




CITY OF PALM SPRINGS


DEPARTMENT OF PLANNING SERVICES

MEMORANDUM

Date: February 22, 2012

To: Planning Commission

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

Project Planner: David A. Newell, Associate Planner 

Subject: Case No. 5.1269 CUP – Convenience Store at 611 S. Palm Canyon Dr.

On September 14, 2011, the Planning Commission reviewed a request for a Conditional Use Permit to allow a convenience store at the Sun Center shopping complex located at 611 South Palm Canyon Drive. The Planning Commission unanimously voted to continue the item and directed the applicant to:

- Meet with the Palm Springs Police Department (PSPD) to address security and lighting concerns,
- Conduct outreach to the nearby neighborhoods and neighborhood organizations, and
- Address concerns related to signage, lighting and security.

The following provides an update on actions taken by the applicant. The analysis provided by staff in the report dated September 14, 2011, otherwise remains the same for the proposed CUP (see attached report).

Meeting with PSPD

On September 26, 2011, the applicant met with the Palm Springs Police Department to address security and lighting concerns. As a result, the applicant has devised a list of voluntary conditions related to lighting, surveillance, signage, alcohol sales and police involvement for the store. These conditions are discussed in further detail on the following page. A report from the Police Department will be presented at the meeting.

Neighborhood Outreach

Since the Planning Commission's meeting, the applicant has stated the following efforts have been made:

1. On October 5, 2011, the applicant hosted a meeting at the proposed store site with nearby neighborhood associations and residents.
2. In mid January, invitations were extended by the applicant to meet with one or two representatives of each of the four nearby neighborhood organizations. The purpose was to share the voluntary conditions and two alternate interior renderings developed to address security and interior design issues expressed during the October 5, 2011 community meeting.
3. On January 23, 2012, the applicant met with a representative from the Historic Tennis Club and The Canyons HOA.
4. On January 24, 2012, a meeting was held with two representatives of the Tahquitz River Estates Neighborhood Organization ("TRENO").
5. On February 2, 2012, the applicant presented to TRENO the Voluntary Conditions and two proposed alternate interior renderings.

As result of the above actions, staff has received one letter of support from the TRENO neighborhood organization. No other correspondence has recently been received by any of the other neighborhood organizations.

Concerns with Signage, Lighting and Security

Based on the feedback received by the Police department and neighborhood meetings, the following voluntary conditions will be implemented by the applicant:

1. Surveillance cameras on interior and exterior;
2. Enhanced exterior lighting, particularly on west side of building, by car wash;
3. No sales of singles or malt beverages;
4. No sales of alcohol after midnight (to eliminate claim of interplay with "Zelda's");
5. No signage in windows;
6. Limitations on restroom use (to extent permitted by law / ordinance, to address concern regarding transient use);
7. Police "sub-station" inside store to encourage / enhance police presence;
8. Submit PSPD "STOP" Program authorizations for police arrest upon private claim.

Based on these above voluntary actions, staff has prepared the following project specific conditions of approval:

- PSP 1. Security Camera Surveillance. Prior to issuance of Building Permit, the applicant shall submit a security camera surveillance plan to the Police Department for approval.
- PSP 2. Exterior Lighting Improvements. Prior to issuance of Building Permit, the applicant shall submit a lighting plan, including photometric plan, lighting specification sheets, etc. to the Planning Department and Police Department for approval.
- PSP 3. Alcohol Beverage Sales. There shall be no sales of singles or malt beverages.
- PSP 4. General Alcohol Sales. This CUP authorizes the accessory retail sale of beer and wine as shown on the floor plan between the hours of 6:00 a.m. and 12:00 a.m. Prior to any extension of alcohol sale hours, expansion to distilled spirit

sales or enlargement of alcohol sales to the floor plan, the operator shall receive approval from the Planning Commission through an amendment to this CUP.

- PSP 5. Window Signage. There shall be signage in windows, except for signage that is required by the State and Federal Governments.
- PSP 6. PSPD "STOP" Program. Prior to issuance of Building Permit, the applicant shall submit necessary PSPD "STOP" Program authorizations to the Police Department for approval.

These conditions have been included in the draft resolution.

In addition to the above conditions, the applicant proposes to develop the interior tenant space with one of two enhanced designs. The applicant has provided interior renderings and floor plans for 7-Eleven's standard interior plan, as well as the two enhanced interior plan options referenced as Alt. A and Alt. B in the attachments. The applicant states that the enhanced designs were developed to incorporate details borrowed from the exterior of the building, including rafter, beam, and awning details. A sample board of the proposed interior materials and colors has been provided. Staff could support either alternative and recommends the following condition of approval:

- PSP 7. Interior Layout and Design. The interior space of the convenience store shall be improved with an enhanced design option and sample board (either Alt. A or B) that are on file in the Planning Department. Prior to any modification to the layout or materials, the applicant shall submit a letter of request to the Director of Planning Services for approval.

CONCLUSION:

Based on the efforts described above, the applicant addressed the concerns of the neighborhood and police department with the voluntary conditions and enhanced interior design, as requested by the Planning Commission on September 14, 2011. Accordingly, staff continues to recommend approval of the proposed convenience store, subject to the conditions of approval contained in the draft resolution as revised by this memorandum.

NOTIFICATION:

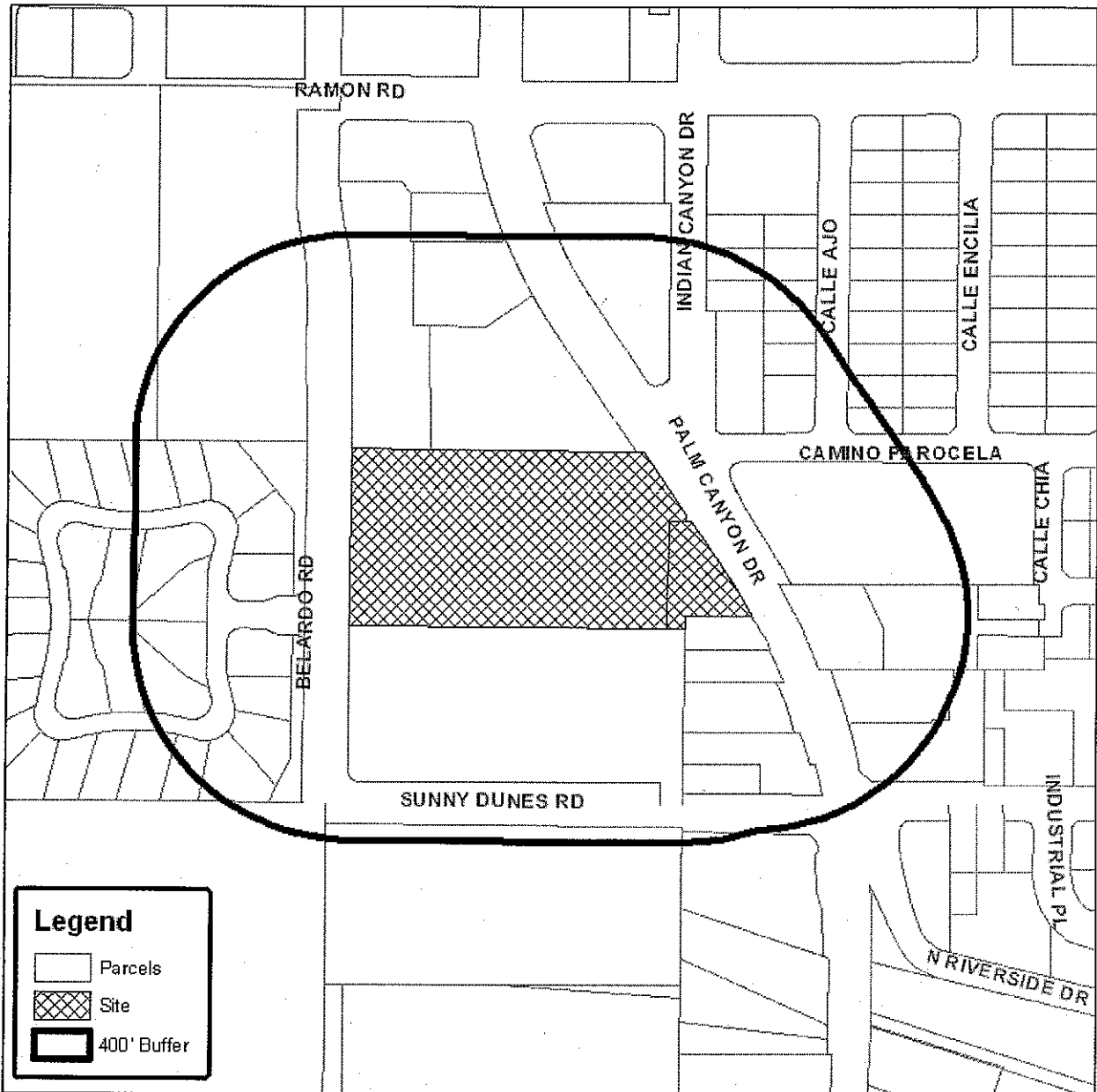
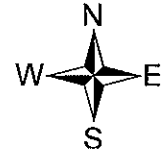
Notification of this public hearing was sent to property owners within a 400 foot radius of the subject shopping center. As of the writing of this report, staff has received one letter of correspondence which is attached.

Attachments:

1. Vicinity Map
2. Draft Resolution
3. Correspondence from Applicant
4. Planning Commission minutes dated September 14, 2011 (excerpt)
5. Planning Commission report dated September 14, 2011
6. Correspondence from Public



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 5.1269 CUP

APPLICANT: Lend Lease for 7-Eleven

DESCRIPTION: To consider an application by Lend Lease for 7-Eleven requesting a Conditional Use Permit (CUP) for a 24-hour convenience store use at 611 South Palm Canyon Drive, Zone PD-77.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA FOR THE APPROVAL OF CASE 5.1269 CUP, A CONDITIONAL USE PERMIT FOR THE ESTABLISHMENT OF A CONVENIENCE STORE USE AT 611 SOUTH PALM CANYON DRIVE.

WHEREAS, Lend Lease for 7-Eleven, "applicant", has filed an application with the City pursuant to Section 94.02.00 (Conditional Use Permit) of the Zoning Code seeking approval to establish a convenience store use of approximately 3,574 square feet at 611 South Palm Canyon Drive, APN: 513-290-015, Zone PD-77, Section 22/T4/R4; and

WHEREAS, a notice of public hearing for Case 5.1269 CUP was given in accordance with applicable law; and

WHEREAS, on September 14, 2011, a public hearing on Case 5.1269 CUP was held by the Planning Commission in accordance with applicable law; and

WHEREAS, on September 14, 2011, the Planning Commission continued Case 5.1269 CUP to a date uncertain and requested that the applicant meet with surrounding neighborhoods, landlords and law enforcement to adequately address the concerns of the neighborhood related to signage, lighting and security; and

WHEREAS, a notice of public hearing for Case 5.1269 CUP was given in accordance with applicable law; and

WHEREAS, on February 22, 2012, a public hearing on Case 5.1269 CUP was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA") The project has been evaluated in accordance with the guidelines of CEQA and determined to be Categorically Exempt pursuant Section 15301 (Existing Facilities), and

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

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the Planning Commission finds that the proposed project is Categorically Exempt pursuant to Section 15301 (Existing Facilities).

Section 2: Pursuant to PSZC Section 94.02.00 (Conditional Use Permit), the

Planning Commission finds as follows:

- a. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code;*

The application proposes a convenience store use on a parcel zoned C-1/R-3. Pursuant to PSZC Section 92.12.01(D)(11), convenience stores are permissible in the C-1 zone subject to a conditional use permit (CUP).

- b. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located;*

The applicant is proposing a 24-hour convenience store at 611 South Palm Canyon Drive. The subject site is a mixed-use commercial retail center located on a major thoroughfare which contains a mixture of commercial uses. There are no convenience store uses in the immediate area and the proposed use will be desirable for the nearby community.

The General Plan designation of the subject site is MU / MU (Mixed Use / Multi-Use). The General Plan states, "Specific uses intended in these areas include community-serving retail commercial, professional offices, service businesses, restaurants, daycare centers, public and quasi-public uses." Therefore, the proposed use as a convenience store is consistent with this General Plan designation because it is a retail commercial use that provides a variety of goods and products for the community.

The zone where the proposed use is to be located is PD-77, with an underlying zone of C-1. This zone is intended to offer commercial and business services, and the proposed use will be consistent with this intent by offering various food and beverage items for sale. Therefore, the proposed convenience store use will not be detrimental to existing or future uses specifically permitted in this zone.

- c. *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The existing site is a large mixed-use commercial complex with a variety of office and commercial uses. The proposed retail establishment will offer convenience food and beverage items in an approximately 3,574-square foot site or approximately 3.3% of the entire shopping center. The project proposes exterior lighting and camera surveillance in order to

adjust the convenience store use to those existing and permitted future uses in the neighborhood. Therefore, the site for the intended use is adequate in size and shape to accommodate such use to those existing or permitted future uses of land in the neighborhood.

d. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;

The project site is located along South Palm Canyon Drive, which is a Major Thoroughfare, and South Belardo Road, which is a Collector Street, according to the General Plan Circulation Element. Both of these two-way streets are fully paved and include sidewalks. The proposed use will be adequately served by the existing parking on the site, and the use is expected to generate minimal traffic as a retail establishment. Therefore, the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.

e. That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.

A proposed set of Conditions of Approval accompany this Resolution as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case 5.1269-CUP for the establishment of a 24-hour convenience store at 611 South Palm Canyon Drive, subject to the attached conditions set forth in Exhibit A.

ADOPTED this 22nd day of February 2012.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services

RESOLUTION NO.

EXHIBIT A

Case 5.1269 CUP

Convenience Store
611 South Palm Canyon Drive
February 22, 2012

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.

PROJECT SPECIFIC CONDITIONS

- PSP 1. Security Camera Surveillance. Prior to issuance of Building Permit, the applicant shall submit a security camera surveillance plan to the Police Department for approval.
- PSP 2. Exterior Lighting Improvements. Prior to issuance of Building Permit, the applicant shall submit a lighting plan, including photometric plan, lighting specification sheets, etc. to the Planning Department and Police Department for approval.
- PSP 3. Alcohol Beverage Sales. There shall be no sales of singles or malt beverages.
- PSP 4. General Alcohol Sales. This CUP authorizes the accessory retail sale of beer and wine as shown on the floor plan between the hours of 6:00 a.m. and 12:00 a.m. Prior to any extension of alcohol sale hours, expansion to distilled spirit sales or enlargement of alcohol sales to the floor plan, the operator shall receive approval from the Planning Commission through an amendment to this CUP.
- PSP 5. Window Signage. There shall be signage in windows, except for signage that is required by the State and Federal Governments.
- PSP 6. PSPD "STOP" Program. Prior to issuance of Building Permit, the applicant shall submit necessary PSPD "STOP" Program authorizations to the Police

Department for approval.

- PSP 7. Interior Layout and Design. The interior space of the convenience store shall be improved with an enhanced design option and sample board (either Alt. A or B) that are on file in the Planning Department. Prior to any modification to the layout or materials, the applicant shall submit a letter of request to the Director of Planning Services for approval.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1269 CUP; except as modified with the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans on file in the Planning Division except as modified by the approved 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 5.1269 CUP. 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, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk 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. The time limit for commencement of use for a conditional use permit is two (2) years from the effective date of approval. Extensions of time may be approved by the commission upon demonstration of good cause by the applicant.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.
- ADM 10. Cause No Disturbance. The owner shall monitor outdoor parking areas, walkways, and adjoining properties and shall take all necessary measures to ensure that customers do not loiter, create noise, litter, or cause any disturbances while on-site. The owner and operator shall ensure that at closing time, all customers leave the property promptly and that the property is clean and secure before the owner/operator leaves the premises. The Police Chief, based upon complaints and/or other cause, may require on-site security officers to ensure compliance with all City, State, and Federal laws and conditions of approval. Failure to comply with these conditions may result in revocation of this permit, temporary business closure or criminal prosecution.
- ADM 11. Grounds for Revocation. Non-compliance with any of the conditions of this approval or with City codes and ordinances, State laws; any valid citizen

complaints or policing and safety problems (not limited to excessive alcohol consumption, noise, disturbances, signs, etc) regarding the operation of the establishment; as determined by the Chief of Police or the Director of Building and Safety, may result in proceedings to revoke the Conditional Use Permit. In addition, violations of the City Codes and Ordinances will result in enforcement actions which may include citations, arrest, temporary business closure, or revocation of this permit in accordance with law.

- ADM 12. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.
- ADM 13. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers. Any change in ownership requires notification to the Planning Department.

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. 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.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00. A sign program shall be approved by the Planning Commission prior to any issuance of signs for the subject building.
- PLN 2. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 3. 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 4. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 5. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

PLN 6. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.

PLN 7. (add any additional conditions imposed by the Planning Commission here)

POLICE DEPARTMENT CONDITIONS

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

POL 2. The applicant must post "No Loitering" signs on the premises applicable to city ordinance regulations approved by Code Enforcement and the Police Department.

POL 3. Proper signage must be displayed throughout the store that indicates it is against the law to sell tobacco products to anyone under the age of 18 years.

POL 4. Proper signage must be displayed throughout the store that indicates it is against the laws to sell alcohol products to anyone under the age of 21 years.

BUILDING DEPARTMENT CONDITIONS

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

END OF CONDITIONS

February 14, 2012

RECEIVED

FEB 14 2012

VIA E-MAIL [David.Newell@palmsprings-ca.gov]
AND GOLDEN STATE OVERNIGHT

PLANNING SERVICES
REGISTRATION

David Newell, Planner
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Re: 7-Eleven, Inc. – CUP Application No. 5.1269
611 S. Palm Canyon Drive Site
Supplement to Submission for 2/22/12 Planning Commission Hearing

Dear David:

This letter supplements our submission letter of January 23, 2012, regarding 7-Eleven's above-referenced CUP application. It summarizes our follow-up contacts with the neighborhood associations near the proposed site, during the week of January 23 - 27, 2012.

In mid January, invitations were extended by 7-Eleven to meet with one or two representatives of each of the four nearby neighborhood associations. The purpose was to share the Voluntary Conditions and the alternate interior renderings which 7-Eleven and its consultants developed to address security and interior design issues expressed during the October 5, 2011 community meeting.

A meeting was held on January 23, 2012 with one representative each of The Historic Tennis Club and The Canyons HOA. Both expressed apparent satisfaction with the Voluntary Conditions and with both proposed alternate interior renderings. However, both continued to express their preference for a use other than as a convenience store. The Historic Tennis Club representative offered during the meeting to review and provide input on the most recently revised version of the proposed Sign Program for The Sun Center. That offer has been gladly accepted.

Since 1910

RIVERSIDE 3750 University Avenue, Suite 250 · Riverside, California 92501
SAN BERNARDINO 550 East Hospitality Lane, Suite 300 · San Bernardino, California 92408
SAN DIEGO 501 W. Broadway, Suite 800 · San Diego, California 92101

GreshamSavage.com

Newell, D-06 re Supplement to Submission for 2/22/12 PC Hearing
S1046-009 -- 827516.1

David Newell, Planner
City of Palm Springs
February 14, 2012
Page 2

On January 24, 2012, a meeting was held with two representatives of the Tahquitz River Estates Neighborhood Organization ("TRENO"). Both also expressed apparent satisfaction with the proposed Voluntary Conditions and with both proposed alternative interior renderings. A few days later, they extended an invitation to make a similar presentation to TRENO's Board on February 2, 2012. Following that meeting, the TRENO Board voted to issue a letter of support for the 7-Eleven project, a copy of which is attached. One of its Board members also offered to review and provide input on the most recently revised version of the proposed Sign Program. That offer has been gladly accepted. Two invitations to meet were also extended to the Warm Sands Neighborhood Association. However, the invitations were politely declined.

Please include this supplement with the other materials for consideration by the Planning Commission at its meeting on February 22, 2012. Please do not hesitate to call if we may answer any questions or if you require any clarification.

Very truly yours,



Ernest E. Riffenburgh, of
GRESHAM SAVAGE
NOLAN & TILDEN,
A Professional Corporation

EER:vcu

Enclosure

Cc: David Sabin, LendLease
Jennifer M. Guenther, Esq.



