



## Planning Commission Staff Report

Date: December 12, 2012

Case No.: 5.1282 CUP and 5.1283 CUP (APPEAL)

Type: Appeal of a decision by the Director of Planning Services

Applicant: Ken Seeley, Intervention 911 Treatment Centers

Location: 1590 East Palm Canyon Drive (The Palm Tee Hotel) and  
1425 Via Soledad (The Alexander Inn)

APN: 508-454-007 and 508-344-001

General Plan: Tourist Resort Commercial

Zone: R-2 Multiple Family Residential and R-3 High Density Residential and  
Resort Combining Overlay Zone

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

Project Planner: Ken Lyon, Associate Planner

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### **PROJECT DESCRIPTION:**

The appellant has filed an appeal of the Planning Director's decision of November 1, 2012 determining that the current substance abuse recovery center / sober living facility uses occurring at the two subject properties do not meet the definition of a hotel use, but rather they conform to the definition of assisted living facilities, which require approval of a Conditional Use Permit (CUP). The appellant is requesting the Commission to overturn the decision of the Director of Planning and determine that the proposed uses are consistent with that of a hotel and thus do not require CUP's.

### **RECOMMENDATION:**

That the Planning Commission uphold the decision of the Planning Director determining that the uses at the two facilities are substance abuse recovery centers / assisted living facilities, not hotels, and require the approval of a CUP by the Planning Commission to operate.

### **BACKGROUND:**

On April 12, 2012, the applicant/appellant was notified in writing by the Department of

Building and Safety/ Code Enforcement that a conditional use permit (CUP) is required for two facilities owned and operated by the applicant; one at 1425 Via Soledad and the other at 1590 East Palm Canyon Drive, at which the applicant was operating the current use without permits, appropriate business licenses or planning approvals.

On May 3, 2012, the City served the applicant / appellant a Courtesy Notice via certified mail notifying them that they were in violation of the City's Municipal Code by operating substance abuse recovery centers / assisted living facilities without approval of a Conditional Use Permit at the subject sites.

On June 25, 2012, the applicant/appellant submitted CUP applications for both properties requesting approval to operate them as substance abuse recovery centers / assisted living facilities.

On September 26, 2012, the City received correspondence from the appellant's attorney notifying the City that they were withdrawing their CUP applications and asserting that the two properties were being operated as hotels, not substance abuse recovery centers / assisted living facilities.

On November 1, 2012, the Director of Planning Services sent correspondence to the appellant, advising them that upon review of the uses, their marketing literature, and internet presence, a determination was made that the uses are not hotels, but rather are substance abuse recovery centers / assisted living facilities; requiring the approval of Conditional Use Permits from the Planning Commission in order to continue to operate.

On November 15, 2012, the appellant submitted an appeal of the director's decision.

#### **BACKGROUND AND SETTING:**

The two properties were developed roughly fifty years ago; The Palm Tee (1590 Palm Canyon) as a sixteen-unit hotel, and The Alexander (1425 Via Soledad) as a five-unit apartment building. Each property is briefly described below.

##### The Palm Tee Hotel.

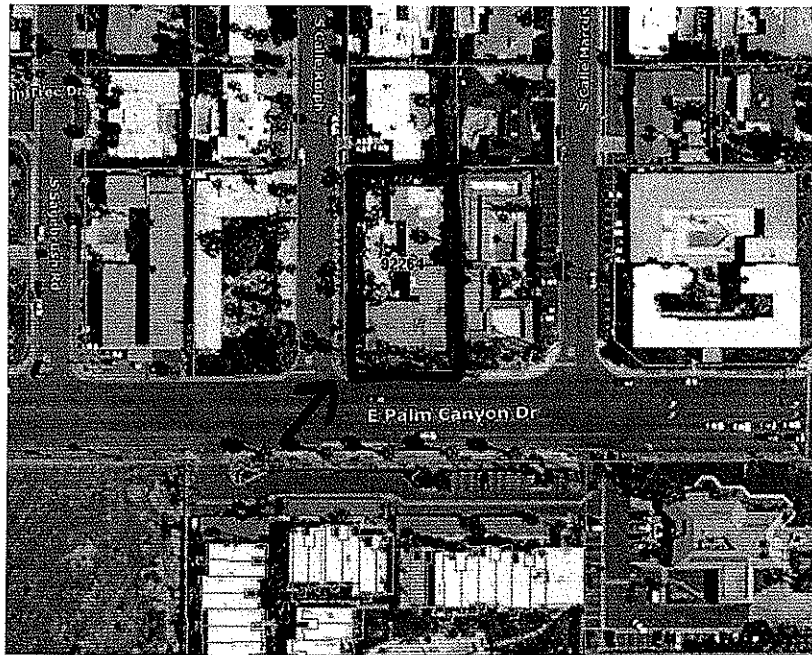
The existing 16-unit hotel at 1590 East Palm Canyon Drive was constructed in 1962. It is at the northeast corner of Calle Rolph and East Palm Canyon Drive. For many years it was operated as the Palm Tee Hotel.

The existing two-story building is roughly 8,379 square feet in area. There are ten (10) existing hotel rooms on the first floor which totals roughly 5,379 square feet. Two of these are one-bedroom units with full kitchens. There are six (6) hotel rooms on the second floor, comprising 3,136 square feet. One of the second floor rooms is configured with two bedrooms and a common bathroom. Most of the rooms are configured with small kitchenettes. There are seventeen (17) bay parking spaces which take access directly off South Calle Rolph. East Palm Canyon Drive is a major thoroughfare on the City's General Plan Circulation Map.

*Surrounding Land Uses and Existing Development*

The Palm Tee is located on the south side of the city immediately adjacent to the Deepwell neighborhood, in a fully developed area of multi-family units, small hotels and single family homes. The table below denotes the zoning, general plan and surrounding existing land uses.

	Land Use	General Plan	Zoning
North	Single Family Residential	VLDR (Very Low Density Residential (4du/ac)	R-1-C (Single Family Residential)
South	Condominiums	Tourist Resort Commercial	PD 69A
East	Hotel / Apartments	Tourist Resort Commercial	R-2 / R-3
West	Hotel / Apartments	Tourist Resort Commercial	R-2 / R-3



AERIAL PHOTO SHOWING 1590 EAST PALM CANYON DRIVE

The site of the Palm Tee Hotel is approximately 103 feet in width and 201 feet in depth. For purposes of zoning analysis, the East Palm Canyon Drive frontage is considered the front of the lot and the lot is considered a reverse corner lot (meaning it is a corner lot, the side line of which is substantially a continuation of the front lot lines of the lots to its rear). The parcel has split zoning: the southern half of the parcel is in the R-3 zone and the northern half is in the R-2 zone. It also lies within the Resort Combining Zone. For purposes of density analysis, it is noted that the two-story portion of the building lies roughly in the R-3 zone and the one-story portion lies generally in the R-2 zone.

In their original CUP application, the applicant proposed an occupancy at the Palm Tee of thirty-two (32) patient beds and four (4) staff persons at any time, one of whom would be the resident manager. The applicant proposed on-site therapy and treatment for the clients/guests including on-site individual and group counseling, life skills classes,

twelve-step meetings, nursing or doctor-assisted medication management and medical services. In addition the applicant requested the ability to host events that would be open to the community (both the Alcoholics Anonymous community and the greater neighborhood community)

Via Soledad.

The existing five unit apartment building at 1425 Via Soledad was constructed in 1957. It is at the southwest corner of Sonora Road and Via Soledad. For many years it was operated as the Alexander Inn, a vacation rental. The existing building is roughly 4,895 square feet in area. There are eight (8) bay parking spaces which take access directly off Sonora Road. This segment of Sonora Road is a two-lane local collector street on the City's General Plan Circulation Map.

*Surrounding Land Uses and Existing Development*

The Alexander Apartments are located on the south side of the city, in a fully developed area of multi-family units, small hotels and single family homes. The table below denotes the zoning, general plan and surrounding existing land uses.

	<b>Land Use</b>	<b>General Plan</b>	<b>Zoning</b>
North	Single Family Residential	VLDR (Very Low Density Residential (4du/ac)	R-1-C (Single Family Residential)
South	Hotel / Apartments	Tourist Resort Commercial	R-2 (Multi-Family Residential)
East	Single Family Residential	VLDR (Very Low Density Residential: 4du/ac)	R-1-C
West	Hotel / Apartments	Tourist Resort Commercial	R-2



AERIAL PHOTO SHOWING 1425 VIA SOLEDAD

The site is approximately 105.6 feet in width and 136 feet in depth. For purposes of

zoning analysis the Sonora frontage is considered the front of the lot.

The appellant's CUP application proposed to change the use from an apartment building to a substance abuse recovery center for persons recovering from alcoholism, drug abuse and other addictions. The current facility is comprised of four, two-bedroom apartments and one, three-bedroom apartment.

The appellant proposed an occupancy of seventeen (17) patient beds and two (2) persons occupying the resident manager's unit. The appellant proposed on-site treatment for the clients/guests including on-site individual and group counseling, life skills classes, twelve-step meetings, nursing or doctor-assisted medication management and medical services. In addition the appellant requested the ability to host events that would be open to the community (both the Alcoholics Anonymous community and the greater neighborhood community)

The appellant initiated the current non-permitted use at Via Soledad under an office use business license, not as a sober living facility or substance abuse recovery center. The Palm Canyon facility is currently being operated without planning approval, business licenses or other permits.

## **APPEAL**

Staff reviewed the appellant's letter and the reasons for the appeal. The appellant's reasons are listed below followed by staff's response.

1. *"The determinations are not supported factually or legally,..."*

The Planning Director's determinations were based on many factors, including the applicant / appellant's conditional use permit application, marketing brochures, information on the appellant's website, and meetings with the appellant at the time they received their Building Department / Code Compliance Courtesy Notice. The appellants' marketing materials describe a facility for customers to seek treatment from substance abuse, and to learn various life skills to aid in re-entering the workplace, among other things. (Copies of the CUP application, marketing material and website information are attached.) Staff believes the determination was supported by review of facts, and the legal authority of the Planning Director to make such determinations is established in the City's Zoning Code.

2. *(The determinations) "...violate state and federal fair housing laws and the City's General Plan,..."*

The appellant has not provided information to support the above assertion, and therefore it is unclear how the director's determination violates these laws. The City permits assisted living facilities in many zones subject to a conditional use permit. Furthermore, pursuant to the Palm Springs Zoning Code (PSZC) Section 92.03.01 and 92.04.01 (Uses Permitted in the R-2 and R-3 zones) the city also allows hotels with less

than 10% of the rooms having cooking facilities to be permitted “by right” in the R-2 and R-3 zones. Furthermore, hotels in which more than 10% of the rooms contain kitchens (which is the case for both of these properties) are permitted in both zones subject to a CUP. It is not clear where any fair housing laws have been violated.

No reference to any specific General Plan policy that the appellant believes had been violated was offered. Staff notes that the General Plan land use designation for both parcels is Tourist Resort Commercial. This land use designation notes that the primary use should be that of hotel and tourist-related uses. Residential uses are to be a secondary use ancillary to the hotel uses. Both hotels with more than 10% of the rooms containing kitchens and assisted living facilities are conditionally permitted in the R-2 and R-3 zones, thus it is not clear how the director’s determination that the use at the two sites are assisted living facilities – not hotels – violates any fair housing laws.

3. *(The determinations) “...are discriminatory and based on bad social policy...”*

The Planning Director determined based upon review of all the information available at the time, that the proposed use was not a hotel, but rather a substance abuse recovery center / assisted living facility. These facilities are permitted in many multiple family residential zones throughout the City of Palm Springs subject to a CUP. Sober living facilities are not defined in the PSZC nor are they listed as a permitted use in any zone in Palm Springs. The State of California regulations protect the establishment of sober living facilities of six beds or less in residential zones and encourages cities and counties to permit operators to establish such facilities as a means of integrating this population back into the community at large. Neither of the subject properties fall under the regulatory guidelines of the State for sober living facilities of six beds or less: the Palm Tee facility is proposed to have 32 patient beds and the Alexander is proposed to have 17 patient beds. Staff believes the appellant has not provided information to support the assertion of “discrimination” or “bad social policy”.

4. *(The determinations) “...are based on misunderstandings, assumptions and speculation...”*

The appellant does not identify or explain where or how they believe “misunderstandings, assumptions or speculation” have occurred. The Director’s determination is based on written material provided by the applicant both in their original CUP applications and their promotional material, as well as the definitions for hotels and assisted living facilities in the Palm Springs Zoning Code. Additional information that was the basis of the Director’s determination is described in the Exhibit attached to this staff report.

5. *(The determinations) “...are made pursuant to inapplicable provisions of the City’s Zoning Code.”*

The director identified PSZC Section 91.00.08(B) “*Conflicting or Ambiguous Provisions*”.

The appellant has not explained or described why this is an “inapplicable provision”. This section states that “*where there may be conflicting or ambiguous provisions within this zoning code, the director of planning and building, or his authorized representative, shall determine the applicability of such provisions.*” The appellant has asserted that their proposed use at the two sites are “hotels”, however based on the material presented by the appellant, the director has determined them to be substance abuse recovery centers, which are classified in Palm Springs as “assisted living facilities”. Staff believes this is an appropriate application of the relevant provisions of the Zoning Code.

6. *“No ‘assisted living’ services are occurring on site.”*

The examples noted above as well as the description of the proposed use in the CUP application would seem to argue otherwise. From their CUP application, the appellant states, “*We would like the CUP application to allow for and include the following: Onsite therapy (individual and group), Life Skills classes, 12-step meetings, nursing or doctor assisted medication management and services that would be found at a drug and alcohol treatment center.*” From these statements, the Director has concluded that assisted living services are indeed being offered, thus the facilities are not being operated as “hotels”.

7. *“The financial burden upon the applicant if deemed “assisted living” is in excess of \$200,000, far out of line in light of the preferred public policy in favor of sober living and affordable housing.”*”

Analysis of the “financial burden” or conducting due diligence of the viability of a “business model” or of adapting any site to a particular proposed use, is solely the responsibility of applicants and business owners. “Financial viability” is not a finding or requirement of approval, or a factor used in determining whether a proposed use is permitted use in a particular zone. Financial burden was also not a factor that the director used in making the determination that the proposed uses are not “hotels”.

The appellant’s brochure notes that the monthly rate for a “shared occupancy room” is \$2,800 per month per patient. Thus a typical room with two beds may rent for roughly \$5,600 per month. Staff assumes a single occupancy room would have a higher monthly rate. Pursuant to Table 3-8 of the City’s Housing Element in the General Plan (which was updated in 2010); maximum affordable rents for extremely low to moderate income households is between \$500 and \$1,860 per month in Palm Springs. The monthly rate for the subject properties well exceeds the typical monthly rental for affordable housing. In comparison, the average rate for a monthly hotel stay in Palm Springs is roughly \$116 per night or about \$3,480 per month<sup>1</sup>; thus the subject properties also generate income greater than the average 30-day hotel stay in Palm Springs. Staff does not believe the subject properties are providing affordable housing for the community.

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<sup>1</sup> Pursuant Aftab Dada of the Palm Springs Hotel Association, from a sampling of 3,900 rooms, the average nightly rate is \$115/night.

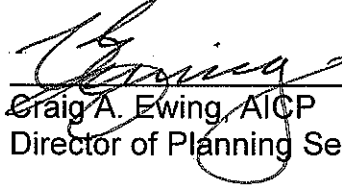
**CONCLUSION:**

Staff believes that the appellant has not submitted material in his appeal letter that would support an argument for overturning the Planning Director's determination. Staff recommends the Planning Commission uphold the decision of the Planning Director determining that the current uses at the two subject sites are not hotels, but rather are a form of assisted living facility (substance abuse recovery treatment) for which submission and approval of a Conditional Use Permit is required.



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Ken Lyon, RA  
Associate Planner



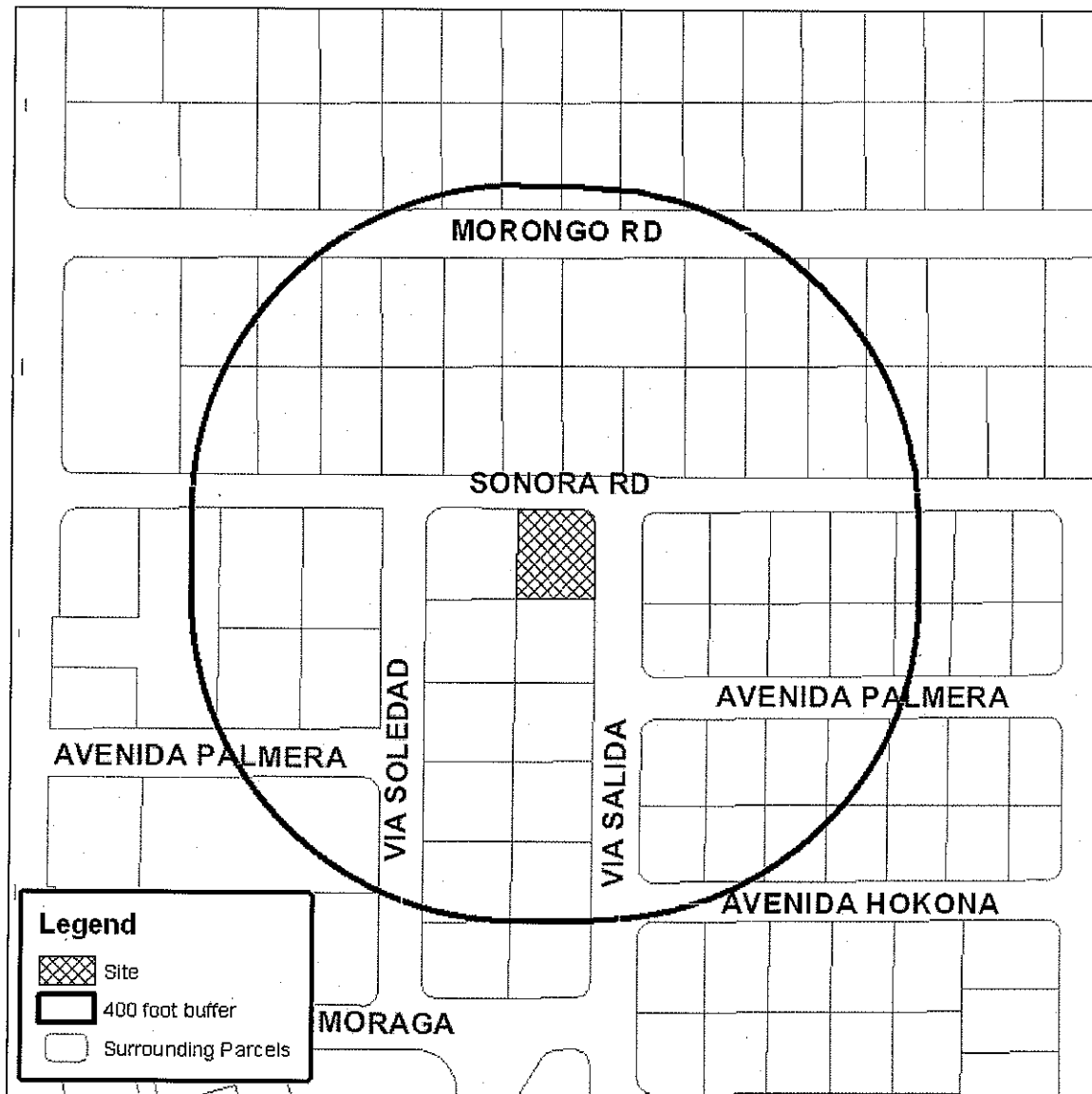
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Craig A. Ewing, AICP  
Director of Planning Services

**ATTACHMENTS:**

1. Vicinity Map
2. Draft Resolution
3. April 12, 2012 Courtesy Notice from Building Department to the Appellant.
4. September 26, 2012 Flannery to Lyon letter.
5. November 1, 2012 Ewing to Seeley / McLaughlin letter.
6. November 15, 2012 Flannery to City Clerk appeal letter.
7. Miscellaneous pages from the Appellant's website and marketing materials.
8. Exhibit A – Additional information referenced for the basis of the Director's determination
9. Public Comment letters on the applicant / appellant's original CUP application



