



## ARCHITECTURAL REVIEW COMMITTEE MEMORANDUM

DATE: JULY 18, 2022

NEW BUSINESS

SUBJECT: JAMES NEUHOFF, OWNER FOR A MAJOR ARCHITECTURAL REVIEW APPLICATION FOR THE CONSTRUCTION OF A 5,626-SQUARE FOOT SINGLE-FAMILY HOUSE ON A HILLSIDE LOT LOCATED AT 2306 WINTER SUN DRIVE, ZONE ESA-SP PLANNING AREA 4, LOT 6, DESERT PALISADES SPECIFIC PLAN, SECTION 3 (CASE 3.4324 MAJ). (GM)

FROM: Development Services Department – Planning Division

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### PROJECT DESCRIPTION:

This is a request for approval of a single-family residence of 5,626-square feet on a 21,812-square foot lot within the Desert Palisades Specific Plan (DPSP). The Desert Palisades Specific Plan was adopted by the City Council on January 5, 2011 (Case 5.1154 SP). This project is required to be evaluated for consistency against the following guidelines and standards:

- Section 93.13.00 of the Zoning Code (Hillside Development).
- Section 94.04 of the Zoning Code (Architectural Review).
- Section III “Development Standards” (page 58), Section V “Architecture & Site Design Guidelines” (page 70), and Section VI “Landscaping Guidelines of the DPSP” (page 96) of the Desert Palisades Specific Plan.
- Section 92.21.1.05 of the Zoning Code (Design Guidelines for the ESA-SP zone) including mandatory standards in Part “D” and findings outlined in Part “I”.

### RECOMMENDATION:

That the Architectural Review Committee approve the application subject to the attached conditions.

### BACKGROUND INFORMATION:

<i>Related Relevant City Actions</i>	
01/05/2011	The City Council approved the Desert Palisades Specific Plan and certified the Final Environmental Impact Report (EIR) for the project.

<i>Related Relevant City Actions</i>	
01/07/2015	The City Council approved an addendum to the previously-certified EIR to extend the time frame in which grading activities could occur from December 31 <sup>st</sup> to January 31 <sup>st</sup> .

<i>Neighborhood Meeting/Neighborhood Notice</i>	
05/04/2022	Notice mailed by staff to adjacent property owners notifying that the subject application had been filed with the Planning Division, in accordance with 93.13.00 of the Zoning Code.
07/06/2022	Notice mailed by staff to adjacent property owners notifying that the subject project would be reviewed by the Architectural Review Committee on June 20, 2022.
07/14/2022	The surrounding neighborhood organizations within a mile of the site were sent notice that the proposed project would be reviewed by the Architectural Review Committee on July 18, 2022.

**STAFF ANALYSIS:**

<i>Site Area</i>	
Lot Area	21,812-square feet

<i>General Plan and Zoning Designations</i>		
<i>General Plan Designation</i>	<i>Permitted Density</i>	<i>Compliance</i>
Special Policy Area	1/40 DU/AC	Y – Desert Palisades
<i>Zoning Designation</i>		
ESA-SP		

PSZC Section 94.04.00(E)(13) requires that the proposed application be consistent with any adopted Specific Plan or Planned Development District Design Standards:

<i>Applicable Specific Plan Area or Design Standards</i>	<i>Compliance</i>
Desert Palisades Specific Plan	Y

**Development Standards:**

Pursuant to PSZC Section 92.01.03, the following development standards apply:

<i>Standard</i>	<i>Required/ Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• Front	25 Feet	25 Feet	Y
• Side (east & west)	10 Feet	10 Feet + 7'-6" no build easement	Y
• Rear	15 Feet	15 Feet	Y
Max. Lot Coverage	35%	27%	Y
Max. Building Height	18 Feet	13' Feet	Y

<i>Standard</i>	<i>Required/ Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Parking	2 spaces (covered)	2 spaces	Y

Hillside Review Criteria:

PSZC Section 93.13.00(B)(4) requires that architectural review of hillside development shall consider the following criteria:

