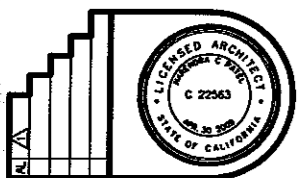
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**Narenda Patel AIA, Architect**  
 ■ www.patelarchitecture.com  
 7178 San Jacinto Ave., Rancho Mirage CA 92270 Tel: 760 776 5031  
 Fax: 760 423 0360

**LOT-62 GUEST HOUSE AND TENNIS**  
 ALTA, PALM SPRINGS, CA.

PRELIMINARY DESIGN

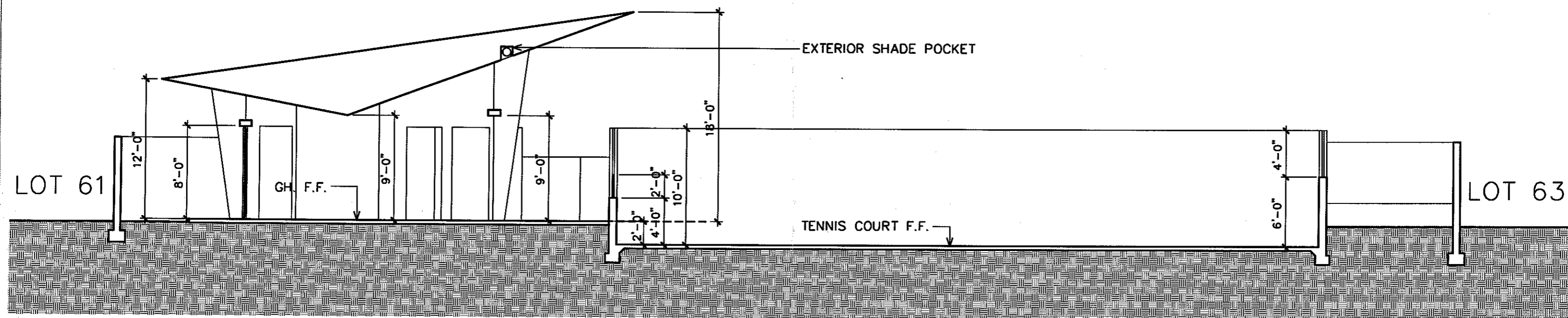
**ROOF PLAN**

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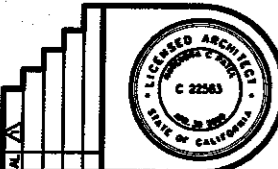
**EAST WEST SITE SECTION**

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 Fax: 760 493 0310

**LOT-62 GUEST HOUSE AND TENNIS**  
**ALTA, PALM SPRINGS, CA.**

PRELIMINARY DESIGN

**SITE SECTION**

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