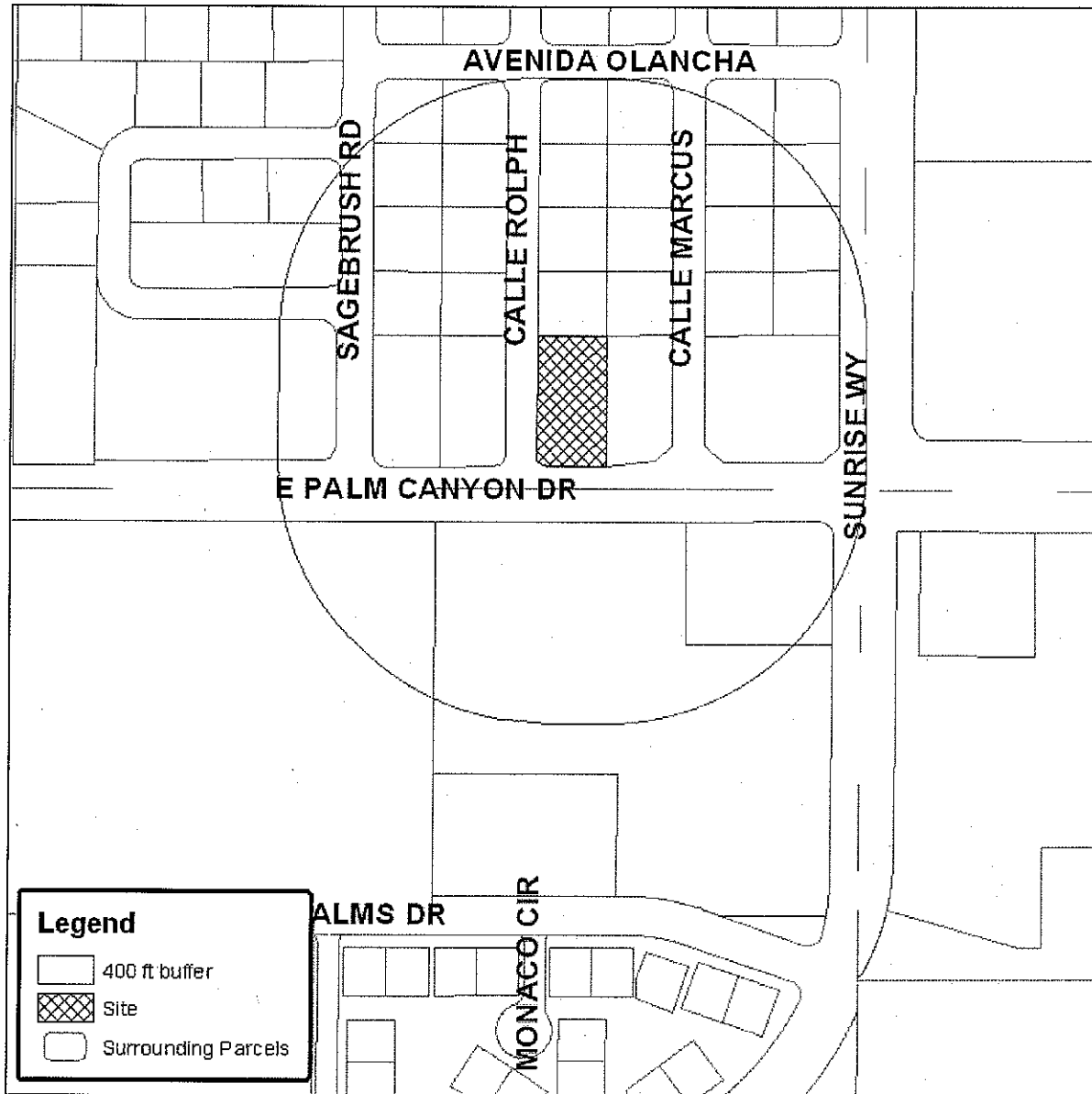


## CITY OF PALM SPRINGS

**CASE NO:** 5.1282 and 5.1283  
**CUP APPEAL**

**APPLICANT:**  
 Ken Seeley, Intervention 911

**DESCRIPTION:** An appeal of a determination by the Director that the uses at 1425 Via Soledad and 1590 East Palm Canyon Drive are substance abuse recovery centers / assisted living facilities, not hotels.



## CITY OF PALM SPRINGS

**CASE NO:** 5.1282 and 5.1283  
**CUP APPEALS**

**APPLICANT:**  
 Ken Seeley, Intervention 911

**DESCRIPTION:** An appeal of a determination by the Director that the uses at 1425 Via Soledad and 1590 East Palm Canyon Drive are substance abuse recovery centers / assisted living facilities, not hotels.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA UPHOLDING A DETERMINATION MADE BY THE DIRECTOR OF PLANNING SERVICES THAT THE APPELLANTS' USES AT 1590 EAST PALM CANYON DRIVE AND 1425 VIA SOLEDAD ARE NOT HOTELS, BUT RATHER ARE SUBSTANCE ABUSE RECOVERY CENTERS / ASSISTED LIVING FACILITIES.

WHEREAS, on April 12, 2012, the applicant/appellant was notified in writing by the Department of Building and Safety / Code Enforcement that a conditional use permit (CUP) is required at two facilities owned and operated by the applicant, and

WHEREAS, on May 3, 2012 the applicant/appellant was served a Courtesy Notice by certified mail notifying them that they were in violation of the City's Municipal Code by operating the substance abuse recovery centers / assisted living facilities at the subject addresses without approval of Conditional Use Permits.

WHEREAS, on June 24, 2012, the applicant/appellant submitted CUP applications for both properties requesting approval to operate them as substance abuse recovery centers / assisted living facilities, and

WHEREAS, on September 26, 2012, the City received correspondence from the appellant's attorney notifying the City that the applicant was withdrawing their CUP applications and asserting that the two properties were being operated as hotels, not substance abuse recovery centers / assisted living facilities, and

WHEREAS, on November 1, 2012, the Planning Director made a determination pursuant to section 91.00.08 (B) of the Palm Springs Zoning Code (PSZC) that the appellant's current uses at 1590 East Palm Canyon Drive and 1425 Via Soledad are not hotels, but rather are substance abuse recovery centers / assisted living facilities and require approval of Conditional Use Permits from the Planning Commission in order to continue to operate, and

WHEREAS, on November 15, 2012, the appellant, Ken Seeley of Intervention 911, filed an appeal of the Planning Director's determination; and

WHEREAS, Sections 91.00.08 (B) of the Palm Springs Zoning Code allows decisions by the Director of Planning Services to be appealed to the Planning Commission; and

WHEREAS, on December 12, 2012, the Planning Commission conducted a public review of the appeal request, including all of the evidence presented in connection with

the matter, including, but not limited to, the staff report prepared on the matter, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: That the determination by the Director of Planning was justified based on the following:

1. The Planning Director's determinations were based on many factors, including the applicant / appellant's conditional use permit application, marketing brochures, information on the appellant's website, and meetings with the appellant at the time they received their Building Department / Code Compliance Courtesy Notice. The appellants' marketing materials describe a facility for customers to seek treatment from substance abuse, and to learn various life skills to aid in re-entering the workplace, among other things. The determination was supported by review of facts, and the legal authority of the Planning Director to make such determinations is established in the City's Zoning Code.
2. The Director's determination did not violate state or federal fair housing law nor was his decision in conflict with the City's General Plan. The City permits assisted living facilities in many zones subject to a conditional use permit. Furthermore, pursuant to the Palm Springs Zoning Code (PSZC) Section 92.03.01 and 92.04.01(Uses Permitted in the R-2 and R-3 zones) the city also allows hotels with less than 10% of the rooms having cooking facilities to be permitted "by right" in the R-2 and R-3 zones. Furthermore, hotels in which more than 10% of the rooms contain kitchens (which is the case for both of these properties) are permitted in both zones subject to a CUP. The Planning Commission has determined that no fair housing laws were violated by the Planning Director in making his determination.
3. The General Plan land use designation for both parcels is Tourist Resort Commercial. This land use designation notes that the primary use should be that of hotel and tourist-related uses. Residential uses are to be a secondary use ancillary to the hotel uses. Both hotels with more than 10% of the rooms containing kitchens and assisted living facilities are conditionally permitted in the R-2 and R-3 zones. Thus, the Planning Director's determination was not in conflict with the City's General Plan.
4. The Planning Director determination was not discriminatory nor was it bad social policy. The Planning Director's determination was based upon review of all the information available at the time, that the proposed use was not a hotel, but rather a substance abuse recovery center / assisted living facility. These facilities are permitted in many multiple family residential zones throughout the City of Palm Springs subject to a CUP. Sober living facilities are not defined in the PSZC nor are they listed as a permitted use in any zone in Palm Springs. The State of California regulations protect the establishment of sober living

facilities of six beds or less in residential zones and encourages cities and counties to permit operators to establish such facilities as a means of integrating this population back into the community at large. Neither of the subject properties fall under the regulatory guidelines of the State for sober living facilities of six beds or less: the Palm Tee facility is proposed to have 32 patient beds and the Alexander is proposed to have 17 patient beds.

5. The director identified appropriate sections of the zoning code in making his determination. PSZC Section 91.00.08(B) "*Conflicting or Ambiguous Provisions*". This section states that "*where there may be conflicting or ambiguous provisions within this zoning code, the director of planning and building, or his authorized representative, shall determine the applicability of such provisions.*" The appellant has asserted that their proposed use at the two sites are "hotels", however based on the material presented by the appellant, the director has determined them to be substance abuse recovery centers, which are classified in Palm Springs as "assisted living facilities". The Planning Commission believes this is an appropriate application of the relevant provisions of the Zoning Code.
6. The uses at the two sites are not hotels. The appellants' CUP application, states, "*We would like the CUP application to allow for and include the following: Onsite therapy (individual and group), Life Skills classes, 12-step meetings, nursing or doctor assisted medication management and services that would be found at a drug and alcohol treatment center*". From these statements, the Planning Commission has concluded that assisted living services are indeed being offered, thus the facilities are not being operated as "hotels".
7. Financial burden was not a factor that the director used in making the determination that the proposed uses are not "hotels". The "financial burden" or conducting due diligence of the viability of a "business model" or of adapting any site to a particular proposed use, is solely the responsibility of applicants and business owners. "Financial viability" is not a finding or requirement of approval, nor was it a factor used in the Planning Directors' determination that the uses at the two sites are not hotels.
8. The subject properties are not providing affordable housing for the community. The appellant's brochure notes that the monthly rate for a "shared occupancy room" is \$2,800 per month per patient. Thus a typical room with two beds may rent for roughly \$5,600 per month. Pursuant to Table 3-8 of the City's Housing Element in the General Plan (which was updated in 2010); maximum affordable rents for extremely low to moderate income households is between \$500 and \$1,860 per month in Palm Springs. The monthly rate for the subject properties well exceeds the typical monthly rental for affordable housing. In comparison, the average rate for a monthly hotel stay in Palm Springs is roughly \$116 per night or about \$3,480 per month; thus the subject properties also generate income greater than the average 30-day hotel stay in Palm Springs. The

believe the subject properties are providing affordable housing for the community.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby rejects the appeal and upholds the determination of the Director of Planning Services that the appellant's uses at 1590 East Palm Canyon Drive and 1425 Via Soledad are not hotels, but rather are substance abuse recovery centers / assisted living facilities requiring the approval of a Conditional Use Permit by the Planning Commission to operate.

ADOPTED this 12<sup>th</sup> day of December, 2012.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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Craig A. Ewing, AICP  
Director of Planning Services



# City of Palm Springs

## Department of Building & Safety

3200 East Tahquitz Canyon Way, Palm Springs CA 92262

PO Box 2743, Palm Springs CA 92263

Nadine T. Fieger

Tel 760.322-8364 x8758 ■ Cell 760.285.1139

Fax 760.322.8360 ■ TDD 760.864.9527

E-mail: [Nadine.Fieger@palmsspringsca.gov](mailto:Nadine.Fieger@palmsspringsca.gov)

[www.palmsspringsca.gov](http://www.palmsspringsca.gov)

April 12, 2012

Kenneth Seeley  
Eric McLaughlin  
Intervention 911  
1425 South Via Soledad  
Palm Springs CA 92264

Dear Mr. Seeley and Mr. McLaughlin:

Thank you for taking the time to talk with me earlier this week about your two properties here in Palm Springs. I have reviewed the brochure that you provided to me and it appears that The Ken Seeley Recovery Community operating at 1425 South Via Soledad has five two-bedroom suites and that each suite can accommodate four beds. The facility at 1590 East Palm Canyon Drive is not yet open, but you told me that you plan to have about twenty beds.

A transitional house, such as the facility operating at 1425 South Via Soledad, is classified by the City of Palm Springs as an assisted living facility and a Conditional Use Permit is required where there are seven or more beds. Please submit a completed application for a Conditional Use Permit for this location as soon as possible, but no later than **May 1, 2012**.

Similarly, a Conditional Use Permit will be required when you open the facility at 1590 East Palm Canyon Drive. Please submit a completed application for a Conditional Use Permit for this location as soon as possible so that the Conditional Use Permit may be in place when you open for business.

Thank you in advance for your cooperation. Please contact me at (760)322-8364 x8758 if there are any questions or if further information is needed.

Sincerely,

*Nadine T. Fieger*

Code Compliance Officer

c.c. Douglas C. Holland, City Attorney  
Craig Ewing, Director of Planning Services

# COURTESY NOTICE



City of Pal  
Department of B  
Code Co

3200 E. Tahquitz Canyon Way, PO

Case Number: CE120140

Date of Issuance: May 3, 2012

To: Kenneth Seeley  
Eric McLaughlin  
Intervention 911  
1425 South Via Soledad  
Palm Springs CA 92264

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage	Kenneth Seeley; Eric McLaughlin Intervention 911 1425 South Via Soledad Palm Springs CA 92264	
Sent To		
Street, Apt. No. or PO Box No		
City, State, Zi		

PS Form 3800, August 2006

See Reverse for Instructions

You are hereby notified that a Municipal Code violation defined as a Public Nuisance has been determined to exist on the property described below. You are specifically responsible to ensure that this violation is corrected in compliance with this notice. Your failure to do so may result in the issuance of an Administrative Citation with fines of \$100.00 per violation, with subsequent citations carrying fines of \$250.00 per violation and \$500.00 per violation, respectively.

If further action by the City is necessary in obtaining compliance with this Notice, you may be charged a fee equal to the actual costs incurred by the City, including, but not limited to, subsequent inspection costs, staff time, overhead and legal expenses, including attorney's fees. Current fees for City costs are as follows: General staff and inspection time @ \$101.00/hour. City Attorney time @ \$170.00/hour.

## I. The violations exist on the following property:

Street Address: 1425 South Via Soledad, Palm Springs  
Legal Description: POR LOT 33 MB 014/652 SD PALM VALLEY COLONY  
LANDS  
APN: 508-344-001

## II. A description of the conditions/violations that were found on your property are listed below:

An assisted living facility, transition house, is operating at this location without the Conditional Use Permit required for such a facility with seven or more beds.

Property so maintained is in violation of the City Municipal code and constitutes a public nuisance. These conditions must be corrected by **May 17, 2012**, in the following manner:

- Please obtain the required Conditional Use Permit.

Call me at (760)322-8364 x8758 to schedule an inspection when all the corrections have been made.



**III. The codes that pertain to the violations listed in Section II are:**

Palm Springs Municipal Code, PSMC, 11.72.080, Zoning Code Violation; Section 92.03.01.C.2

**As the owner of the property at issue or as the individual or entity responsible for the violation, you are individually responsible for correcting the violation.**

If you have any questions, you can reach me at (760)322-8364 x8758. If I am not in, please leave a detailed message and I will return your call. You may E-mail me at: Nadine.Fieger@palmspringsca.gov

Thank you in advance for your compliance.

*Nadine T. Fieger*  
Code Compliance Officer

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>Print your name and address on the reverse so that we can return the card to you.</li><li>Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		A. Signature <i>Nick Jensen</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:		B. Received by (Printed Name) <i>Nick Jensen</i>	C. Date of Delivery <i>5/9/12</i>
Kenneth Seeley; Eric McLaughlin Intervention 911 1425 South Via Soledad Palm Springs CA 92264		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery (Extra Fee) <input type="checkbox"/> Yes	
		7008 3230 0000 2962 1195	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	

# SLOVAK BARON & EMPEY LLP

ATTORNEYS AT LAW

PALM SPRINGS      ORANGE COUNTY      PRINCETON

**Maureen P. Flannery**

ATTORNEY

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ADMITTED IN CA AND WA

September 26, 2012

Copy via email: [Ken.Lyon@palmsprings-ca.gov](mailto:Ken.Lyon@palmsprings-ca.gov)

Ken Lyon, RA  
Associate Planner  
City of Palm Springs  
3200 E Tahquitz Canyon Way  
Palm Springs, CA 92262

RECEIVED

SEP 27 2012

PLANNING SERVICES  
DEPARTMENT

Re: Intervention911 and Application Nos.: 5.1282 and 5.1283

Dear Mr. Lyon:

This is in response to your request for additional information set out in your email to Dave Baron and Eric McLaughlin.

At the outset, we would like to thank you for the opportunity to continue this discussion. Intervention911 is seeking to provide reasonably priced lodging options to individuals who are recovering alcohol or substance abusers, and who want and need to be in a sober environment to maintain the work they have accomplished in prior treatment. No treatment is provided. The lodging provided is merely alcohol and drug free.

Palm Tee has been operated for years as a hotel, and Alexander (1425 S. Via Soledad) was originally permitted as apartments, and recently operated as a vacation rental property. No change of use has occurred, whether by the imposition of sober living property rules, nor by virtue of affiliation with Intervention 911. Accordingly, our client wishes to withdraw its CUP applications for the properties, but will proceed with appropriate business licensing and TOT registration.

In light of the foregoing, and in anticipation of future discussion, we need to clarify a couple of definitions and assumptions that have been used in communications to date:

1. Occupants of the two properties are not "patients" but are "clients" of Intervention911 and "guests" in the two properties. This is a crucial distinction, as no medical, psychological, personal or other care services are provided. No guest is non-

- ambulatory. Initially, certain control provisions were implemented such as locked medicine drawers. However, such practice will no longer occur.
2. As with any hotel, apartment or other guest accommodation, pricing at each property is set on the basis of beds per room (capacity). Thus, more than one bed in the room results in a higher price per room (e.g., pricing for a 2-bed room is based on double occupancy). For the convenience of our client's guests, who are almost as a rule in need of affordability, our accommodations usually provide shared occupancy. Any guest requesting privacy may pay the full price for a multi-bed room.
  3. No business activities are occurring on-site for either property with the exception of property managers. This arrangement is not uncommon for hotels and other rental or transient accommodations, and merely ensures that the property is being maintained and guest rules are followed—in this case, rules include sobriety. In order to address certain neighbor comments regarding business phone calls, it is important to note that mobile phones have to some extent made it impossible to restrict the conduct of business to a physical office. Business occurs where the phone is. The property manager, much like any hotel or apartment manager, will continue to receive and make calls of a business nature and there is nothing improper with such activity.
  4. Neither property is or meets the qualifications for classification as an "assisted living facility" as defined by the Palm Springs Zoning Code, or the California Building Code ("CBC").

The Zoning Code defines Assisted Living Facility in Section 91.00.10:

"Assisted living facility" means a special combination of housing, supportive services, personalized assistance and health care licensed and designed to respond to the individual needs of those who need help with activities of daily living and instrumental activities of daily living. Supportive services are available twenty-four (24) hours a day to meet scheduled and unscheduled needs in a way that promotes maximum dignity and independence for each resident and involves the resident's family, neighbors and friends, and professional caretakers.

