



Planning Commission Staff Report

Date: July 27, 2011

Case No.: 10.471 DET

Type: Planning Commission Determination

Zone: Energy Industrial

Location: North side of 20th Avenue, midway between SH 62 and Indian Avenue.

APN: 668-411-010

Applicant: Wintec Energy, Ltd.

From: Craig A. Ewing, AICP, Director of Planning Services

PROJECT DESCRIPTION:

The applicant is requesting that the Planning Commission determine that an electric vehicle charging station is a similar use to other permitted uses allowed within the E-I (Energy Industrial) Zone. The proposed request is to allow an EV charge station with six chargers within the E-I Zone on the north side of 20th Avenue, midway between SH 62 and Indian Avenue.

RECOMMENDATION:

That the Planning Commission approve Case No. 10.471, determining that an electric vehicle charging station is a similar use to other permitted uses allowed within the E-I (Energy Industrial) Zone.

ANALYSIS:

Wintec Energy, Ltd has submitted a determination request for the property located on the north side of 20th Avenue, midway between SH 62 and Indian Avenue (see attached vicinity map). The request is to allow an EV charge station with six chargers within the E-I Zone.

Pursuant to Section 92.12.01(B) of the Palm Springs Zoning Code (PSZC), "*Similar Uses Permitted by Commission Determination*" allows for the Planning Commission, by resolution of record, to permit any other use which it may determine to be similar to those listed within the "E-I" Energy-Industrial Zone when certain findings are made.

Staff has reviewed the uses permitted within the "E-I" Zone and determined that the following uses are similar to an electric vehicle charging station:

Section	Use	Permitted
92.17.2.01(A)(1)(a)	Accessory uses, Storage of Trucks and other vehicles	By-right
92.17.2.01(A)(1)(b)	Accessory uses, Storage of materials and machinery	By-right
92.17.2.01(A)(5)(f)	Services, public utility service yards	By-right
92.17.2.01(C)(3)(f)	Operations and facilities providing tours of alternative energy facilities;	Land Use Permit

As noted in the table above, various vehicle storage and service uses are permitted within the "E-I" Zone. Staff believes that the proposed use will have insignificant impacts similar to these uses. Therefore, staff would recommend that the use be permitted by right-of-zone. Staff notes that the project will be subject to review and approval for architectural review and signs.

REQUIRED FINDINGS:

Pursuant to the requirements of Section 94.01.02(B) of the PSZC, in permitting or classifying an unlisted use, the commission shall first make a finding that all of the following conditions exist:

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

Pursuant to Section 92.17.2.00 "E-I" energy industrial zone is intended "to provide areas for alternative energy development and limited industrial uses in those areas which by virtue of strong prevailing winds are ideally suited for large-scale development of wind energy. Alternative energy development is intended as the principal land use, with the permitted industrial uses serviced directly, and primarily, by alternative energy for electrical needs." An electric vehicle charging station will support existing and future development of alternative forms of electric energy generation.

- 2) *That field investigations have disclosed that the subject use and its operation are compatible with the uses permitted in the zone wherein it is proposed to be located.*

The subject use is similar to permitted vehicle storage and service uses in the "E-I" Energy Industrial Zone, including storage of trucks and other vehicles and storage of materials and machinery (as accessory uses), public utility service

yards, and facilities for public tours of alternative energy facilities. An EV charging station is anticipated to have similar characteristics as these permitted uses, including vehicle and equipment storage, vehicle parking, and services available to the public.

- 3) *That the subject use is similar to one (1) or more uses permitted in the zone within which it is proposed to be located.*


Pursuant to Palm Springs Zoning Code Section 92.17.2.01(A)(5)(f), public utility service yards are permitted by right, and an EV charging station is similar such yards in that they both service vehicles and maintain energy facilities.

- 4) *That the subject use will not cause substantial injury to the values of property in the zone within which it is proposed to be located.*

There is no known evidence or proof to conclude that the proposed use is likely to cause substantial injury to values of property in the "E-I" Zone.