February 7, 2012

David Newell, Planner
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92264

Re: 7-Eleven (611 South Palm Canyon-Sun Center)
CUP Application No. 5.1269
Letter in Support of 7-Eleven Application

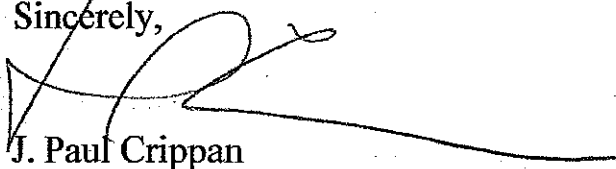
Dear Mr. Newell:

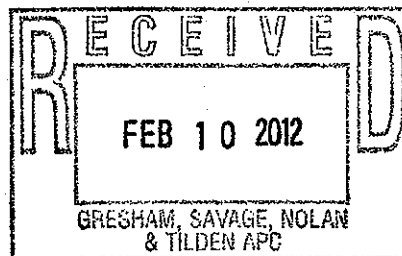
We understand that a continued hearing on this matter will occur before the Planning Commission on February 22, 2012. This letter is sent to express the support of the Tahquitz River Estates Neighborhood Organization Council for the 7-Eleven store.

The City informed 7-Eleven to get involved with the neighborhood organizations. We agreed to meet their representatives to provide input and express concerns. We continued through out the process and recently had their representative present to our Council Board its revised proposal as well as other changes to better blend into the "Palm Springs look." We, the Board of 12 members, voted to support this project.

We ask that the Planning Commission take into account our involvement with 7-Eleven proposal for a store at Sun Center which borders on our neighborhood.

Sincerely,


J. Paul Crippan
Chair, TRENO



February 6, 2012

VIA E-MAIL [David.Newell@palmsprings-ca.gov]
AND FIRST CLASS MAIL

David Newell, Planner
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Re: 7-Eleven CUP Application No. 5.1269
611 South Palm Canyon Drive, Sun Center
1) Submission of Further Revised Proposed Sign Program
2) Recent Sign Correspondence

Dear David:

Submission of Further Revised Proposed Sign Program

Consistent with our telephone conversation last week, YESCO is submitting today, separate from this letter, the proposed further revised sign program for the Sun Center at 611 South Palm Canyon. The further revised sign program incorporates changes based on the comments received at the Architectural Advisory Committee hearing on December 27, 2011, as well as additional clarifications which you requested this morning. With this submission, this matter is now confirmed for placement on the February 21, 2012 AAC agenda.

The changes consist of the following:

1. For the tenants other than 7-Eleven, fronting both Camino Parocela and South Palm Canyon, this signage is now depicted as relocated from the upper frontage of certain spaces to beneath the upper frontage on sign backgrounds closely approximating the shape and compentry of the landmark sign for the Center;
2. Lettering consists of a choice between two options, both being channel letters, but one being internally illuminated behind translucent letter faces and the other consisting of shadow-lit solid faced letters;
3. The continued use of vinyl lettering for the building spaces facing South Belardo Road is now more thoroughly described on Sheet 2 and is now specifically depicted on Sheet 11;

RECEIVED

FEB 08 2012

PLANNING SERVICES

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SAN BERNARDINO 550 East Hospitality Lane, Suite 300 · San Bernardino, California 92408
SAN DIEGO 501 W. Broadway, Suite 800 · San Diego, California 92101

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S1046-009 -- 822918.1

David Newell, Planner
City of Palm Springs
February 6, 2012
Page 2

4. For the proposed "Tenant A" 7-Eleven space, of the three signs depicted on the prior proposed sign program, 7-Eleven has voluntarily elected in this newly revised proposed sign program to eliminate the logo sign previously depicted on the parapet wall facing South Palm Canyon; and
5. Per your request this morning, the previously described "Future Tenant" space adjacent to the proposed 7-Eleven space has now been designated as Unit "A-1" on Sheets 3, 4, 5, and 8, and a photo of its frontage has been added to Sheet 8.

Recent Sign Correspondence

Regarding this Firm's letter of January 6, 2012 and the City's reply dated January 10, 2012, since review of this further revised proposed sign program has now been placed on the agenda of the AAC for Tuesday, February 21 and that the continued hearing on the CUP Application has been agendized for Wednesday, February 22, 7-Eleven has elected, at this time, not to pursue the concept of a bifurcated review by the City of its sign application and of the sign program which is a proposed condition of approval of the CUP. Thus, consideration of 7-Eleven's signage will continue, at this time, entirely pursuant to the sign program, in anticipation that review will be completed and approval obtained this month.

Conclusion

Consistent with our telephone conversation last week, please confirm that based on filing of today's submission, further review of the proposed sign program is confirmed for the AAC hearing on February 21. Thank you for your continuing assistance with this project.

Very truly yours,



Ernest E. Riffenburgh, of
GRESHAM SAVAGE
NOLAN & TILDEN,
A Professional Corporation

EER:ba/vcu

cc: David Sabin, LendLease
Danny Ramirez, YESCO
Jennifer M. Guenther, Esq.

January 23, 2012

VIA HAND DELIVERY

David Newell, Planner
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

RECEIVED

JAN 23 2012

PLANNING SERVICES
DEPARTMENT

Re: **7-Eleven, Inc. - Application for CUP No. 5.1269**
611 South Palm Canyon Drive, Sun Center
Submittal for Continued Hearing Before the Planning Commission, 2/22/12

Dear Mr. Newell:

As you are aware, this firm represents the applicant, 7-Eleven, Inc. ("7-Eleven"), relative to the above-referenced Application. This letter, together with its enclosures and referenced materials, constitutes 7-Eleven's submission for a continued hearing before the Planning Commission, scheduled for February 22, 2012.

BACKGROUND:

This matter originally went before the Planning Commission on September 14, 2011. Following extensive testimony and comments from the public, the Planning Commission continued the hearing on the Application, instructing 7-Eleven; (1) to meet with the Palm Springs Police Department and address central security concerns; and (2) to meet with representatives of the nearby neighborhood associations to address comments and concerns expressed during the hearing. Since the hearing, 7-Eleven has diligently pursued those directives.

PALM SPRINGS POLICE DEPARTMENT:

7-Eleven met with representatives of the Palm Springs Police Department on September 26, 2011, Lieutenant Don Fallon and Officer Barron Lane, the Department's Community Services Officer who deals directly with transients and the homeless who are known to inhabit the open desert regions near the area. After consultation with the Department, 7-Eleven developed the enclosed list of Voluntary Conditions to the

Since 1970

RIVERSIDE 3750 University Avenue, Suite 250 · Riverside, California 92501
SAN BERNARDINO 550 East Hospitality Lane, Suite 300 · San Bernardino, California 92408
SAN DIEGO 501 W. Broadway, Suite 800 · San Diego, California 92101

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Newel, D-01 re Submittal for Continued Hearing
S1046-009 -- 813513.1

David Newell, Planner
City of Palm Springs
January 23, 2012
Page 2

CUP to address security concerns, primarily consisting of minimizing transient loitering in and around the proposed convenience store.

It is 7-Eleven's understanding that with such voluntary conditions in place, the Department is not concerned that the proposed convenience store use will exacerbate the existent transient issue in the area. Among other measures, the proposed convenience store space includes a police "Substation" for periodic use by the Department, in its discretion. This periodic police presence is anticipated to further discourage loitering and use of the facility by transients. Other measures are also identified in the list of voluntary conditions, including interior and exterior surveillance cameras and lighting of the alley area between the building and the car wash to the south.

NEIGHBORHOOD ASSOCIATIONS:

On October 5, 2011, 7-Eleven hosted a meeting at the proposed store site with nearby neighborhood associations and residents.

1. Type of Use/Draw for Center.

A sentiment expressed by a number of those in attendance was that a convenience store is not a welcome use of the space. It is important to note that the present space was newly constructed as an enhancement to the balance of the Sun Center, when it was remodeled in 2008. However, due to configuration and size issues and the unfortunate timing of the economic downturn, including a significant decrease in the opening of restaurants, Landlord, despite determined efforts, was unable to interest any major restaurant, sandwich chain, coffee store, or specialty grocery store in the space. As a result, the space, located prominently on South Palm Canyon Drive has sat empty for more than three years. Prominent empty space does not reflect well on a retail center nor the area around it. However, the site is an ideal location for a convenience store, being both accessible and visible. Additionally, 7-Eleven's steady customer draw will benefit the circulation and sales of the other stores within the Sun Center.

2. Covenient Use.

Despite claims by some in attendance on October 5th that a convenience store or small market is not necessary in this area, in fact, the closest convenience store or small market is more than one-half mile away. Thus, a convenience store operation in the proposed location provides close service to those living nearby.

3. **Interior Enhancements.**

Comments by some attending the meeting on October 5th also expressed dissatisfaction with the proposed standard 7-Eleven interior, which is illustrated in the enclosure. Instead, they expressed a desire for an interior which they viewed as more in keeping with the tone and design of the Sun Center and the residents' perception of the surrounding area.

Thus, 7-Eleven and its consultants have spent extensive time since developing two alternative proposed interiors, renderings and floor plans of which are also enclosed together with a sample board of the proposed interior materials and colors. These significant enhancements include incorporation of rafter, beam, and awning details borrowed from the exterior of the building (a detail photo of which is also enclosed), softened and enhanced colors, wood tone wall materials, café lighting over certain service areas, and enhanced flooring. These significant enhancements provide a rich, warm retail environment, highlighting the prominent location of the proposed store along South Palm Canyon.

SIGNAGE:

Upon review of 7-Eleven's CUP application, City Planning noted that the Sun Center does not have a sign program. The creation and implementation of such a program was made Recommended Condition of Approval No. PLN 1 in the Staff Report.

Despite the fact that requirement of such a program would have been more appropriately a Condition of Approval to the Sun Center's remodel program a few years ago, 7-Eleven has nevertheless undertaken to develop and provide a Sign Program for implementation by the Landlord. Two successive versions of the proposed program have been presented to the Architectural Advisory Committee ("AAC"), most recently on December 27, 2011. Revisions to the second version of the proposed sign program are under way, based upon the comments received from the AAC on December 27, and are expected to be submitted to the City within the next two weeks. The further revised program, will be submitted under separate cover once available.

It should be noted that 7-Eleven originally applied for three signs for the proposed convenience store use. But it has now reduced its request to only two signs, one each along its street frontages on South Palm Canyon and Camino Parocela, as permitted by City Code regardless of whether a sign program is in place. As a part of its separate Sign Permit Application, 7-Eleven has requested that the City bifurcate

David Newell, Planner
City of Palm Springs
January 23, 2012
Page 4

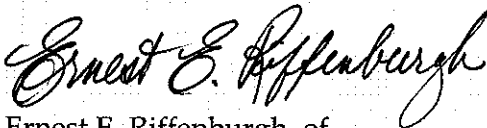
approval of 7-Eleven's sign permit from continued review of the sign program, so as not to further delay 7-Eleven's City-Code-permitted signage. We are awaiting the City's response to this request.

SUPPLEMENTAL INFORMATION:

As of the date of this letter, meetings are scheduled with representatives of three of the four nearby neighborhood associations during the week of January 23 - 27, 2012 in order to share, and receive their comments upon, the voluntary conditions and the alternate interior renderings. A Summary of the outcome of those meetings will be provided shortly under separate cover.

Kindly advise if you require any additional supplemental information as we proceed toward the continued Planning Commission hearing on February 22. Thank you for your continuing assistance in this matter.

Very truly yours,



Ernest E. Riffenburgh, of
GRESHAM SAVAGE
NOLAN & TILDEN,
A Professional Corporation

EER:vcu
Enclosures

cc: David Sabin, LendLease
Jennifer M. Guenther, Esq.

Voluntary Conditions (previously approved by 7-Eleven):

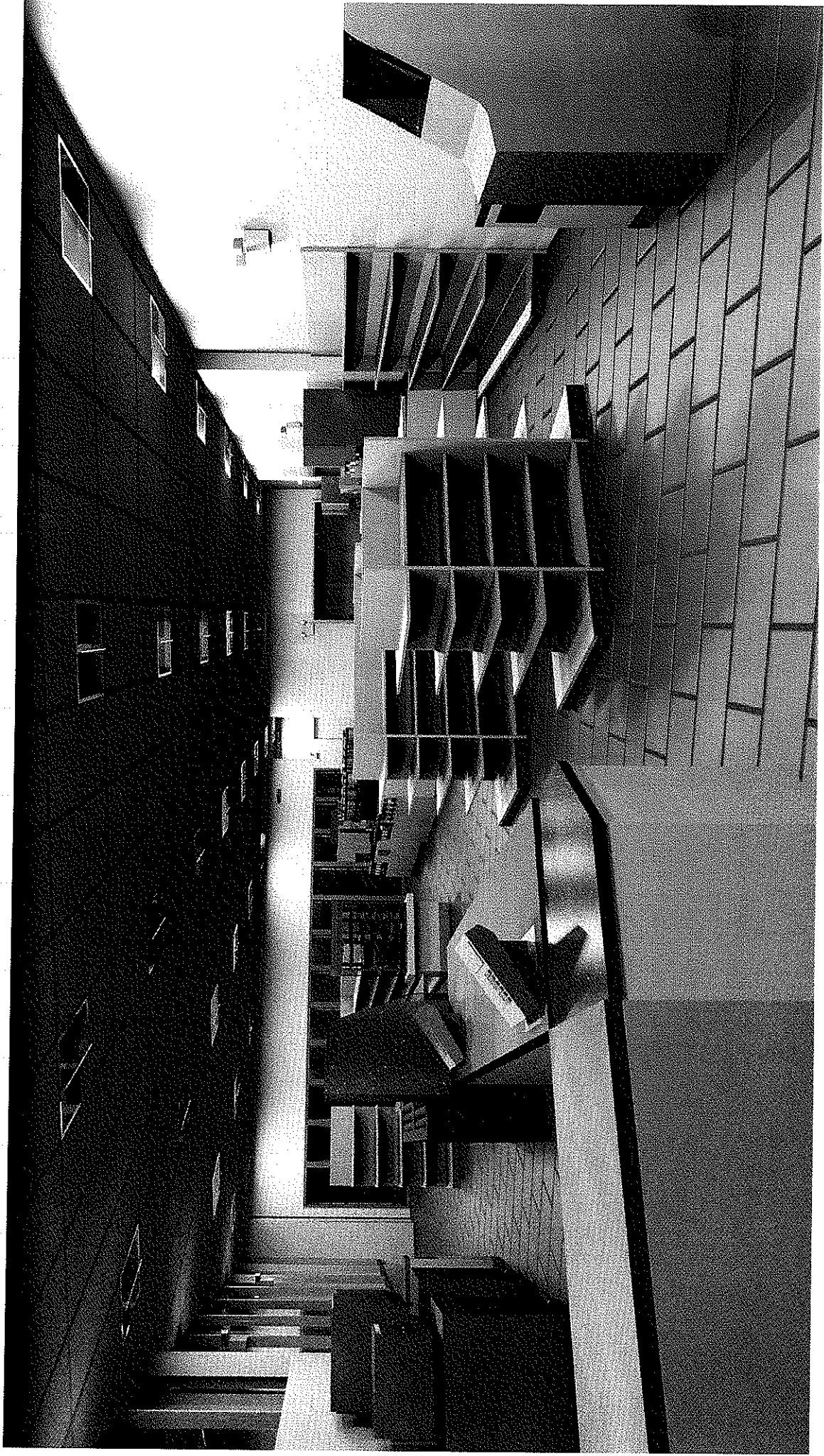
- 1) Surveillance cameras, interior & exterior
- 2) Enhanced exterior lighting, particularly on west side of building, by car wash
- 3) No sales of singles or malt beverages
- 4) No sales of alcohol after midnight (to eliminate claim of interplay with "Zelda's")
- 5) No signage in windows
- 6) Limitations on restroom use (to extent permitted by law/ordinance, to address concern re- transient use)
- 7) Police "sub-station" inside store to encourage/enhance police presence
- 8) Submit PSPD "STOP" Program authorizations for police arrest upon private claim.

(NOTE: Lessor submitted such authorization the week of 10/3-7/11 for the entire center)

RECEIVED

JAN 23 2012

**PLANNING SERVICES
DEPARTMENT**



Interior Rendering – 7-Eleven Standard



Exterior Detail



Interior Rendering – Enhanced (Alt. A)

FLA
FLORIDA ARCHITECTURAL
REGISTERED ARCHITECTS
 400 W. 1st Street, Suite 201
 West Palm Beach, Florida 33401
 (561) 833-1100
 www.flarchitects.com

7-ELEVEN
 7-ELEVEN
 833 S. PALM CANYON
 DRIVE
 PALM SPRINGS, CA
 92264
 7-ELEVEN
 12-10-0748

DATE	NO.	DESCRIPTION
12/10/07	001	ISSUED FOR PERMITS
12/10/07	002	REVISED PER COMMENTS
12/10/07	003	REVISED PER COMMENTS
12/10/07	004	REVISED PER COMMENTS
12/10/07	005	REVISED PER COMMENTS
12/10/07	006	REVISED PER COMMENTS
12/10/07	007	REVISED PER COMMENTS
12/10/07	008	REVISED PER COMMENTS
12/10/07	009	REVISED PER COMMENTS
12/10/07	010	REVISED PER COMMENTS

PROJECT NO.	1206007
ISSUE DATE	08/27/13
CHECKED BY	CS
DATE	08/27/13
PROJECT NAME	7-ELEVEN
PROJECT ADDRESS	833 S. PALM CANYON DRIVE, PALM SPRINGS, CA 92264