The CBC defines R-4 residential occupancies to "include buildings arranged for occupancy as residential care/assisted living facilities including more than six ambulatory clients, excluding staff." Examples give include community treatment programs and alcoholism or drug abuse recovery or treatment facilities. The term "Care and Supervision" is used to describe "activities provided by a person or facility to meet the needs of the clients" with the following list:

Assistance in dressing, grooming, bathing and other personal hygiene.  
Assistance with taking medication.

Central storing and/or distribution of medications.  
Arrangement of and assistance with medical and dental care.  
Maintenance of house rules for the protection of clients.  
Supervision of client schedules and activities.  
Maintenance and/or supervision of client cash resources or property.  
Monitoring food intake or special diets.  
Providing basic services required by applicable law and regulation to be provided by the licensee to be provided by the licensee in order to obtain and maintain a community-care facility license.

In short, none of the foregoing applies to either of the properties at issue:

- a. No 24-hour supervision is provided except as to normal property management and enforcement of property rules and policies, as might exist in any guest accommodation or hotel.
- b. No treatment or counseling is provided, and no state licensing is held or required for the properties.
- c. No "care and supervision" is provided. The guests receive no assistance by virtue of being a guest with personal hygiene and other matters, medications, medical care, scheduling, cash/property management, food intake or any other basic services required by regulation to be provided by a community-care facility licensee. It is conceivable that a guest may receive such services by a third-party provider, but no such services are provided by or on behalf of our client.
- d. Minimally invasive property rules exist, as with any other guest property, to ensure the quiet enjoyment of other guests as well as protection of the property. The guests in these properties voluntarily choose a sober environment, and property rules ensure that such an environment is maintained. This rule is no different than a pet-free or adult-only policy, or gay hotel, or nudist properties. Each guest is free to choose accommodations that create their preferred environment. A voluntary "sober living" environment does not equate to care, supervision, rehabilitation, treatment or the like.

While no treatment or personal care services occur on the premises of these properties, the guests are in most case disabled by their alcohol and/or drug addiction, and require a sober environment for a time. Please take note of the Housing Element in the City's General plan (2006-2014) which notes as follows:

... [Government Code (§65008)] requires local governments to analyze potential and actual constraints on housing for people with disabilities, demonstrate efforts to remove governmental constraints, and include programs to accommodate people with disabilities. H&S Code 1500 et seq requires that group homes serving six or fewer persons be treated the same as any other residential use, allowed by right in all residential zones and be

Ken Lyon, RA  
City of Palm Springs  
September 26, 2012  
Page 4 of 4

subject to the same development standards, fees, taxes, and permit procedures as those imposed on the same type of housing in the same zone. The City desires to develop an ordinance that mirrors protections in state law for both small and larger group homes and a program is included in the Housing Plan.

The standard is set by the city to treat housing for people with disabilities as any other housing.

We recognize that "sober living" is not the norm for apartments, hotels, vacation rentals. But being different does not make it "assisted living." The City has been working on an ordinance to acknowledge and facilitate the development of sober living properties, and actual treatment and recovery centers, for some time. No such ordinance exists at this time. The City should not artificially create a barrier to fair housing choices for our client's guests, whose disability requires and who choose sober living. We urge the City to consider that our client's adoption of a sober living approach to guest accommodation, with management enforcing this rule, is good policy, is a matter of necessity for the guests, and is consistent with free choice that the City permits in other guest accommodations in the City (e.g., gay, gender specific, adult only).

The City must acknowledge such rights. Simply stated, sober living accommodations do not equate to an "assisted living facility." No activity at either property rises to the level of "assisted living." No land use permitting is required to maintain a sober environment at either property.

With respect to parking requirements, as Dave Baron indicated to you in his email earlier today, this condition is satisfied for Alexander (1425 S. Via Soledad), and more than satisfied for the Palm Tee Hotel. Alexander requires eight (8) spaces based on apartment configurations: one (1) 1BR, three (3) 2BR, and one (1) 3BR. The zoning for the hotel is split between R2 and R3, resulting in a maximum density of 15 units, but 14 constructed. At one space per guest room, fourteen (14) spaces are required which is exceeded with seventeen (17) spaces provided.

The foregoing should address the City's concerns. As you are aware, the financial burden imposed following our client's cooperative approach to imposition of CUP requirements is extreme. In the face of such prohibitive expense, our client has elected to modify its business model in order to continue use of the properties in the manner existing for years, with the exception of sobriety rules.

Very truly yours,

SLOVAK BARON & EMPEY LLP

  
Maureen P. Flannery

cc: Client



# City of Palm Springs

Department of Planning Services  
3200 East Tahquitz Canyon Way • Palm Springs, CA 92262  
Tel: 760-323-8245 • Fax: 760-322-8360

November 1, 2012

Mr. Ken Seeley and Eric McLaughlin  
Intervention 911  
501 N Cantera Circle  
Palm Springs, CA 92262

Subject: Case 5.1282 CUP 1590 East Palm Canyon Drive "The Palm Tee Inn Hotel"  
Case 5.1283 CUP 1425 Via Soledad "The Alexander Apartments"

Dear Mr. Seeley and Mr. McLaughlin,

On September 26, 2012, the City received a letter and e-mail from your attorneys (Flannery to Lyon dated September 26, 2012), and (Baron to Lyon dated September 26, 2012), to claim that your operations at the subject properties are that of a "hotel" and allowed in the subject zones 'by right'. Further, these communications notified the City that applications for conditional use permits to operate assisted living facilities / substance abuse recovery centers at both addresses were being withdrawn.

I have reviewed the operation described in your CUP application, the marketing brochures for Intervention 911, your website and the assertion by your attorneys about your "hotel" operation. As detailed below, I have determined that the uses occurring at both locations do not qualify as hotels. In fact, the uses you are pursuing do fit the definition of a substance abuse recovery centers or sober living facilities and that a Conditional Use Permit for each site must be approved prior to initiating the use.

While it is clear to me that the properties are not being operated as hotels, as defined, there may be ambiguity in your minds about the application of the code to your use of these properties. When such ambiguities exist, the Palm Springs Zoning Code Section 91.00.08.B grants authority to the Planning Director to determine the applicability of the code<sup>1</sup> This letter is that determination.

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<sup>1</sup> Palm Springs Zoning Code Section 91.00.08(B), "*Conflicting or Ambiguous Provisions*" In any case where there may be conflicting or ambiguous provisions within this Zoning Code, the director of planning and building, or his authorized representative, shall determine the applicability of such provisions. Such determination may be appealed to the planning commission."

First, the City evaluates all business license applications and other zoning clearances to determine whether a particular use is allowed in the underlying zone, and what permits may be necessary to establish such use. It has been the City's long-standing determination that substance abuse recovery centers are classified as "assisted living facilities" and therefore subject to a Conditional Use Permit in the underlying R-2 and R-3 zones that apply to your properties.

The Zoning Code provides the following definition for "assisted living facility":

*"Assisted living facility" means a special combination of housing, supportive services, personalized assistance and health care licensed and designed to respond to the individual needs of those who need help with activities of daily living and instrumental activities of daily living. Supportive services are available twenty-four (24) hours a day to meet scheduled and unscheduled needs in a way that promotes maximum dignity and independence for each resident and involves the resident's family, neighbors and friends, and professional caretakers.*

In contrast to this definition, the zoning code defines "hotel" and "resort hotel", as follows:

*"Hotel" means any building or portion thereof containing six (6) or more guest rooms used by six (6) or more guests, for compensation (excepting jails and hospitals), where provision for cooking may be made in a limited number of individual suites, and which rooms are designed and intended as temporary or overnight accommodations. Also see "Hotel, Resort."*

*Hotel, Resort. "Resort hotel" means a full-service hotel containing one hundred (100) or more guest rooms. Such hotel may have accessory commercial and recreational uses operated primarily for the convenience of the guests thereof, in accordance with the provision of Section 92.05.01(A)(2) of this Zoning Code.*

Finally, "dwelling unit", which is also part of how the City characterizes hotel rooms for purposes of determining off-street parking requirements is defined in the Zoning Code:

*"Dwelling unit" means one (1) or more rooms and a single kitchen in a single-family dwelling, apartment house or hotel designed as a unit for occupancy by one (1) family for living and sleeping purposes. Also see "Rental unit."*

Based on the information we have accumulated, your facilities are operated as a collection of semi-private rooms with multiple contracts per room (beds individually rented within a room) held by unrelated persons with accommodations, programming, counseling, and services for treating addiction recovery. Your facilities are clearly operated in a manner that is inconsistent with the City's definition of a hotel. Although it

is common for unrelated persons to rent a single hotel room under a single contract for a concurrent time and duration, having separate contracts with unrelated persons for the same room with differing occupancy terms and durations is not.

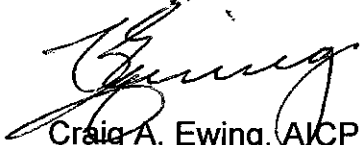
In addition, the Palm Springs Zoning Code off-site parking requirement for hotels is one parking space per hotel room. With multiple contracts and semi-private rooms with multiple occupants per room, there is the potential for nearly double the off-street parking demand which would not be met by the hotel standard.

As noted above, the City has long regulated sober living / recovery centers as "assisted living facilities", and required approval of a Conditional Use Permit (or Planned Development Permit, as necessary) from the Planning Commission.

Presently, you are operating non-permitted sober living facilities / substance abuse recovery centers in violation of the Palm Springs Zoning Code. You must either cease operation immediately or re-file your applications for a Conditional Use Permit or Planned Development District. You must also obtain a City of Palm Springs Business License correctly listing the business type for each property as a substance abuse recovery center / sober living facility<sup>2</sup>. Failure to do so may result in initiation of legal action against you to cease the currently unapproved use.

You may appeal this determination to the Planning Commission pursuant to Section 2.05.040 of the Municipal Code. Such notice must be filed in writing and include the required fee, within ten (10) days following the mailing of this letter and no later than November 15, 2012.

Sincerely,



Craig A. Ewing, AICP  
Director of Planning Services  
City Of Palm Springs

Cc: Maureen P. Flannery, Attorney, Slovak, Baron & Empey

Attachments:

- Copy of Intervention 911 brochure, website and conditional use permit application.
- Flannery to Lyon letter dated September 26, 2012
- Baron to Lyon e mail dated September 26, 2012

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<sup>2</sup> Currently there is no business license on file for the Palm Canyon address, and the Via Soledad address is listed on your business license as "offices for rehab intervention".



# SBEMP

A T T O R N E Y S

**MAUREEN P. FLANNERY**

flannery@sbemp.com

ADMITTED IN CA AND WA

November 15, 2012

Hand Delivered

Office of the City Clerk  
City of Palm Springs  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

Re: Case 5.1282 CUP 1590 East Palm Canyon Drive "The Palm Tee Hotel"  
Case 5.1283 CUP 1425 Via Soledad "The Alexander Apartments"

To the City Clerk:

Please consider this letter a request on behalf of our client Intervention911 to appeal the following determination of the Planning Department, by letter dated November 1, 2012, with respect to the above matters:

- a. That each of the properties is not being operated as a hotel;
- b. That each of the properties is being operated as an assisted living facility;
- c. That sober living is the same or substantially the same, categorically and functionally, as assisted living under the Palm Springs Zoning Code;
- d. That hotel rooms may not be rented on a per bed or semi-private basis to unrelated persons;
- e. That such arrangement and the peer-support environment does not qualify as a "family" for purposes of the definition of "Dwelling Unit" or "Rental Unit";
- f. That a hotel room may be rented to multiple individuals, provided the persons are related and under a single contract for a concurrent time and duration;
- g. That different parking requirements apply because of multiple contracts and semi-private rooms;
- h. That sober living facilities, and the facilities at issue, require a Conditional Use Permit; and
- i. That our client must cease operation or file applications for Conditional Use Permit or Planned Development District.

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PLANNING SERVICES  
DEPARTMENT

The foregoing determinations are not supported factually or legally, violate state and federal fair housing laws and the City's General Plan, are discriminatory and based on bad social policy, are based on misunderstandings, assumptions and speculation, and are made pursuant to inapplicable provisions of the City's Zoning Code. Simply stated, no "assisted living" is occurring on site. Additionally, the financial burden upon the applicant if deemed "assisted living" is in excess of \$200,000, far out of line in light of the preferred public policy in favor of sober living and affordable housing.

Intervention911 is a provider of treatment for alcohol and drug dependency. However, Intervention911 also provides sober living environments. The two functions are naturally related but are in fact independent. Some overlap may initially have occurred, but steps are being taken to revise marketing and other documentation to clarify the separation of functions. Accordingly, we respectfully request on behalf of Intervention911 that the Planning Commission make a determination that the properties at issue are operated as hotels and not assisted living facilities as each use is defined under the presently existing City Zoning Code, and that no additional land use approvals are required to continue such operation. Our client will, prior to hearing, submit supplemental facts and legal authority to support such determination, as well as a set of house rules which govern occupancy to minimize negative impact upon the neighborhoods and to preserve the environment of sobriety.

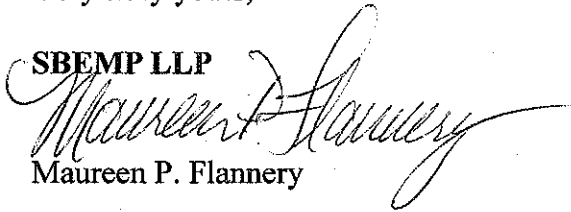
Upon a finding, our client will immediately obtain the appropriate business license and TOT registration for such operations. While no "assisted living" or similar services are now provided at the properties, our client will further segregate its substance abuse programs from sober living by implementing existing plans to move offsite all business operations unrelated to hotel and occupancy matters. Work will continue to clarify the separate operations in the web presence, marketing materials and other matters.

Finally, our client is more than willing to participate and cooperate in discussions related to development of a City zoning category which accurately describes sober living environments and a set of conditions applicable to sober living housing.

Enclosed please find a check in the amount of \$610.00 for the appeal fee and duplication costs for each case. In the event it is determined that this appeal is subject to publication and notice requirements, additional fees will be submitted for that purpose. Thank you for your consideration.

Very truly yours,

**SBEMP LLP**

  
Maureen P. Flannery

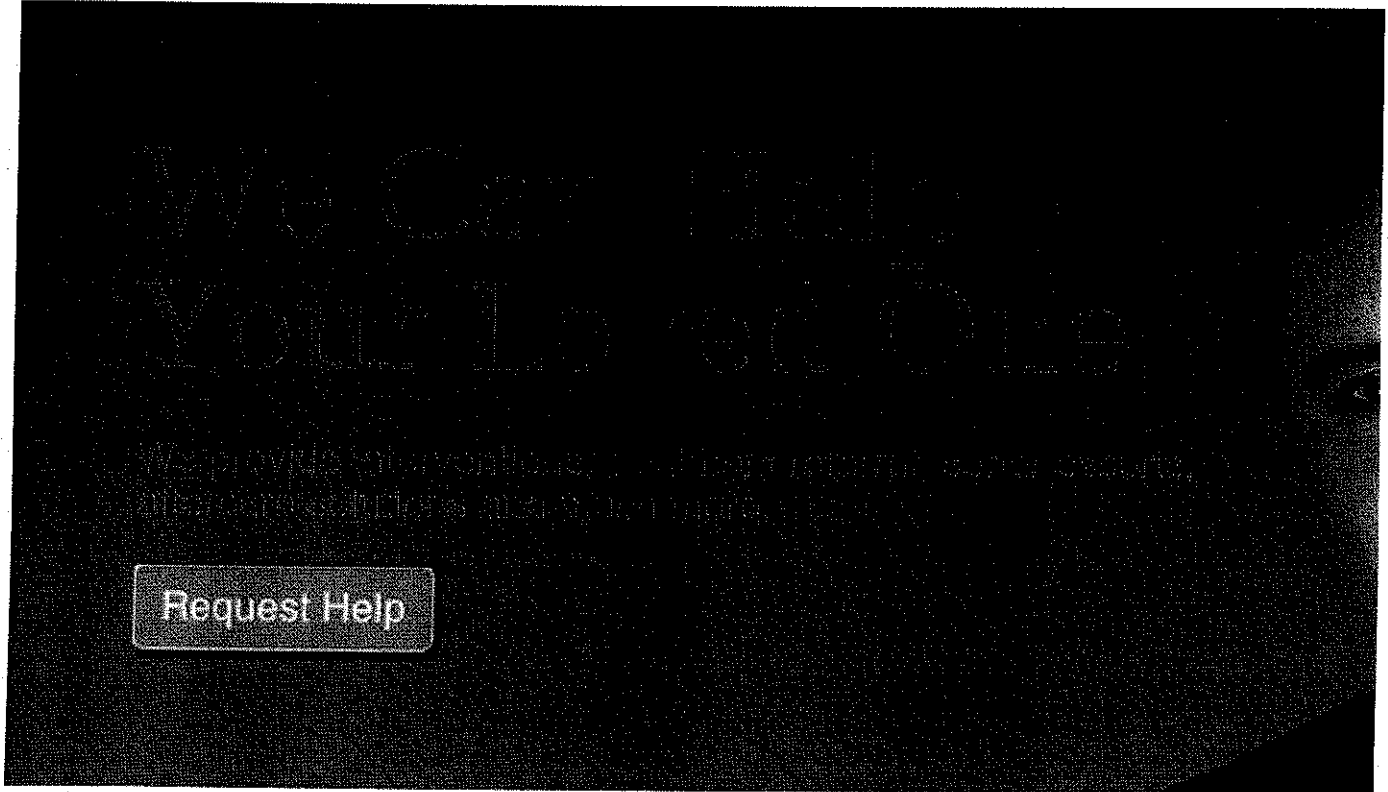
cc: Craig A. Ewing, AICP – via email  
Client



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Intervention 911 offers a wide range of services in addition to [alcohol intervention](#) and [drug intervention](#). Look to our [intervention interventions](#), [family intervention](#) and additional alcohol and [drug intervention programs](#). Watching a family member, friend or

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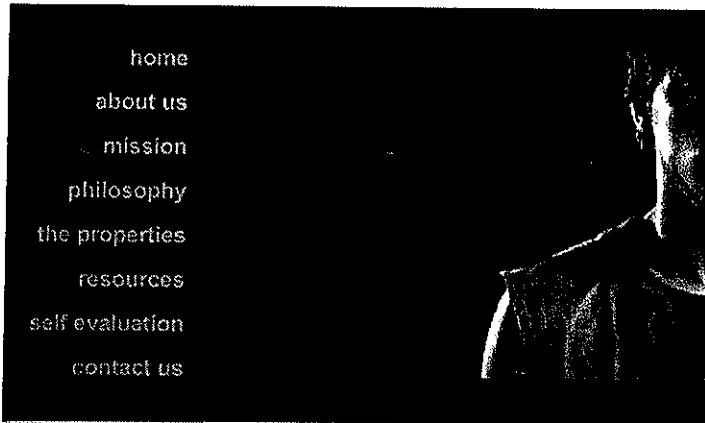
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*"In a chronically leaking boat, energy devoted to changing vessels is more productive than energy devoted to patching leaks."*

-Warren Buffett

Call Now: 877-800-6011

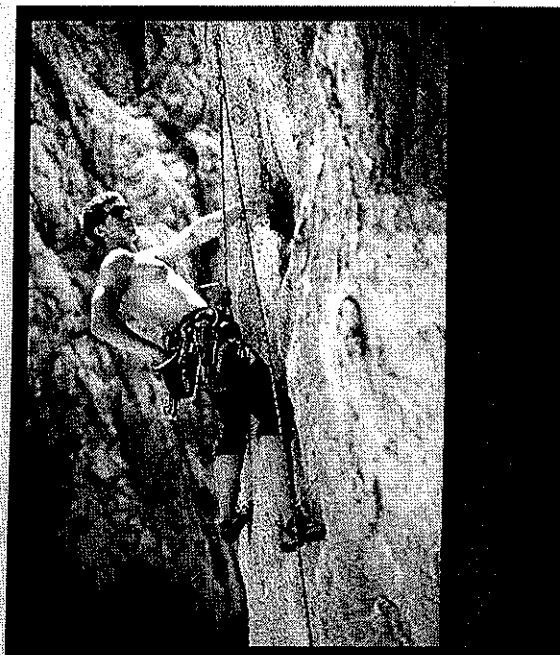
At Ken Seeley Communities, we refuse to be mired in the old ways of sobriety management. Rather, we've adopted a proven fundamental and philosophical model that incorporates a FIVE YEAR PLAN to ensure FAR greater success than traditional recovery modalities.