	<i>Guidelines [PSZC 93.13.00(B)(4)(a)]</i>	<i>Compliance</i>
1.	<i>Rock and soil exposure;</i> Proposed dwelling sits on top of the native terrain on an un-graded lot. The construction of the house on the rocky site will limit disturbance as much as possible and there will be no disturbance of the “no-build” easement and will stay in its naturalized appearance.	Y
2.	<i>Size of building pad;</i> The footprint is minimal, keeping the area of the site disturbance minimum. Conforms to DPSP standards for non-mass grading.	Y
3.	<i>Design considerations, such as supporting stilts, colors and building arrangement;</i> The proposed home is contemporary/modern in its aesthetic and proposed colors and materials harmonious with the site.	Y
4.	<i>Screening of parking areas;</i> The 2-car garage door will be partially subterranean placed underneath the main house structure with garage door not visible from the street.	Y
5.	<i>Landscaping plans;</i> The landscape plan will cause minimal disturbance of the site where new landscape material is proposed. The landscape plan submitted includes the planting of Desert Museum Palo Verde, and Ironwood trees; shrubs such as Brittle Bush and Creosote; succulents such as agave, sky blue Yucca, and cactus including barrel cactus.	Y
6.	<i>Continuity with surrounding development;</i> Proposed house is similar in design to others currently built and under construction in DP.	Y
7.	<i>Sensitivity to existing view corridors.</i> Views are preserved and directed, building and landscape sited to not block views from adjacent parcels.	Y

Conclusion: The project is consistent with the architectural guidelines of Zoning Code Section 93.13.00. (“Hillside Development”).

Architectural Review Criteria and Findings:  
PSZC Section 94.04.00(E) requires the approval authority to evaluate the application and make findings for conformance to the following criteria:

	<i>Criteria and Findings [PSZC 94.04.00(E)]</i>	<i>Compliance</i>
1.	<p><i>The architectural treatment is consistent on all four sides of the proposed building(s), unless otherwise approved by the ARC;</i></p> <p>The home is appropriately sited on the lot with the outdoor living areas oriented along the south side of the home taking advantage of views and solar angles and will be finished on all sides.</p>	Y
2.	<p><i>The design of accessory structures, such as carports, cabanas, and similar accessory structures, shall be consistent with the form, materials and colors of the principal building(s), unless otherwise approved by the ARC;</i></p> <p>There is an accessory 437-square foot detached guestroom proposed adjacent to the two-car garage. The structure is designed to match the proposed home.</p>	Y
3.	<p><i>The façade elements and fenestration are composed in a harmonious manner;</i></p> <p>The proposed home is contemporary/modern in its aesthetic and proposed colors and materials harmonious with the site.</p>	Y
4.	<p><i>The proposed materials are consistent with the context of the site, adjacent buildings, and the desert environment;</i></p> <p>Building materials suitable for harsh desert climate and conforming to the architectural guidelines of the DPSP are proposed.</p>	Y
5.	<p><i>The proposed color scheme is appropriate to the desert environment and consistent with the site context;</i></p> <p>Materials and colors proposed (steel, glass, concrete, tongue and groove Hemlock soffit, Cypress siding, and dark bronze window frames) are durable and appropriate for a harsh desert climate.</p>	Y
6.	<p><i>Shading devices and sun control elements, excluding landscape materials, are provided to address environmental conditions and solar orientation;</i></p> <p>Multiple wide roof overhangs, and eaves, provide solar control and interest for the building architecture.</p>	Y