DATE	NO.	DESCRIPTION
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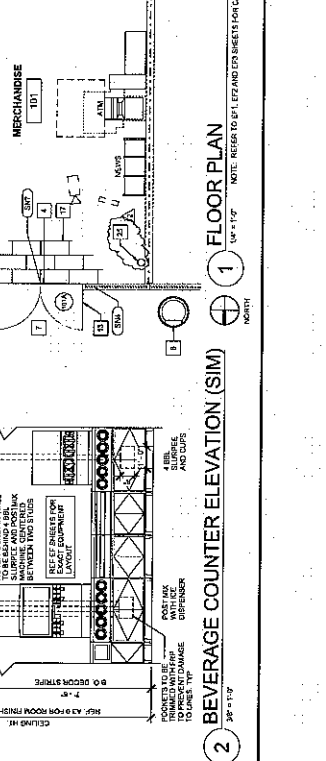
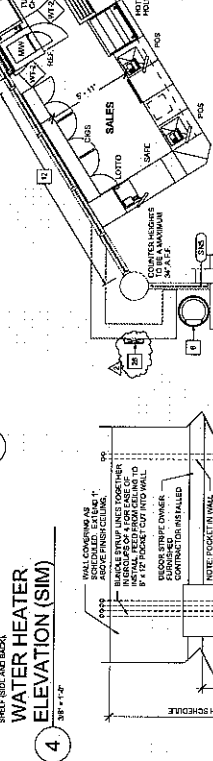
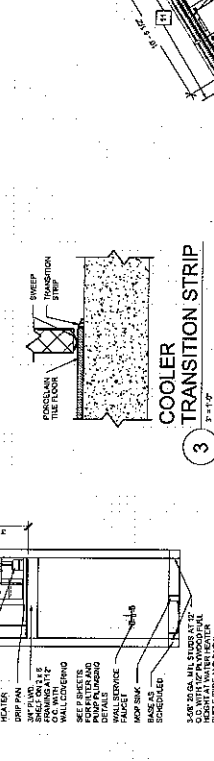
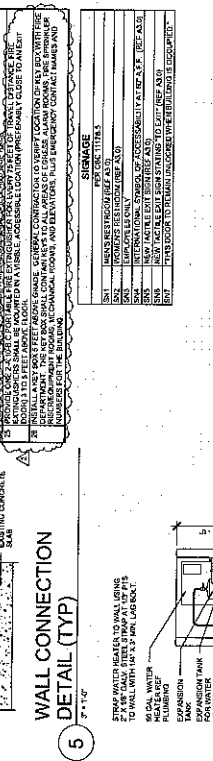
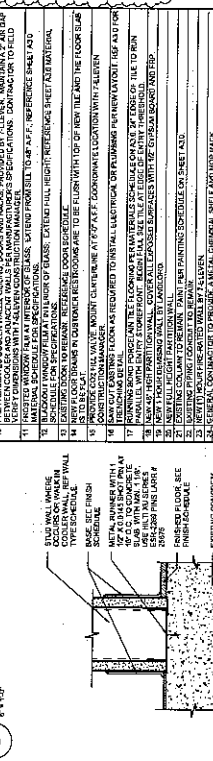
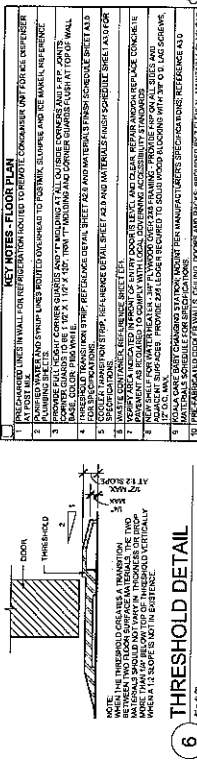
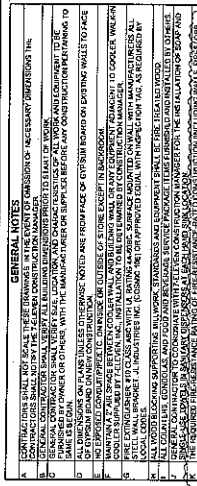
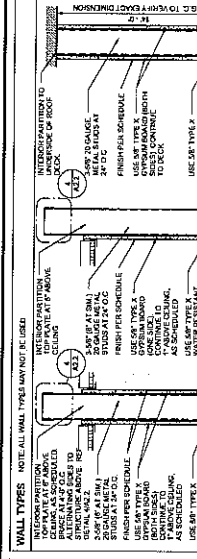
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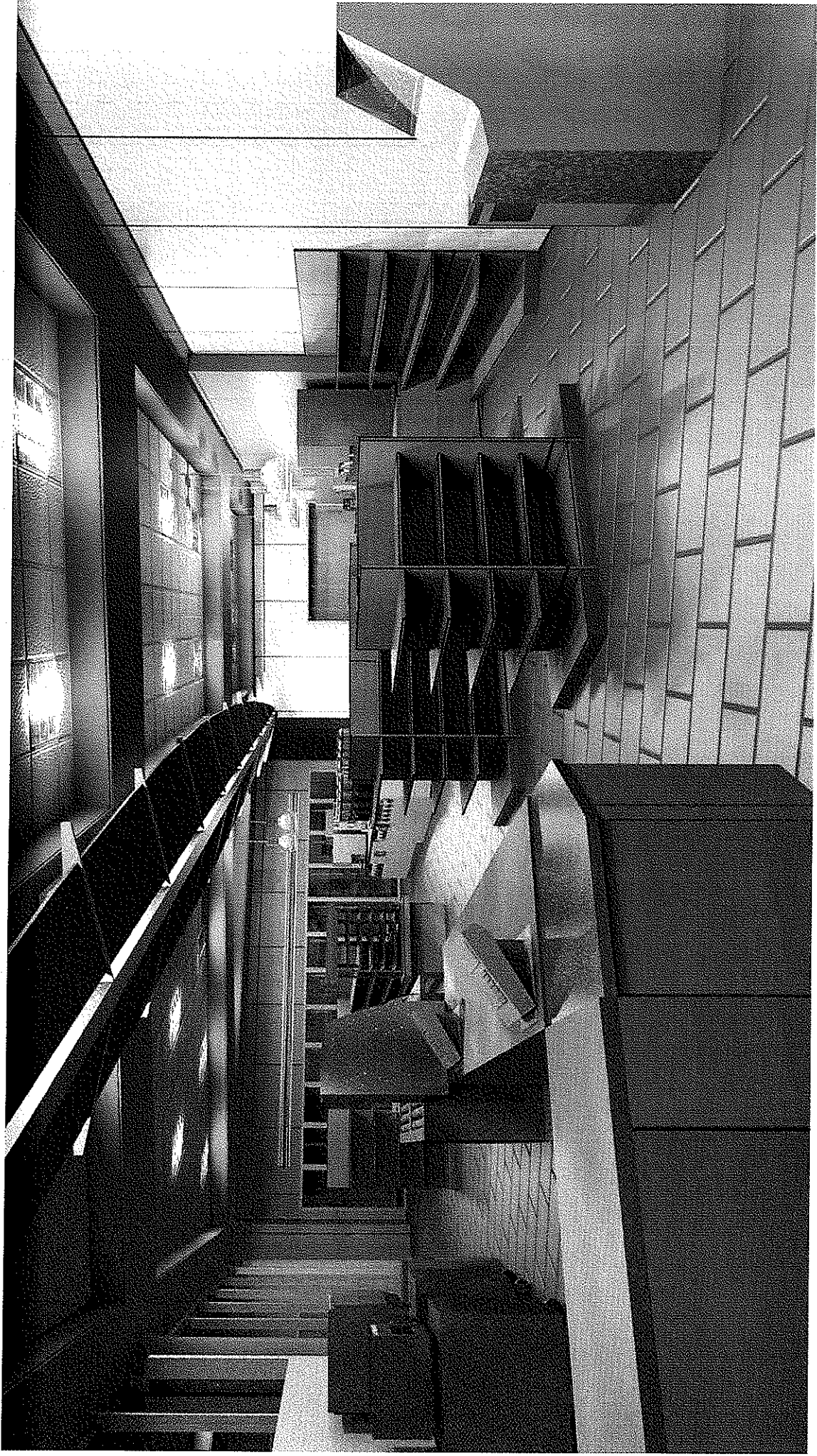


GENERAL NOTES
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODE (IMC).
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE AMERICAN SOCIETY OF MECHANICAL ENGINEERS (ASME) CODES.
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE AMERICAN SOCIETY OF ELECTRICAL ENGINEERS (ASSE) CODES.
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Interior Rendering - Enhanced (Alt. A)
Floor Plan

A2.0

DISCLAIMER
 THESE CONSTRUCTION DOCUMENTS ARE BASED ON INFORMATION AND INFORMATION PROVIDED TO ME BY THE CLIENT. I AM NOT RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF THIS INFORMATION.



Interior Rendering – Enhanced (Alt. B)

KEY NOTES - FLOOR PLAN

- REWORKED WELLS IN WALL OR REVISION TO WELLS TO MAINTAIN CONNECTION TO EXISTING SERVICE.
- REMOVE EXISTING WALLS AND REVISIONS TO WALLS TO MAINTAIN CONNECTION TO EXISTING SERVICE.
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THRESHOLD DETAIL
3/8" x 1/8"

WALL CONNECTION DETAIL (TYP)
3/8" x 1/8"

WATER HEATER ELEVATION (SIM)
3/8" x 1/8"

COOLER TRANSITION STRIP
3/8" x 1/8"

BEVERAGE COUNTER ELEVATION (SIM)
3/8" x 1/8"

GENERAL NOTES

- CONTRACTOR SHALL VERIFY ALL WALL TYPES, FINISHES, AND CONNECTIONS TO EXISTING WALLS AND CEILING.
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WALL TYPES

NEW TO EXISTING WALL TYPES

EXISTING WALL

NEW INTERIOR PARTITION

NEW Gypsum WALL

EXISTING Gypsum WALL

NEW 1/2" Gypsum WALL

NOTICE TO CONTRACTOR

EXISTING SPRINKLER SYSTEM TO BE MAINTAINED AND PROTECTED THROUGHOUT CONSTRUCTION. CONTRACTOR TO PROVIDE PROPER COVERAGE, GENERAL CONTRACTOR TO SUBMIT PROTECTION PLAN TO LOCAL AUTHORITIES HAVING JURISDICTION.

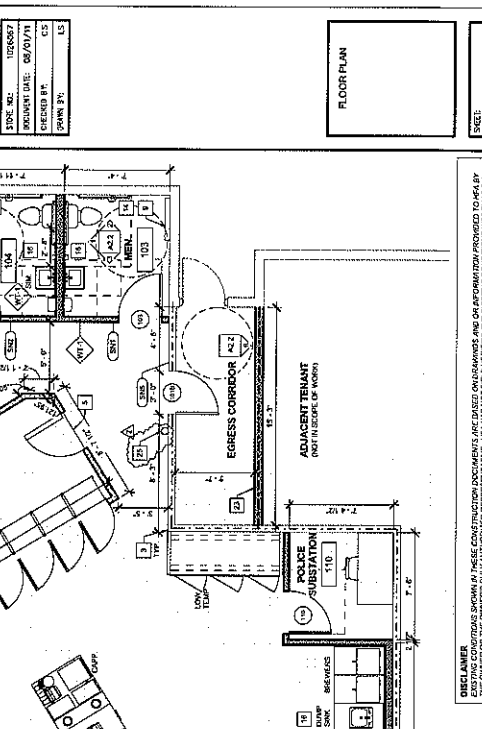
MITO MAR DISCLAIMER

THIS DOCUMENT IS THE PROPERTY OF MITO MAR. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE PROJECT TITLE. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE EXPRESS WRITTEN PERMISSION OF MITO MAR. ANY UNAUTHORIZED REPRODUCTION OR TRANSMISSION OF THIS DOCUMENT IS PROHIBITED. MITO MAR ACCEPTS NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS DOCUMENT. CONTRACTOR SHALL VERIFY ALL INFORMATION PROVIDED AND OBTAIN NECESSARY PERMITS FROM LOCAL AUTHORITIES.

7-ELEVEN
DRIVE
633 S. PALM CANYON
PALM SPRINGS, CA
92264
JOB NUMBER: LP-10-00748

HARRISON BRENCH ARCHITECTS P.C.
HARRISON BRENCH ARCHITECTS P.C.
400 N. 10th Street 301
P.O. Box 20400
P.O. Box 20400
P.O. Box 20400

DATE PLOT: 08/20/24
DRAWN BY: LS
CHECKED BY: CS
PROJECT NO: 1026657



FLOOR PLAN

A2.0

**Interior Rendering - Enhanced (Alt. B)
Floor Plan**

1 FLOOR PLAN
1/8" = 1'-0"
NOTE: REFER TO LEFT, CENTER AND RIGHT SHEETS FOR CABINET AND EQUIPMENT DESCRIPTIONS.

2 BEVERAGE COUNTER ELEVATION (SIM)
3/8" x 1/8"

3 COOLER TRANSITION STRIP
3/8" x 1/8"

4 WATER HEATER ELEVATION (SIM)
3/8" x 1/8"

Clarification on the AAC's comments from the 9/12/11 meeting
-Uniformity of the proposed signs with the original sign program

ACTION: To approve the Sign Program Amendment, subject to:

- The proposed gas price monument sign shall be one foot lower in height than the existing "Vons" monument sign.
- The base of the proposed gas price monument sign shall be similar stacked stone that matches the existing "Vons" monument sign.
- All temporary signs that are not permitted shall be removed immediately.


Motion Tracy Conrad, seconded by Leslie Munger and unanimously carried on a roll call vote.

AYES: Leslie Munger, Tracy Conrad, Philip Klatchko, J.R. Roberts, Chair Donenfeld and Vice Chair Hudson

3. PUBLIC HEARINGS:

3A. Case 5.1209 / CZ TPM 35681 - A request by Noble & Company for a Change of Zone (CZ) from Energy Industrial (E-I) to Manufacturing (M-2) and a Tentative Parcel Map (TPM) 35681 to subdivide a roughly 30 acre parcel into 6 parcels, located on 19th Avenue between Karen Avenue and Hallett Avenue, APN's 666-320-007, 009 and 013; Section 15. (Project Planner: Ken Lyon, Associate Planner)

~~This item was pulled from the agenda.~~

**3B. Case 5.1269 CUP - A request by Lend Lease representing 7-Eleven for a Conditional Use Permit (CUP) to operate a 24-hour convenience store use at 611 South Palm Canyon Drive, Zone PD-77, Section 22. (Project Planner: David A. Newell, Associate Planner)**

David Newell, Associate Planner, provided background information as outlined in the staff report dated September 14, 2011.

Chair Donenfeld opened the public hearing:

- David Sabin, applicant, emphasized the benefits of the project including healthy food options and availability of over-the-counter medicines for families during the late evening hours. He noted that 7-Eleven will provide a stable, long term lease to the center and an opportunity for growth to the City.
- Sheryl Hamlin, Palm Springs, expressed concern with window cluttering, unattractive signs, lighting, layout and lack of a security plan. She recommended 7-Eleven abandon

- its corporate layout and redesign the project with new standards.
- David Sabin, applicant, (responded to public testimony) addressed the Commission's concern pertaining to 7-Eleven's corporate plan to build stores one mile apart.
 - Kathleen Adams, president, Canyon Homeowners Association, commented about existing problems with the food distribution center and nightclub that include debris on the canyon and basin and loud noises in the middle of the night. She stated that the proposed 7-Eleven would increase traffic and crime in the neighborhood.
 - Marshall Roath, chair, HTCNO, spoke about the importance of implementing a sign program for the center and commented on the proposed 7-Eleven signage.
 - Bill Post, questioned whether a convenience store would be a good fit for this neighborhood.
 - Nicole Weaver, expressed concern with children and teenagers hanging out near the convenience store and questioned the need for a liquor store in this area.
 - Ralph Odom, expressed concern with the 7-Eleven attracting undesirable persons to the area.
 - Patricia Jernigan, spoke about the surrounding convenience stores that attract public intoxication, panhandling and homeless people.
 - Fadi Viassab, smoke shop owner, stated that the products offered by 7-Eleven are already provided and competition to the existing tenants would be a financial hardship.
 - Molly Bondhus, spoke in opposition of the proposed convenience store and questioned the need for it in this area.
 - Maurico Refan, property owner, spoke of the unsuccessful attempts he's had in leasing this building for restaurant use due to the economic downturn and noted his willingness to address the concerns of the neighbors.
 - William Stiles, commented that this area is out of control and a 24-hour business of any kind would exacerbate the problem.
 - Jason Murray, market manager for 7-Eleven stores in the area, spoke about their plans to make the necessary adjustments to the signage and layout of the store to complement the community.
 - David Sabin, applicant, (responded to Commission questions), spoke about their willingness to provide further outreach to the neighborhood.

There being no further appearances the public comments was closed.

The Commission discussed and/or commented on:

- *The applicant and landlord to meet with the surrounding neighborhoods to work out issues pertaining to signage, lighting and security.
- *The Police Chief or law enforcement representative to meet with the applicant and neighborhood to address the security issues.
- *The status of existing signage at the shopping center.
- *The necessity of a 24-hour convenience store in this area and monitoring of outdoor parking and adjoining areas.
- *Potential traffic safety issues with the ingress/egress at this intersection.

ACTION: To continue the public hearing to an undetermined date with direction:

-To allow the applicant to meet with the surrounding neighborhoods, landlord and law enforcement representative to adequately address the concerns of the neighborhood pertaining to: signage, lighting and security.

Motion J.R. Roberts, seconded by Tracy Conrad and carried 5-1 on a roll call vote.

AYES: Leslie Munger, Tracy Conrad, Philip Klatchko, J.R. Roberts, Chair
Donenfeld

NOES: Vice Chair Hudson

3C. Case TPM 36387 Reversion to Acreage - A request by Brandenburg Family Associates to eliminate lot lines and revert approximately 24.4 acres of vacant property to one single parcel at the northeast corner of Farrell Drive and Baristo Road (also located at approximately 2705 East Tahquitz Canyon Way), Zone PD-71A, Section 13. (Project Planner: David A. Newell, Associate Planner)

Commissioner Klatchko recused himself due to a property-related conflict of interest and would not be participating in the discussion and vote. He left the Council Chamber at 3:21 p.m.

David Newell, Associate Planner, provided background information as outlined in the staff report dated September 14, 2011.

Chair Donenfeld opened the public hearing:

-Marvin Roos, MSA Consulting, spoke in favor of the reversion to acreage for the vacant property.

There being no further appearances the public hearing was closed.

ACTION: To recommend approval to the City Council, subject to the Conditions of Approval.

Motion J.R. Roberts, seconded by Vice Chair Hudson and carried 5-0 on a roll call vote.

AYES: Leslie Munger, Tracy Conrad, J.R. Roberts, Chair Donenfeld, Vice Chair
Hudson

NOES:

RECUSED: Philip Klatchko



Planning Commission Staff Report

Date: September 14, 2011

Case No.: 5.1269 CUP

Type: Conditional Use Permit

Location: 611 South Palm Canyon Drive, Suite #D

APN: 513-290-015

Applicant: Lend Lease for 7-Eleven

General Plan: MU / MU (Mixed Use / Multi-use)

Zone: PD-77 (Planned Development District 77)

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

Planner: David A. Newell, Associate Planner

PROJECT DESCRIPTION:

The applicant, Lend Lease, has submitted an application for a Conditional Use Permit (CUP) seeking approval of a 24-hour convenience store use within a portion of the existing shopping center known as the Sun Center at 611 South Palm Canyon Drive. The proposed convenience store will be located within a recently constructed building fronting South Palm Canyon Drive.

RECOMMENDATION:

That the Planning Commission approves Case 5.1269 CUP, subject to the conditions of approval attached as Exhibit A.

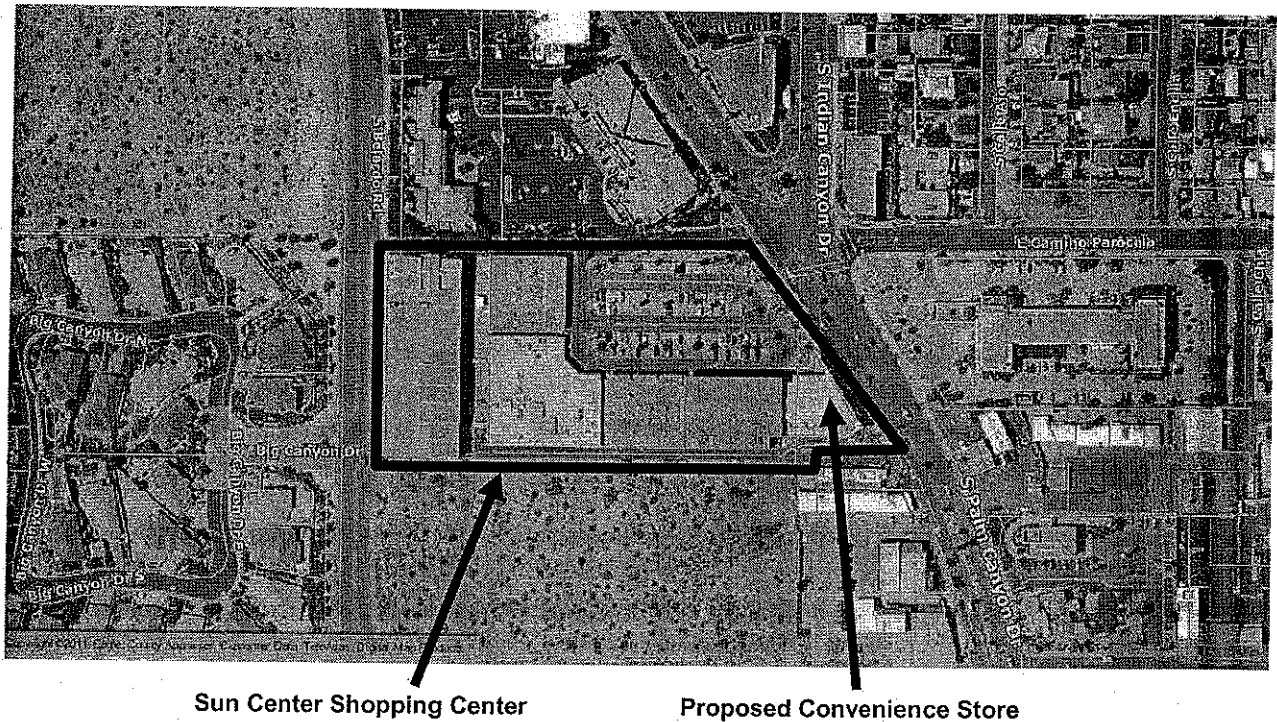
BACKGROUND AND SETTING:

The shopping center is approximately 4.77 acres in size and adjacent to commercial uses to the north and east; residential uses to the west; and vacant land exists to the south. The property is a fully developed shopping center. The surrounding Land Uses are noted in the table below:

Table 1: Adjacent General Plan Designations, Zones and Land Uses:

	General Plan	Zoning	Existing Land Uses
North	CBD (Central Business District)	PD-82 (Planned Development District 82)	Multi-tenanted Commercial
South	MU / MU (Mixed Use / Multi-Use)	R-3 (Multiple-family Residential and Hotel) & C-2 (General Commercial)	Vacant
East	TRC (Tourist Resort Commercial)	PD-187 (Planned Development District 187)	Resort Hotel (Motel 6)
West	LDR (Low Density Residential)	R-2 (Limited Multiple-family Residential)	Single-family Residences

The following aerial photo shows the shopping center site and surrounding existing uses and development.



PROJECT DESCRIPTION:

The project proposes a convenience store in a newly constructed addition to the Sun Center shopping complex located at 611 South Palm Canyon Drive. Specifically, the proposed store will be located near the southwest corner of South Palm Canyon Drive and Camino Parocela. The approximately 8,380 square foot addition was constructed in 2008 and has been vacant since then. The proposed convenience store will occupy approximately 3,574 square feet of the building and operate 24-hours daily. The applicant describes items sold as follows:

7-Eleven has a new fresh food product line which is a centerpiece of its offerings which includes fresh daily prepared sandwiches and wraps, salads, fruit cups, and other fruits and vegetables. Dairy items such as milk, yogurt, and cheese. We will also be offering our recognized brand of 7-Eleven Coffees, and Slurpees. We will have our fresh hot foods along with our cold soft drinks, and beer and wine. In all, 7-Eleven convenience markets offer over 2000 different products.