Ken Seeley Communities believe in the achievable goal of life long sobriety. Addiction is a chronic, progressive and fatal disease...and even with a one-year treatment program, relapse, jail and even untimely death are still possible. So we've created a protocol of treatment for long-term sobriety that imposes greater accountability on the individual, the family and other treatment professional. By shifting the focus from 30 days to long-term, we provide goals that reach into the future and create a continuing care plan.



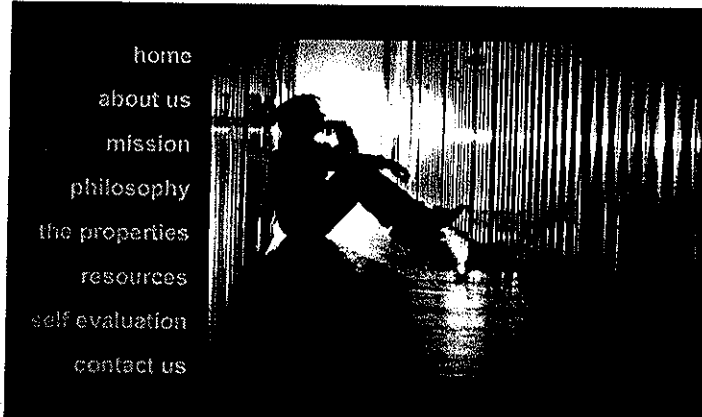
From the beginning of the treatment process we assess the need of the individual with a clear focus on accountability. Learning how to cope with the desire to relapse and getting to the root of the problem is where true recovery begins and is what our Recovery Communities are most successful at. Individuals that have a 5-year continuum of care have an 80-95% success rate. Individuals that do not have a 5-year plan have a much lower chance of staying sober after the first year.

At Ken Seeley Communities, we help provide the plan AND the tools to make life-long sobriety achievable.



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*"All great changes are preceded by chaos."*

-Deepak Chopra

Call Now: 877-800-6911

## OUR MISSION

"To provide those who suffer from addiction, their family and friends with the necessary resources, services, guidance and support to encourage and foster a mental, physical, social and spiritual environment that will enable the individual to live a full life free from the bondage of their addiction."



At Ken Seeley Recovery Communities, we understand that all too often, a person can see their life crumbling before their very eyes as a result of their addictions and not know how to find a way out. We help alleviate the feelings of isolation so common in individuals and their families suffering from the detrimental effects of addiction. That's where we step in and shed a little light on the darkest of days. And if we can't help, we'll find someone who can.

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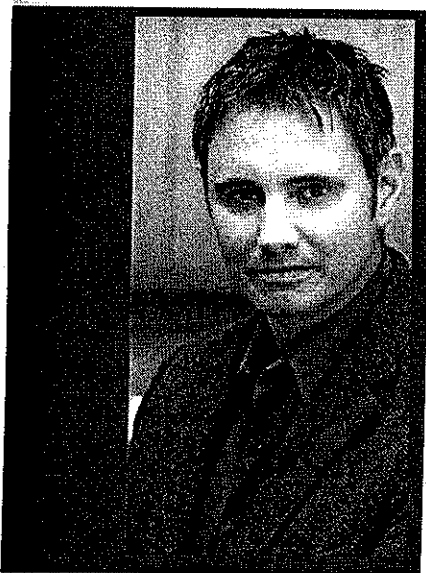
contact us



***"Nobody can go back and start a new beginning, but anyone can start today and make a new ending."***

-Maria Robinson

Call Now: 877-800-6911



Such an idea resonates infinitely with Mr. Ken Seeley, founder and CEO of Ken Seeley Recovery Communities and Intervention 911, whose new ending began the day he entered drug and alcohol treatment on July 14th, 1989.

After battling the demons of his own personal addictions, Ken Seeley he has not only remained clean and sober, but has gone on to become one of the foremost experts in the treatment and recovery process for addictions of all kinds.

Ken was a featured interventionist on the hit A&E television series Intervention for the first eight seasons, from 2005-2009, during which time he formed his own intervention service organization, Intervention 911.

From there, his vision for a full-spectrum continuum of care for individuals afflicted with addiction seeking treatment that progresses into long-term sobriety spawned the formation of Ken Seeley Recovery Communities.

Ken Seeley Communities focus on care and recovery planning after leaving treatment and provides sober living homes and hotels which offer services to help a person regain confidence in all aspects of everyday life, such as work, education, and independence.

Let us help you figure out how to create your new ending! Give us a call to get started today. [click here to email Ken](#)

#### Eric McLaughlin

The business of Intervention 911 is to bring the light of recovery into the dark world of the drinker and substance abuser through the thoughtful guidance of highly trained interventionists. With so much emphasis on human service it can be easy to forget that the organization requires management and structure. Thankfully our Chief Financial Officer Eric McLaughlin is here to keep things running smoothly even when our interventionists are on the front lines traveling across the country.

Eric brings over 15 years of management skills to Intervention 911 and has had a positive impact to the service level of the company on all levels. A well run organization always has background players and Eric is one of the often unseen players who maintains the reputation of Intervention 911 as we continue to grow.

Though his background and skills are heavily financial Eric is much more than a number cruncher. He has worked for several service organizations and retail businesses where customer attention and support is always a high priority.

It is this commitment to excellent customer service that makes Eric an outstanding fit with Intervention 911. As Eric says in his own words, I am excited to be able to use my talents to help Intervention 911 to provide services to those in need. This means working with clients and often their families who are facing making additional investments in the recovery of their loved one. Eric understands the challenges some families face and sincerely hopes he has the opportunity to help anyone who reaches out to Intervention 911.

[click here to email Eric](#)

#### Bryan Wilmoth

Bryan has over 20 years of experience working with chemically dependent populations. Bryan's commitment to serving and

bettering the recovery community is substantiated by vigorous advocacy and lobbying for funding and education at both the city, county and state jurisdictions. He's had the privilege to serve on the Sacramento Ryan White Planning Council and panels for AIDS Project Los Angeles & the City of West Hollywood's Alternative Meth Treatment Forum. In 2007 he was honored with The Paul Stark Warrior Award from the City of West Hollywood for service to the HIV community. He's presented for the California Department of Education's "Positively Speaking" program and was a Certification Educator for the County Office of AIDS Programs and Policy. He's successfully advocated on behalf of those who are not living with HIV but are in equal need of the same substance abuse treatment programs which are being offered restrictively to the HIV community.

Bryan is certified by the State of California through the California Association for Alcohol/Drug Educators (CAADE) and has earned his degree in Social work from Cal State LA. He's also earned degrees in Human Services and Psychology from Los Angeles City College.

He is excited be part of Ken Seeley Community as they share his passion for bringing out the best in those seeking recovery from this debilitating disease. Ellen Burstyn put it best, "If you do not bring forth that which you have inside of you, you deny the whole world of what only you can give." [click here to email Bryan](#)

#### **Steven Richitt**

Steven joined the Intervention 911 Team in early 2012. Having been in recovery before, Steven started over again in September of 2011. Working with addicts and their families have made Steven realize that recovery isn't just a "state of mind," but rather a "way of life." Steven embraces this road to recovery with complete passion, and aspires to someday be a Case Manager working one on one with addicts and their loved ones. [click here to email Steven](#)

#### **Nicholas Schiesler**

After spending the majority of his adult life as a functional addict, Nicholas has now recognized that, along with helping others, giving back to the community so richly supports him in his own recovery. Nicholas currently has over eighteen months of continuous sobriety, and is currently employed by the Intervention 911 Company in Palm Springs, California performing the duties as the House Manager of The Alexander Transitional Living Facility. He is also engaged with clients as a life coach and recovery aide in addition to his management responsibilities.

#### **Kirby Pert**

Kirby Pert has been in recovery for almost four years. Kirby enjoys working with other addicts and understands their struggles. Kirby is performing the duty of House Manager at the Palm Tee Transitional Living Facility while enrolled in College of the Desert's HSAD Program to attain his CAADAC Certification.

#### **Linda Del Bianco**

Linda Del Bianco has been in recovery from drugs and alcohol for over 19 years. She is an Intervention 911 Coordinator, as well as a Certified Recovery Coach and Certified Life Coach. Linda joined the incredible staff of Intervention 911 in 2012. Linda enjoys helping individuals who suffer from addiction, as well as their families who have been affected by the disease, find their path to recovery and begin living a joyous and prosperous life!

#### **Bette Schwartz**

Bette Schwartz officially began her recovery in 2010, having previous knowledge of all 12-step programs. It wasn't until Bette completely surrendered that she was able to begin to realize how her life was completely unmanageable. Today, Bette supports individuals during their process of recovery while guiding them on their path to attain their hopes and aspirations.

#### **Mark Worthington**

Mark became quickly entrenched in the battle of life-addiction and remained at war with himself for over 32 years. With the help of a judge Mark was introduced to recovery in 2007 and has been deeply involved ever since. Mark has continued to work in recovery as a Case Manager, Detox Manager, and is certified for Drug & Alcohol Studies. Mark's true passion is to help individuals and families that are suffering through the insanity of addiction. Mark is genuine, empathetic, and helpful in directing those who are afflicted by the traumas of addiction to a greater way of life.

#### **Samantha Etzioni**

Samantha has been working in the Chemical Dependency field for 12 years. She spent a majority of her career as a Therapist at Betty Ford Center working in several departments: Inpatient, Outpatient, Family Program, Stabilization Unit and Residential Day



Treatment: Following many years of working in treatment centers, Samantha became a Certified Life Coach specializing in Recovery Coaching and Case Management. Her areas of focus are Relapse Prevention, Coping Skills, and Vocational/Occupational Coaching.

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## Treatment

### Drug Intervention Programs

#### The Process

Intervention is a process that is 98% successful in confronting (with love and compassion), the alcohol or drug dependent individual on the severity of their disease. Family intervention involves members, who exert an influence on the dependent's life, and a Counselor gather together and present facts and data related to the chemically dependent's problem and consequences. Professional drug interventions are designed to smash through the dependent's rigid denial defense mechanisms and break through to reality ]

#### The Reality

The reality- that they are dying of a disease that is chronic, progressive, fatal, incurable, and, if left untreated, that can result in premature death. This disease is called chemical dependence.

especially when they do not seem to understand the severity of their disease. Often they think they can handle the problem ; need help identifying a problem, please use our [online assessment](#).

---

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Home / Info / Denial

## Drug Intervention Programs

### Denial

The number one symptom for the chemically or behaviorally dependent person is denial. How can you blame your loved one for not asking for help? They don't believe that they need help. Out of 23 million Americans that suffer from this disease, only one to two percent of them hit their "bottom" and go to treatment. THIS is why it is so important that TODAY you hit your bottom and take the necessary action - so you and your family (with the assistance of a professional) can come together to create your loved ones' bottom. This way, it doesn't have to become any worse then it already is. You've watched it spiral down and not get better. It will continue until YOU do something. You have the power to break down those walls of denial and help get your loved one into treatment TODAY... but it takes someone who really loves and cares about the addict to take that action. It only takes one person; we can help you figure out who the others will be to help you do this. Give us a call to start the process of breaking though the walls of denial and get your loved one to treatment. Way too often, we have watched people wait for it to happen naturally... and things become far too devastating. Do it today before that time comes for you, your family and your loved one. We are here to help.

Our intervention process is 98% successful in confronting (with love and compassion), the chemically or behaviorally dependent individual on the severity of their disease. Family intervention involves members who exert an influence on the dependent's life, along with a Counselor. Together, they gather and present facts and data related to the chemically or behaviorally dependent's problem and consequences. Interventions are designed to smash through the dependent's rigid denial defense mechanisms and break through to reality

The reality - They are suffering from a disease that is chronic, progressive, incurable, and, if left untreated, can result in premature death. This disease is called chemical dependence (or behavioral dependence).

### Overcoming Denial

The greatest obstacle in treatment for the chemically dependent person is denial. One way to overcome denial is through [drug intervention programs](#). Guided by [intervention specialists](#) at Intervention 911, family members, friends, employers, and significant others learn how to deal with the person and the disease by breaking through denial. They learn how to shift the emphasis from blame on the dependent person to positive methods of responding to the individual's addiction. Working together, the interventionist and the significant others help the dependent person view his or her illness through the devastating effect it is having on others. It is then that a decision is usually made to seek treatment. The [drug interventions](#) and [alcohol family intervention](#) process works. Most chemically dependent people who see a [crisis interventionist](#) like [Ken Seeley](#) make the decision to enter [treatment](#). That is their first step toward recovery.

## We Can Help Your Loved One

We provide interventions, treatment referral, sober escorts, aftercare solutions and much more.

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Home / Services / Intervention

## Intervention

A properly orchestrated [alcohol intervention](#), [drug intervention](#), or behavioral [intervention](#) with Intervention911 is a proven way to start the healing process and get your loved one or coworker the help they need. Through the loving [testimonials](#) of friends, family, and the people who care, the individual is shown the detrimental impact of their behavior on themselves and on those around them. Intervention 911 and [Ken Seeley](#) have a method of compassionate drug and alcohol interventions has a 98% success rate of getting addicted individuals into high quality [intervention programs](#). With the help of a highly qualified [interventionist](#), family members and loved ones are given the tools necessary to help the addict in a compassionate and effective way.

## Family Intervention

Dealing with a loved one who is abusing alcohol, drugs, food, behaviors such as gambling, sex and shopping can be frustrating and painful. While we know them to be good people, their actions can hurt and cause shame in the people who love them. In most cases, the addict is unaware of how much control the substance or behavior has over them and is defensive when faced with an intervention. This is the disease of addiction, and it is a very difficult situation for friends and family who are forced to sit by and watch as the addict slowly destroys themselves and the lives of the people around them. People who are not addicts have no way of understanding. Addiction is a disease and those who are addicts are in desperate need of help. Without help they cannot and will not stop until the substance or behavior completely destroys their lives and/or kills them. There is hope however. A professional intervention carried out by friends, family and one of our intervention specialists will open the door to recovery and spare much suffering for all involved. If your loved one has an addiction problem and you would like to discuss how Intervention911 can help, call us today. The call is toll free.

## Executive Intervention

Missed work, lack of creativity, reduced productivity, poor decisions, and expensive mistakes can often be the result of an addiction in a key employee. Letting a key executive go, and finding a replacement can be very expensive and an executive intervention can be very cost effective not to mention humane. Often times these addicts are friends and valued employees who have served the company well for many years. In many cases the compassionate and appropriate solution is to correct the problem and keep the employee. Interventions orchestrated in a corporate or other professional environment are very effective, however circumstances unique to the workplace make it imperative that the intervention is conducted in a delicate, confidential, and professional manner.

Intervention 911 has highly qualified [intervention specialists](#) who can show you how. If you think a valued employee in your work place has a problem and you would like to discuss how Intervention 911 can help, call us today. The call is free.

Call now for a free drug intervention consultation

TOLL FREE 1-866-888-4911

### We Can Help Your Loved One

We provide interventions, treatment referral, sober escorts, aftercare solutions and much more.

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Home / About Us / Associates

## Associates

### Welcome to Intervention 911

There is no place for blame, judgment, criticism, or anger in a drug or alcohol intervention. We know that "ambush" style interventions do not work. The remarkable success rates of our [intervention](#) specialists are the result of our well-grounded belief/philosophy that the only way to reach and addict and permeate their unrelenting denial is through compassion, love and overwhelming support by those who are most important to them.

Our [family intervention](#) specialists are some of the best and most compassionate in the industry. We have a 98% success rate in getting addicts into our highly effective [treatment centers](#). Please click on an image below to read more about the members of the Intervention911 team.

## We Can Help Your Loved One

We provide interventions, treatment referral, sober escorts, aftercare solutions and much more.

[Request Help](#)



**Ken Seeley, BRI II, RAS**  
Founder

Ken Seeley has remained involved, professionally and personally, in recovery since 1989. He applies his relevant experience and boundless enthusiasm to profoundly change the lives ... [more »](#)



**Eric McLaughlin, RAS**  
Chief Executive Officer

The business of Intervention 911 is to bring the light of recovery into the dark world of the drinker and substance abuser through the thoughtful guidance of highly trained interve... [more »](#)



**Kathy Oyler, BRI I, CATC**  
Interventionist

Kathy is a Board Registered Interventionist, and a Certified Alcohol Treatment Counselor. She has been working in the field of addiction recovery for over ten years. She has the... [more »](#)



**Donna Chavous, BRI-I**  
Interventionist

Donna Chavous entered the recovery community in 1995 kicking and screaming not wanting to change her life. She was introduced to recovery through an Intervention by friends, fam... [more »](#)



**Danny Jenkins**  
Intervention Specialist

At the heart of Intervention 911 are the interventionists. These are the men and women on the front lines making a difference face to face. An interventionist is the person in char... [more »](#)



**Chris Becker**  
Interventionist

Chris Becker comes to Intervention 911 with extensive experience as a Sober Companion. Chris began his own journey with recovery in 2009 and soon found his calling in helping add... [more »](#)

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## Employment Opportunities

Do you have a desire to help others in your area and across the country? Join us at Intervention 911. Intervention 911 is one of the most visible intervention organizations in the country! We are seeking energetic, positive people who have a sincere interest in helping others. We are currently seeking candidates for the position of Interventionist

### Requirements: (must possess at least one of the following)

1. Board Registered Interventionist
2. Licensed Alcohol and Drug Counselor
3. Social Worker/Family Therapist licensure or equivalent.

Intervention Specific education/training/certification and actual intervention experience strongly desired. Familiarity with the recovery community and 12-step programs is a must, as is willingness to travel. Email your resume today to be considered for this special, unique career path.

[jobs@intervention911.com](mailto:jobs@intervention911.com)

---

### JOB OPPORTUNITIES - Coordinator

We are looking for individuals with previous experience working with families in crisis who have a proven track record to be able to bring the family the solution and guide them to engage our services.

This is an opportunity to work from home, over the phone, with families who are suffering from addiction. Phone Sales or Admission Center experience, Familiarity with Substance Abuse, Recovery community, 12 step programs and Family dynamics surrounding addiction strongly desired.



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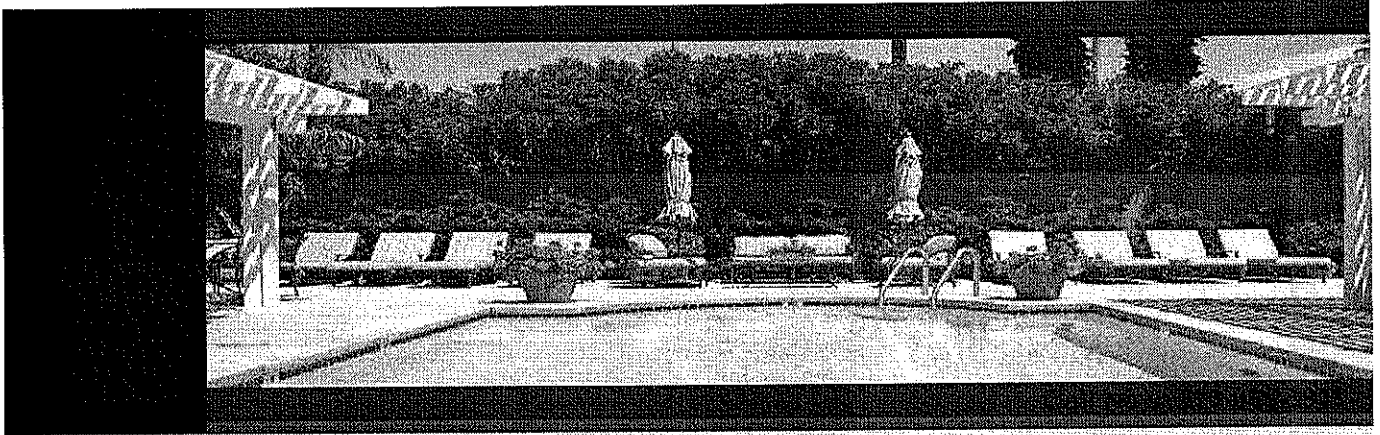
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## Financing

Intervention 911 has partnered\* with a financial services company to help you find resources for funds towards your intervention and treatment costs. Please contact us on our 24 hour hotline at 888-866-4911 to find out how to apply. The application process is very quick and you can get approval in under an hour in most cases.