	<i>Criteria and Findings [PSZC 94.04.00(E)]</i>	<i>Compliance</i>
7.	<i>The proposed landscape plan is consistent with the requirements of PSMC Chapter 8.60;</i>	Y
	The site is proposed in a naturalized form, with limited disturbance to the existing terrain. The “no-build” easement on the east and west property lines will be maintained as well as an open space area to the north rear adjacent to an existing boulder berm. Any new plants will meet the planting requirements for the DPSP for plant type and species.	
8.	<i>The proposed landscape plan is consistent with all applicable zoning requirements, including any streetscape requirements, landscape buffer requirements, and screening requirements;</i> Where new landscape material is proposed, the landscape plan submitted includes the planting of Desert Museum Palo Verde, and Ironwood trees; shrubs such as Brittle Bush and Creosote; succulents such as agave, and cactus including barrel cactus.	Y
9.	<i>The shading for pedestrian facilities on the subject site or abutting public right(s)-of-way is adequate;</i> There are no public sidewalks or pathways present on Lot 6.	N/A
10.	<i>The proposed lighting plan is consistent with the requirements of PSZC Section 93.21.00, and the proposed lighting will not materially impact adjacent properties;</i> Exterior lighting is shielded and proposed in low levels of brightness.	Y
11.	<i>Appropriateness of signage locations and dimensions relative to the building façade(s), or appropriateness of the site location for any freestanding signage, as may be warranted for the development type;</i> No signage proposed.	N/A
12.	<i>Screening is provided for mechanical equipment and service yards, so as to screen such facilities from view from public rights-of-way and abutting properties;</i> The mechanical equipment will be placed at grade on the north side of the structure and in a dedicated room located in the basement portion of the house adjacent to the garage and will not be visible from the street.	Y

	<i>Criteria and Findings [PSZC 94.04.00(E)]</i>	<i>Compliance</i>
13.	<i>The proposed application is consistent with any adopted design standards of an applicable specific plan, planned development district, or other applicable adopted design standards and regulations.</i>	Y
	The proposed dwelling demonstrates an integrated solution to the challenges inherent with construction in an environmentally sensitive area. The project is comprehensive in its coordination of materials, landscape, color, massing and an overall design sensitive to the unique characteristics of the site.	

Furthermore; Sections V (“Architecture ad Site Design”) and VI (“Landscaping Guidelines”); and Design Standards of PSZC Section 92.21.1.05 (“Findings Required for Approval”) have been found to be consistent with the Desert Palisades Specific Plan.

**ENVIRONMENTAL ANALYSIS:**

The proposed development is considered a “project” pursuant to the terms of the California Environmental Quality Act (“CEQA”), and the City Council approved the Desert Palisades Specific Plan and certified the Final Environmental Impact Report (EIR) for the project on January 5, 2011. The proposed single-family home is consistent with the findings of the approved EIR.

**CONCLUSION:**

The project proposes good integration of the structure, terraces, and other elements into the natural features of the site with minimal disturbance to terrain and vegetation. Where disturbance is unavoidable, appropriate site restoration techniques are proposed. Full integration of the proposed dwelling into the natural characteristics of the site has been achieved to the greatest extent possible. The proposed dwelling is consistent with the design guidelines of the DPSP with respect to low roof lines, terraced building pads, minimal cut and fill and thoughtful solutions to integrate the home into the site. As demonstrated in the staff report, the Project conforms to the Architectural Guidelines of PSZC Sections 93.13.00 (“hillside development”) and 94.04.00 (“architectural review”); the Architecture, Landscaping and Design Guidelines of Desert Palisades Specific Plan Sections V (“Architecture ad Site Design”) and VI (“Landscaping Guidelines”); and Design Standards of PSZC Section 92.21.1.05 (“Findings Required for Approval”). Staff recommends approval subject to the attached conditions of approval.