CONCLUSION:

The "E-I" zone allows various vehicle storage and service uses that are similar to an EV charging station; therefore, staff is recommending that the Planning Commission determine that an EV charging station is similar to other by right-of-zone uses.



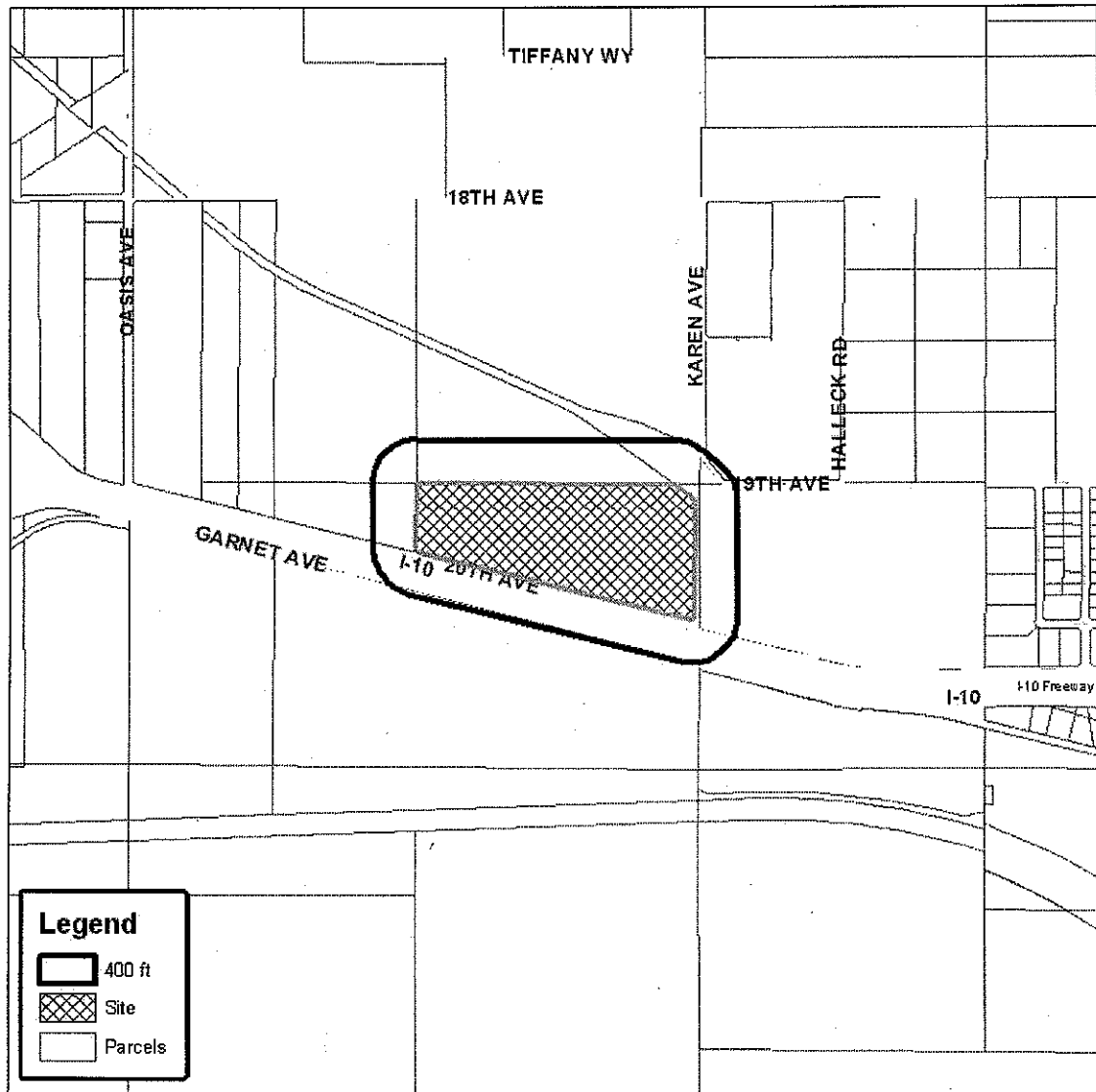
Craig A. Ewing, AICP
Director of Planning Services