\*Intervention 911 only offers this information as a referral source for a loan for costs related to the intervention or treatment. 911 has no say in approval or denial of funds and is not liable for any money loaned by the lending agent.



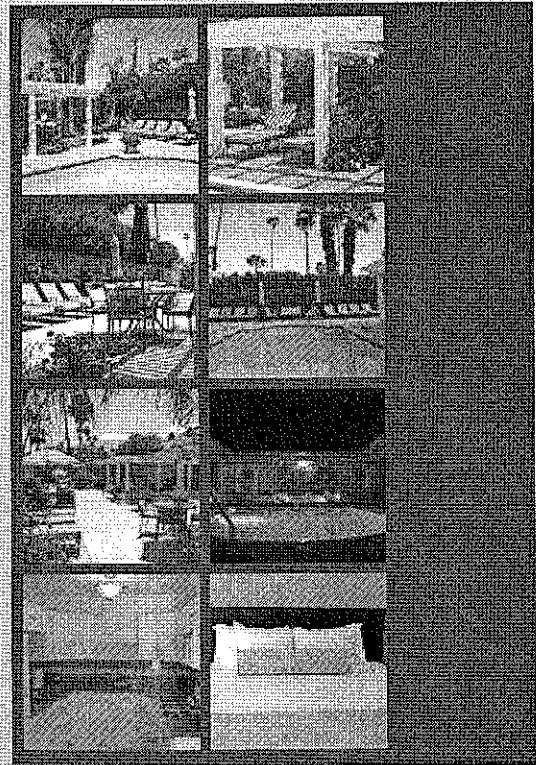


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# the Alexander

Our extraordinary Women's facility is located just south of downtown Palm Springs with dramatic mountain views. The Alexander offers spacious one and two bedroom villas. Originally built in 1956 and recently renovated, this upscale, intimate and exclusive hideaway combines uncompromising elegance with every modern amenity in the tradition of a fine resort.

Comfort and luxury are hallmarks of The Alexander. Meditate in the quiet gardens, walk to local 12-Step meetings in the neighborhood, hike in nearby Tahquitz Canyon, relax by the inviting pool, or experience vibrant Palm Canyon Drive in downtown Palm Springs. Each luxurious poolside Villa Suite is approximately 1200 square feet, with two bedrooms, one bath, a separate living area, fully-equipped kitchen with new appliances, a washer and dryer and a host of upscale amenities including Satellite TV and Internet access. Each bedroom can be furnished with one king-sized bed for single occupancy or with two beds for double occupancy, and each bed is completed with luxury linens, down comforters, luxury pillows and pillow-top mattresses.



click on thumbnail to view larger image

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***"No one ever finds life worth living - one has to make it worth living"***

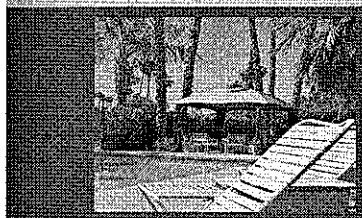
- Anonymous

Ken Seeley Communities has raised the bar in sober living and created not just facilities with all the support services and programs to ensure success, but created truly stunning environments that allow our clientele to relax, refresh and repurpose.

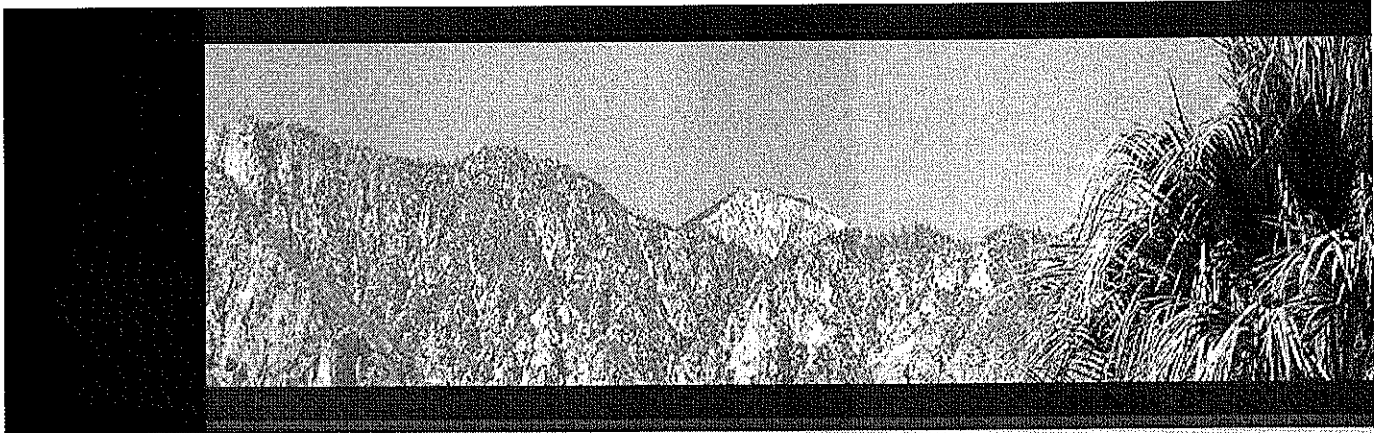
With a dedicated women's and men's hotel, we provide an unparalleled level of service and attention to detail simply unavailable in other sober living options. Check out the links below. We're sure you'll agree that Ken Seeley Communities are setting the standard for sober living!



***The Alexander.*** Our extraordinary Women's facility is Located just south of downtown Palm Springs with dramatic mountain views. The Alexander offers... [learn more](#) and [view gallery](#)



***The Palm.*** At The Palm, our premier Men's facility, we've taken every opportunity to heighten the environmental surroundings so you can begin the process of... [learn more](#) and [view gallery](#)

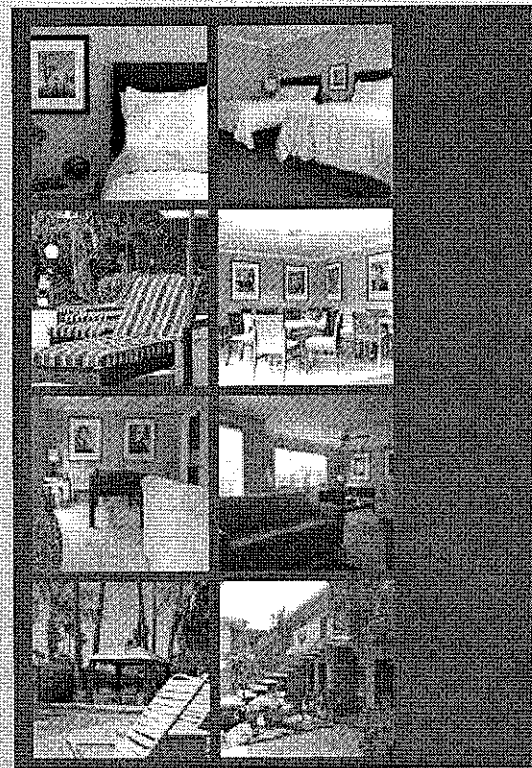


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# the Palm

At The Palm, our premier Men's facility, we've taken every opportunity to heighten the environmental surroundings so you can begin the process of transitioning to a life worth living. With vistas that inspire as much as the support and leadership provided, The Palm offers residents benefits simply unavailable in most other sober living options. The Palm is dedicated to helping its clientele ascend to new heights. All in a Location that exudes style, sophistication and serenity.

The Palm is a charming mid-century hotel set in a quiet upscale neighborhood of Palm Springs which has been home to several Hollywood celebrities. Stunning views abound from balconies, rooms and the inviting pool and spa... all enveloped by the lush, mature landscape. With a host of upscale amenities like Satellite TV, Internet access, fully equipped kitchenettes, inviting pool and spa, The Palm has been carefully upgraded to 'boutique hotel' standards with comfortable beds, luxurious beddings and inviting common areas... environs carefully crafted to relax the body and refresh the soul, so our residents can focus on moving ahead.



click on thumbnail to view larger image

**James Cioffi**

---

**From:** Eric McLaughlin [emclaughlin@intervention911.com]

**Sent:** Monday, June 25, 2012 4:09 PM

**To:** James Cioffi

**Cc:** Ken Seeley

**Subject:** FW: Partial narrative.

PLEASE BELOW FOR NEW NARRATIVE

1590 E Palm Canyon

At the Ken Seeley Recovery Community, our intention was and we hope to continue to do the following: Provide a highly structured environment for people to help continue the recovery process in a safe place post acute treatment. We will accomplish this by holding clients to a standard of behavior that includes: remaining drug and alcohol free for the duration of their stay, treating themselves, other residents, neighbors and the community with courtesy and respect at all times, engage in their recovery community and work an active program of recovery at home and in the sober Palm Springs community, give back to the community through volunteer engagements in and around Palm Springs and lastly, develop the life skills need to become contributing members of whatever community they become a part of. Our roles is to see that the residents remain accountable to this level of behavior and if they can't, help move them to a higher level of care or out of the community so as not to expose the community to any risk.

The current facility is a 16 unit hotel. 6 of the rooms feature two rooms that share a bathroom and feature no more than 3 beds per room. There are 10 rooms that feature one room and those feature one or two beds. On site, there are two common areas - one is being utilized as a TV/Rec Room. The other is being utilized as an area where residents can prepare their meals (there is an existing kitchen with a stove and a refrigerator). One of the one room units is currently being used as an office. There are currently 26 beds on property. We would add no more than an additional 6 beds for a grand total of 32 beds although this is highly unlikely. We have a policy of no cars for the first (30) days of sober living. After that, we limit the number of cars to no more than (8) people. There will be (4) staff on site at a time, one of these being the house manager who may or may not have a car.

We would like the CUP application to allow for and include the following: Onsite therapy (individual and group), Life Skills classes, 12 step meetings, nursing or doctor assisted medication management and services that would be found at a drug and alcohol treatment center. We recognize that additional licensing requirements with the state may need to be met to conduct those services and will determine at a later date if we so choose. As we are being classified as an assisted living, we feel that we should take advantage of the opportunity the city has given us to be able to offer services we had not previously considered offering as a sober living. We also would like to have the ability to host events for the community (both AA and PS) such as a weekly barbeque during the day.

1425 S Via Soledad

At the Ken Seeley Recovery Community, our intention was and we hope to continue to do the following: Provide a highly structured environment for people to help continue the recovery process in a safe place post acute treatment. We will accomplish this by holding clients to a standard of behavior that includes: remaining drug and alcohol free for the duration of their stay, treating themselves, other residents, neighbors and the community with courtesy and respect at all times, engage in their recovery

6/25/2012

community and work an active program of recovery at home and in the sober Palm Springs community, give back to the community through volunteer engagements in and around Palm Springs and lastly, develop the life skills need to become contributing members of whatever community they become a part of. Our roles is to see that the residents remain accountable to this level of behavior and if they can't, help move them to a higher level of care or out of the community so as not to expose the community to any risk.

The current facility is a 5 unit apartment complex. There are (4) 2- bedroom apartments and (1) 3 bedroom apartment. Currently, there are 17 beds. The maximum number of beds that we would have is 19. Each (2) bedroom unit features no more than 4 people and the (3) bedroom unit would have no more than 6 people, although it is currently set for 5 people. We have a policy of no cars for the first (30) days of sober living. After that, we limit the number of cars to no more than 4 people. There will be (2) staff on site at a time, one of these being the house manager who may or may not have a car.

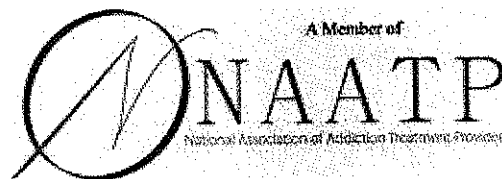
We would like the CUP application to allow for and include the following: Onsite therapy (individual and group), Life Skills classes, 12 step meetings, nursing or doctor assisted medication management and services that would be found at a drug and alcohol treatment center. We recognize that additional licensing requirements with the state may need to be met to conduct those services and will determine at a later date if we so choose. As we are being classified as an assisted living, we feel that we should take advantage of the opportunity the city has given us to be able to offer services we had not previously considered offering as a sober living. We also would like to have the ability to host events for the community (both AA and PS) such as a weekly barbeque during the day.

Eric McLaughlin  
 CEO  
 Intervention 911  
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 866-888-4911  
 323-932-0077 Office  
 323-932-0078 Fax



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# PROJECT DATA

LEGAL DESCRIPTION:  
 FOR LOT 35 TIB 04/482  
 80 PALM VALLEY COLONY LANDS  
 A.P.N. 508-344-001  
 CUP CITY OF PALM SPRINGS  
 CASE # 51282 CUP

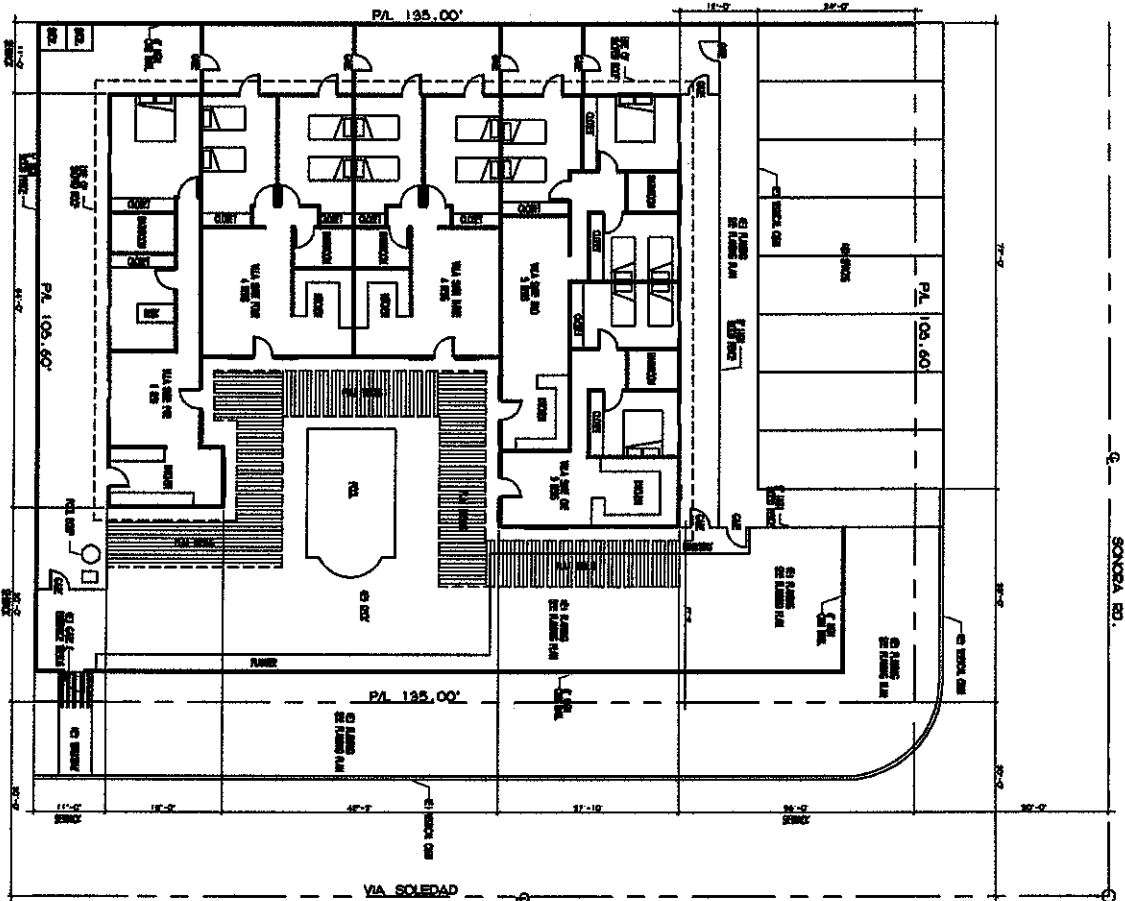
ZONING & OCCUPANCY  
 ZONE: R-2  
 (E) OCCUPANCY: R-1, B  
 PROPOSED  
 OCCUPANCY: R-4, B  
 IT BEDS - INCL. MANAGER  
 PARKING: 8 SPACES

# SITE AREA DATA

AREA	AREA	% OF COVERAGE
LOT	14771 SQ. FT.	100%
BLDG FOOTPRINT	4998 SQ. FT.	34.5%
PARKING & DRIVES	1774 SQ. FT.	12.5%
OPEN SPACE	1808 SQ. FT.	59%

# BUILDING DATA

CONSTRUCTION TYPE: V/B NON-RATED  
 HEIGHT: 1-STORY: 14'-0"  
 HABITABLE AREA: 4998 SQ.FT.



EXISTING SITE PLAN  
 SCALE 1/8" = 1'-0"

5.1282

JUN 08 2012

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8/6/2012 1:32:52 PM

C.U.P. 5.1282 APPLICATION FOR  
 A.P.N. # 508-344-001  
**INTERVENTION 911**  
 1425 S. VIA SOLEDAD

**Cioffi**  
 ARCHITECT



AMANGSERVICES

NO.	REVISION
1	ISSUED

PLAT DATE

SCALE: 1/8" = 1'-0"

PROJECT NO. 1208

FILE

SHEET  
**A-1**

**PROJECT DATA**

LOCAL DESCRIPTION:  
 PARCEL 22 1/2 AC. (50000)  
 RANCHO NORTALE TR 2  
 APN 568-04-001  
 CITY OF PALM SPRINGS  
 CASE # 5285 CP

ZONE: R-2  
 (U) OCCUPANCY: (R), B  
 PROPOSED OCCUPANCY: (R-4), B  
 24,850 - NET VOLUME  
 PARCELS: 11 SPACES

**SITE AREA DATA**

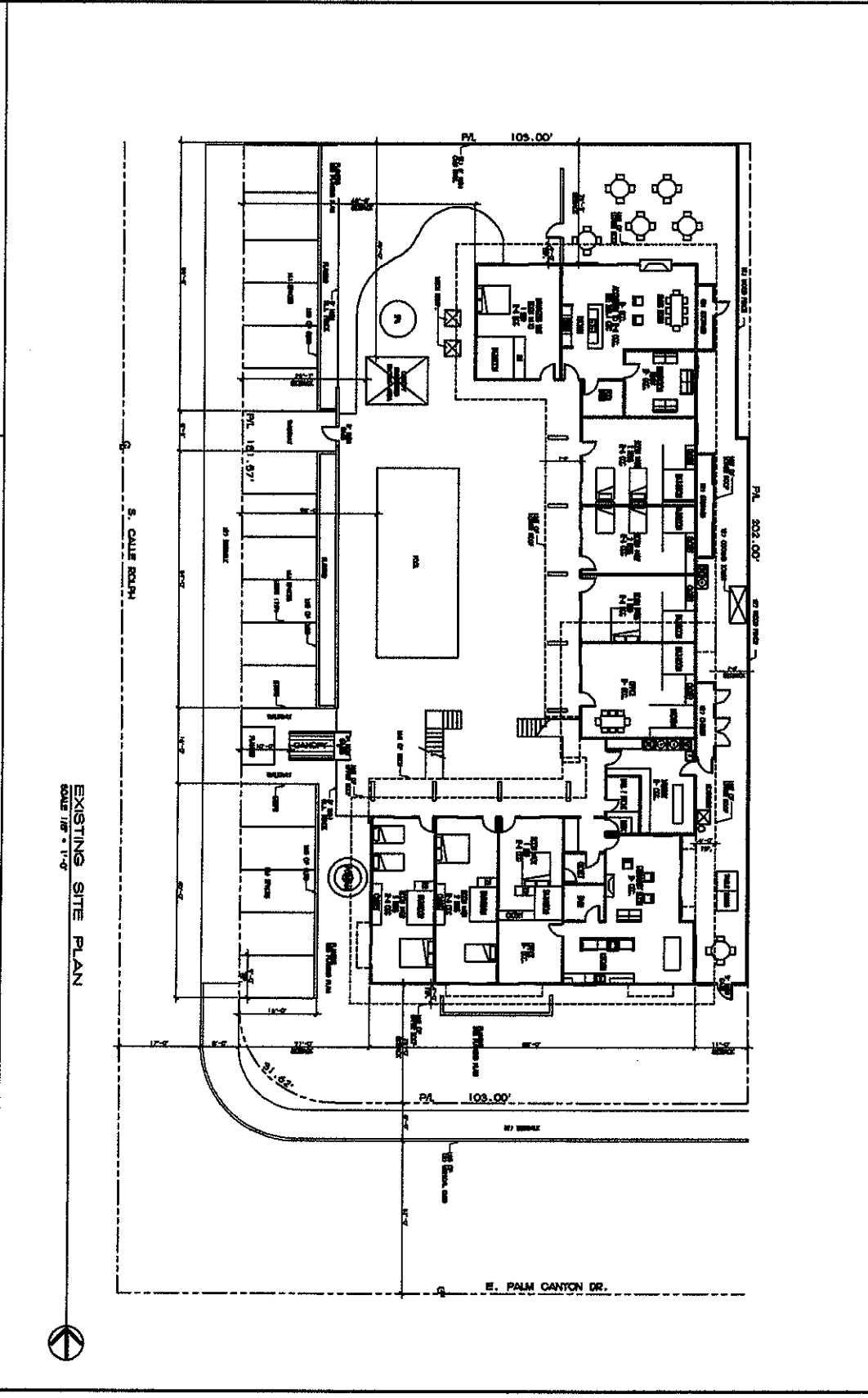
LOT  
 BLDG FOOTPRINT  
 PARCELS & DRIVES  
 OPEN SPACE

FLOOR AREA  
 26784 SQ. FT.  
 8209 SQ. FT.  
 2890 SQ. FT.  
 12434 SQ. FT.