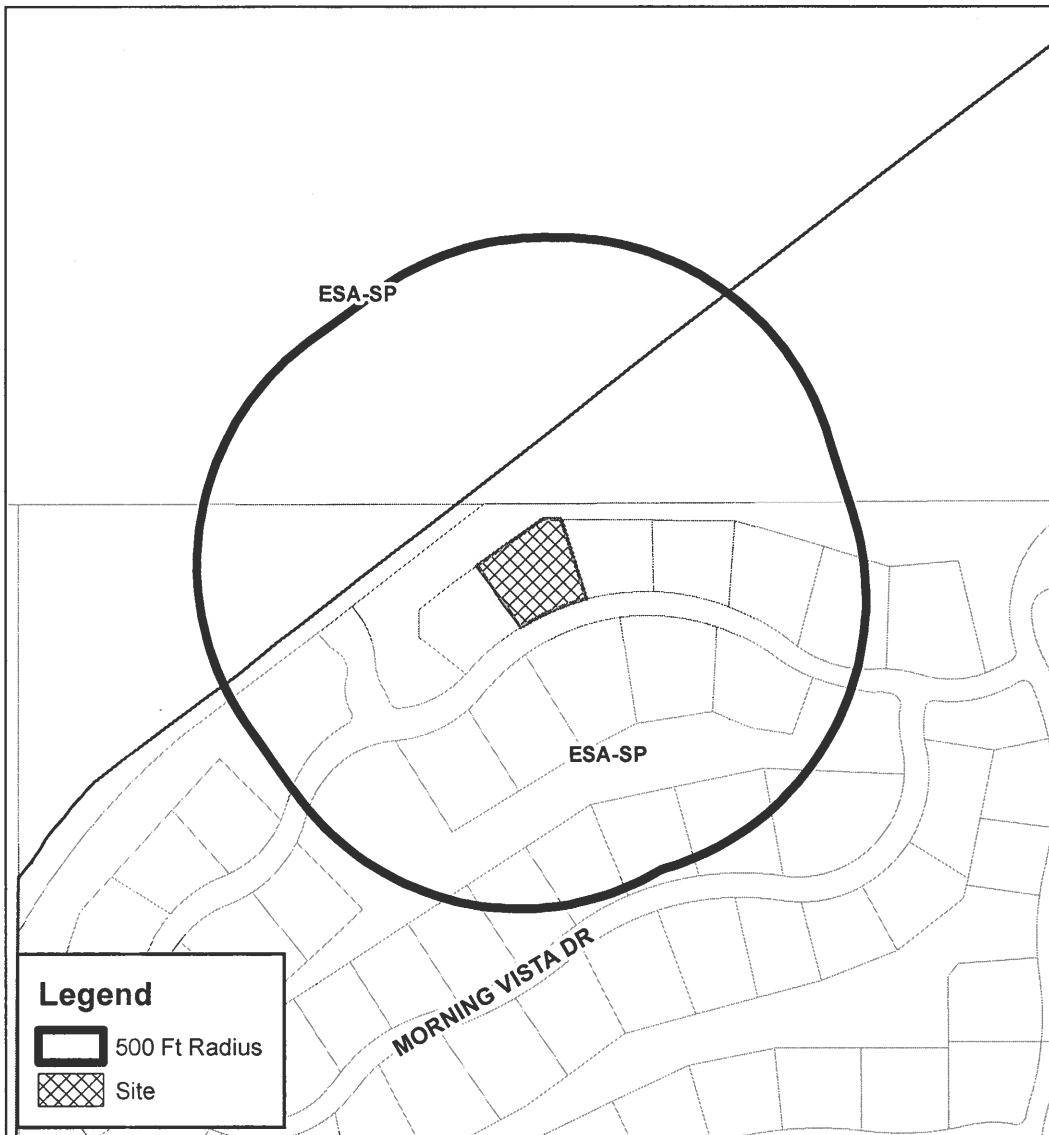
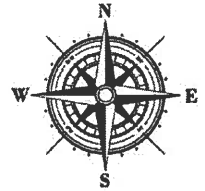
<b>PREPARED BY:</b>	Glenn Mlaker, AICP – Associate Planner
<b>REVIEWED BY:</b>	David Newell, AICP – Assistant Planning Director

ATTACHMENTS:

1. Vicinity Map
2. Draft Resolution
3. Conditions of Approval
4. Justification Letter
5. Site Photos
6. Exhibit Package



# Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

Case 3.4324 MAJ  
2306 Winter Sun Drive  
Lot 6



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

A RESOLUTION OF THE ARCHITECTURAL REVIEW COMMITTEE OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A MAJOR ARCHITECTURAL APPLICATION FOR DEVELOPMENT OF 5,626-SQUARE FOOT SINGLE FAMILY HOUSE ON A HILLSIDE LOT LOCATED AT 2306 WINTER SUN DRIVE, LOT 6, ZONE ESA-SP PLANNING AREA, DESERT PALISADES SPECIFIC PLAN, SECTION 3 (CASE 3.4324 MAJ).