ANALYSIS:

General Plan:

The General Plan designation of the subject site is MU / MU (Mixed Use / Multi-Use). The General Plan states, "Specific uses intended in these areas include community-serving retail commercial, professional offices, service businesses, restaurants, daycare centers, public and quasi-public uses."

The proposed use as a convenience store is consistent with this General Plan designation because it is a retail commercial use that provides a variety of goods and products for the community.

Zoning Designation:

The site is zoned Planned Development District 77 (PD-77). The underlying zoning of the site is C-1 and R-3; the proposed convenience store is located within the C-1 portion of the property.

Pursuant to Section 92.12.01(D)(11) of the City of Palm Springs Zoning Code (PSZC), Convenience Store uses are permitted within the C-1 zone subject to approval of a CUP.

Off-Street Parking:

The shopping center's addition was approved with the addition of 28 parking spaces on the easterly portion of the site in 2007 under PD-77. It was determined at that time to be in conformance with the off-street parking standards for a mixed-use retail center. Since the proposed use is a retail establishment, it is considered to be in conformance with the off-street parking standards of PD-77.

Redevelopment Area.

The project is located in Redevelopment Area One. Redevelopment of this parcel with viable new uses will provide the RDA with incremental tax funding in the future based on the increased valuation of the property.

REQUIRED FINDINGS:

Convenience Store uses may be approved in the C-1 zone subject to the findings set forth in Section 94.02.00 "Conditional Use Permit" as follows.

The commission shall not approve or recommend approval of a conditional use permit unless it finds as follows:

- a. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code;*

The application proposes a convenience store use on a parcel zoned C-1/R-3. Pursuant to PSZC Section 92.12.01(D)(11), convenience stores are permissible in the C-1 zone subject to a conditional use permit (CUP).

- b. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located;*

The applicant is proposing a 24-hour convenience store at 611 South Palm Canyon Drive. The zone where the proposed use is to be located is PD-77, with an underlying zone of C-1. The Zoning Code defines the intent of the C-1 zone as "a business district, primarily retail business in character, with related hotels, service, office, cultural and institutional uses." The proposed use will be consistent with this intent by offering various convenience food and beverage items for sale twenty-four hours daily. There are no convenience store uses in the immediate area. Therefore, it is believed that the proposed convenience store is desirable due to its location in this zone, and will not be detrimental to existing or future uses specifically permitted in this zone since it is a food and beverage retail business establishment.

The General Plan designation of the subject site is MU / MU (Mixed Use / Multi-Use). The General Plan states, "Specific uses intended in these areas include community-serving retail commercial, professional offices, service businesses, restaurants, daycare centers, public and quasi-public uses." Therefore, the proposed use as a convenience store is consistent with this General Plan designation because it is a retail commercial use that provides a variety of goods and products for the community.

- c. *That the site for the intended use is adequate in size and shape to accommodate such use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust such use to those existing or permitted future uses of land in the neighborhood;*

The project does not propose any exterior changes to the site. The existing site is a large mixed-use commercial complex with a variety of office and commercial uses. The proposed retail establishment will offer convenience food and beverage items in an approximately 3,574-square foot site or approximately 3.3% of the entire shopping center. Therefore, the site for the intended use is adequate in size and shape to accommodate such use to those existing or permitted future uses of land in the neighborhood.

- d. *That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use;*

The project site is located along South Palm Canyon Drive, which is a Major Thoroughfare, and South Belardo Road, which is a Collector Street, according to the General Plan Circulation Element. Both of these two-way streets are fully paved and include sidewalks. The proposed use will be adequately served by the existing parking on the site, and the use is expected to generate minimal traffic as a retail establishment. Therefore, the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.

- e. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

A proposed set of Conditions of Approval accompany this staff report in Exhibit A.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is Categorically Exempt as a Class I exemption per Section 15301 (Existing Facilities).

CONCLUSION:

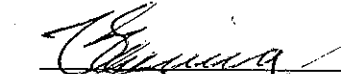
The proposed project is consistent with the use on the site and is compatible with the General Plan and Zoning Ordinance land uses. Staff recommends the required findings necessary for the issuance of a Conditional Use Permit and is therefore recommending approval of Case 5.1269 – CUP, subject to the attached Conditions of Approval outlined in Exhibit A.

NOTIFICATION:

Notification of this public hearing was sent to property owners within a 400 foot radius of the subject parcel. As of the writing of this report, staff has received written correspondence from the public, which is attached to this staff report.

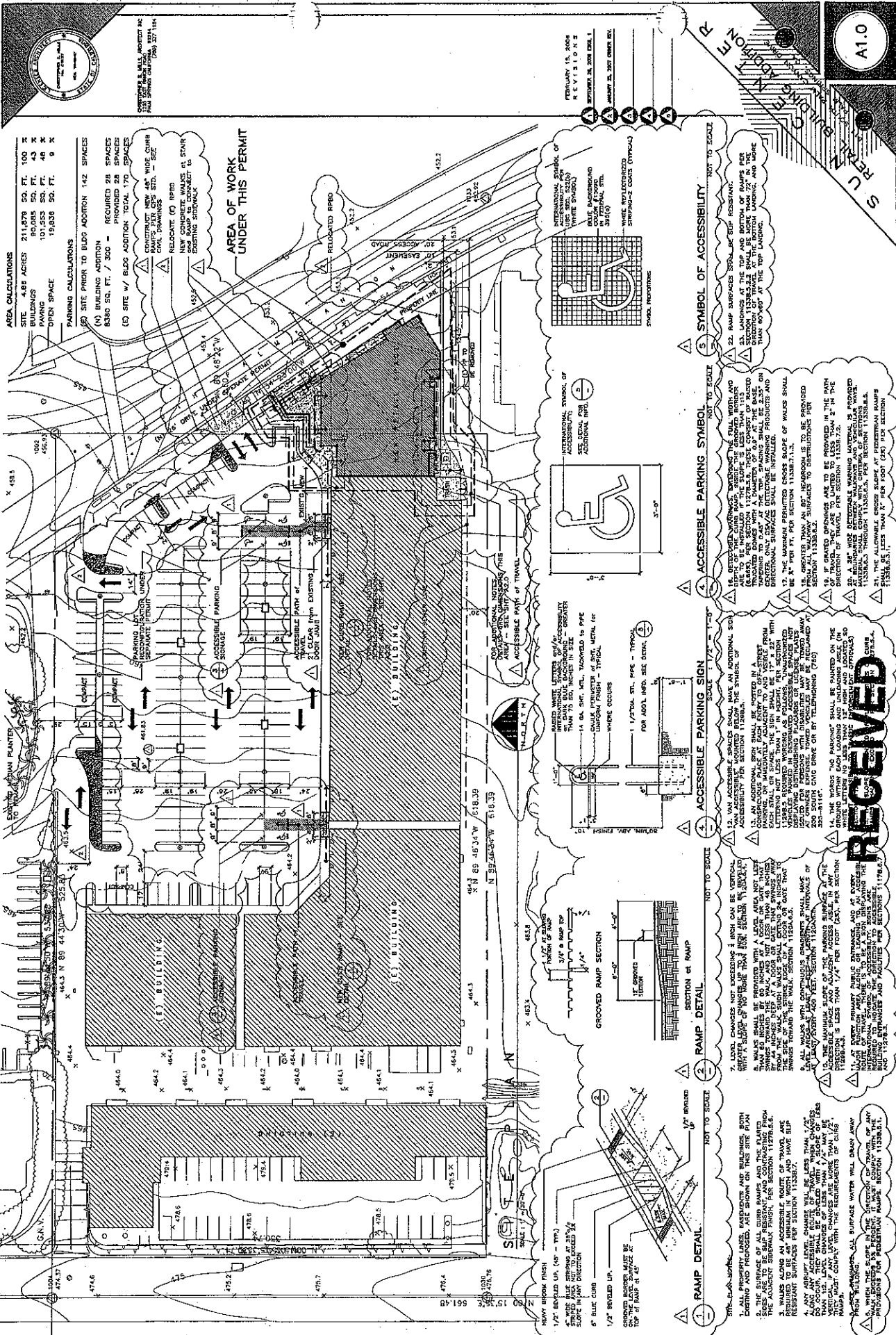


David A. Newell
Associate Planner


Craig A. Ewing, AICP
Director of Planning

Attachments:

- ~~1. Vicinity Map~~
- ~~2. Draft Resolution and Conditions of Approval~~
3. Reductions of site plan and floor plan
4. Public correspondence



AREA CALCULATIONS
 SITE 4.88 ACRES 211,879 SQ. FT. 100 %
 BUILDINGS 90,085 SQ. FT. 43 %
 PARKING 101,553 SQ. FT. 48 %
 OPEN SPACE 19,856 SQ. FT. 9 %

PARKING CALCULATIONS
 60 SITE PRIOR TO BLDG ADDITION 142 SPACES
 (N) BUILDING ADDITION 5380 SQ. FT. / 300 = REQUIRED 28 SPACES
 PROVIDED 28 SPACES
 (E) SITE W/ BLDG ADDITION 101,553 SQ. FT. / 3600 = PROVIDED 28 SPACES

PARKING CALCULATIONS
 CONSTRUCTION WORK 48" WIDE CHAIR RAMP PER ADA STD. - SEE CHAIR RAMP SPECIFICATIONS
 RELOCATE (C) IMPROVEMENTS TO EXISTING SIDEWALK
 SIDEWALK RAMP TO CONNECT TO STAIRS

AREA OF WORK UNDER THIS PERMIT

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- 1. RAMP DETAIL. NOT TO SCALE. 1/2" REVERSED. GROOVED RAMP SECTION. SECTION AT RAMP. 12" GROOVED RAMP SECTION. SECTION AT RAMP.
- 2. RAMP DETAIL. NOT TO SCALE. 1/2" REVERSED. GROOVED RAMP SECTION. SECTION AT RAMP. 12" GROOVED RAMP SECTION. SECTION AT RAMP.
- 3. RAMP DETAIL. NOT TO SCALE. 1/2" REVERSED. GROOVED RAMP SECTION. SECTION AT RAMP. 12" GROOVED RAMP SECTION. SECTION AT RAMP.
- 4. ACCESSIBLE PARKING SIGN. SCALE 1/2" = 1'-0". VAN ACCESSIBLE SPACES SHALL HAVE AN ADDITIONAL 50% OF ACCESSIBLE PARKING PER SECTION 11538.1. AN ADDITIONAL SIGN SHALL BE POSTED IN THE PARKING SPACES TO INDICATE THE SIGN IS FOR VAN ACCESSIBLE PARKING. THE SIGN SHALL BE 14" HIGH BY 14" WIDE WITH LETTERING NOT LESS THAN 1/4" HIGH PER SECTION 11538.1. THE SIGN SHALL BE WEATHERED AND SHALL BE MOUNTED TO A WALL OR POST. THE SIGN SHALL BE 14" HIGH BY 14" WIDE WITH LETTERING NOT LESS THAN 1/4" HIGH PER SECTION 11538.1. THE SIGN SHALL BE WEATHERED AND SHALL BE MOUNTED TO A WALL OR POST.
- 5. SYMBOL OF ACCESSIBILITY. NOT TO SCALE. 23. RAMP SURFACES SHALL BE SLIP RESISTANT. 23. LANGRIDS AT THE TOP AND BOTTOM OF RAMPS FOR PROTECTION OF TRAVEL AT THE BOTTOM LANGRIDS AND USE OF TRUCK 60" HIGH AT THE TOP LANGRIDS.
- 6. ACCESSIBLE PARKING SYMBOL. NOT TO SCALE. 16. OTHER THAN WALKWAYS, SURFACES OF FULL WIDTH AND ARE TO BE INSTALLED IF THE SLOPE IS LESS THAN 1:12. TREATED SURFACES SHALL BE INSTALLED AT THE BOTTOM LANGRIDS AND USE OF TRUCK 60" HIGH AT THE TOP LANGRIDS. ONLY USE AS DETECTABLE WARNING PRODUCTS AND DIRECTIONAL SURFACES SHALL BE INSTALLED.
- 7. LEVEL CHANGES NOT EXCEEDING 2 INCH CAN BE VERTICAL. 1/2" REVERSED. GROOVED RAMP SECTION. SECTION AT RAMP. 12" GROOVED RAMP SECTION. SECTION AT RAMP.
- 8. WALKWAYS SHALL BE PROVIDED WITH A LEAD AREA NOT LESS THAN 6' BY 6' AT THE END OF THE WALKWAY. THE LEAD AREA SHALL BE WEATHERED AND SHALL BE MOUNTED TO A WALL OR POST. THE LEAD AREA SHALL BE 6' BY 6' AT THE END OF THE WALKWAY. THE LEAD AREA SHALL BE WEATHERED AND SHALL BE MOUNTED TO A WALL OR POST.
- 9. WALKWAYS WITH CONTIGUOUS RAMPERS SHALL HAVE AN ACCESSIBLE SPACE AND ADJACENT ACCESSIBLE IN ANY DIRECTION OF TRAVEL. THE ACCESSIBLE SPACE SHALL BE 6' BY 6' AT THE END OF THE WALKWAY. THE ACCESSIBLE SPACE SHALL BE 6' BY 6' AT THE END OF THE WALKWAY.
- 10. THE MAXIMUM SLOPE OF THE PARALLEL SIDEWALK OR RAMP SHALL BE 1:12. THE MAXIMUM SLOPE OF THE PARALLEL SIDEWALK OR RAMP SHALL BE 1:12.
- 11. ALL EXISTING CURB CUTS SHALL BE RECONSTRUCTED TO MEET THE REQUIREMENTS OF SECTION 11538.1. ALL EXISTING CURB CUTS SHALL BE RECONSTRUCTED TO MEET THE REQUIREMENTS OF SECTION 11538.1.
- 12. THE ALLOWABLE CROSS SLOPE AT PARALLEL RAMPS SHALL BE LESS THAN 1/4" PER FOOT (20" PER SECTION 11538.1).

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PLANNING SERVICES DEPARTMENT

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DATE	DESCRIPTION
12/28/11	ISSUED FOR PERMIT
01/17/12	REVISION: 1.0
02/01/12	REVISION: 2.0
02/01/12	REVISION: 3.0
02/01/12	REVISION: 4.0
02/01/12	REVISION: 5.0
02/01/12	REVISION: 6.0
02/01/12	REVISION: 7.0
02/01/12	REVISION: 8.0
02/01/12	REVISION: 9.0
02/01/12	REVISION: 10.0

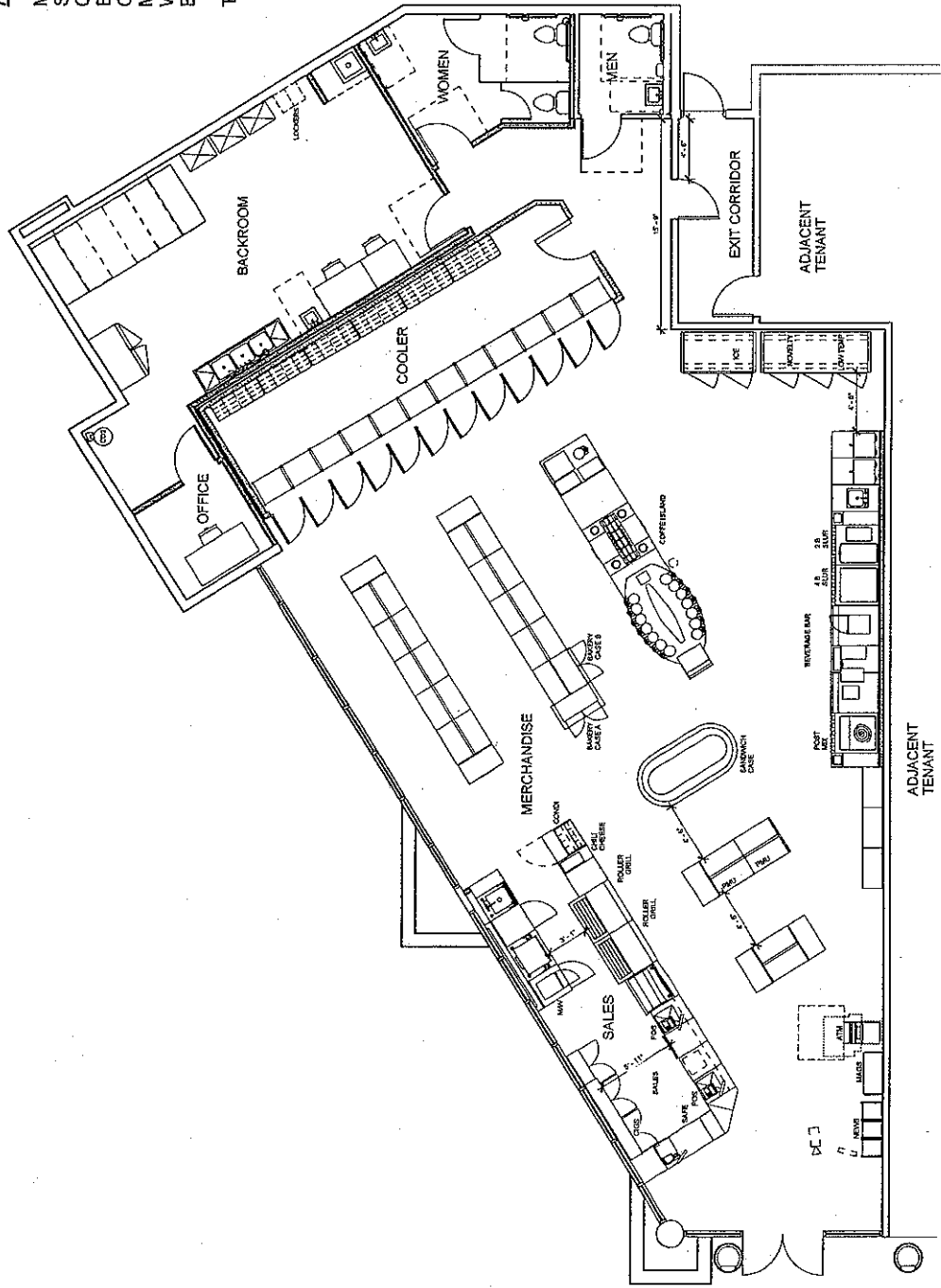
DATE: 02/01/12	BY: [Signature]
APPROVED BY: [Signature]	DATE: 02/01/12

EL

EQUIPMENT LAYOUT

ROOM AREAS

MERCHANDISE 2120.10 SQ. FT.
SALES 255.78 SQ. FT.
COOLER 304.35 SQ. FT.
BACKROOM 560.92 SQ. FT.
OFFICE 70.53 SQ. FT.
MEN 66.05 SQ. FT.
WOMEN 142.07 SQ. FT.
EGRESS CORRIDOR 54.25 SQ. FT.
TOTAL 3574.05 SQ. FT.



CONTRACTOR: THESE CONSTRUCTION DOCUMENTS ARE BASED ON INFORMATION PROVIDED TO FEAS BY THE OWNER OF THE PROJECT. FEAS HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE INFORMATION PROVIDED AND HAS NOT CONDUCTED ANY SURVEYING OR FIELD WORK. FEAS DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED OR THE SUITABILITY OF THE INFORMATION FOR ANY PARTICULAR USE. FEAS SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE DOCUMENTS.

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JUL 05 2011

PLANNING SERVICES

David Newell

From: Craig Ewing
Sent: Wednesday, August 31, 2011 8:25 AM
To: David Newell
Subject: FW: 7-11

From: Sheryl Hamlin [mailto:sherylhamlin@gmail.com]
Sent: Tuesday, August 30, 2011 3:55 PM
To: Craig Ewing
Subject: 7-11

Hi,

HTCNO had to move its board out two week to the 26th of September, so we can't meet to discuss the 7-11 until then. We had originally planned for the 12th of September.

Why can't the 7-11 be moved to the Planning Commission of the 28th of September?

We had many community meetings on the KFC prior to their building and our input was essential.

The applicant sent us the site plan and layout, but we are awaiting the signage plan.

Thanks.

P.S. He said they got a beer and wine liquor license from another business. Do you know from whom?

September 6, 2011

To: Palm Springs Planning Commissioners

Fm: Robert Stone
Chair, Warm Sands Neighborhood Organization

Re: Proposed 7/11 Store for 611 S. Palm Canyon
Planning Commission meeting of September 14, 2011

I am writing on behalf of our neighborhood organization which opposes the proposed 7/11 store in the Sun Center at 611 S. Palm Canyon Drive. I will be out of town for the upcoming hearing, and I'm submitting these comments in writing since I will not be able to testify personally. I have communicated the neighborhood's opposition to the permit applicant. Our reasons follow.