Attachments

1. Vicinity Map
2. Draft Resolution
3. Letter of Request



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 10.471 DET

APPLICANT: Wintec Energy, Ltd

DESCRIPTION: A request for a Determination that an electric vehicle charging station is similar to permitted uses in the Energy Industrial Zone.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING THAT AN ELECTRIC VEHICLE CHARGING STATION USE IS SIMILAR TO OTHER PERMITTED USES IN THE ENERGY INDUSTRIAL ("E-I") ZONE.

WHEREAS, Wintec Energy, Ltd ("Applicant") has filed an application with the City pursuant to Section 94.01.00 of the Palm Springs Zoning Code (PSZC) for a determination that an electric vehicle charging station is similar to other permitted uses in the Energy Industrial ("E-I") Zone located on the north side of 20th Avenue, between State Highway 62 and Indian Avenue; and

WHEREAS, on July 27, 2011, a public meeting on the application (Case No. 10.471) 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 project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: Pursuant to the requirements of Section 94.01.02(B) of the PSZC, the Planning Commission makes determines that all of the following conditions exist:

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

Pursuant to Section 92.17.2.00 "E-I" energy industrial zone is intended "to provide areas for alternative energy development and limited industrial uses in those areas which by virtue of strong prevailing winds are ideally suited for large-scale development of wind energy. Alternative energy development is intended as the principal land use, with the permitted industrial uses serviced directly, and primarily, by alternative energy for electrical needs." An electric vehicle charging station will support existing and future development of alternative forms of electric energy generation.

- 2) *That field investigations have disclosed that the subject use and its operation are compatible with the uses permitted in the zone wherein it is proposed to be located.*

The subject use is similar to permitted vehicle storage and service uses in the "E-I" Energy Industrial Zone, including storage of trucks and other vehicles and storage of materials and machinery (as accessory uses), public utility service yards, and facilities for public tours of alternative energy facilities. An EV

charging station is anticipated to have similar characteristics as these permitted uses, including vehicle and equipment storage, vehicle parking, and services available to the public.

- 3) *That the subject use is similar to one (1) or more uses permitted in the zone within which it is proposed to be located.*

Pursuant to Palm Springs Zoning Code Section 92.17.2.01(A)(5)(f), public utility service yards are permitted by right, and an EV charging station is similar such yards in that they both service vehicles and maintain energy facilities.

- 4) *That the subject use will not cause substantial injury to the values of property in the zone within which it is proposed to be located.*

There is no known evidence or proof to conclude that the proposed use is likely to cause substantial injury to values of property in the "E-I" Zone.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby determines that an electric vehicle charging station use is permitted within the "E-I" Zone.

ADOPTED this ____th day of _____, 2011.

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services



July 19, 2011

FREDERICK W. NOBLE
President / CEO

Craig A. Ewing, AICP
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Palm Springs EV Charge & Go Project
APN 668-411-010

Dear Mr. Ewing:

Wintec Energy anticipates construction of an electric vehicle charging station located on E-I zoned property adjacent to I-10. The energy available for the electric vehicles will be generated by existing wind turbines and stored in state-of-art batteries. The project has been proposed in response to an RFP from the South Coast Air Quality Management District (SCAQMD). Although our project has not yet been selected by SCAQMD we believe it may well be.

Please accept this letter as our application for a Determination that an electric vehicle charging station located within a wind farm and powered by wind energy is a use consistent with the City's General Plan and Zoning Ordinance.

Also please find our check in the amount of \$635.00 which I understand is the fee in this matter. Thank you for your assistance.