THE ARCHITECTURAL REVIEW COMMITTEE FINDS AND DETERMINES AS FOLLOWS:

A. James Neuhoff, Owner (“Applicant”) filed an application with the City, pursuant to the Palm Springs Zoning Code (PSZC) Sections 94.04.00 (E) (architectural review), and 93.13.00 (hillside development) of the Palm Springs Zoning Code, for construction of a 5,626-square foot single-family residence located at 2306 Winter Sun Drive (“the Project”).

B. On April 8, 2021, the City Council adopted Ordinance No. 2042, amending Section 94.04.00 of the PSZC to reassign review of Major Architectural Review (MAJ) applications from the City’s Planning Commission to the City’s Architectural Review Committee.

B. On July 6, 2022, City staff notified the owners of properties immediately adjacent to the Project site of the scheduling of an Architectural Review Committee meeting to consider the subject application, pursuant to PSZC 93.13.00 (B,1,c).

C. On July 18, 2022, the City’s Architectural Review Committee held a public meeting in accordance with applicable public law. At said meeting, the Architectural Review Committee carefully reviewed and considered all of the evidence presented in connection with the Project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE ARCHITECTURAL REVIEW COMMITTEE RESOLVES:

Section 1: The proposed single-family residence is considered a project pursuant to the California Environmental Quality Act (CEQA). The Architectural Review Committee has evaluated the Project pursuant to CEQA and determined it to be Categorically Exempt from further analysis under CEQA Guidelines Section 15303(a) (Class 3, New Construction or Conversion of Small Structures).

Section 2: As demonstrated in the staff report, the Project conforms to the Architectural Guidelines of PSZC Sections 93.13.00 (“hillside development”), 94.04.00 (“architectural review”); the Architecture, Landscaping and Design Guidelines of Desert Palisades Specific Plan Sections V (“Architecture and Site Design”) and VI (“Landscaping Guidelines”); and Design Standards of PSZC 92.12.1.05 (“Findings Required for Approval”).

Section 3: Based upon the foregoing, the Architectural Review Committee hereby approves Case 3.4324 MAJ, for the construction of a 5,626-squae foot houses on a hillside lot located at 2306 City View Drive, subject to the conditions of approval attached herein as Exhibit A.

ADOPTED this 18th day of July, 2022.

AYES:

NOES:

ABSENT:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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David Newell, AICP  
Assistant Planning Director

## EXHIBIT A

Case 3.4324 MAJ  
Proposed Single Family Residence on a hillside lot  
Located at 2304 Winter Sun Drive, Desert Palisades,  
ESA-SP Zone, Planning Area 4.

July 18, 2022

### 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 (3.4330 MAJ and 7.1653 AMM).
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped (May 10, 2022), 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 3.4330 MAJ and 7.1653 AMM. The City of Palm

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

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of the Major Architectural Approval 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.

## **ENVIRONMENTAL ASSESSMENT CONDITIONS**

- ENV 1. Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP) Local Development Mitigation Fee (LDMF) required. All projects within the City of Palm Springs, not within the Agua Caliente Band of Cahuilla Indians reservation are subject to payment of the CVMSHCP LDMF prior to the issuance of certificate of occupancy.
- ENV 2. Notice of Exemption. The project is exempt from the California Environmental Quality Act (CEQA); therefore, an administrative fee of \$50 shall be submitted by the applicant in the form of a money order or a cashier's check payable to the Riverside County Clerk within two business days of the Commission's

final action on the project. This fee shall be submitted by the City to the County Clerk with the Notice of Exemption. Action on this application shall not be considered final until such fee is paid (projects that are Categorically Exempt from CEQA).

- 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)
- ENV 5. 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.
- ENV 6. Protect Soil during Acid-washing of concrete. Ensure all appropriate measures are used in handling the acid-etching of the concrete so as not to contaminate the adjacent soil.

## **PLANNING DEPARTMENT CONDITIONS**

### **Conditions imposed by Architectural Review Committee (ARC)**

- PLN 1. Solar Panels. Solar panels to be placed on the roof in a manner that the equipment will not be visible from adjoining properties or the public street.