When we first learned of the proposal, all members of the Neighborhood Organization were notified and asked for feedback. Everyone who responded was opposed. Certain neighborhood factors make our situation unique and, when combined with the retail profile of 7/11 stores, problems will be inevitable.

In the last few years, the owners of the Sun Center have acquired good tenants and made positive improvements. It is a much better looking place now than it was five years ago. The most significant recent change in tenancy was the move of Zeldaz nightclub from the Town and Country Center to the Sun Center. The owners of Zeldaz are responsible, but calls to the police for alcohol and noise-related complaints have increased since the nightclub arrived. A less responsible, and more problematic neighbor is Motel 6, directly across the street from the Sun Center and the proposed 7/11 store.

Motel 6 is often a parolee's destination of choice. Many convicts choose it for their first post-prison residence. It is cheap and central. Along with this demographic we have had to deal with prostitutes and pimps working out of the motel and drug deals going down on or near the premises. Warm Sands residents whose homes are adjacent to the motel have had a litany of complaints over the years which continue to this day. A homeless encampment on a vacant lot across the street from the motel was just disbanded last year. The police department is well aware of these problems and they make sporadic attempts to address them but Motel 6 remains a problem. In or near our neighborhood we have residential recovery centers for people trying to get clean from a variety of addictions. The proposed 7/11 outlet will become an attractive nuisance as a beacon of cash-and-carry commerce for a problematic clientele.

The retail profile of 7/11 stores is uniform and consistent. They sell junk food, sugar-filled sodas, tobacco products, caffeine, candy, and – when allowed – alcoholic beverages. These are the staples of an addict's diet. Retailing at 7/11 is done beneath harsh fluorescent lights in a store filled with garish ads, posters, and display stands. Although the bulk of 7/11 customers are not well off, 7/11 prices are high; and since cash customers predominate, 7/11 stores become prime targets for robberies at gunpoint. What neighborhood has ever been improved by the opening of a 7/11?

The modus operandi of 7/11 stores is to get their foot in the door with the promise that they will *not* sell alcohol. Once the store is up and running, the owner then files a

request for a liquor license. This precise scenario is unfolding now in Palm Springs with the existing 7/11 store located at 150 W. Vista Chino. The owner's request for a liquor license has been denied, reportedly on more than one occasion.

The addition of a 7/11 to the Sun Center promises adverse consequences for our neighborhood and no direct benefits. The spillover from the Motel 6 to the 7/11 may be good for 7/11, but not for our neighborhood. If a liquor license were to be granted, patrons ejected from Zeldaz for intoxication would only have a few feet to walk in order to pick up where they were forced to leave off. We are actually surprised the owners of the Sun Center do not understand the significant negative impact the store will have on the center and existing patrons. But we trust the Planning Commission will see the future will not be bright for those who live nearby.

**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

Overview

The proposed 7-11 will occupy a newly designed and attractive building at 611 South Palm Canyon Drive adjacent to South Palm Canyon Drive. This site is particularly sensitive due to its massive window space and the fact that it was apparently designed for a different use. Members of the Historic Tennis Club Neighborhood Organization board have prepared this analysis for the Palm Springs Planning Commission.

The HTCNO board had originally scheduled a meeting with the 7-11 representative, but had to reschedule the meeting for later in the month of September after the Planning Commission meeting. HTCNO suggested the 7-11 discussion be moved to the Planning Commission of September 26th, but the applicant declined.

Convenience Food in/near the Historic Tennis Club Neighborhood

In addition to the Rite-Aid at 366 South Palm Canyon Drive near Ramon which is open 24 hours and sells liquor, beer, wine and food, there are three convenience markets located: a) 162 South Palm Canyon Drive, b) 1400 South Palm Canyon Drive (near Sonora) and c) 1111 South Palm Canyon on the west side across from Palo Verde Street. These stores all exhibit the same characteristics: window clutter and signage chaos. See Exhibit A labeled 'Convenience Clutter'.

This clutter and chaos is synonymous with convenience stores. It should NOT be permitted in existing stores nor in any new stores. Note that none of the stores in Exhibit A are 7-11 stores.

This proposed store raises the risk of over saturation of such uses in the area. Please see map in the appendix labeled 'Exhibit D'.

Existing 7-11 on Racquet Club

Exhibit B labeled 'Racquet Club 7-11' shows a similar issue with signage and chaos, however, they have attempted to mitigate the problem with etched glass. They have egregiously reiterated their logo on the trash cans, the phone booth, the glass as well as the walls. Note the two signs connected by a conduit where the cable has been hastily attached to the exterior of the building.

The owner has obviously made an arrangement with Citicorp to promote an ATM, so this 7-11 proudly displays not only its signage, but that of a partner. How does such a partnership fit into the Palm Springs sign ordinance? Is there provision for piggy-backing like this partnership?

The Racquet Club 7-11 is clearly a typical convenience store and is not a store that should be replicated in the Sun Center.

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PLANNING SERVICES
DEPARTMENT

**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

Layout

The representative indicated that 7-11 is adding more foodstuffs and is trying to become more than a purveyor of junk food and alcohol. The provided store layout indicates the contrary. With coffee and hotdogs in the windows and two gondolas of food, there is nothing new in this store. Given the attractively upgraded and renovated Sun Center, the owner and neighbors would expect an innovative proposal from this company.

History of Fast Food in the Historic Tennis Club Neighborhood (HTCN)

Both Jack in the Box and the KFC (Yum, Inc.) decided to build near the HTCN. Members of the HTCNO spent time with both companies to produce fast food sites unique to their respective companies.

In the case of the Box, note the pleasant outdoor areas and the recessed, back lit signage which does not glare up and down the street.

The originally proposed KFC was a run-of-the mill corporate box which can be seen on Washington Blvd in Bermuda Dunes. The new, Palm Springs KFC became a spectacular piece of corporate responsibility thinking out of the box to tailor a solution with a modernist theme for Palm Springs with its trove of mid-century architecture. Please see Exhibit C "History of Fast Food in the Historic Tennis Club Neighborhood.

Signage in the Proposed 7-11

The proposed 7-11 contains three signs: two (2) of the smaller logo type which is seen on the Racquet Club building and one (1) of the large, rectangular white signs which can be seen on the 7-11 on East 111 in Palm Desert where all of the strip centers are located.

The large sign is redundant and unattractive, while the small logo sign on the rear near the car wash is excessive. Furthermore this rear sign will only be seen for a few seconds from cars driving at the speed limit in one direction only, so is a waste of money. Recall that Zeldas also wanted to put a sign in this rear part of the building. The building should be limited to two (2) small logo signs with minimal lighting.

A recommendation that the Sun Center create a sign program including a monument had been made. Planning should follow up with this recommendation. We recommend such a sign program include a tenant monument.

Lighting

Because the building is elevated, lighting should be subdued and or shielded so as not to disturb traffic and create an aesthetic nuisance.

**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

Security

Because this business will be 24 hours a day, will sell liquor and also has restroom facilities, it will be a magnet for transients. The business must present a security plan.

Conclusion and Recommendation

Because the proposed 7-11 is to be created in a new retail location inside a newly renovated neighborhood center, the 7-11 should be designed to new standards. 7-11 should abandon its corporate issue layout and signage and think outside the box.

They need to answer the question: how could a 7-11 located near several residential areas serve those areas, particularly in light of the fact that the nearest supermarkets are miles away.

In this highly visible location we would request that no approval be given until such time that the neighborhood has been given the opportunity to provide input.

**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

Exhibit A "Convenience Clutter"



Locations:

- 162 East Palm Canyon Drive
- 1400 South Palm Canyon Drive
- 1111 South Palm Canyon Drive

**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

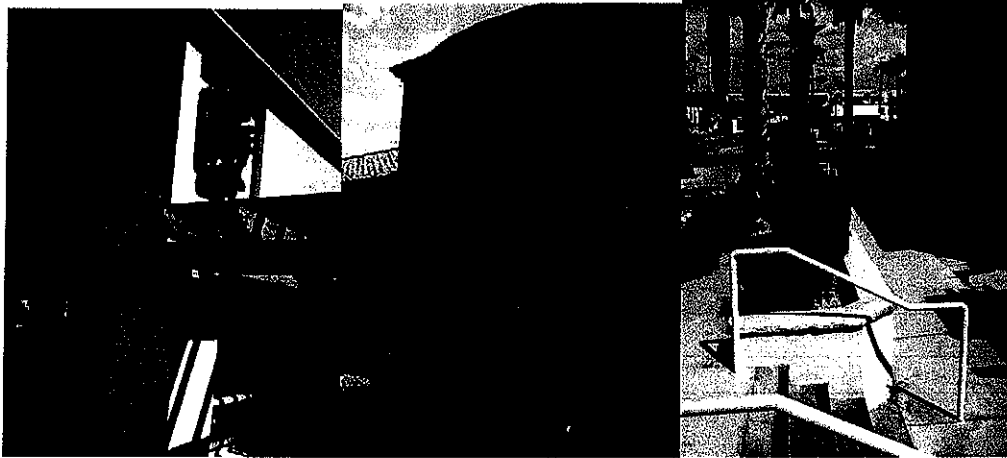
Exhibit B – “7-11 on Racquet Club and North Palm Canyon Drive”



**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

Exhibit C – “History of Fast Food in the Historic Tennis Club Neighborhood

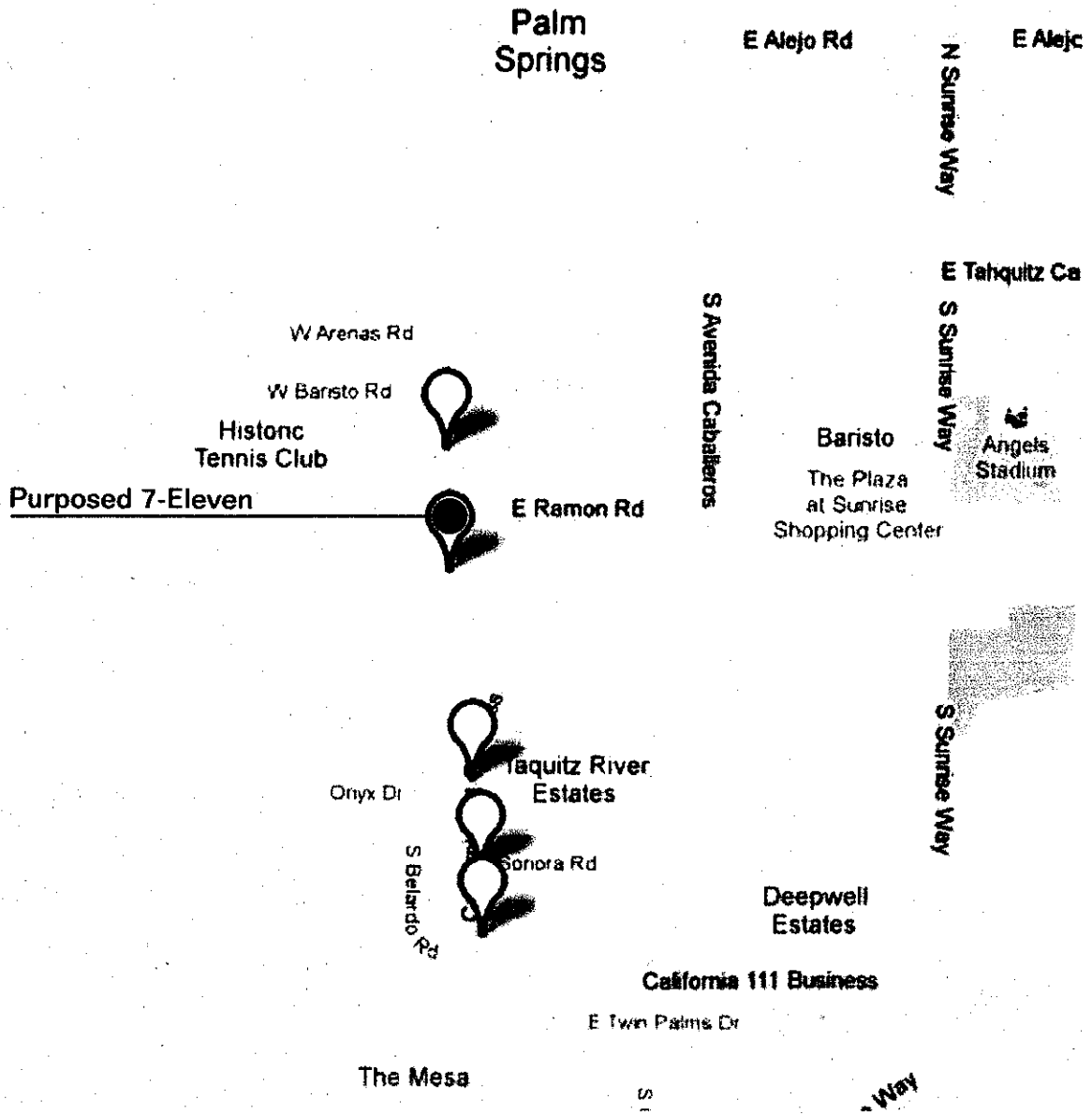
Jack in the Box and Kentucky Fried Chicken



**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

Exhibit D – “Map of Existing and Proposed Convenience Locations”

- 162 East Palm Canyon Drive
- 1400 South Palm Canyon Drive
- 1111 South Palm Canyon Drive
- 611 South Palm Canyon Drive (Sun Center – proposed)
- 366 South Palm Canyon Drive (Rite Aid)



David Newell

From: Craig Ewing
Sent: Wednesday, September 07, 2011 4:16 PM
To: 'Gary Hunter'
Cc: David Newell
Subject: RE: That 7_Eleven at the Sun Center!!!!!!!

From: Gary Hunter [mailto:gary@mccormackassociates.com]
Sent: Wednesday, September 07, 2011 3:57 PM
To: Craig Ewing
Subject: That 7_Eleven at the Sun Center!!!!!!!
Importance: High

Hi Craig:

We have heard that there is a 7-Eleven planned to go in to lease space at the Revivals Shopping Center (Sun Center). First, I'm imagining that it is planned to go into that brand new vacant store that was built on the east end of the shopping center, bordering Palm Canyon.

I think it a bad bad idea. Those places just seem to attract real shady people, like the one up on Racket Club and N. Palm Canyon, near where I used to live. On rare occasion when I'd go in there, I'd just see the creepiest people hanging around the outside.

I've heard from neighbors close to this store that drugs were commonly sold there in the past, and one of them had a daughter who actually bought some stuff and brought it back to their house..

There are so many other stores that would be so much more appealing to our community. A 7-Eleven just seems like a "least common denominator" choice for our community. I think they are much more appealing a MAJOR intersections or near freeway on/off ramps.

Even the Starbucks across from the shopping center pulls in its share of neer-do-wells, as I see them lingering outside,

As a city planner, you should know that I and my neighbors are STRONGLY against having them there.

Thanks,

Gary Hunter
A San Lucas Road resident

David Newell

From: Craig Ewing
Sent: Wednesday, September 07, 2011 4:17 PM
To: 'Gary Hunter'
Cc: David Newell
Subject: RE: That 7_eleven over in the Revivals Center

From: Gary Hunter [mailto:myamberdog@gmail.com]
Sent: Wednesday, September 07, 2011 3:52 PM
To: Craig Ewing
Subject: That 7_eleven over in the Revivals Center

The name is Chuck Walker, 1098 E. Palm Canyon Road. When I heard from my neighbor that you were planning to put a Seven-11 into that vacant store over near Parocela and Palm Canyon, I knew i had to write to you and ask:

PLEASE PLEASE reconsider. We have two Ralphs stores, less than a mile apart, a Von's that's barely 2 miles from us -we simply don't need a little convenience store in that area! It will only attract criminal types, drunks and shady people who will just hang outside and ugly up our little corner of the city.

My wife and I can't imagine why you'd want to put that type of store there! it would be much more appropriate to put one over at an offramp to the 10 freeway or something....

We are definitely against it!

Chuck and Marilyn Walker
1098 E. San Lucas Road
Palm Springs, CA

David Newell

From: Joe McCormack [joem@mccormackassociates.com]
Sent: Wednesday, September 07, 2011 4:58 PM
To: Craig Ewing
Cc: Steve Pougnet; Rick Hutcheson; Ginny Foat
Subject: Proposed 7-Eleven at Parocela and Palm Canyon

Dear Mr. Ewing,

As a neighborhood resident and frequent visitor to the Sunrise Plaza Mall, I have some serious concerns about the opening of a 7-Eleven at this proposed location. If it's typical of other such stores, such as the one at Racquet Club Drive and Palm Canyon, it will attract an undesirable element already visible on a smaller scale at the Starbuck's across the street, i.e. homeless people, addicts and drug dealers. With major supermarkets less than a mile away in either direction, there is no compelling need for a convenience store at that location and many reasons why it would not be a good neighbor to the emerging upscale businesses and restaurants that make the plaza their home. I hope the City of Palm Springs will reconsider this location and encourage the company to open the store in another part of town.

Sincerely,

Joseph A. McCormack
McCormack & Associates
(323) 549-9200

David Newell

From: Gil Rose [homes@gilrose.com]
Sent: Wednesday, September 07, 2011 5:03 PM
To: Craig Ewing
Subject: Sun Center Conditional Use Permit

I am writing regarding the City's review of a 7-Eleven to partially occupy that portion of Sun Center that fronts S. Palm Canyon.

Such a facility would be a deterrent to the community in a sense it would attract an undesirable populace that you usually see congregate at such retail locations. This in turn could effect property value in the surrounding residential parcels. You may recall this area of town has already had criminal issues associated with prostitution.

Much better use of this space would be for an upscale restaurant or boutique, which I believe was the landlord's original intention.

I would appreciate your being my advocate with the City Counsel on this matter.

Your time is appreciated.

Gil Rose, broker
Prudential California Realty
DRE #01027089
760.318.9191 direct
760.406.6062 fax
homes@gilrose.com
www.gilrose.com



David Newell

From: Donald Beck [dgwebbeck@aol.com]
Sent: Wednesday, September 07, 2011 5:12 PM
To: David Newell
Subject: Proposed 711 in Sun Center

I have been a full time resident of Palm Springs since 1980. These places attract the sleaziest kind of people. I am very opposed too this kind of store in this area or in Palm Springs.

Hopefully this will not be approved Donald R. Beck

David Newell

From: steve warden [steverave@yahoo.com]
Sent: Thursday, September 08, 2011 10:10 AM
To: David Newell
Subject: 7 eleven

Hi- wanted to send a note voicing my opposition to the proposed 7 eleven. Not only will it be unattractive but with Zeldas in the same shopping center it will become a late night hang out spot. I believe it will not benefit Palm Springs to have it there. I have always believed Palm Springs big attraction is the "village feel" and a 7 eleven right on Palm Canyon is not going to promote that value.

Do we really need another convenience store there? No. Will it detract from Palm Canyon? Yes.

thanks
Steve Warden
645 E. Palo Verde
Palm Springs

David Newell

From: John Acosta ARA, Architect [john.acosta13@verizon.net]

Sent: Thursday, September 08, 2011 10:28 AM

To: David Newell

Subject: Re: Seven-eleven at 611 South Palm Canyon Drive.

That sounds like a great place....I'm all for it!

Have a good weekend (I'm on a four-day workweek like you guys are, so today is our "Friday", as well.)

John

John F. Acosta III ARA, Architect
MOUNTAIN ARCHITECTURE, INC.
www.mtn-arch.com

From: David Newell

Sent: Thursday, September 08, 2011 10:19 AM

To: John Acosta ARA, Architect

Subject: RE: Seven-eleven at 611 South Palm Canyon Drive.

Good morning John,

Yes, the 7-Eleven convenience store is proposed to be located in the recently completed addition in the Sun Center, more specifically in the tenant space fronting S. Palm Canyon Drive.

Let me know if you have additional questions.

David A. Newell

Associate Planner

City of Palm Springs

3200 E. Tahquitz Canyon Way

P.O. Box 2743

Palm Springs, CA 92263-2743

Office: (760) 323-8245 Fax: (760) 322-8360

From: John Acosta ARA, Architect [mailto:john.acosta13@verizon.net]

Sent: Thursday, September 08, 2011 10:16 AM

To: David Newell

Subject: Seven-eleven at 611 South Palm Canyon Drive.

Good morning David

Is the proposed new 7-11 going to be in the new addition to the Sun Plaza, immediately east and adjacent to the bicycle shop....the addition with all the glass?

Thanks.

John

John F. Acosta III ARA, Architect
MOUNTAIN ARCHITECTURE, INC.
www.mtn-arch.com

No virus found in this message.