Very truly yours,

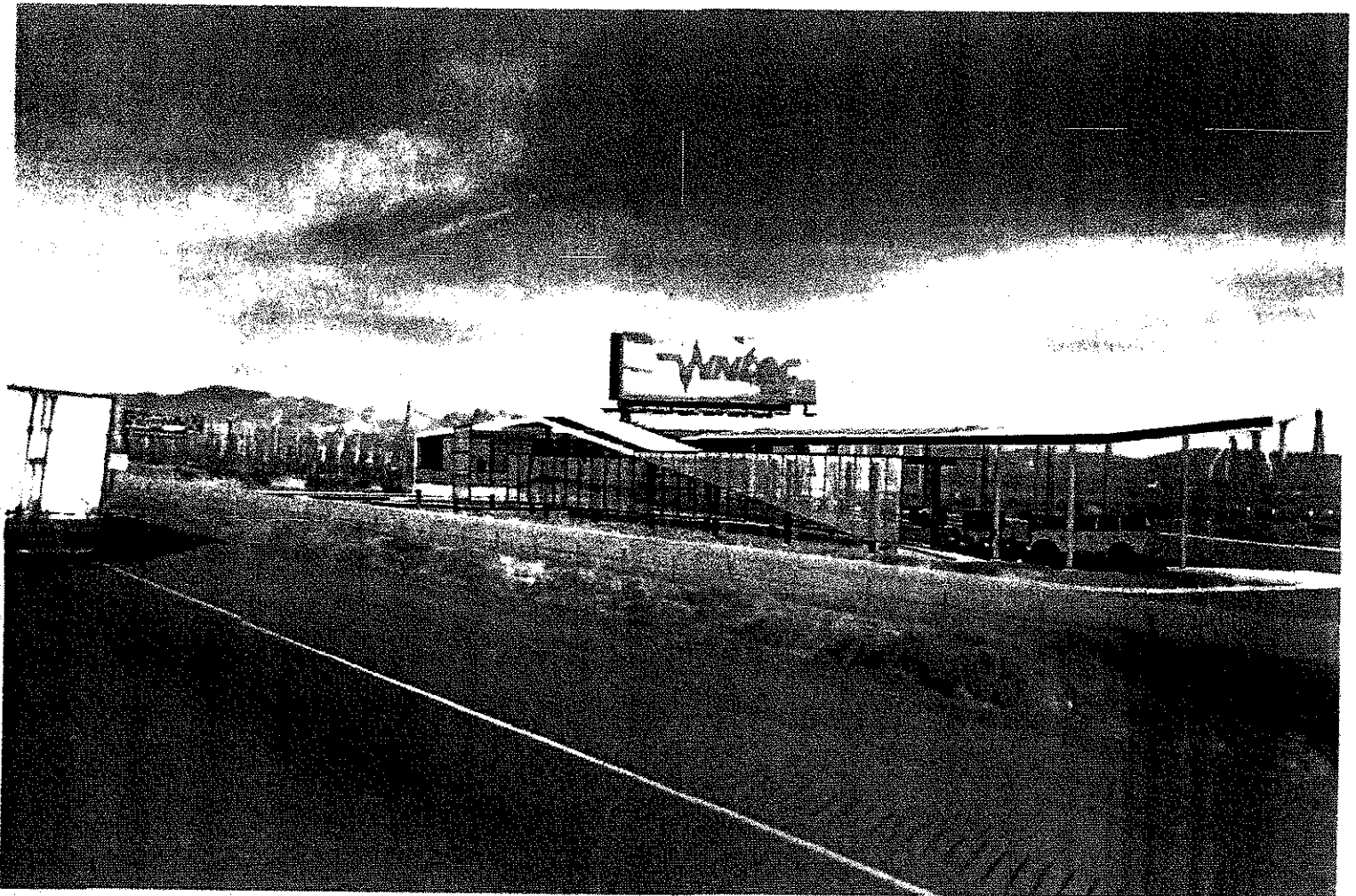
A handwritten signature in black ink, appearing to read "Fw Noble", with a long horizontal flourish extending to the right.