- PLN 2. 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 3. 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 4. Provide smart controllers on irrigation system.
- PLN 5. Roof surfaces shall be tan, beige, grey, sand or other color that blends with the natural color in the area; no white or off-white roofs.
- PLN 6. Drainage at Concrete Terraces. Provide drainage at the joints in the impervious concrete terraces. (Per Section III, DPSP).
- PLN 7. Drainage. The project shall be conditioned to conform to the Guiding Principles for Drainage pursuant PSZC Section 92.21.1.05.
- PLN 8. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 9. 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 10. Boulder Relocation. Place boulders and rocks that are relocated as a result of the project's construction in a naturalized manner with boulders "settled" into the soil, not piled up.

#### **BUILDING DEPARTMENT CONDITIONS**

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

## ENGINEERING CONDITIONS

### GENERAL

- ENG 1. The applicant shall comply with all required Standard Conditions and Mitigation Measures identified in the Final Environmental Impact Report for the Desert Palisades development, as applicable to the individual lots, whether or not restated in these conditions of approval. All required plans shall be prepared in conformance with all applicable Standard Conditions and Mitigation Measures.
- ENG 2. Development of the site is subject to all applicable provisions of Chapter 92.21.1.05 "Design Standards" of the Palm Springs Zoning Code, whether or not restated in these conditions of approval. All required plans shall be prepared in conformance with all applicable provisions of the Code.
- ENG 3. The Property is located in the Environmentally Sensitive Area – Specific Plan ("ESA-SP") zone. Pursuant to Section 92.21.1.05(J) of the Palm Springs Zoning Code, prior to the issuance of any permit for grading or construction of any improvement on any property within the ESA-SP zone, the property owner shall enter into an agreement with the City ensuring that should the improvement not be completed as permitted; that the land will be re-naturalized. 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. Security Bond and agreement preparation fee in effect at the time that the agreement is submitted shall be paid by the applicant prior to issuance of any grading or building permits.

### SANITARY SEWER

- ENG 4. All sanitary facilities shall be connected to the private sewer system. New laterals shall not be connected at manholes.
- ENG 5. Applicant shall pay a sewer assessment fee of \$3,628.77 in accordance with the terms of the Racquet Club Road Sewer Construction Refund Agreement between the City of Palm Springs and the Pirozzi Family Trust Established November 30, 1992, Sewer Agreement No. 6253. The fee shall be paid to the City of Palm Springs prior to issuance of a building permit.

### GRADING

- ENG 6. Mass grading of the site shall be prohibited.
- ENG 7. Rock crushing operations shall be limited to off-site locations only, as analyzed within the EIR for Desert Palisades. On-site rock crushing for individual home sites is not permissible under the Desert Palisades Specific Plan.

- ENG 8. Rough grading of the lot requires architectural approval, in accordance with the development standards for Planning Area 4 of the ESA-SP Zone, as defined by the Desert Palisades Specific Plan (Case 5.1154). Submit a Grading Plan prepared by a California registered Civil engineer to the City Engineer for review and approval. The Grading Plan shall be approved by the City Engineer prior to issuance of grading permit.
- ENG 9. The applicant's contractors 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 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's contractor shall provide the Engineering Division with current and valid Certificates of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of plans, which shall be approved by the City Engineer prior to issuance of any permits.
- ENG 10. In accordance with Standard Condition (SC) 3.5-1 of the Final Environmental Impact Report, approved Native American cultural resource monitors and archaeological monitors shall be present during all ground disturbing activities. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to coordinate scheduling of monitors prior to construction. No permits shall be issued for ground disturbance activities until evidence is provided to the City Engineer demonstrating that monitoring by approved Native American cultural resource monitors has been coordinated by the applicant.
- ENG 11. In accordance with an approved PM-10 Dust Control Plan, perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 12. Perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.