Checked by AVG - www.avg.com

Version: 10.0.1392 / Virus Database: 1520/3884 - Release Date: 09/08/11

David Newell

From: Mike Kohl [MikeK@starpointproperties.com]
Sent: Thursday, September 08, 2011 1:11 PM
To: David Newell
Subject: Opposition to the Proposed 7/11 Convenience Store

David,

I reside at 645 E Palo Verde in Palm Springs. I respectfully submit my opposition to allowing a 7/11 Convenience Store to lease in the same shopping center as Zelda's. There is a convenience store on Palm Canyon literally feet away from the shopping center at the intersection with Palo Verde. 7/11 Stores typically are open 24 hours – we do not need a second convenience store especially one open 24 hours a day. Residents in the area do not have a need to shop at 7/11 and we are not in a tourist section of Palm Springs.

Thank you.

Regards,

Michael S. Kohl
Chief Financial Officer



450 North Roxbury Drive, Suite PH
Beverly Hills, CA 90210
310.247.0550 x-221
310.247.2284 Fax
mikek@starpointproperties.com



Please consider our environment before printing this e-mail



Kathleen Adams <kadams4212@gmail.com>

CC

1 message

Cindy Anderson <canderson@mehill.com>
To: kadams4212@gmail.com

Wed, Sep 14, 2011 at 12:19 PM

The Canyon Homeowners Association feels that this landlord is not concern about the neighborhood. We have given several ideas on how to improve the status of the food distribution center and Zelda's. He has taken nothing under advisement, especially the food bank that effects not only our peace and quiet, but effects the value of our homes and the stature of the neighborhood.

The recipients of the food distribution center not only arrive before 6:00 am Sunday mornings, they smoke, discard their debris in the desert, on the street, and in the Canyons water return basin.

Not to mention that the homeowners are blasted with bass beating music from Zelda's until the wee hours of the morning. Only then to be woken up several hours later by cars lining the streets, making it difficult to sleep, car doors slamming, car alarms being set, dogs barking that they bring, dogs fights, conversation, laughter of about 100 people plus, that descends on this small neighborhood all for the collective purpose of receiving food. This COULD be done at many locations without bother homeowners in the city.

The food bank sets up chairs, provides coffee, has a lottery, calls out numbers and basically for 4 hours every Sunday morning from 6:00am to 10:30 -11:00am host an social benefit.

All peace and enjoyment of the tranquil life style sought after by The Canyons Homeowners has become a weekly challenge.

The Canyons HOA feels that a convenience store in this location will add to the heavy homeless and unwanted 24 hour traffic we are already suffering through from the poorly located food distribution center, and Zelda's. This will bring yet another element that only this landlord is bring to the neighborhood. The 24 hour a day, traffic, patrons, crime and ability for the homeless to now purchase food and can immediately take out to surround desert is a grave concern and alarms the homeowners of this one time prestigious neighborhood again compromised by this one landlord.

Since this landlord took ownership he has had no concern for the neighborhood. We feel the 7-11 would a detriment to our neighborhood. With an increase in traffic, the through street to Belardo and easy access to the desert makes for a serious crime location. Not to mention the 24 hour a day nuisance that will heavily impact the value of our homes.

The food distribution center is already a topic of concern and neighbors have sold and new buyers are up in arms because they feel this type of nuisance is a reason to be submitted to Planning Commission

SEP 14 2011

file a law suit.

The City of Palm Springs need to take a serious look at the negative environmental impact this center is creating by housing in one small area so many undesirable businesses in one location.

We understand the city looks at zoning, use, parking, and desirability. There has been a huge cape between the cities idea of desirability and the homeowners that are actual impacted by the cities decisions.

We are concerned that we are not being considered and that the homes we purchased, lower in value due to the financial climate, are more so due to the compromise the city is making on behalf of itself and not regarding the homeowners future viability.

The meeting held with over 300 people in attendance to oppose the food distributions site, had little affect on the outcome of that application. I have inquired as to what steps we need to take in order to deny this application and the answer was to attend this meeting. It is our recommendation that the 7-11 application be denied and that immediate action is taken to rectify the already chaotic situation that rests with the neighborhood regarding Zelda's and the food distribution center.

If this is truly an environmental concern there should be no further discussion. If this is about taxes and city revenue then we all have grave concern for the future of our city.



Kathleen Adams <kadams4212@gmail.com>

7-11

2 messages

Bruce Kirk <bruce@redbar.net>
To: kadams4212@gmail.com
Cc: David <david@redbar.net>

Sun, Sep 11, 2011 at 8:48 PM

Kathy,

Thanks for your phone call. My email is bruce@redbar.net and David's email is david@redbar.net. We would prefer that there not be a 7-11 on the proposed site. The City of Palm Springs has a habit of approving every request, it seems, for a change of zoning. We went to the meeting about the change of zoning on the property behind us several years ago, when they wanted to change it from 20,000 Sq. Ft. minimum lots to 10,000 minimum and the city approved the change. We also opposed the Senior/homeless food distribution center and the city changed the zoning to allow that. Both of these were opposed by a large number of people, not only from The Canyons but also from The Tennis Club Association. We actually think the food distribution organization fills a need but it seems odd that with all the vacancies in palm Springs, they couldn't find a site that was already zoned for such an operation. When people purchase property in a specific location, they depend on the city to enforce the zoning laws so they have some assurance that the neighborhood they bought into is going to be the neighborhood they end up living in. Given the history of The City of Palm Springs, we have little hope that this project can be stopped but you have our support in attempting to stop it. We are in LA this week and will not be able to attend the meeting.

Thanks,

Bruce

Kathleen Adams <kadams4212@gmail.com>
To: Bruce Kirk <bruce@redbar.net>

Mon, Sep 12, 2011 at 12:24 PM

Thanks Bruce for your email. I have printed your comments and will take with me to the Wed. meeting. I appreciate your time.

kathie adams

[Quoted text hidden]



Kathleen Adams <kadams4212@gmail.com>

Sept. 14th meeting

1 message

James Kahn <jbkahn@me.com>

Thu, Sep 8, 2011 at 5:48 PM

To: Kadams4212@gmail.com

Hi Kathy - this is a somewhat abbreviated message - can't get your e-mail changed changed on the original note...??? I requested that the council deny the exemption to the California Environmental Quality Act since it would have a detrimental environmental impact on our homes and likely lead to increased traffic noise and possibly even security issues, affecting the quality of life for those in the "buffer zone". Our realtor, TG Gallaudet (HK Lane) asked if the HOA has made any comments, and I replied that they had not received their letter. We will talk tomorrow - hopefully he will be able to attend the Council meeting - we'll see. Regards.
Barbara

David Newell

From: Craig Ewing
Sent: Thursday, September 08, 2011 2:27 PM
To: David Newell
Subject: FW: Special News from TRENO

Planning Commission Meeting
Date: 9-14-11
Additional Material
Item 3B

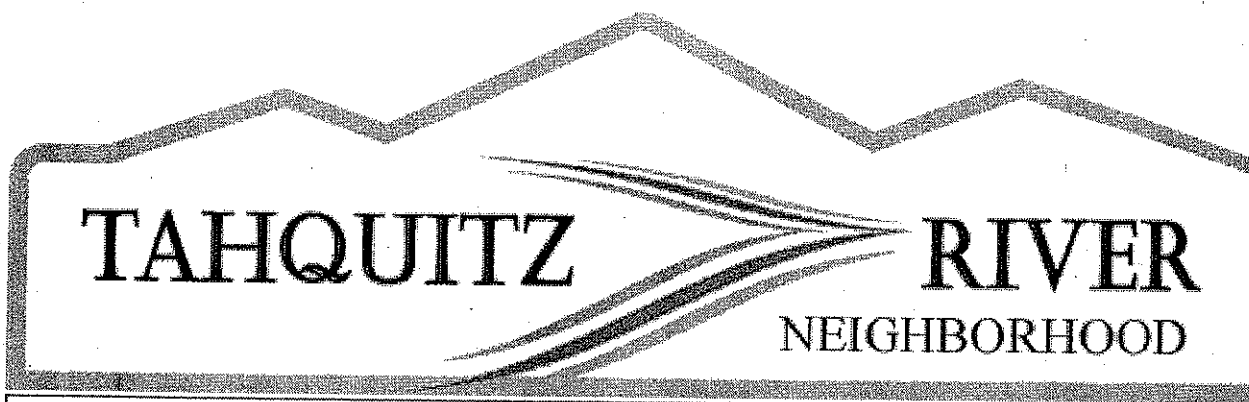
From: Gary Hunter [mailto:gary@mccormackassociates.com]
Sent: Thursday, September 08, 2011 2:32 PM
To: MarWik2@aol.com; Craig Ewing
Subject: FW: Special News from TRENO

Didn't know if you were on the TRENO mailing list, but this came the other day. They want to put a 7-Eleven in the Sun Center where that Revivals store is - up on the west of Palm Canyon, kind of across from Starbucks. Joe and I sent protest letters to the people listed below and also sent one to Craig Ewing (craig.ewing@palmsprings-ca.gov) - another city planner. Would you mind voicing your concerns to craig about this project. We all feel a convenience store will just attract vagrants and the homeless and others as a hang out AND since there are two Ralphs less that a mile from that location, why would they need that kind of store there? Also, crossing the street and parking - we just felt a nice business of some kind would be a greater addition to the community feeling...

Thanks, Gary

From: TRENO Tahquitz River Estates Neighborhood Organization [mailto:gcgilman@gmail.com]
Sent: Thursday, September 08, 2011 10:00 AM
To: Gary Hunter
Subject: Special News from TRENO

Having trouble viewing this email? [Click here](#)



**TRENO Tahquitz River Estates Neighborhood
Organization Newsletter**

Special Information concerning residence of
Tahquitz River Estates Neighborhood

Parham

RParham@dc.rr.com

2. The Representative for 7-Eleven.

If you have specific questions in regards to the proposed 7-Eleven project, direct your questions to:

**David Sabin, Zoning Manager, Multi-Site
| Project Management & Construction
Lend Lease**

One North Wacker Drive, Suite 870,
Chicago, IL 60606
M 818 519 5129

David.Sabin@lendlease.com

If you wish to attend the Public Hearing it is scheduled for Wednesday, September 14, 2011 beginning at 1:30 PM, in the Council Chamber at City Hall. For more information, and to respond verbally to this case you must contact the City Clerk in advance.

Click below.

Notice of Public Hearing 7-Eleven

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TRENO Tahquitz River Estates Neighborhood Organization | 261 E Ocotillo Ave | Palm Springs | CA | 92264

David Newell

From: Craig Ewing
Sent: Monday, September 12, 2011 8:12 AM
To: David Newell
Subject: FW: A Seven Eleven store

From: MarWik2@aol.com [mailto:MarWik2@aol.com]
Sent: Friday, September 09, 2011 6:22 AM
To: Craig Ewing
Subject: A Seven Eleven store

We are opposed to having a 7-11 store in the heart of Palm Springs. There are large food chain stores in the vicinity and we object to having a 7-11 so near to other grocery stores.

Yours truly,

Charles and Marilyn Walker
1122 E. San Lucas Rd.
Palm Springs, CA. 92264

Planning Commission Meeting

Date: 9-14-11

Additional Material

Item 3B

Terri Hintz

From: Craig Ewing
Sent: Tuesday, September 13, 2011 2:36 PM
To: David Newell; Terri Hintz
Subject: FW: 7-11 at Sun Center

A letter for the Planning Commission's 9/14 meeting.

Craig A. Ewing, AICP
Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
760-323-8269

From: Philip Brent [mailto:pbrent@aol.com]
Sent: Tuesday, September 13, 2011 2:26 PM
To: Craig Ewing; lingosc@dc.rr.com; mpsimard@gmail.com; Lexie1522@aol.com; Titalynnie@aol.com; Pbrent@aol.com; rgubman@yahoo.com; tdaniels@dc.rr.com; egubman@yahoo.com; brucemoccia@aol.com; hoffmanday@dc.rr.com; taylorcushmore@aol.com; michaelerickson2@mac.com; larryseeger@yahoo.com; ted@tedjarvis.com
Cc: Lee A. Bonno; mollybondhus@gmail.com
Subject: 7-11 at Sun Center

Dear Mr. Ewing,

My name is Philip Brent. I live in the South end of Palm Springs and am the Chairman of the Indian Canyons Neighborhood Organization, representing approximately 400 households. We are strongly opposed to a 7-11 at Sun Center...aren't there already 2 or 3 liquor stores within a few blocks of that location? We were hoping that the space would be occupied more by a business that would cater to local residents vs transients. I understand that these are difficult times for landlords...and that space has been vacant since it was built. The landord did such a wonderful job on upgrading the entire center and all the businesses in there are so positive for the local community ...too bad he is not able to attract a more neighborhood appropriate business.

It will be interesting to see what type of input you get at the meeting tomorrow.

Regards,

Philip Brent
Chairman
Indian Canyons Neighborhood Organization
WWW.PSICNO.COM

9/13/2011

Planning Commission Meeting
Date: 9-14-11
Additional Material
Item 3B

Terri Hintz

From: molly bondhus [mollybondhus@gmail.com]
Sent: Tuesday, September 13, 2011 7:32 AM
To: Terri Hintz
Subject: Fwd: 611 S Palm Canyon - Case No. 5.1269

I was told by a city representative yesterday that the email addresses of the members of the Planning Commission are not public, and that any correspondence addressed to the members of the Planning Commission would properly be directed through you. I would appreciate if you would please forward my objections to an issue on tomorrow's agenda as quickly as possible.

I am writing to express my disappointment that the Planning Department has recommended that the Conditional Use Permit for a 7-11 at 611 S Palm Canyon Drive be granted.

I disagree with many of the conclusions in the Staff Report, and I am concerned that the objections expressed by the immediate neighbors in the supporting documents have been ignored.

1. INSUFFICIENT PARKING

There is simply not sufficient parking for the proposed increased activity at this location. As someone who regularly patronizes the Sun Center businesses, I can assure you that there are many times in the day when the parking lot is nearly full. Between the beauty college and the other small businesses on two levels in this location, this lot is already at maximum capacity.

2. INTERSECTION CANNOT SUPPORT INCREASED TRAFFIC

The parking configuration relative to this intersection is already poorly designed and dangerous. I have a difficult time believing that a traffic impact study would support allowing any increased activity at this corner.

I consistently walk or bicycle to work from the Mesa, and I can only reach downtown on this stretch of South Palm Canyon by walking or riding on the west sidewalk. There is no continuous sidewalk on the east side of the street, and riding a bicycle with traffic is impossibly dangerous due to no shoulder on this section of the road. When I reach the Sun Center as either a pedestrian or on a bicycle, I am often cut off by drivers leaving the Sun Center parking lot.

Drivers often attempt a left hand turn when exiting the parking lot at the opening adjacent to the proposed 7-11, further adding to the dangers at this intersection.

3. SERVICES ALREADY PROVIDED

Convenience items are already very accessible in this neighborhood. Short of a Slurpee, there is very little available at a 7-11 that cannot already be purchased at the Rite-Aid two blocks away.

Further, there is absolutely no essential need for 24-hour access to these items at this particular location.

There are plenty of other establishments to buy liquor in the neighborhood, including a full-service wine and alcohol shop that already exists in the same strip mall! There is also a pharmacy in the Sun Center, and a "smoke shop" in the Sun Center as well. It seems contrary to the concept of planning that any exception to current planning codes would be made when there is simply no need.

9/13/2011

Planning Commission Meeting

Date: 9-14-11

Additional Material

Item 3B

4. CRIMINAL ACTIVITY IMPACT

The location of the proposed 7-11 is at the gateway to many residential areas that were neither notified nor included in these discussions. A 400 ft radius of notification for the application is hardly adequate when you are considering allowing 24-hour convenience store activity and alcohol sales on the main artery that connects to Deepwell, the Mesa, and the Canyon. In addition, I have never viewed a notice of the Conditional Use Permit application posted at the proposed location; it has only been through social media that many concerned residents have recently become aware of the application.

There is already considerable crime activity in this immediate area - once again, on my daily bike rides home on this stretch of South Palm Canyon, I am often dodging junkies, loiterers and general lurkers.

People are living out of dumpsters and parking their shopping carts next to the wash. Providing a place to buy alcohol, panhandle and congregate 24-hours a day in the form of a 7-11 is the last thing that should be encouraged by the Planning Commission; in fact, it is antithetical to the point of city planning.

The problems at the Tahquitz wash are well known - I would hope that the city would try to ameliorate continued problems instead of exacerbate them.

I respectfully request that the Planning Commission reject the application for the Conditional Use Permit, or at minimum postpone your decision for further review and input from the community.

Allowing a 24-hour 7-11 with alcohol sales at this location would be a tragic mistake for our city.

Best regards,

Molly Bondhus
2300 W Cantina Way
Palm Springs CA 92264

B. James

City of Palm Springs Planning Commission

Attention: Mr. Craig A. Ewing, AICP Director of Planning
Mr. David A. Howell, Associate Planner

Re: APN 513 290 015

C. Bruce James
246 Suez St
Palm Springs, CA, 92264
Sep 12, 2011

To Whom it May Concern:

I wish to submit my strong objection to the Planning Commission's approval of Case 5.1269 CUP re a 7-Eleven 24 hour store at Suite D, 611 South Palm Canyon Drive.

As a permanent Palm Springs resident, my objection is based on observance of other 24/7 convenience stores in the Valley. They seem to attract people who simply hang out which I feel negatively affect other businesses close by.

611 S. Palm Canyon is now an attractive center which does not need a 'hang out' and/or the possibility of problems associated with a 24 hour enterprise.

I urge the Planning Commission to reconsider and reverse the above mentioned approval of the 7-Eleven store so as to preserve the quality of 611 S. Palm Canyon.

Yours very truly
C. Bruce James

9-12-11

Planning Commission Meeting

Date: 9-14-11

Additional Material

Item 3B

RECEIVED

SEP 12 2011

PLANNING SERVICES

Dr. and Mrs. J.S. Kahn
4 Fawn Lane
Galena, IL 61036

RECEIVED
CITY OF PALM SPRINGS

2011 SEP 13 AM 8:28

September 7, 2011

Re: Case 5 1269 - Conditional Use Permit for 24 Hour Convenience Store at 611 S. Palm Canyon Drive - Categorical Exemption to the California Environmental Quality Act (CEQA) proposal

JAMES THOMPSON
CITY CLERK

Dear Commissioners:

We are responding to your request for comments on this application.

We have recently purchased our home at 640 Big Canyon Drive East, and will be moving there in several weeks. We are looking forward to our home in this beautiful residential community; however we are deeply concerned that an all-night convenience store will have a negative environmental impact on the peace and quiet we expect. There may be increased traffic, noise and possibly security issues due to the all-night hours. Our bedroom faces the proposed project as do several other homes in the defined "Buffer Zone".

Please deny this "Categorical Exemption" to the CEQA and allow us to fully enjoy our new home.

Respectfully,

9-14-11 PC
ITM 3B

**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

Overview

The proposed 7-11 will occupy a newly designed and attractive building at 611 South Palm Canyon Drive adjacent to South Palm Canyon Drive. This site is particularly sensitive due to its massive window space and the fact that it was apparently designed for a different use. Members of the Historic Tennis Club Neighborhood Organization board have prepared this analysis for the Palm Springs Planning Commission.

The HTCNO board had originally scheduled a meeting with the 7-11 representative, but had to reschedule the meeting for later in the month of September after the Planning Commission meeting. HTCNO suggested the 7-11 discussion be moved to the Planning Commission of September 26th, but the applicant declined.

Convenience Food in/near the Historic Tennis Club Neighborhood

In addition to the Rite-Aid at 366 South Palm Canyon Drive near Ramon which is open 24 hours and sells liquor, beer, wine and food, there are three convenience markets located: a) 162 South Palm Canyon Drive, b) 1400 South Palm Canyon Drive (near Sonora) and c) 1111 South Palm Canyon on the west side across from Palo Verde Street. These stores all exhibit the same characteristics: window clutter and signage chaos. See Exhibit A labeled 'Convenience Clutter'.

This clutter and chaos is synonymous with convenience stores. It should NOT be permitted in existing stores nor in any new stores. Note that none of the stores in Exhibit A are 7-11 stores.

This proposed store raises the risk of over saturation of such uses in the area. Please see map in the appendix labeled 'Exhibit D'.

Existing 7-11 on Racquet Club

Exhibit B labeled 'Racquet Club 7-11' shows a similar issue with signage and chaos, however, they have attempted to mitigate the problem with etched glass. They have egregiously reiterated their logo on the trash cans, the phone booth, the glass as well as the walls. Note the two signs connected by a conduit where the cable has been hastily attached to the exterior of the building.