Frederick W. Noble
President/CEO

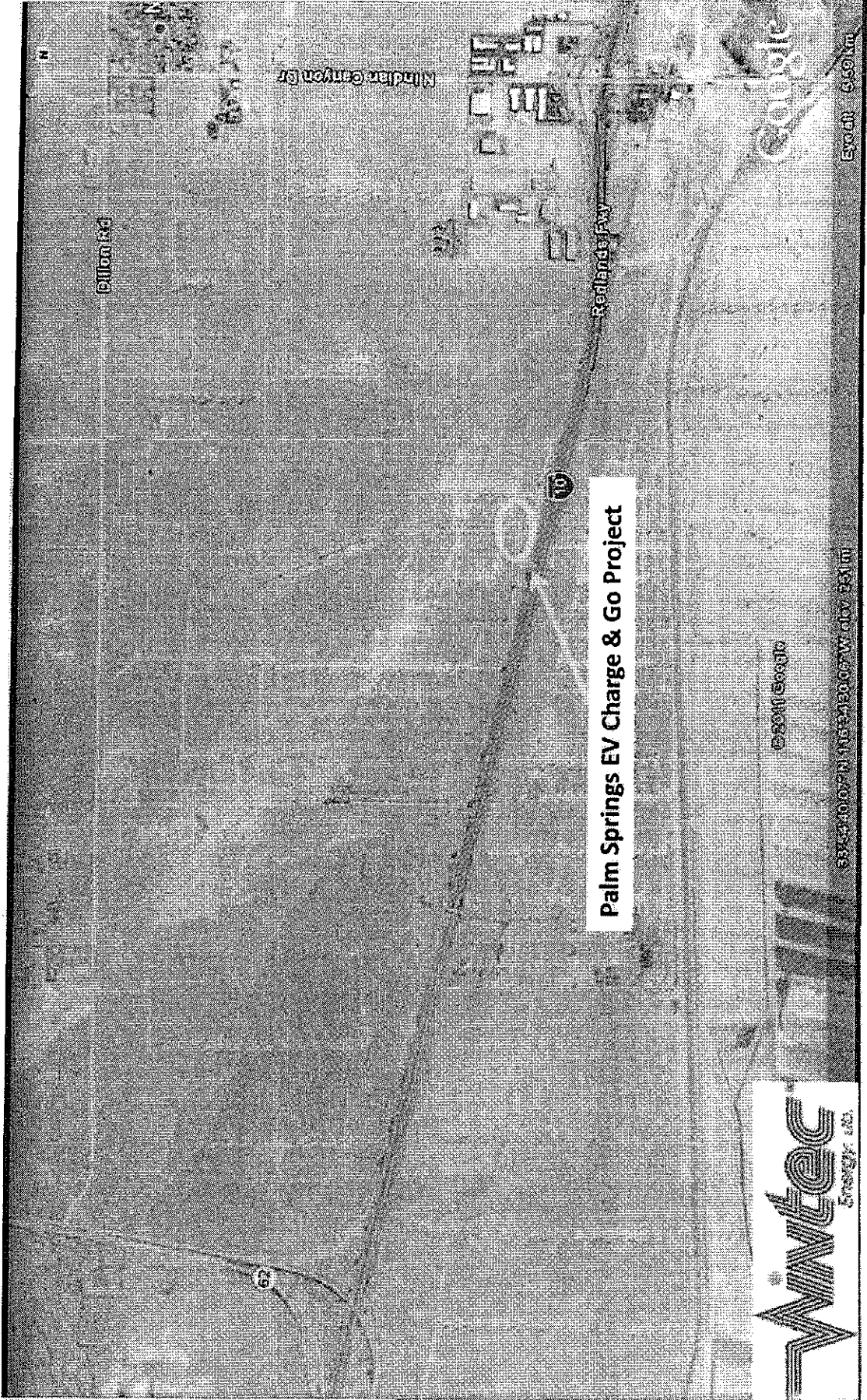
FWN/jdc

Palm Springs EV Charge & Go Project

S.C.A.Q.M.D. RFP#: P2011-21



WINTec[®]
Energy, LTD.



Palm Springs EV Charge & Go Project

Elliott Rd

N Linden Canyon Dr

Redlands Fwy



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33.291007°N 116.342005°W elev 251m

Exact 650m