- ENG 13. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.
- ENG 14. Prior to issuance of any permit for ground disturbance activities, the applicant shall provide verification to the City that applicable fees have been paid to the Agua Caliente Band of Cahuilla Indians in accordance with the Tribal Habitat Conservation Plan (THCP).
- ENG 15. In accordance with City of Palm Springs Municipal Code, Section 8.50.025 (c), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 16. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the plans for the project. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of any plans.
- ENG 17. The applicant shall provide Grading Certification for all building (or structure) pads in conformance with the approved grading plan (if required), to the Engineering Services Department for review and approval.
- ENG 18. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved plans shall be certified by a California registered geotechnical or civil engineer, certifying that all construction was performed in accordance with the Geotechnical/Soils Report prepared for the project. Documentation of all compaction and other soils testing are to be provided. No final approval will be issued until the required certification is provided to the City Engineer.

#### WATER QUALITY MANAGEMENT PLAN

- ENG 19. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to adjacent properties is prohibited. Construction of operational BMP's shall be incorporated into required plans.

- ENG 20. Prior to issuance of any permit, 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 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&R's); 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 the issuance of any permit.
- ENG 21. Prior to any final City approvals, the applicant shall: (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications; (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

#### DRAINAGE

- ENG 22. In accordance with Chapter 92.21.1.05 "Design Standards" of the Palm Springs Zoning Code, development of the site shall preserve existing drainage patterns, natural streams and local watershed boundaries.
- ENG 23. 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, as described in the Preliminary Hydrology Report for TTM35540, prepared by MSA Consulting, Inc., dated July 1, 2009 (or as may be amended). 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.
- ENG 24. This project will 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 stormwater runoff, will 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 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.

ENG 25. The project is subject to flood control and drainage implementation fees. The drainage fee at the present time is \$6,511.00 per acre per Resolution No. 15189.

#### GENERAL

ENG 26. Any utility trenches or other excavations 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, replacing, or repairing any existing 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, Frontier, etc.). Multiple excavations, trenches, and other street cuts within existing structural sections of off-site streets required by the proposed development may require complete removal and replacement of the streets structural section 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 27. All proposed utility lines shall be installed underground.

ENG 28. All existing utilities shall be shown on the improvement plans required for the project. The existing and proposed service laterals shall be shown from the main line to the property line.

ENG 29. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

ENG 30. The original improvement plans prepared for the proposed development and approved by the City Engineer shall be documented with record drawing "as-

built" information and returned to the Engineering Division prior to issuance of final approvals. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

- ENG 31. Nothing shall be constructed or planted in the corner cut-off area of any intersection or 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.

#### TRAFFIC

- ENG 32. 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 33. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

#### FIRE DEPARTMENT CONDITIONS

These Fire Department conditions may not provide all requirements. Owner/developer is responsible for all applicable state and locally adopted fire & building codes. Detailed plans are still required for review.

- FID 1. These Fire Department conditions may not provide all requirements. Owner/developer is responsible for all applicable state and locally adopted fire codes. Detailed plans are still required for review. Conditions are subject to final plan check and review.
- FID 2. Fire Department Conditions were based on the 2020 California Fire Code as adopted by City of Palm Springs, Palm Springs Municipal Code, PSFD Appendix "T" Development Requirements, and latest adopted NFPA Standards. Three (3) complete sets of plans for fire sprinkler systems must be submitted prior to a building permit being released.
- FID 3. **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 4. **Plans and Permits (CFC 105.1):**

Permits and scaled drawings are required for this project. Plan reviews can take up to 20 working days. Submit a minimum of three (3) 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. These fees are established by Resolution of the Palm Springs City Council.

Complete listings and manufacturer's technical data sheets for all system materials shall be included with plan submittals. All system materials shall be UL listed or FM approved for fire protection service and approved by the Fire Prevention Bureau prior to installation.

Plans shall include all necessary engineering features, including all hydraulic reference nodes, pipe lengths and pipe diameters as required by the appropriate codes and standards. Plans and supporting data, (calculations and manufacturers technical data sheets) including fire flow data, shall be submitted with each plan submittal. Complete and accurate legends for all symbols and abbreviations shall be provided on the plans.