The owner has obviously made an arrangement with Citicorp to promote an ATM, so this 7-11 proudly displays not only its signage, but that of a partner. How does such a partnership fit into the Palm Springs sign ordinance? Is there provision for piggy-backing like this partnership?

The Racquet Club 7-11 is clearly a typical convenience store and is not a store that should be replicated in the Sun Center.

RECEIVED

SEP 07 2011

PLANNING SERVICES
DEPARTMENT

Proposed 7-11 for Sun Center 611 South Palm Canyon Drive Analysis: Hamlin, Roath, Tysen

Layout

The representative indicated that 7-11 is adding more foodstuffs and is trying to become more than a purveyor of junk food and alcohol. The provided store layout indicates the contrary. With coffee and hotdogs in the windows and two gondolas of food, there is nothing new in this store. Given the attractively upgraded and renovated Sun Center, the owner and neighbors would expect an innovative proposal from this company.

History of Fast Food in the Historic Tennis Club Neighborhood (HTCN)

Both Jack in the Box and the KFC (Yum, Inc.) decided to build near the HTCN. Members of the HTCNO spent time with both companies to produce fast food sites unique to their respective companies.

In the case of the Box, note the pleasant outdoor areas and the recessed, back lit signage which does not glare up and down the street.

The originally proposed KFC was a run-of-the mill corporate box which can be seen on Washington Blvd in Bermuda Dunes. The new, Palm Springs KFC became a spectacular piece of corporate responsibility thinking out of the box to tailor a solution with a modernist theme for Palm Springs with its trove of mid-century architecture. Please see Exhibit C "History of Fast Food in the Historic Tennis Club Neighborhood.

Signage in the Proposed 7-11

The proposed 7-11 contains three signs: two (2) of the smaller logo type which is seen on the Racquet Club building and one (1) of the large, rectangular white signs which can be seen on the 7-11 on East 111 in Palm Desert where all of the strip centers are located.

The large sign is redundant and unattractive, while the small logo sign on the rear near the car wash is excessive. Furthermore this rear sign will only be seen for a few seconds from cars driving at the speed limit in one direction only, so is a waste of money. Recall that Zeldas also wanted to put a sign in this rear part of the building. The building should be limited to two (2) small logo signs with minimal lighting.

A recommendation that the Sun Center create a sign program including a monument had been made. Planning should follow up with this recommendation. We recommend such a sign program include a tenant monument.

Lighting

Because the building is elevated, lighting should be subdued and or shielded so as not to disturb traffic and create an aesthetic nuisance.

**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

Security

Because this business will be 24 hours a day, will sell liquor and also has restroom facilities, it will be a magnet for transients. The business must present a security plan.

Conclusion and Recommendation

Because the proposed 7-11 is to be created in a new retail location inside a newly renovated neighborhood center, the 7-11 should be designed to new standards. 7-11 should abandon its corporate issue layout and signage and think outside the box.

They need to answer the question: how could a 7-11 located near several residential areas serve those areas, particularly in light of the fact that the nearest supermarkets are miles away.

In this highly visible location we would request that no approval be given until such time that the neighborhood has been given the opportunity to provide input.

Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen

Exhibit A "Convenience Clutter"



Locations:

- 162 East Palm Canyon Drive
- 1400 South Palm Canyon Drive
- 1111 South Palm Canyon Drive

**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

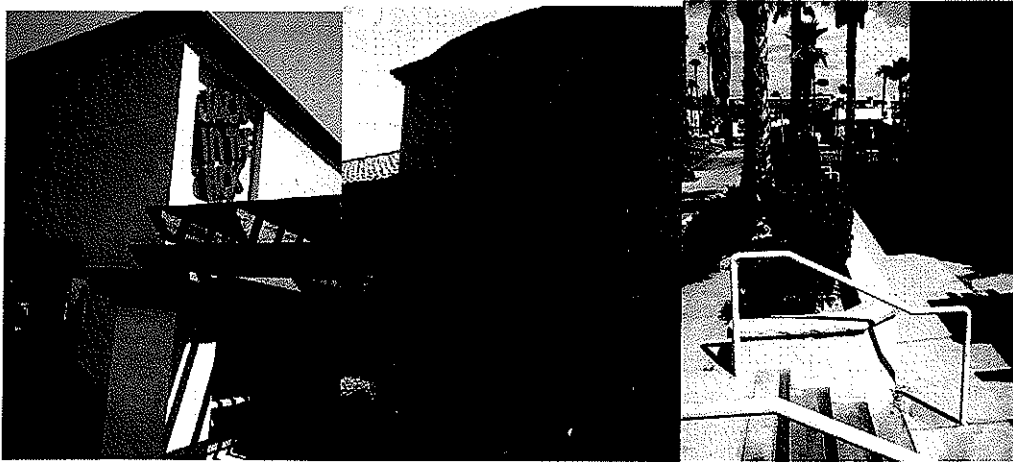
Exhibit B – “7-11 on Racquet Club and North Palm Canyon Drive”



**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

Exhibit C – “History of Fast Food in the Historic Tennis Club Neighborhood

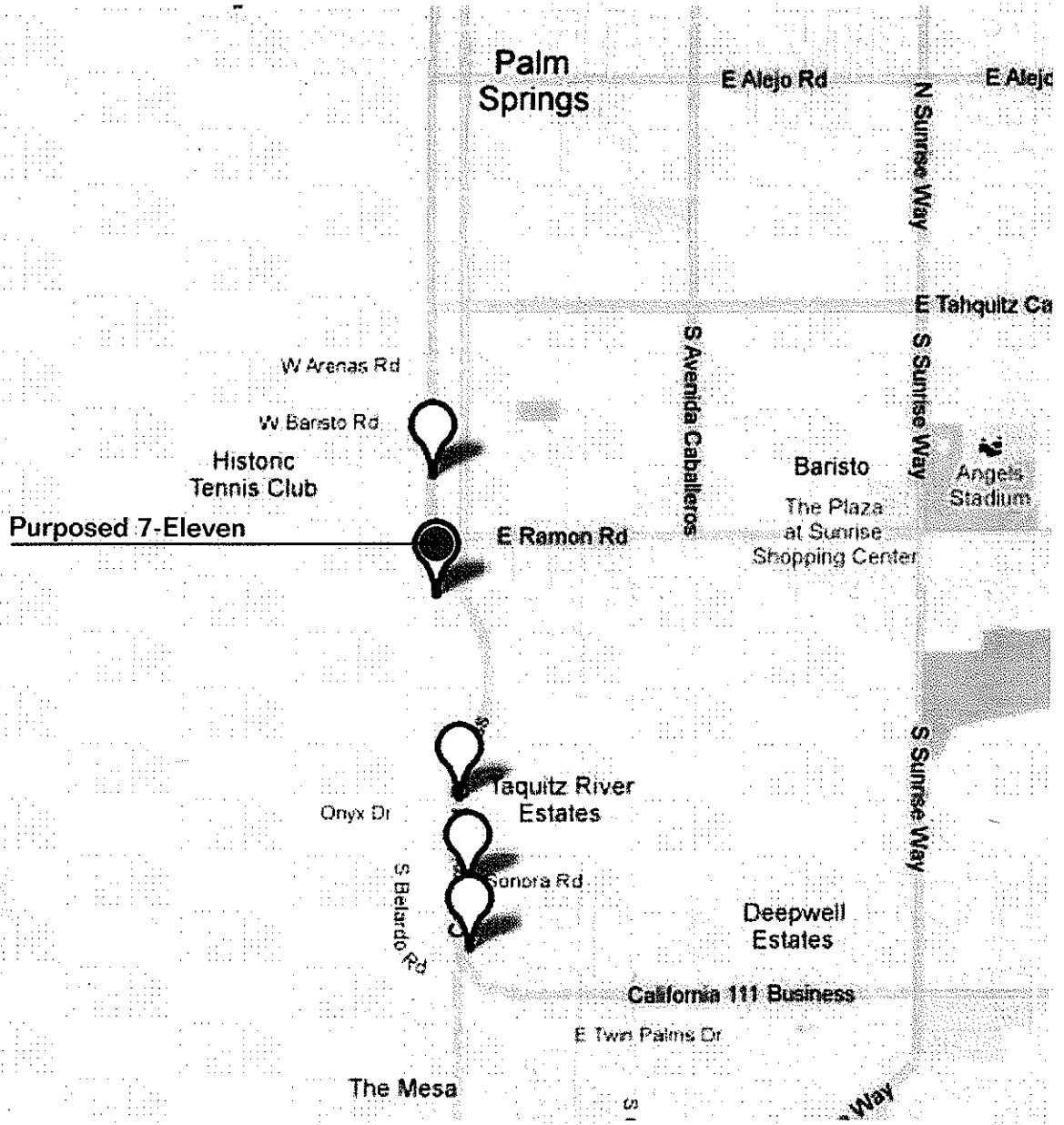
Jack in the Box and Kentucky Fried Chicken



**Proposed 7-11 for Sun Center 611 South Palm Canyon Drive
Analysis: Hamlin, Roath, Tysen**

Exhibit D – “Map of Existing and Proposed Convenience Locations”

- 162 East Palm Canyon Drive
- 1400 South Palm Canyon Drive
- 1111 South Palm Canyon Drive
- 611 South Palm Canyon Drive (Sun Center – proposed)
- 366 South Palm Canyon Drive (Rite Aid)



7/7/11

RE: Case # 5.1269; 7-11 CUP Application for 611 S. Palm Canyon

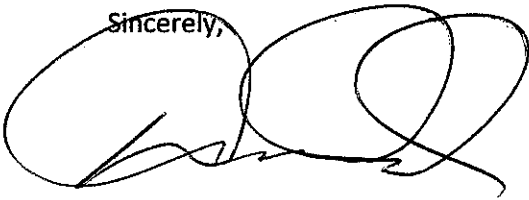
Dear Mr. Robertson,

Per our conversation, I am forwarding to you the required mailing labels and radius maps for our application that was filed 7/5/11 at your office. I would greatly appreciate it if you could place these items in the Case File with the other submittal documents.

Should you have any questions, please do not hesitate to call me.

Thank you very much.

Sincerely,

A handwritten signature in black ink, appearing to read "David Sabin", with a large, stylized flourish extending to the right.

David Sabin

Lend Lease

818 519-5129

5.1269

RECEIVED

JUL 11 2011

**PLANNING SERVICES
DEPARTMENT**

B. James

City of Palm Springs Planning Commission

Attention: Mr. Craig A. Ewing, AICP Director of Planning
Mr. David A. Newell, Associate Planner

Re: APN 513 290 015

C. Bruce James
246 Suez St
Palm Springs, CA, 92264
Sep 12, 2011

To Whom it May Concern:

I wish to submit my strong objection to the Planning Commission's approval of Case 5.1269 CUP re a 7-Eleven 24 hour store at Suite D, 611 South Palm Canyon Drive.

As a permanent Palm Springs resident, my objection is based on observation of other 24/7 convenience stores in the Valley. They seem to attract people who simply hang out which I feel negatively affect other businesses close by.

611 S. Palm Canyon is now an attractive corridor which does not need a 'hang out' and/or the possibility of problems associated with a 24 hour enterprise.

I urge the Planning Commission to reconsider and reverse the above mentioned approval of the 7-Eleven store so as to preserve the quality of 611 S. Palm Canyon.

Yours very truly
C. Bruce James

9-12-11

Planning Commission Meeting

Date: 9-14-11

Additional Material

Item 3B

RECEIVED

SEP 12 2011

PLANNING SERVICES
DEPARTMENT

David Newell

From: Sheryl Hamlin [sherylhamlin@gmail.com]
Sent: Wednesday, September 28, 2011 3:17 PM
To: madeleine de Jean
Cc: David Newell
Subject: Re: Important 7-11 Meeting October 5, 7:00 pm

Thanks. I will tell the Planning department your thoughts. If you return, please come.

On Wed, Sep 28, 2011 at 3:15 PM, madeleine de Jean <madeleinedeJean@att.net> wrote:

I do not think I will be back from LA by then.

But if you can vote for me in proxy please vote NO. Robberies we do not need in this neighborhood.

It's the gradual but persistent lowering of quality in the neighborhood.

All we need is for the Michael's gang to hang out at 7-11. And hooded robbers and ganger to be driving through the neighborhood. We just finally after 7 years got rid of the trash on this street. PLEASE no more. We live here for beauty. Not for incursion of WHAT? They are not offering Chateau Haut Brion at 7-11. No one needs processed chips and dips here. The lowest common denomination will have arrived if that trash does. Let the 7-11 groupies forage off the freeways. Ralphs is open all night if our neighbors get the need to dine at 4AM.

From: HTCNO Communication
Sent: Tuesday, September 27, 2011 6:25 PM
To: Tom Early & Jim Harlan
Subject: Important 7-11 Meeting October 5, 7:00 pm

Time/Date: Wednesday, 10/5, at 7:00pm

RE: Propose 7-11 in Sun Center

Meeting Location:

633 South Palm Canyon Drive
Sun Center Shopping Center

In the vacant space which is the location for the 7-Eleven (In the new addition near Palm Canyon)
Should you have any questions, please feel free to contact me on my cell phone at 818 519-5129.
(David Sabin)

The owner and the agent will be present to listen to neighborhood concerns.

For more information, please visit htcno.org and download the report on the 7-11 in the right most column. Also in the newsletter, which you can read once you login to htcno.org, there is more information about the concept.

RECEIVED

SEP 28 2011

**PLANNINGSERVICES
DEPARTMENT**

Palm Springs Marathon Runners

Palm Springs Unified School District

Ramon Alternative Center 2248 Ramon Rd. P.S. CA 92262

October 1, 2011

Attn: David Newell, Planner

3200 E Tahquitz Canyon Way

Palm Springs, CA 92262

Regarding Case 5.1269 Conditional Use Permit for 7-Eleven at 633 S. Palm Canyon Road.

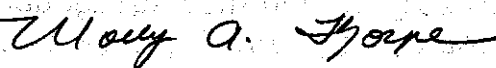
Dear Mr. Newell,

I understand that the 7-Eleven Corporation has requested to place a store location in the Sun Center plaza. As such, I want to take this opportunity to share with you the relationship that has developed between field consultant, David Woosely and the students in our school's running program.

As you may know, as a teacher of at-risk youth, I try to get our students involved in character building activities that benefit the community. The recent 9-11 Salute to Heroes and the Run for Ike are examples of these pursuits that both benefit our students, the city and the residents of Palm Springs. Once Mr. Woosely became aware of our goals, he whole-heartedly offered support by donating product and awards to be used at our runs. His corporation plans to become an integral part of our community and he has proposed future corporation sponsorship of our team activities. This type of partnership is an important cornerstone in the success of school-community relations.

I have visited a number of the company's desert locations finding each to be very clean and inviting. I often shop at the Sun Center at both Running Wild and Palm Springs Cyclery. It will be most convenient to have a 7-Eleven available so local residents and shoppers can grab a quick bite or something refreshing to drink. I support the addition of 7-Eleven to our community and believe that we will all benefit from this relationship.

Sincerely,



Molly A. Thorpe, Teacher

Ramon Alternative Center

(760) 413-6508

RECEIVED

OCT 4 2011

PLANNING SERVICES
DEPARTMENT

**Proposed 7-11 in The Sun Center
Community Meeting, October 5, 2011**

Location and Attendance

The meeting was held in the empty 3500 square foot retail space within the Sun Center at 7:00 pm on Wednesday, October 5, 2011. It was organized by David Sabin, Zoning Manager, Multi-Site | Project Management & Construction | Lend Lease, general contractor for the 7-11 corporation.

Attending for 7-11 were 1) Jennifer G, an attorney who deals with land use issues, outreach and entitlement consulting for 7-11, 2) Jason, 7-11 community programs manager, 3) David, Coachella Valley business consultant liaison for franchisees (no franchisee 'chosen' yet for the Sun Center location), 4) David Sabin and 5) Jennifer's law partner and 7-11 representative.

From the Palm Springs Police, Officer Lane, the Community Police officer, attended. One of the Sun Center owners and his representative attended. They provided food and coffee, typical of that proposed to be offered by the 7-11 in The Sun Center.

From the neighborhoods, there were 23 adults and one child, including representatives from the Tahquitz River Estates Neighborhood Organization (TRENO), Historic Tennis Club Neighborhood Organization (HTCNO) including four board members (Roath, Hamlin, Iamale, Tysen), Warm Sands Neighborhood Organization (President Robert Stone), the Tahquitz Creek Yacht Club, a group who meets monthly to clean up the creek, and The Canyons gated community adjacent to the center. The owners of the Smoke Shop in the Sun Center were among the attendees. There were no attendees who spoke in favor of the project.

The 7-11 representatives brought a PowerPoint presentation. They indicated that they had read the letters submitted to the city and would be addressing the concerns. Jennifer indicated that growing up in a small town in Alaska, the convenience store was an integral part of the town providing smokes and coffee in the cold.

The report below attempts to summarize the discussion by topic. Commentary is listed in italics below each topic. Because the meeting was disorganized with attendees interrupting each other, the statements moved from topic to topic. Below is a list of topics:

- Security
- Lighting
- Competition with existing Venders
- Liquor Sales
- Geographic Concentration of Stores
- Local Outreach
- Building Signage
- Window Signage
- Store Display and goods for sale
- Vista Chino Store
- Appropriateness to brand of Palm Springs

**Proposed 7-11 in The Sun Center
Community Meeting, October 5, 2011**

Security

7-11 will be adding security cameras and lighting. There will be no benches to avoid gatherings of transients. 7-11 has signed an agreement with the Palm Springs Police (PSPD) to enable them to make citizens' arrests and/or report vagrants to the PSPD. The program is called 'Operation Alert'. 7-11 also said they would provide a space for a police substation. Attendees reported that the Circle K convenience store on Arenas is plagued with crime and that employees are fearful. Officer Lane concurred. We asked about returning to the original 7:00 am to 11:00 pm concept, but the 7-11 representatives said that did not work financially. Sheryl Hamlin mentioned that the presence of 24 hour restrooms will attract the transients who live in the empty field on Ramon and Belardo. Bill Post presented the owner with pictures of gang tags that adorn the Sun Center. Pictures are shown at the end of this document.

Note that the Jack in the Box across the street had to remove its benches due to the transients who congregated there. The fact that 7-11 would voluntarily provide for a police substation indicates they are aware of the crime issue related to their business. The steps at the end of the new Sun Center addition will be a perfect gathering space for transients and smokers.

Lighting

The 7-11 presentation showed a picture of the store fully lighted. Jennifer indicated that the light will not 'spill' outside. She was aware that the raised site would complicate the lighting issue. Marshall Roath explained that the Palm Springs lighting policy for exterior lighting was as stringent as the Palomar Lighting District, in whose district Palm Springs falls. Lighting around the perimeter of the building will add security, as well as interior lighting, according to Jennifer.

Although the light may not 'spill', it will be visible. Several attendees said they lived adjacent to the store and did not want to see the light at night. Why wasn't the building owner required to add motion sensing perimeter lighting initially to secure the building? The lighting of the store shown in the 7-11 presentation is representative of a freeway convenience store where lighting acts as a beacon to draw customers, particularly because they are bright 24 hours a day.

Competing with Existing Vendors

Jennifer's partner explained the 'trickle down' effect, wherein the 7-11 employees will refer customers to other stores in the event they cannot supply what the customer wants. In the case of wine, 7-11 will only sell cheap wine, so they would refer the customer to the wine store. In the case of smokes, they would refer the cigar smoker to the smoke shop. The Smoke Shop did not concur with the 'trickle down' theory.

The Sun Center wine store owner was not present, but the Pet Store owner commented prior to the meeting that the type of in-out 7-11 customer is not compatible with the Sun Center client who stays longer and would create traffic issues. Traffic issues were also mentioned by several of the attendees.

**Proposed 7-11 in The Sun Center
Community Meeting, October 5, 2011**

Liquor Sales

7-11 indicated that liquor sales would end at 2:00 am. Sheryl Hamlin mentioned the article in The Desert Sun from 9/12/2011 entitled 'Studies link liquor sales to crime' specifically citing single-serve containers. 7-11 said they would not sell singles. Marshall Roath said that a cheap bottle of wine with a screw off cap would be just as bad as a single serve of beer.

Robert Stone reported that the 7-11 on Vista Chino was denied a new liquor license. The 7-11 representative said that 7-11 did not need the new license because they had previously bought a liquor license for the new store on Vista Chino. Robert Stone pointed out that this was extremely disingenuous. Had the license been granted for the Vista Chino store, there would have been *two* licenses. 7-11 declined to state if they were going to acquire an existing license or apply for a new license for the Sun Center store. Mr. Stone also pointed out that Palm Springs has more liquor licenses issued per capita than allowed by the State of California.