% OF COVERAGES  
 16.6%  
 24.3%  
 2.5%  
 66.6%

**BUILDING DATA**

CONSTRUCTION TYPE: V-B NON-RATED  
 HEIGHT: 2-STORIES, 8'-0"  
 HABITABLE AREA IN FLOOR: 8244 SQ. FT.  
 TOTAL: 12434 SQ. FT.  
 TOTAL: 12434 SQ. FT.



5.1283

APR 08 2012  
 AMING SERVICES

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AMING SERVICES ARCHITECT

C.U.P. 5.1283 APPLICATION FOR INTERVENTION 911  
 1590 E. PALM CANYON DR.

**Cioffi**  
 ARCHITECT

NO.	REVISION
1	ISSUED

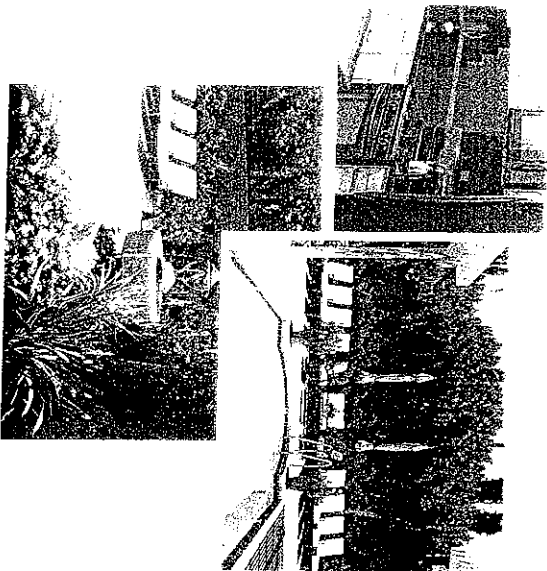
DATE: 04/08/12  
 SCALE: 1/8" = 1'-0"  
 PROJECT NO: 1590  
 SHEET: A-1

**KENSEELEY  
RECOVERY  
COMMUNITY**  
BLUE PRINT TO RECOVERY

Ken Seeley BR II RAS  
Co-Founder



Ken's passion for helping addicts and their families achieve success comes deep from within. He's not only the founder of Interventions 911 and The Ken Seeley Recovery Community, he's a recovering addict that wants to share hope and a sober, professional and personally rewarding recovery community for many. His experience and enthusiasm is reflected throughout this sober living environment.

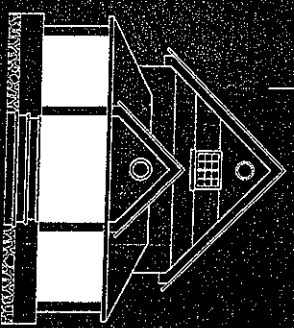


**Pass on the hope.**  
If you know someone who could use our help, please pass on this brochure.

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Confidential



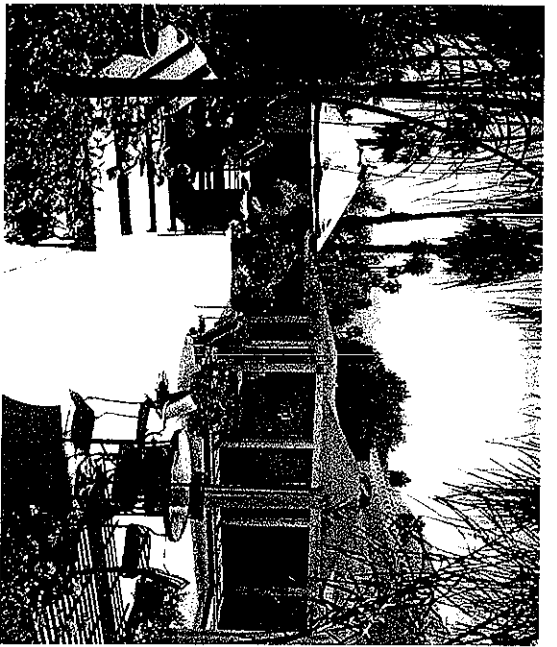
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RECOVERY  
COMMUNITY**  
BLUE PRINT TO RECOVERY



**The Solution  
Starts Here**

KenSeeleyRecoveryCommunity.com  
Toll-Free **866-888-4911**





The Ken Seeley Recovery Community helps design the blueprint for a successful and fulfilling life. We will show you how to live in recovery in our community and then bring that with you and live in recovery anywhere you call home.

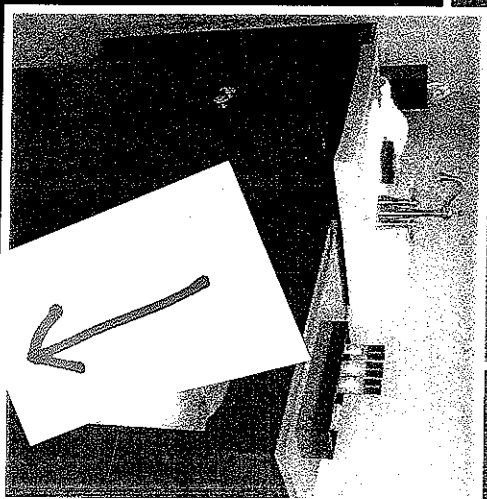
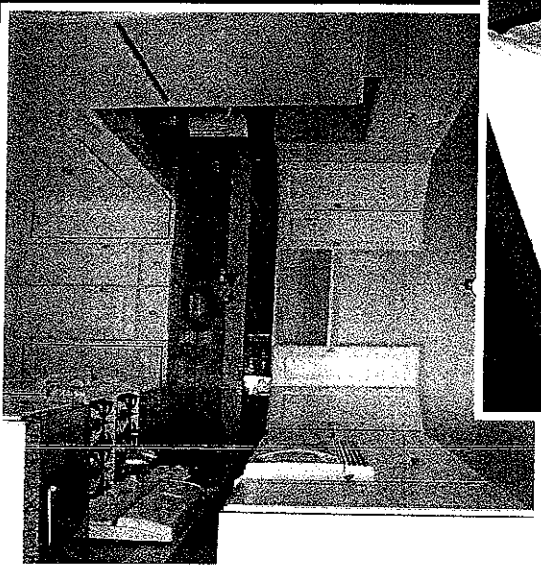
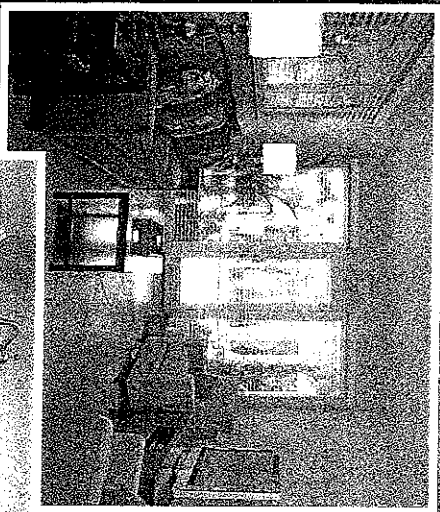
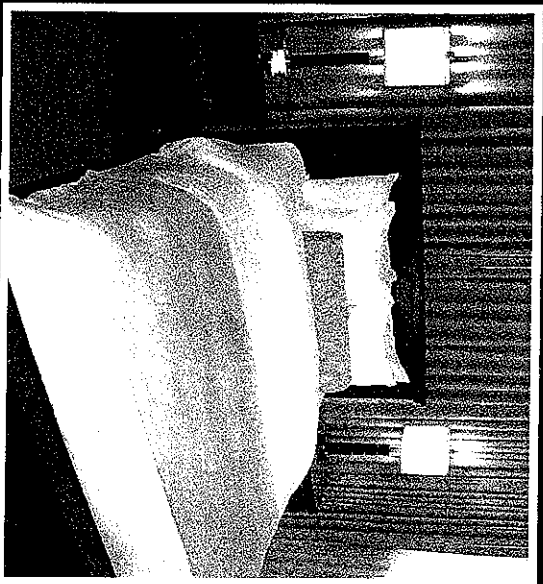
The Sober Living is directly across Hwy 111 from Sunny Dunes Club House and under 2 miles from The 559 Club House in Downtown Palm Springs, CA. Each Club House has over 4 twelve step meetings a day.

With 5 Upscale, 2 Bedroom Suites, The Ken Seeley Recovery Community is the perfect place to strengthen and continue your recovery program.

• Enjoy Fellowship on Palm Canyon Drive  
In Downtown Palm Springs

[KenSeeleyRecoveryCommunity.com](http://KenSeeleyRecoveryCommunity.com)

Spacious Living Room / TV  
Full Kitchen / Bath  
Dining Area  
2 Bedroom Suites (4 person max occupancy)  
Washer & Dryer in each Suite



Shared Bedroom \$2800.00  
Single Rooms Available  
Limited Partial Scholarships  
Available

Caring  
Compassionate  
Confidential

Call 24/7 for More Info  
or to Schedule a Tour

818

333

RECEIVED

AUG 08 2012

ADULT SERVICES

Questions for which more information was requested.

**5. Identify the average number of Staff Persons on site during a typical shift.**

There will always be (1) person on site overnight from 11pm-7am. During the day, the size of staff could vary from 1 to 5 staff. Currently, the house manager will reside overnight. An onsite clerical person may work from the facility and an onsite supervisor will be onsite roughly M-F 7a-4pm. On occasion, other staff from the other facility may come on site to meet with the supervisor. People who provide specialized services (lifeskills classes, recovery support) may be on site at pre determined times to conduct these services.

**6. Provide information regarding proposed on site treatment programs and activities (size of classes, frequency, typical time of day courses are offered. Location, format, etc)**

We do not seek to do drug and alcohol treatment on site. We aim to provide a structured environment where residents can continue to learn how to live sober in every day practice. To that end, we will structure a program in which many of the components of the current schedule are in place. There will be 2 house check ins each day. In the first 30 days, many of the residents will attend IOP at MH from 8:30am-11:30am. During that time, we will begin hold classes on topics such as 12 step in house guidance, Life Skills Development, Job Proficiencies, Fitness and Nutrition classes, volunteer & fellowship activities, young adult development and parent or family support.

There would also be afternoon session classes. These classes would be conducted inside either the TV room (Room 103) or the Kitchen/Dining Area (Room 109) or the office (Room 105). During the evenings there might be onsite meetings for residents, offsite meetings, sober outings and free time. Classes would be offered M-F with a potential for additional classes on weekends. The classes would most likely be 10-20 people in the AM and 10-20. As people attain a certain length of time in the facility, their involvement in the classes would stop provided they have work, volunteer or recovery activities in place of the classes.

**7. Please provide more information about the characteristics and backgrounds of your prospective clients and what operational procedures you have in place for notification of clients and neighbors when clients with sensitive backgrounds are enrolled.**

95% of our clients are referred from 30, 60 and 90 day treatment programs. These people have completed successfully a prior treatment program and have been recommended. We do receive some clinical information. We work with only reputable treatment centers such as the BFC and Michael's House. We typically receive a biography that includes length of use, legal issues, progress and level of appropriateness. Our plan with the CUP is to conduct a full assessment upon admissions (we can't currently do that as a sober living) to be able to get a more comprehensive background on the clients we take. We

will encounter clients who may have legal issues pending or have had legal issues in the past. When we do, we screen and determine if they could potentially be a danger to the community and would not admit if we thought there was a likelihood of repeating that behavior. If a client were to admit who had a sensitive background, we would not be able to share specifically about that client due to HIPPA lawas.

**8Provide information on the rules and regulations that apply to clients and staff regarding conduct on and around the properties (gathering, smoking, outdoor music, etc)**

I have attached the welcome packet that is currently reviewed and signed by each resident upon admission to the facility. Please see rules and regulations.

Smoking is only in a designated area (Between the pool and Jacuzzi). Smoking is not allowed in their rooms, balconies, behind the building or in parking lot.

Music is to be on between 9am-7pm only (if at all). Volume of the music shall be limited.

Residents are not to congregate in the parking lots or outside areas except the smoking area. The "gathering" spots are limited to the shared dining area (interior room with patio), the "TV" room (interior room with patio) and laundry room (interior room)

On Site supervisory people are expected to follow these rules as well.

MISC NOTES: We will plan to repaint the exterior of the facility after Oct 1.

# **KENSEELEY** **RECOVERY** **COMMUNITY** BLUE PRINT TO RECOVERY

THE ALEXANDER  
1425 SOUTH VIA SOLEDAD  
PALM SPRINGS, CA 92264

&

THE PALM  
1590 EAST PALM CANYON  
PALM SPRINGS, CA 92264

## **Welcome Packet**

F 5.11283

**RECEIVED**

AUG 08 2012

**PLANNINGSERVICES**

## Table of Contents

<b>Description</b>	<b>Page #</b>	<b>Initial Received</b>
Definition of Terms	3	_____
Code of Ethics	4	_____
Grievance Policy	5	_____
Application/Agreement	6	_____
House Rules	11	_____
Meeting Card	14	_____
Test Log	15	_____
Contribution Tracking Sheet	16	_____

## Definition of Terms

**Sober Living Home:** Sober living homes are affordable, alcohol and drug free environments that provide a positive place for peer-group-recovery support. Sober housing promotes individual recovery by providing an environment that allows the guests to develop individual recovery programs and become self-supporting.

**Contribution:** The money given is donation. Please be sure you understand that you do not pay rent and therefore have no "renter's rights." Utilize a contribution log in lieu of receipts.

**Head of Household:** The person who is designated to oversee daily function of the home. They provide a safe environment, resolve minor conflicts within the house, administer any drug or alcohol tests, enforce curfew and collect meeting slips.

**Guest:** The women and/or men that join our house are considered guests in the home. As such, you agree not to have any "renter's rights" and may be removed at anytime for violating the contract/agreement, dirty test, refusing to test, etc.

**House Meetings:** A meeting with all guests in the house facilitated by Head of House to resolve house issues.

**Meeting Cards:** Used to track the NA/AA meetings that you attend. This can be shown to officials (code enforcement, etc.) upon request.

**Test Log:** Used for tracking the results of the drug and/or alcohol testing of you participate. This can be shown to officials (code enforcement, etc.) upon request.

# KENSEELEY RECOVERY COMMUNITY BLUE PRINT TO RECOVERY

## CODE OF ETHICS

The Code of Ethics must be signed and abided by all sober living code of ethics. This statement commits the signer to adhere to this code of ethics and to maintain a vital concern for the lives and well-being of all persons.

1. Be dedicated to recognizing the dignity and worth of all human beings.
2. Maintain an alcohol and illicit drug free environment.
3. Maintain quality cleanliness of personal space. Demonstrate activities that benefit not only other guests, but neighbors and community.
4. Remain abstinent from all alcohol, drugs or mood altering substances.
5. Submit to random drug testing at the request of the Sober Living Head of household or owner.
6. No physical violence or threats of violence in the home.
7. Guests should **never** become romantically or sexually involved with other guests or anyone the sober living home is assisting.
8. Guests should **never** become involved with other guests financial affairs. This covers borrowing or lending money, buying or selling property, or other financial transactions.
9. Guest should respect the privacy and personal rights of all other guests.
10. Assure that no weapons are brought on sober living premise, home, or property.

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### PERSONAL STATEMENT

I commit myself to strive at all times to maintain the highest standards. In the event that I violate any of the above ethics, I understand that my ability to continue to stay at the house will be terminated.

My signature below indicates my agreement to abide by this code of ethics.

NAME \_\_\_\_\_

Date \_\_\_\_\_

NAME SL HOME: Ken Seeley Recovery Community

CITY: Palm Springs, CA

SIGNATURE \_\_\_\_\_

# **Riverside County Sober Living Coalition**

## **Grievance Policies**

Sober Living Guests have the right to file a written grievance with the Riverside Sober Living Coalition if they have a legitimate issue.

1. If the grievance is with another guest in your house, the grievance must be in writing and given to the Head of Houses.
2. If the grievance is with the Head of House, the written grievance must be given to the owner.
3. If the grievance is with the owner of the house, or you feel your written grievance has been ignored by the Head of Houses, and/or the owner of the house, you may file a written grievance with the Sober Living Coalition.

When the Sober Living Coalition receives the grievance, they will assign it to the Standards and Ethics Committee of the Field Inspector. They will then investigate the complaint as follows:

1. Make contact with both parties involved and interview them separately.
2. Bring their findings and recommendations to the Next Sober Living Coalition meeting for action to be taken if any.
3. The Coalition will take a member vote on action to be taken if any.