- FID 5. **Access During Construction (CFC 503):** Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet and an unobstructed vertical clearance of not less than 13'-6". Fire Department access roads shall have an all-weather driving surface and support a minimum weight of 73,000 lbs.
- FID 6. **NFPA 13D Fire Sprinklers Required:** An automatic fire sprinkler system is required. Only a C-16 licensed fire sprinkler contractor shall perform system design and installation. System to be designed and installed in accordance with NFPA standard 13D, 2016 Editions, as modified by local ordinance.
- FID 7. **Residential Smoke Alarms Required:** Shall be interconnected so that operation of any smoke alarm or fire sprinkler flow switch causes all smoke

alarms within the dwelling & guest house to sound and activate the exterior horn/strobe.

- FID 8. **Required access** (CFC 504.1): Exterior doors and openings required by this code or the California Building Code shall be maintained readily accessible for emergency access by the fire department. An approved access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the fire code official.

**END OF CONDITIONS**



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22 April 2022

Ken Lyon  
Associate City Planner  
City of Palm Springs  
3200 East Tahquitz Canyon Way  
Palm Springs, California 92262

RE: Justification Letter for D|P6 Residence

Dear Ken,

This justification letter defines our design intent for the D|P6 Residence, location within the Desert Palisades development on Lot 6 at 2304 Winter Sun Drive in Palm Springs, APN 504-390-006. The project consists of a 4,933 SF residence with a 693 SF 2-car garage and mechanical space (5,626 SF enclosed) on a 0.50 acre site. The U-shaped form is within the setbacks and 18' pillow-height limit.

Our design for this property sought to maintain and enhance the natural site features. The form was inspired by Desert Modernism and the regional architectural vernacular. The house was designed to gently step with the natural topography of the site, with each zone taking advantage of mountain and valley views, and respecting the future development of neighboring residences and their respective view corridors. By stepping with the site we have reduced the need for excavation as much as possible, and created a house that gently slopes with the topography.

The house is organized around a circulation path, that begins with the driveway at the lowest part of the site, leading one past a detached guest house, past garage doors turned away from the street, to a dramatic entry tucked under a long, cantilevered roof. From the entrance you enter a dramatic corridor that gradually ascends the site, past a wing of bedroom, oriented to capture the views northeast. Vestibules off of this circulation spine lead to the private bedrooms with en suite baths. As you ascend to the final elevation of the living, dining, kitchen and family room wing, windows along the central courtyard reveal the pool and outdoor gathering space. In the living wing, flanking the western side of the property, the form of the building cuts in to gently define each space and bring light and desert wildlife and rocks deeper into each space. The views are oriented from this space to the valley, protecting the private views from the adjacent Lot 7. A wide door connects these gathering spaces to the outdoor terrace and pool area, designed to still provide privacy from the terrace from the street level slightly below when seated and when in the pool. An outdoor trellis provides shade and transition from the indoor spaces to a protected outdoor dining space with artfully integrated outdoor kitchen. The terrace level continues seamlessly into a roof deck on top of the

garage, with a planted border that protects privacy from adjacent lots and the street. Descending a half-flight of stairs from this terrace, you arrive at a destination with an outdoor fireplace, protected behind a low wall from wind and passersby. Behind your back is the infinity pool edge 5' above, that spills into a trough, providing acoustic and visual interest from this lower terrace as well as from the street. Descending further you arrive at the guest house with its own bath that can serve as bedroom, play space or home office.

We have minimized impervious surfaces, opting for permeable pavers and small concrete pads surrounded by natural stone, decomposed granite and native plants - creating a house that is integrated within the landscape. The minimal landscape design is intended to look and feel like the natural desert setting of the Chino Canyon alluvial fan, with native species organically placed around the site and paved areas nestled among boulders.

The buildings' material palette of concrete, painted metal, glass and shop Sugi ban siding is consistent with the character of Palm Springs and will be a consistent addition to the already high standards existing in the Desert Palisades development.

We look forward to cooperating with the city to gain approval for this project.

Respectfully,



Jill Lewis  
Jill Lewis Architecture



SITE PHOTO ONE | VIEW TO NORTHEAST



SITE PHOTO TWO | VIEW TO SOUTHWEST



SITE PHOTO THREE | VIEW TO NORTH



SITE PHOTO FOUR | VIEW TO SOUTHEAST



SITE PHOTO FOUR | VIEW TO WEST FROM CENTER OF SITE