Who will be responsible to monitor what they sell? Do we have to provide mystery shoppers trying to buy a single can of beer? The problem with the entire CUP process is that someone has to monitor the CUP and the onus is put on the citizens. By indicating earlier that they only sell cheap wine, this is an admission of the type of clientele they will attract.

Geographic Concentration of Stores

Jennifer showed a map of other convenience stores, missing one in South Palm Canyon Drive. With Starbucks excellent menu and Rite Aid open 24 hours a day, plus Ralphs and two other mom and pop convenience centers within several minutes, there is no justification for another convenience store in the Sun Center location.

The Palm Springs Redevelopment Agency should help this owner find an appropriate neighborhood serving business.

Local Outreach

The local 7-11 outreach manager indicated how 7-11 participates within the community. Note that the Palm Springs Planning file has a letter recommending the store from a Molly Thorpe, teacher, PS Marathon Runners, PSUSD, 2248 Ramon, 92262. Presumably this program is one that has benefitted from the 7-11 outreach.

While local outreach is a fine concept, it cannot mitigate the nuisance factor this store will have on the neighborhood. While one part of the community gains, another suffers.

**Proposed 7-11 in The Sun Center
Community Meeting, October 5, 2011**

Building Signage

The 7-11 representatives appeared to be quite confused about the building signage. The manager indicated that 'this location deserved the same high quality as seen in Laguna', but did not have an example, nor was he familiar with the sign plan submitted by David Sabin. Please see Marshall Roath's 9-26-2011 testimony (report) to the Architectural Advisory Committee about the defects of the plan Sabin presented showing three signs on the building.

Window Signage

Convenience stores are notable for their window clutter. The 7-11 representatives were aware of this issue. When asked about cigarettes and Lotto tickets, they indicated there would be no window signage, but did not explain the alternatives for advertising cigarettes and Lotto tickets. Officer Lane said the windows must be kept clear so that the police could observe the convenience store from the street. The CV 7-11 manager indicated that some of the signage clutter was required by the State of California.

Store Display and Goods for Sale

The 7-11 presentation included an interior photograph, but the representative repeatedly said 'this is not what it will be', so the audience was frustrated. 7-11 said that they would not have coffee on coffee warmers, but would have large, push carafes and that there would be new dairy and ice cream cases and a new CID case for sandwiches, although they could not provide examples. A representative of the Tahquitz Creek Yacht Club said that the goods sold in the 7-11 store will contribute to detritus in the creek whose cleaning is an on-going volunteer effort.

Vista Chino Store

It was suggested that the new store on Vista Chino would be a model of the 'new' 7-11 store. That store will be open in December 2011. Several attendees suggested we wait until that store opens to judge the Sun Center store. Vista Chino will sell single serves of liquor as well as hard liquor because of their vicinity to The Riviera.

Brand Appropriateness

Frank Tysen said that with a 7-11 in the north end and one in the south end, the city would be bookended by convenience stores and questioned the effect on the brand of Palm Springs as a luxury destination. He did say that it was not impossible for 7-11 to reinvent itself.

Next Steps

While a multi-year vacancy is unfortunate, there is no justification for another convenience store in this end of town, particular with the transient issues in the empty Magruders automobile property and the vacant lot on Ramon, both of which are magnets for transients. At a minimum, this project should be delayed until the store on Vista Chino is finished and 7-11 can provide actual examples of interiors and signage, which they were unable to do at this meeting.

**Proposed 7-11 in The Sun Center
Community Meeting, October 5, 2011**

Appendix A

Tagging

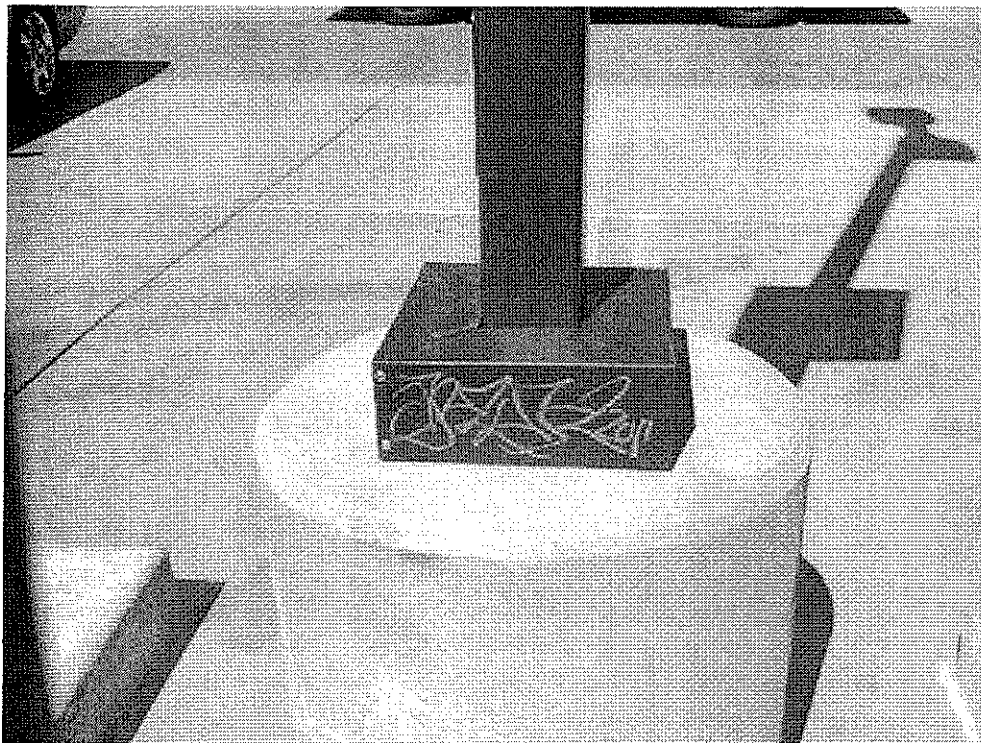
Below are pictures taken by Bill Post and presented to the Sun Center store owner at the meeting. Note that 7-11 says they have a corporate policy to eliminate tagging within 24 hours.



**Proposed 7-11 in The Sun Center
Community Meeting, October 5, 2011**



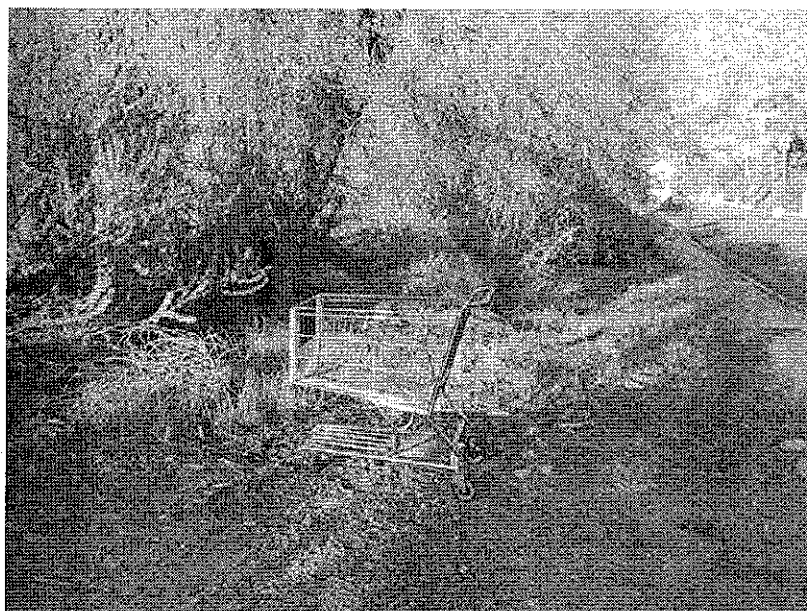
The following picture was a new tag taken on Friday, the 7th, two days after the 7-11 Community meeting by Sheryl Hamlin.



Proposed 7-11 in The Sun Center
Community Meeting, October 5, 2011

Appendix B – Transients

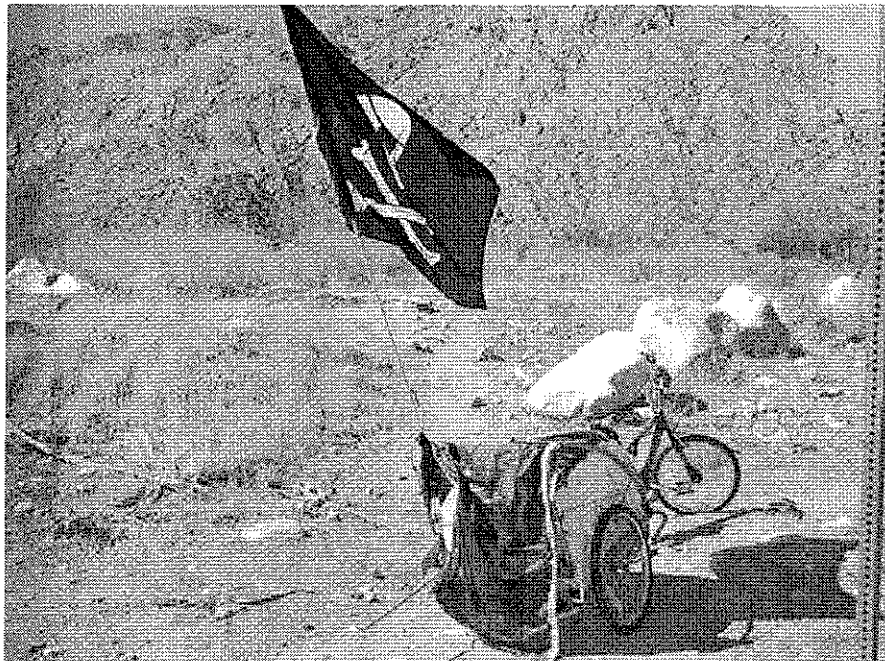
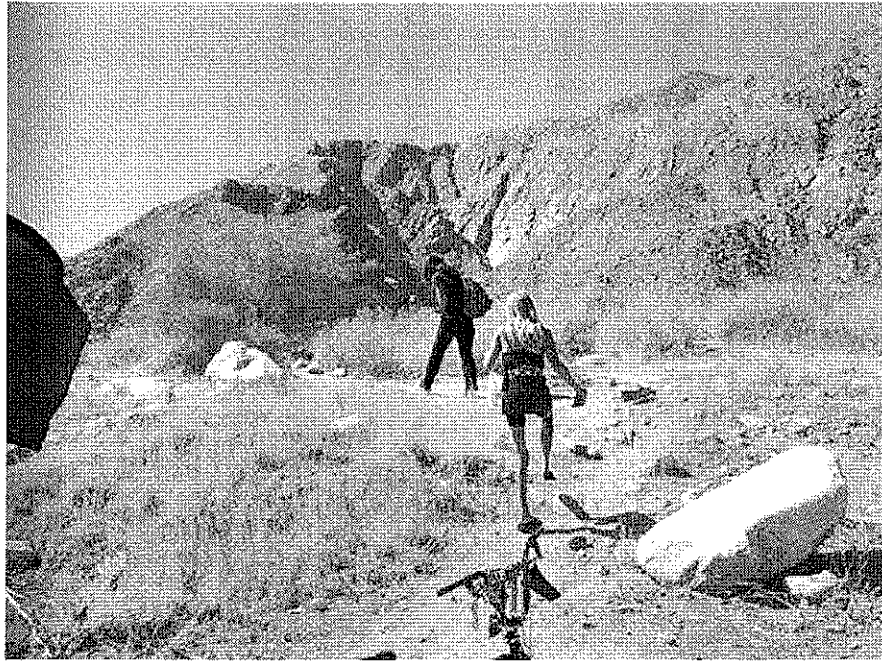
The vacant lot that borders along Ramon and Belardo is a haven for transients. Recently detritus was removed. Pictures below show the detritus. A second set of pictures taken on October 10, 2011 shows two transient women, one with food in a plastic sack and one carrying a cat, heading to the empty field to join others.



**Proposed 7-11 in The Sun Center
Community Meeting, October 5, 2011**

Appendix B – transients continued

The following pictures were taken on 10/10/2011. There are two women, one carrying a plastic sack of food and the other carrying a cat. They are heading toward others who are in the field. Note the bizarre bicycle used as a flag stand for the skull and bones flag. This item was first noted on Thursday, October 6th. The 7-11 will serve the transients with quick food and restrooms.



David Newell

From: Sheryl Hamlin [sherylhamlin@gmail.com]
Sent: Monday, October 10, 2011 1:10 PM
To: codeviolation@palmsprings-ca.gov
Cc: Barron Lane; David Newell; Craig Ewing
Subject: vacant lot on Belardo and Ramon (SW corner)
Attachments: flag_small.jpg; transients_small.jpg

Today I saw two unkempt women, one with a plastic sack of food and one with a cat, walking into the vacant field on Ramon and Belardo. Others were waiting under the tree.

The bicycle with the skull and crossbones flag has been there since Thursday of last week. It might be a signal for a meeting place. I believe it could also be a signal that the camp was destroyed.

I have pictures from the detritus in the homeless encampment which was removed last week.

The bicycle and its flag should be removed.

The proposed 7-11 will just contribute to the convenience of these transients and the trash in the vacant field. I will be writing a full report of the community meeting from last Wednesday.

Thanks.

Sheryl Hamlin
760-668-2956

David Newell

From: Sheryl Hamlin [sherylhamlin@gmail.com]
Sent: Friday, October 07, 2011 2:16 PM
To: David Newell
Subject: 7-Eleven Community Meeting - for the file
Attachments: GangGrafitti 001.jpg

From Bill Post - see picture of grafitti in Sun Center. Thanks.
 Also email from Robert Stone.

----- Forwarded message -----

From: William Post <bdpost@yahoo.com>
Date: Thu, Oct 6, 2011 at 1:16 PM
Subject: Re: 7-Eleven Community Meeting
To: "rjuliansf@aol.com" <rjuliansf@aol.com>, "Steve.Pouget@palmsprings-ca.gov" <Steve.Pouget@palmsprings-ca.gov>, "Ginny.Foat@palmsprings-ca.gov" <Ginny.Foat@palmsprings-ca.gov>, "Lee.Weigel@palmsprings-ca.gov" <Lee.Weigel@palmsprings-ca.gov>, "Rick.Hutcheson@palmsprings-ca.gov" <Rick.Hutcheson@palmsprings-ca.gov>, "Chris.Mills@palmsprings-ca.gov" <Chris.Mills@palmsprings-ca.gov>
Cc: "David.Ready@palmsprings-ca.gov" <David.Ready@palmsprings-ca.gov>, "craig.ewing@palmspringsca.gov" <craig.ewing@palmspringsca.gov>, Michael Iseminger <Michael.Iseminger@palmsprings-ca.gov>, Stefanie Campbell <Stefanie.Campbell@palmsprings-ca.gov>, Sheryl Hamlin <sherylhamlin@gmail.com>

I was also at the meeting last night and had 6 pictures of tagging in and around the Sun Center parking lot. These were handed to the property owner.

The 7th picutre is attached. I believe this to be gang grafitti which is not a welcome sight 4 blocks from where I live.

BILL POST
 PO Box 4402
 Palm Springs, CA 92263

619.865.0269
bdpost@yahoo.com

From: "rjuliansf@aol.com" <rjuliansf@aol.com>
To: Steve.Pouget@palmsprings-ca.gov; Ginny.Foat@palmsprings-ca.gov; Lee.Weigel@palmsprings-ca.gov; Rick.Hutcheson@palmsprings-ca.gov; Chris.Mills@palmsprings-ca.gov
Cc: David.Ready@palmsprings-ca.gov; craig.ewing@palmspringsca.gov
Sent: Thursday, October 6, 2011 7:27 AM
Subject: 7-Eleven Community Meeting

Last night neighbors who live near the Sun Center at 633 S. Palm Canyon met with the landlord, a 7-Eleven manager, and two attorneys hired by 7-Eleven for the proposed store. Representatives of the TRENO, Warm Sands, and Tennis Club neighborhoods were also present. Of the approximately 25 people in attendance at this meeting mandated by the Planning Commission, 100% were opposed to having a 7-Eleven in the vacant storefront on S. Palm Canyon. The proponents of the store said they wanted to work with the community, but their tone and presentation suggested the opposite.

10/12/2011

Most interestingly, the manager who is opening the 7-Eleven at 150 W. Vista Chino revealed an important piece of information I must share with you. I suggested that when City Council wisely denied the request for a liquor license for the 150 W. Vista Chino store, the chain subsequently went behind Council's back and bought an existing liquor license for the store anyway. I said this was evidence of the chain's refusal to listen to the desires of the community. The 7-Eleven manager corrected me by volunteering, "We did *not* go behind Council's back. We had already purchased and owned the existing liquor license before we appeared before Council for that request." There were 25 witnesses to this statement.

This information suggests the application to Council for the 150 W. Vista Chino 7-Eleven liquor license was simply an attempt to pick up a second license on the cheap. If it had been granted, they could have simply moved the one they already owned to the Sun Center location, regardless of the objections raised by neighbors. Bookending Palm Springs with two low-end chain stores at the northern and southern gateways to downtown seriously diminishes the value of the Palm Springs brand and is a terrible idea for the City.

Robert Stone
Chair, Warm Sands Neighborhood Organization

David Newell

From: rjuliansf@aol.com
Sent: Thursday, October 06, 2011 11:44 AM
To: David Newell
Subject: Fwd: 7-Eleven Community Meeting

Mr. Newell,

Please forward this to the Planning Commissioners and/or include it in their packet when this item comes back to the commission. RE: 633 S. Palm Canyon 7-Eleven

Robert Stone
Chair, Warm Sands Neighborhood Organization

-----Original Message-----

From: rjuliansf <rjuliansf@aol.com>
To: Steve.Pouget <Steve.Pouget@palmsprings-ca.gov>; Ginny.Foat <Ginny.Foat@palmsprings-ca.gov>; Lee.Weigel <Lee.Weigel@palmsprings-ca.gov>; Rick.Hutcheson <Rick.Hutcheson@palmsprings-ca.gov>; Chris.Mills <Chris.Mills@palmsprings-ca.gov>
Cc: David.Ready <David.Ready@palmsprings-ca.gov>; craig.ewing <craig.ewing@palmspringsca.gov>
Sent: Thu, Oct 6, 2011 7:27 am
Subject: 7-Eleven Community Meeting

Last night neighbors who live near the Sun Center at 633 S. Palm Canyon met with the landlord, a 7-Eleven manager, and two attorneys hired by 7-Eleven for the proposed store. Representatives of the TRENO, Warm Sands, and Tennis Club neighborhoods were also present. Of the approximately 25 people in attendance at this meeting mandated by the Planning Commission, 100% were opposed to having a 7-Eleven in the vacant storefront on S. Palm Canyon. The proponents of the store said they wanted to work with the community, but their tone and presentation suggested the opposite.

Most interestingly, the manager who is opening the 7-Eleven at 150 W. Vista Chino revealed an important piece of information I must share with you. I suggested that when City Council wisely denied the request for a liquor license for the 150 W. Vista Chino store, the chain subsequently went behind Council's back and bought an existing liquor license for the store anyway. I said this was evidence of the chain's refusal to listen to the desires of the community. The 7-Eleven manager corrected me by volunteering, "We did *not* go behind Council's back. We had already purchased and owned the existing liquor license before we appeared before Council for that request." There were 25 witnesses to this statement.

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Robert Stone
Chair, Warm Sands Neighborhood Organization



February 7, 2012

David Newell, Planner
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92264

Re: 7-Eleven (611 South Palm Canyon-Sun Center)
CUP Application No. 5.1269
Letter in Support of 7-Eleven Application

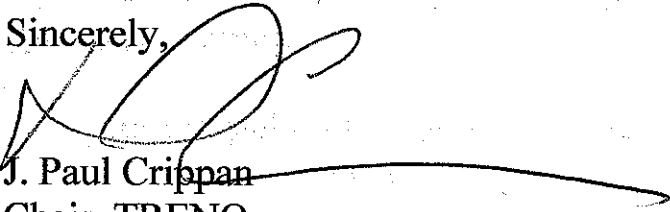
Dear Mr. Newell:

We understand that a continued hearing on this matter will occur before the Planning Commission on February 22, 2012. This letter is sent to express the support of the Tahquitz River Estates Neighborhood Organization Council for the 7-Eleven store.

The City informed 7-Eleven to get involved with the neighborhood organizations. We agreed to meet their representatives to provide input and express concerns. We continued through out the process and recently had their representative present to our Council Board its revised proposal as well as other changes to better blend into the "Palm Springs look." We, the Board of 12 members, voted to support this project.

We ask that the Planning Commission take into account our involvement with 7-Eleven proposal for a store at Sun Center which borders on our neighborhood.

Sincerely,


J. Paul Crippan
Chair, TRENO

RECEIVED

FEB 09 2012

PLANNING SERVICES