# **KENSEELEY** **RECOVERY** **COMMUNITY** BLUE PRINT TO RECOVERY

1425 SOUTH VIA SOLEDAD

PALM SPRINGS, CA 92264

## **GUEST APPLICATION/AGREEMENT**

(Please Print)

**NAME:** \_\_\_\_\_

**PRESENT ADDRESS:** \_\_\_\_\_

**D.O.B.:** \_\_\_\_\_ **DRIVERS LICENSE #:** \_\_\_\_\_ **SSN#:** \_\_\_\_\_

**PHONE # WHERE YOU MAY BE REACHED:** \_\_\_\_\_

**REFERRED BY:** \_\_\_\_\_

**MOVE IN DATE:** \_\_\_\_\_ **LENGTH OF STAY:** \_\_\_\_\_

**ARE YOU EMPLOYED?** \_\_\_\_\_ **IF YES, WHERE?** \_\_\_\_\_

**EMPLOYER NAME?** \_\_\_\_\_ **EMPLOYER CONTACT #?** \_\_\_\_\_

**EDUCATION, TRAINING, OR PERSONAL SKILLS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that the statements made in this application/agreement are true and complete to the best of my knowledge and understand that if accepted as a guest, falsified statements on this application shall be grounds for contract/agreement termination. I also understand and agree that it is my responsibility to provide any updated information.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## GENERAL AGREEMENT

\_\_\_\_\_

Print Full Name

\_\_\_\_\_

Date

### INITIAL THE FOLLOWING

1. \_\_\_\_\_ AGREE that I am a recovering addict and will completely abstain from using drugs and alcohol and report any such use to staff.
2. \_\_\_\_\_ AGREE to work a Twelve-Step Program and obtain a sponsor, which is suggested for continued sobriety. AGREE to attend all house meetings.
3. \_\_\_\_\_ AGREE to drug/alcohol testing and/or room and/or property search at any time by staff. Failure to comply could result in my immediate discharge. If a test needs to be administered that is beyond the scope of a test we can conduct on site, client will be financially responsible
4. \_\_\_\_\_ AGREE and understand that a condition of being a guest at Ken Seeley Treatment Community is to be gainfully employed, actively seeking employment, in treatment, attending school, or other activities to enhance my future. (Probation Status - First 30 Days)
5. \_\_\_\_\_ AGREE to only leave the house with a buddy for the first seven days. A buddy is a senior guest of the house
6. \_\_\_\_\_ AGREE to rise at a reasonable time based upon work/school schedule, be dressed, make bed, clean my immediate area, and to have house/yard chores completed as scheduled.
7. \_\_\_\_\_ AGREE to no threats of/ or physical violence, possession of weapons, possession of non-prescription drugs or alcohol, tattooing, possession of pornography, stealing or vandalism of house or guest property, and will not use vulgarity. Not to wear, possess, "sign" any gang or drug/alcohol related clothing or paraphernalia.
8. \_\_\_\_\_ AGREE to a 11:00 pm curfew Sunday through Thursday and a 12:00 am curfew on Friday and Saturday, and will give staff **advanced** notice of any changes or overnight stays. (Curfew will be at the discretion of staff for the first 30 days)
9. \_\_\_\_\_ AGREE that if I violate any part of this agreement, I am subject to discharge and my personal belongings will be held five days (excluding food) then discarded or donated.
10. \_\_\_\_\_ AGREE to drive with only a valid driver's license, current registration, current minimum auto insurance, park in my assigned space, and be flexible due to space limitation. No car for the first 30 days and then only with staff approval after 30 days.
11. \_\_\_\_\_ AGREE to notify staff of all visitations. No visitors under the age of 18. Visiting hours are from 5pm-curfew M-F and 12pm-Curfew Sat & Sun. Visitors are not allowed in any bedroom. No sexual activities. Visitors will be sober. **I am responsible for their actions.**
12. \_\_\_\_\_ AGREE not to alter or repair house property without staff permission.
13. \_\_\_\_\_ AGREE to respect the rights, views, & property of other guests & staff. To be supportive of my fellow guests, the staff, and to contribute to a safe, sober, and comfortable family environment.
14. \_\_\_\_\_ AGREE that I have read and understand all house rules and will abide by each.

**CONTRIBUTION AGREEMENT:**

I, \_\_\_\_\_, agree that my contributions will be paid monthly on the entry day and on the same day of the month for every month thereafter.

**RELEASE OF INFORMATION:**

I, \_\_\_\_\_, give permission to Owner/Head of Household for release of any and all information having to do with my accountability and responsibility, in all my behaviors and activities during my stay at Ken Seeley Treatment Community. By signing this agreement, I understand that anything I say or do may be given to those on a need to know basis (e.g. Family, Emergency Contacts, Parole or Probation Officers, DPSS, Law Enforcement, Medical Teams, Emergency Contacts, etc...)

**TERMINATION OR LEAVING AGREEMENT:**

I, \_\_\_\_\_, agree that for whatever reason, I am asked to leave, I will leave the premises willingly and immediately, taking all personal possessions. In the event I leave without notice, or am asked to leave because of being under the influence or violating any part of this agreement, my contributions paid are immediately forfeited. In the event of agreement termination or leaving without notice, my personal property left on the premises after five days will be discarded or donated.

**HOLD HARMLESS AGREEMENT:**

I, \_\_\_\_\_, agree to absolve Ken Seeley Treatment Community, its owners, staff, affiliates, and any employees, of liability for accident, injury, or loss of personal property.

I, \_\_\_\_\_, agree to hold harmless Ken Seeley Treatment Community, its owners, staff, affiliates, and any employees, for any action taken by any other Guest.

I, \_\_\_\_\_, agree to accept responsibility for my own actions and will not hold Ken Seeley Treatment Community, its owners, staff, affiliates, and any employees, liable for any suits or charges brought against me while a guest at Ken Seeley Treatment Community

**GENERAL AGREEMENT:**

Ken Seeley Treatment Community agrees to provide a safe, secure, clean, and sober family environment to recovering adult addicts and alcoholics. Each sober living environment will have an on-site Head of House to insure security, stability, and provide a positive role model whose purpose is to stay sober and help the guests in their recovery.

\_\_\_\_\_  
Guest Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner/Head of House

\_\_\_\_\_  
Date

## CONTRIBUTION PAYMENT AGREEMENT

Guests are asked to contribute funds on time.. Guest agrees to pay \$2,800.00 for a shared room or \$5,600.00 for a single room per month at Ken Seeley Recovery Community. No deposit is required and agreement begins \_\_\_\_\_. Electric, gas, water, trash, and cable services are all included in the contribution amount.

If guest is not the financially responsible party, please indicate who the financially responsible person will be:

\_\_\_\_\_

Financially Responsible Person

\_\_\_\_\_

Phone #/ Email

Each guest will maintain sobriety while living on the premises. They are subject to drug and alcohol testing at the discretion of the house. Anyone failing the drug/alcohol testing or refusing to test must agree to immediate removal from the premises.

Immediate termination for violating any part of this agreement is understood to be removal of all belongings from the property within one hour of any termination. After 24 hours, any remaining property will be discarded or donated. There will be no refund of contributed money or property.

Guest agrees that this is a legal and binding agreement and agrees that any "renter's rights" to formal eviction processes are not applicable because they are a guest and not a renter.

\_\_\_\_\_

Guest Signature

\_\_\_\_\_

Date

### Office Use Only

DATE GUEST LEFT: \_\_\_\_\_

LEFT IN GOOD STANDING? YES NO

CONTRIBUTIONS OWED: \$ \_\_\_\_\_ NOTES: \_\_\_\_\_

### ITEMS LOANED

TOWEL: YES NO

SHEET(s): \_\_\_\_\_

PILLOW: YES NO

PILLOW CASE: YES NO

BLANKET: YES NO

KEY DEPOSIT: YES NO

RETURNED? YES NO

**OFFICE USE ONLY**  
**CONFIDENTIALITY WAIVER**

**NAME OF GUEST:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**PERSONAL NOTES:**

Are you currently on Probation? Yes \_\_\_\_\_ No \_\_\_\_\_ Parole? Yes \_\_\_\_\_ No \_\_\_\_\_

Name of agent: \_\_\_\_\_ Office: \_\_\_\_\_

Office phone #: \_\_\_\_\_ ext. \_\_\_\_\_ Cell phone #: \_\_\_\_\_

**FAMILY MEMBER:**

Name: \_\_\_\_\_ Relation: \_\_\_\_\_

E-Mail: \_\_\_\_\_ Phone: \_\_\_\_\_

**IN CASE OF EMERGENCY, PLEASE CONTACT:**

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

**SPONSOR:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Drug(s) of choice: \_\_\_\_\_ Last used: \_\_\_\_\_

**MEDICATIONS:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**MEDICAL CONDITIONS/ALLERGIES TO MEDICATION:** \_\_\_\_\_

\_\_\_\_\_

I understand that the statements made in this Confidentiality Waiver are true and complete to the best of my knowledge and understand that if accepted as a guest, falsified statements waiver shall be grounds for agreement termination. I also understand and agree that it is my responsibility to provide any updated information.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# **KENSEELEY** RECOVERY COMMUNITY BLUE PRINT TO RECOVERY

1425 SOUTH VIA SOLEDAD & 1590 EAST PALM CANYON  
PALM SPRINGS, CA 92264

## GENERAL HOUSE RULES

### KITCHEN

- Buy your own food. Refrigerator & dry foods space are assigned.
- Cleanup area immediately and put all leftover food away.
- Wash **ALL** dishes and cooking utensils immediately upon completion of your meal. **DO NOT** leave items soaking in the sink.
- Meals are to be eaten in the kitchen or dining room **only**. Light snacks are permitted in the TV room.
- House dishes are not to be taken outside.
- **DO NOT** pour grease or oil in the sinks.

### BEDROOMS

- Bedrooms are to be clean and organized at all times.
- Beds will be made each morning.
- No Food is to be stored or eaten in bedrooms
- Bedroom doors are to remain unlocked.
- Visitors are not allowed in bedrooms at any time. This includes those from other houses, units or bedrooms.

### LIVING/TV ROOM

- Please be considerate of people watching TV.
- No eating meals in the living/TV room. Light snack & beverage are OK. Please clean the area when you leave.
- The house TV will be turned off at the time designated by the Head of House.

### LAUNDRY

- Those currently employed or in school have laundry priority after work & the weekends
- Laundry hours are 8 am to 9 pm. Please do not start your laundry after 7:30 pm.
- Make sure your load is adjusted in the washer to avoid unbalancing.
- Check to see if anyone is showering prior to starting your laundry.
- Use warm/cold or cold/cold water temperatures **ONLY**.
- Please remove your laundry promptly. If laundry is left longer than 15 minutes after ending

cycle, please place wet clothes in the dryer or dry clothes on top of the dryer. Respect others laundry as you would want yours respected.

- Only dry one load from the washer at a time.
- Empty the lint trap in the dryer after each load. Please put the lint in the trash can.

### DRESS CODE

- No gang or drug/alcohol related, or outlandish clothing or paraphernalia.
- Unless in the pool area, shoes and shirt must be worn at all times.

### BATHROOMS

- Please limit showers from 5 to 8 minutes and overall use to 15 minutes (especially during the morning hours). Dry off before getting out of the shower. Visitors may not use the showers.
- Do not wash clothes in the showers.
- Do not leave items hanging to dry on knobs or towel racks. No personal items left out.
- Clean shower, tub, and sink immediately after each use.

### VEHICLES & PARKING

- One vehicle per licensed guest. Cars are only after 30 days and with staff approval.
- No motorcycles or cars with modified engines
- Vehicle must be in good operating condition, currently registered, and insured.
- You must have a valid drivers license.
- Park in assigned space. Be courteous to others as space is limited. If there is not adequate space, you will have to wait until a parking space becomes available to have a car.

### SMOKING

- Smoking, candles, or incense are not allowed inside ANY building or bedroom patio.
- Ashes and butts must be put in designated containers in designated smoking area.
- A \$500 cleaning fee will be charged for any room that needs to be cleaned as a result of smoking.

### MUSIC/TV

- Loud music or TV's at any time is unacceptable. Please be considerate of others.
- Content of music and TV is subject to review by Staff for acceptability.
- No Personal TV's will be allowed.

### VISITORS

- No one under 18 years of age.
- You are responsible for your visitors.
- Visitors must be sober at all times.
- Visitors may not arrive before 5pm and must leave by curfew on M-F and from 11am-curfew on Saturday and Sunday.
- Visitors are not allowed in any bedroom.
- Visitors from outside may go in the kitchen, living/dining room, and bathroom (they may not use the showers).
- No sexual activities.
- Guests from other units must remain in the kitchen, living and/or dining room only. (Knock

- and wait for someone to answer the door. If no one is home, do not go inside.).
- Visitors must respect the house and those living there.

### MISCELLANEOUS

- Respect for others is paramount at Our House. If it's not yours, don't touch it. Ask!
- Contribute to a clean, safe, and sober family environment.
- **Please respect our neighbors at all times. Do not cut through their yard, smoke in the parking lot, swear or cures in a loud voice, park in front of, in or on their property.**
- Alcohol, non-prescription drugs and pornography are not allowed.
- Please do not come to the office outside of posted hours unless it is an emergency.
- Those not employed or in school, will leave The House each weekday from 8:30 am to 4:30 pm to look for a job or you are to check-in with the head of house by 8:00 am daily.
- Turn off all lights and appliances when leaving a room.
- Please shower, brush your teeth, and wash your clothes often.



# Alcohol / Drug Testing Log

Name	Date	Test Type	Results

## Ken Lyon

---

**From:** Ken Lyon  
**Sent:** Tuesday, September 04, 2012 10:16 AM  
**To:** Eric McLaughlin (emclaughlin@intervention911.com)  
**Cc:** Craig Ewing  
**Subject:** Case 5.1282 CUP 1425 Via Soledad

**Importance:** High

Dear Eric,

I am continuing to analyze your CUP application against the development standards of the Zoning Code and the General Plan. Of immediate concern is that the proposed density and parking do not conform to the requirements for assisted living facilities and do not appear to be consistent with the Tourist Resort Commercial land use designation in the General Plan for this area of the City. Under these circumstances, city staff cannot forward the project to the Planning Commission with a recommendation for approval.

The General Plan describes the Tourist Resort Commercial (TRC) land use designation as follows:

*This land use designation provides for large-scale resort hotels and timeshares including a broad range of convenience, fitness, spa, retail and entertainment uses principally serving resort clientele, Commercial recreation and entertainment facilities, such as convention centers, museums, indoor and outdoor theaters, and water parks are included in this designation, but should be designed to be compatible with neighboring development. TRC facilities are most appropriate in the Palm Canyon Drive and Tahquitz Canyon Drive corridors. It is intended that the primary use in any TRC area shall be hotel/tourist-related uses; if residential uses are proposed within the TRC designation (timeshare, condos, etc) they shall be a secondary use ancillary to the proposed hotel uses and shall not exceed a maximum of 30 du/ac. Permanent residential uses and commercial activities are allowed subject to approval of a PDD.*

The proposed use is not consistent with the General Plan since it is not a hotel/tourist-related use.

In addition, the proposed occupancy exceeds the allowable density and does not provide adequate off-street parking as required by the Zoning Code. Based on the lot size and maximum allowable density for assisted living facilities, the maximum allowable patient/bed count at this site is 9 patients or beds; your proposed density is 17 patients or beds and 2 staff persons. With 17 patient beds and two staff; the site would require 10 off-street parking spaces; your site has only 8.

Please contact me to discuss the implications of this with respect to your CUP application and what options you have available to go forward with your application (i.e. possible conversion of the CUP app to a Planned Development app). Thank you.

Ken Lyon, RA  
Associate Planner  
Department of Planning Services  
City of Palm Springs, California  
3200 Tahquitz Canyon Way  
Palm Springs, California 92263  
T 760 323 8245 F 760 322 8364

"Make no little plans,  
They have no magic to stir men's blood  
And probably won't be realized.  
Make big plans  
Aim high in work and in hope,  
Let your watchword be order,  
And your beacon beauty"

Daniel Burnham, Architect and Planner

Case 5.1282 / 5.1283 APPEAL - EXHIBIT "A"  
BASIS OF DETERMINATION OF DIRECTOR'S DECISION

The Director's determination is based on written material provided by the applicant both in their original CUP applications and their promotional material, as well as the definitions for hotels and assisted living facilities in the Palm Springs Zoning Code.

The materials provided by the applicant / appellant describe the services and activities at the sites; including drug and alcohol addiction treatment and intervention, life skills classes, nutrition planning, 12-step meetings, and nursing or doctor-assisted medication management. Nowhere in the material, other than the Flannery to Lyon letter, is there any reference to the two sites operating as "hotels". Furthermore, other than the two sites in question, the City has no other record of business licenses by the appellant for other location in the City.

The director provided the definition from the zoning code of both "assisted living facility" and "hotel", and then outlined how the current operation "*of semi-private rooms, with multiple contracts per room, (beds individual rented within a room) held by unrelated persons with accommodations, programming, counseling, and services for treating addiction recovery*" are not consistent with the City's definition of a hotel. Rather, the activities at the two properties reflect many aspects of the definition of "assisted living facility", including "*...a special combination of housing, supportive services, personalized assistance...designed to respond to the individual needs of those who need help with activities of daily living and instrumental activities of daily living.*"

From the Intervention 911 website is the following: "*Intervention 911 offers a wide range of services in addition to alcohol intervention and drug intervention...*". Also, "*...At Ken Seeley Communities, our trained staff can help develop the right nutrition program for you to get you squarely on the road to physical recovery...*"; and "*...we have created a protocol of treatment for long-term sobriety that imposes greater accountability on the individual...*". From this, the director concluded that the actual business practice and use occurring at the two sites are not hotels, but rather are substance abuse recovery centers or assisted living facilities.

In addition, the appellants' website lists "Employment Opportunities" for the following positions: "*Board-Registered Interventionist, Licensed Alcohol and Drug Counselor, Social Worker/Family Therapist licensure or equivalent*". These types of job descriptions align more closely with a substance abuse recovery center, than a hotel. The director believes these services and staffing credentials are not part of a hotel operation, but rather that of a substance abuse recovery center or assisted living facility.

The City's definition of assisted living facility states, "*Supportive services are available twenty four hours a day to meet scheduled and unscheduled needs in a way that promotes maximum dignity and independence for each resident and involves the resident's family, neighbors and friends, and professional caretakers.*" The appellants' CUP application states there will be four (4) staff members at any time at the Palm Tee and two (two) staff at the Alexander Apartments, including full time resident managers who reside on site – at both sites; thus supportive services appear to be available to clients on a 24-hour basis. The appellant's website also characterizes a "successful intervention" as one that involves the clients' family and friends - again, reflective of an assisted living facility, not a hotel.

Based on the above, the director determined the uses at the two sites are not hotels and that a variety of supportive services are being provided akin to an assisted living facility.



July 9, 2012

From: Kenneth Stabins / Tim Phillips  
La Dolce Vita Resort  
1491 S. Via Soledad  
Palm Springs, CA 92264

To: Planning Commission, City of Palm Springs  
c/o: Ken Lyons, Associate Planner  
Department of Planning Services  
City of Palm Springs  
3200 Tahquitz Canyon Way  
Palm Springs, CA 92263

Re: Use Permit CUP Case 5.1281 Sober Living Facility  
Proposed location: 1425 S. Via Soledad, 92264

Dear Mayor, City Council, and members of the Planning Commission,

We are writing to express our OBJECTION to the approval of a Use Permit for a Sober Living Facility at 1425 S. Via Soledad.

La Dolce Vita Resort is located adjacent to the property filing the CUP. The Resort and Spa is open year-round. Our customers pay between \$120-\$220/night to enjoy our beautiful property in a very relaxed, quiet neighborhood. These customers contribute significantly to the revenues generated for the City of Palm Springs.

We have experienced complaints from our customers regarding loud music coming from **1425 S. Via Soledad**, especially on Sunday mornings when they want to "sleep in". In the past, we have complained directly to the culprit, who actually increased the music to aggravate us. On threatening to call the police, they turned the music down. We have had no occurrences that we are aware of during the last month. Our Staff has been directed to document the time and date when these disturbances occur and what action was taken to resolve the disturbance.

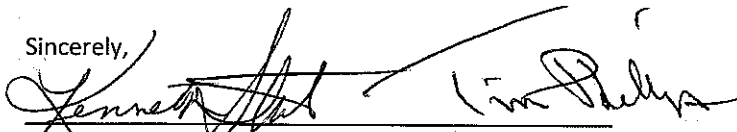
Our customers have also complained about "young males" hanging around the entrance of **1425 S. Via Soledad** which is adjacent to our parking lot. They are concerned about their safety in this otherwise quiet neighborhood.

Regarding parking; the Resort has two lots with the approved number of parking spaces. We are concerned that there would not be enough parking for those individuals staying or visiting **1425 S. Via Soledad** and that non-resort guests will be parking in our lot, forcing our guests to look for other places to park. This is unacceptable.

We have always been a good neighbor and very much concerned about our business and its impact on the neighborhood. We have only received accolades. We respect the intent of what the current owners wish to accomplish with this facility however, we feel the location is inappropriate for this type of facility and may negatively impact our business and our neighborhood.

Thank you so much for reviewing this situation and please VOTE NO and OBJECT to this use in our neighborhood.

Sincerely,

  
Kenneth Stabins/Tim Phillips  
Owners  
La Dolce Vita Resort

RECEIVED

JUL 10 2012

PLANNING SERVICES  
CITY OF PALM SPRINGS, CALIFORNIA

From: Edmund E. DeBoer  
1525 Via Salida  
Palm Springs, CA 92264

To: Planning Commission, City of Palm Springs  
C/O: Ken Lyons, Associate Planner  
Department of Planning Services  
City of Palm Springs, CA  
3200 Tahquitz Canyon Way  
Palm Springs, CA 92263

Re: **Objection to approval of Use Permit CUP Case 5.1281 Sober Living Facility**  
**Proposed location: 1425 S. Via Soledad, 92264**

Dear Mayor, City Council and members of Planning Commission,

**I am writing to express my OBJECTION to the approval of a Use Permit for a Sober Living Facility at 1425 S. Via Soledad.**

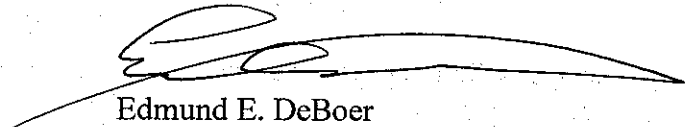
We live on Via Salida, and it does not seem appropriate to have a sober living facility located within a block of two liquor stores.

I walk regularly through that area, and it seems that the large hotel on the corner does the some type of entertaining, based on the people I see coming and going. The local police department may or may not be a better source of information; and go two or three blocks up the street, and there is an elementary school.

In any case, it does not seem appropriate to add this type of facility this close to a residential area.

Please **VOTE NO AND OBJECT** to this use in our neighborhood.

Sincerely,



Edmund E. DeBoer  
1525 Via Salida  
Palm Springs, CA 92264

RECEIVED

JUL 12 2012

PLANNING SERVICES

KLEINER

From: **Eric & Rita Kleiner**  
**Palm Springs Residents**  
1450 S. Via Soledad  
Palm Springs, CA 92264

mail: PO Box 5602  
Palm Springs, CA 92263

email: [eric@xarch.com](mailto:eric@xarch.com)

phone: 805-455-1972

To: Planning Commission and City Council members, City of Palm Springs, CA  
c/o: Ken Lyons, Associate Planner  
Department of Planning Services  
City of Palm Springs  
3200 Tahquitz Canyon Way  
Palm Springs, CA 92263

Re: **Use Permit CUP Case 5.1282 and CUP Case 5.1283**  
**Proposed locations: 1425 S. Via Soledad and 1590 E. Palm Canyon, 92264**  
**Unpermitted Sober Living Facilities**  
(Drug and alcohol rehabilitation clinic/housing/drug dispensary)

Note to Planning Department:

We would appreciate this letter being forwarded to the commissioners and city council now rather than wait until prior to the planning commission hearing. Thank you.

Dear Mayor, City Council, and members of the Planning Commission:

We are writing to express our **OBJECTION** to the approval of a Use Permit for a proposed (and currently operating, non-permitted) Sober Living Facility at 1425 S. Via Soledad and a second non-permitted facility at 1590 E. Palm Canyon called the Palm Tee Hotel.

Introduction

We live directly across the street to the east of the "Alexander Inn" and feel this Use is inappropriate in an area bordering seven single-family residents and several low-key boutique motels.

I am also writing to express concern over how this facility is being allowed to operate without the proper zoning permits and business licenses in place. As a business that is advertising and providing critical services to people suffering from drug and alcohol addictions, why does the City continue to allow this type of business to operate for nine months since being notified of its operation? This owner is operating knowingly and blatantly without permits, and is dealing with health and life safety issues and while unregulated poses a threat to the community and its residents.

Furthermore, it would seem the City is exposed to undue liability for allowing this to perpetuate until resolution of the business' proper permits and licenses. Both the neighboring residents and the clients of this business are at risk if something goes wrong.

The applicant was told by the Planning Director in November 2011 a Use Permit was needed for their facility. The applicant waited seven months and submitted a Conditional Use Permit Application June 25<sup>th</sup>, 2011.

RECEIVED

AUG 27 2012

PLANNING SERVICES

DEPARTMENT

### **Conditional Use Permit Concerns**

The applicant is trying to obtain a Conditional Use Permit in an R-2 zone directly across two streets from seven R-1 Single Family Residents bordered on two streets.

#### **If this facility is approved in this location it will:**

1. Drastically reduce the quality of life for nearby residents
2. Will expose us to potential danger
3. Will reduce the livability of our neighborhood
4. Will reduce our property values
5. Will add substantial traffic to the neighborhood
6. Does not have near sufficient parking for residents, guests, meetings, etc.
7. Will create daily noise and obstruction to the peace of neighboring residents.
8. Will change the existing compatibility of the R1 and R2 abutting zones.

### **Codes, Licenses, Violations and Undesirable Activities**

For the past nine months many negative activities have taken place and the neighbors have individually and communally reported the following observations.

1. The owners opened the business without obtaining a Use-Permit or business license under the false premise of a federal statute that apparently states you can have five unrelated persons living in a single-family residence.
2. The Planning Director notified the owner in November 2011 that they needed a CUP after a neighborhood complaint. The Planning Director disputed the logic they referred to in item #1 stating this was a 4-plex, not a SFR. At this point the owner said they planned to live on site, do home occupation/office work, and rent out the units until they got a CUP.
3. They obtained a "home-occupation" permit and immediately and blatantly violated the conditions of operating a "home-office" which they never intended to do.
4. They hired a living on-site facilities manager, they hosted community Al-Anon events weekly, they "rented" units to recovering addicts, and basically started the business up as they originally proposed. There were many noisy parties and an over-parked neighborhood regularly at least twice a week. They have had a web site continuously offering services since November continuing to this day. (<http://www.kenseeleycommunities.com/index.html>.) Where are the permits to operate either a motel, hotel, apartment, or whatever the city wants to classify it as so we as neighbors are protected?
5. Building improvements have been made without permits, exacerbating all the issues noted above. This was originally a 6-unit apartment building. In 2003 it was turned into a motel. In 2007 it was nicely upgraded to a boutique motel. There were (4) 2-bedroom motel units provided, a managers live-in 2-bedroom unit, and a small 1-bed unit the previous owners mother lived there. Unless the city can produce building permits indicating approved modifications, this building needs to be permitted or returned to a condition that meets all zoning codes. The owner needed to conduct due diligence to determine what they could legally do with the units; not move in, remodel, state what units and bedrooms are existing, and start operating a Sober Living facility. The new owners statement of "existing conditions" is false. What they have created is without proper Use Permits or Building Permits, not what was existing or approved.
6. A hot tub was installed in the back without permits and is not shown on the site plan.

7. A smoking area is designated in the CUP application. This is not shown on the site plan and must be checked for legal distance to neighboring properties.
8. In March 2012, after a neighborhood noise complaint, City of Palm Springs code enforcement officers visited the owner notifying them they were operating without a Use Permit, whereby they made reference to the federal statute once again referring to single-family residences. This is the same argument they used in November, and were informed by the planning director this statute was not applicable.
9. We and the neighbors have met two young people who were checked in as recovering addicts; one for two months, the other for six months. We met two more young men from Canada who had checked in for the winter. The neighbor to the west is experiencing 60-80 cigarette butts a week being tossed over his wall. Along with that he has to pick up the litter left by sober living clients leading to and from the liquor store on the corner.
10. Loud music was played on their pool patio with outdoor speakers from nine in the morning until nine at night every day until we complained multiple times. The neighbors to the south requested the music be turned down after complaints by their motel guests and were responded to with an increase in the music volume.
11. They allowed their German Sheppard to walk the neighborhood unleashed each morning.
12. They are providing use of a garbage dumpster on-site without proper enclosure and sanitization as required by zoning. The neighbor to the west is experiencing noxious odors in his adjacent units.

Please note that several of the obnoxious activities noted above have decreased since we began to complain to the city and work with the neighbors to resolve this issue. In the interim, they have continued operations as a sober living facility not a "home-based" business, but with hired management living at the complex. The owners do not live here, they just sponsor and partake in the activities as necessitates their business. The outdoor pool party/meeting area obviously got too hot to function this summer and they moved these group functions to The Palm Tee Hotel, another location owned and operated by Mr. Seeley without permits.

### **Zoning and Permit Issues**

Based on observing the activities of this facility for almost a year now, they will not be able to meet the conditions of Use should you allow them to operate under a Conditional Use Permit.

#### **Zoning Issues:**

1. Not enough parking
2. No accessibility parking
3. No legal accessibility to and within the building.
4. No enclosed trash dumpster facility.
5. Questionable legal building code access from all bedrooms
6. Traffic will increase significantly because the operation requires daily meetings, classes, parties, al-anon meetings, etc., along with drop by visitors from family, friends, management, counselors, inspectors, teachers, mentors, and all other people listed in the Welcome Packet.



Their activities are just not compatible across the street to R-1 single-family homes. The size of the property and building do not support the density of residents and use they are proposing. This Use needs to be surrounded by R-2, R-3, or commercial zones where the density is higher, the activities are similar, parking and traffic are mitigated, and the daily lives of nearby residents are not severely impacted.

A simple comparison is that the boutique hotels nearby have guests that come for vacation for a few nights or a week. They are here to relax and vacation in Palm Springs. They relax by the pools, go out to see the sights, dine, see entertainment, then return to the hotel to relax and sleep. These guests do not typically group for common activities and parties; they do not solicit outside groups and guests; and they do not park up the neighborhood. In general these boutique motel guests are respectful to the neighborhood, are quiet, and low-key.

In contrast, the Sober Living guests check in for months at a time, tend to walk around the neighborhood smoking, littering, talking on cell phones and sitting on the street curbs. Relatives and friends drop by in idling cars to drop off groceries and things while sober living guests come out to pick them up and talk. Outside visitors participate in loud barbecues, meetings, and poolside events on a regular basis. They do not care or have any investment in the neighborhood. While motel guests tend to enjoy the property they inhabit, Sober Living guests tend to take a negative ownership of the nearby streets until it's time to check out and move on.

It is called a "recovery community" for a reason: it takes the community, coming by and meeting to help the recovering addict maintain their sobriety. So we have both the community dropping by on a regularly scheduled basis, and the recovering addicts immediate family and support group dropping by on a regular basis. This is no longer a "residential neighborhood"; it is now a commercial enterprise attracting daily business without the proper infrastructure to support it.

#### **Functions and Activities occurring and/or proposed by Sober Living**

**1. On-site doctor assisted medication management.**

As a creative twist and use of the zoning ordinance the owner has stated that since the city "supports" them as an "assisted living center" they should therefore activate their rights as approved in the zoning ordinance and sponsor an on-site drug therapy program.

**2. Eighteen to twenty communal beds with unrelated roommates crammed into what was a beautiful 4-unit boutique hotel with live-in managers who considered it their home. Similarly, other motel owners treat their properties the same way.**

**3. Eighteen to twenty tenant cars plus visitors vehicles at a property with seven existing, non-compliant parking stalls. This facility could easily use 30-40 parking spaces. Consider each tenant having a car, a fifteen to twenty-person functions several times a day, friends and relatives visiting, teachers and counselors on a daily basis. Make no mistake; we have already experienced this, thanks to the owners operations without permits for nine months. See Accessible compliant parking will be required reducing the stall count to six. An approved trash enclosure will further reducing parking. The owners claim their clients are not allowed to have cars for thirty days but after that each client may have a car. The parking ordinance is designed to address homes and motels as cars per units because not all occupants drive cars. In this unique situation, each "bed" will be allowed a car. I could also speculate they would make an exception to the 30-day requirement for income purposes.**

4. **Regular daily meetings, AA, Al-Anon, pool parties, barbeques, with public invited.**

This facility needs adequate in-door space to have functions of this nature along with associated parking in the right zone. Residential neighborhoods are no place for large un-screened parking areas and regular outdoor meetings and events. Please see the applicants responses No. 5 and No. 6 to the planning departments inquiry for additional information: planned events: classes on topics such as 12-step, Life Skills, Job Proficiencies, Fitness and Nutrition, volunteer and fellowship, young adult development, parent and family support. This coupled with daily activity of the resident's points to an incredible level of activity for a residential neighborhood.

**Additional Background Information:**

1. They held a grand opening, have an active website advertising the property open for business, and conducting on-going obnoxious meetings and parties outside since purchase in November of 2011. This is an integral part of their recovery activities. Participants are coming from around Palm Springs and have no regard for the peace of the neighborhood. The marketing of this facility appears to be for out-of-towners wanting to get to beautiful Palm Springs to recover, not for the benefit of local residents. The goal is to get away from your environment to recover, not stay close by. From the clients we met from Canada, there is insurance available for these people to ship out and find recovery.

**Problems experienced to date:**

- Loud parties, screaming, loud music.
  - Excessive parking on Via Soledad and Sonora
  - Cigarette butts in the street
  - Music playing from 9:00 am until 9:00 pm seven days a week in the outdoor pool area; "welcoming public, open all the time", not like a neighborhood boutique hotel.
  - Recovering addicts have brought "peace offerings" of cookies to our house and also neighbors near the other property, The Palm Tee Hotel.
  - Both gates to the property are left open on a continual basis welcoming anybody who may come by also proving to be un-sightly at times with garbage cans and recycle containers visible and left on the streets for days at a time.
2. The City of Palm Springs was notified of this activity November 29, 2011 and has conducted inquiries, involved the City Attorney, and has allowed the owners to continue operation at their own will and discretion until the Use Permit is resolved.
  3. The Zoning Ordinance doesn't have a category for "Sober Living" so this falls under "Assisted Living". Because they are going to be evaluated under the restrictions of assisted living, the applicant stated, "we feel that we should take advantage of the opportunity the City has given us to be able to offer services we had not previously considered offering as a sober living". The City has not given them anything; they are intentionally manipulating the ordinance to try to expand their facility to include on-site drug medication.

**This is an attempt to take advantage of the City and residents proposing the use of drugs on-site to treat drug and alcohol addicts.** The intent of the ordinance sections about drugs regarding assisted living is to provide drugs to disabled and older citizens confined to assisted living. **This is an intentional misuse of the zoning ordinance further exacerbating the Sober Living concept in a residential neighborhood.**

4. The applicants state in their application for the Use Permit the following constraints and conditions for their clients:

- a. "Provide a highly structured environment."
- b. "Holding clients to a standard of behavior that includes:
  - Treating the neighbors with courtesy and respect
- c. • To see that residents remain accountable to this level of behavior and if they can't, move them to a higher level of care or out of the community to not expose the community to any risk"

We have observed public access morning until night, open door policy, public meetings, clients and employees wandering around the streets, etc. How highly structured is this? How much will all these guests care about our neighborhood?

**First** of all, if the applicant is so bold as to open a sober living facility without permits (which is not courteous and is disrespectful to the neighbors, as stated above) how should we expect them to convey this behavior to their clients?

**Second**, we doubt anybody can necessarily control the clients behavior, particularly when they don't want to be where they are, are struggling with addiction, and don't have any connection to the neighborhood. The clients are free to leave the premises and do as they please including smoking on the curbsides, talking on the phone, drinking sodas, littering, talking with their friends in cars, and other activities on the street.

**Third**, what kind of hypocrisy is this when they move into the neighborhood without permits, turn on the music from 9am to 9pm outside, start having regular parties several times a week, conduct intervention business on cell phones walking around the street, have cars parked all over with people going in and out and talking with people in cars, etc., letting their dog out without a leash daily, and generally not caring about the neighbors?

**Lastly**, if the Sober Living residents cannot stay accountable to the behavioral conditions imposed upon them and the facility moves them out, the damage and "risk to the community" is already done in our neighborhood and most likely these individuals will move on to another neighborhood.

Certainly the neighbors who had to deal with whatever problems they created while living there and departing on unfavorable conditions will have already suffered and had the quality of their lifestyle degraded. Regardless of how many people become risky and have to be moved out of the facility, the regular parties, public use, and group meetings are not conducive to a residential neighborhood that wants peace and quiet and quality of residential living that Palm Springs has to offer.

### Conclusion

Our nearby homes on two adjacent streets are in an R-1 zone and the applicant's property is in an R-2 zone. Other R-2 uses bordering us such as the boutique motels nearby have not been a problem. A motel with individual units for private guests is very different from a communal living situation that encourages public meetings, group parties, and high occupancy per room. As you know, **PUBLIC PARTIES AND MEETINGS** are not allowed at these motels for the very reason of not disturbing the single-family residents adjacent in the R-1 zone. The goal for Sober Living residents is to maintain a vigilant surrounding of support groups and people to prevent users from returning to addictive behavior, thus providing regular **PUBLIC PARTIES AND MEETINGS**.


Why, under any circumstances or with the constraints of a use permit should this Conditional Use be allowed violating the very same conditions imposed on other R-2 zoned properties that protect the safety, peace, and quiet of nearby single family residents and adjacent businesses? Even if "public meetings" were not allowed by the Use Permit, the twenty proposed residents would obviously be allowed to have "family and guests", so it is obvious that there would be a very simple way around this restriction and public parties and meetings would continue. **This type of activity is UNCONTROLLABLE via the use permit process.** No findings or conditions attached to an approved Use Permit are going to control this facility, particularly with the blatant disregard for the neighbors already established by the owners. They care about a few things: themselves, their community parties, and their profit, not the neighbors or the due process of the City of Palm Springs.

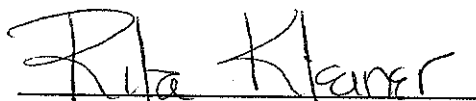
The applicant has already expressed a complete disregard for the City's laws and the neighborhoods quality of life by opening **two** facilities without permits, and conducting all the activities listed in this letter. In addition they obtained a permit for "home office" and blatantly abused this privilege by operating a full-service Sober Living facility. They also blatantly ignored interpretation provided by the Planning Director and have further delayed obtaining the required permits.

There will be many findings that can be made to recommend denial of this use permit. They should be taken seriously to prevent a major mistake and precedent setting policy where no appropriate zoning is in place to regulate this growing business sector. This privilege should be reserved for the right applicants, in the right place, at the right time, not for this renegade activity taking place for almost a year now.

Please **VOTE NO and OBJECT** to this use in our neighborhood as this issue comes before you. The applicant should have been more careful and considerate in selecting a location for this business in the community. He is doing his clients, the City, and the neighborhoods a disservice by providing sober living facilities in neighborhoods that are not compatible to this business.

Sincerely,

  
Eric Kleiner

  
Rita Kleiner

LUIZ

**Ken Lyon**

---

**From:** Cluisf@aol.com  
**Sent:** Sunday, August 26, 2012 12:29 PM  
**To:** Jay Thompson; Ken Lyon  
**Cc:** steve.pognet@palmsprings-ca.gov; Chris Mills; Ginny Foat; Paul Lewin; Rick Hutcheson; Citymanager - Mail Login  
**Subject:** Planning Commision-Conditional Uasge Permit number 5.1283,Intervention 911

*The Honorable, Jay Thompson & Ken Loyn:*

My name is Clarence Luiz and I live at 1201 S Manzanita Ave. I am writing to you today as a resident of the Deepwell Estates neighborhood who is very concerned about the possible official approval of the Palm Tee Hotel's conversion to a drug rehabilitation center. While I support the concept of helping people to overcome drug addiction, I strongly object to the placement of a facility devoted to that endeavor within a peaceful residential neighborhood like Deepwell.

I believe this business could be detrimental to our neighborhood's quality of life by possibly bringing increases in crime, noise, and traffic as well as in non-Deno individuals who have no stake in keeping the neighborhood safe, clean and quiet. Furthermore, I worry that this facility could cause an influx of drugs to our community, the very thing they say they're trying to combat.

As for any assertions by Intervention 911 of how they would address these issues, I do not think they can be trusted, because they opened the business without any permits or notification to the City of Palm Springs. In fact, I think any company which would operate in such a negligent manner is more likely to engender those very antisocial factors which could be damaging to our neighborhood's well-being.

I urge you and other City officials to do everything you can to keep this operation from being approved and, furthermore, to have it shut down as quickly as possible and be returned to its proper function as a hotel.

Thank you.

Respectfully yours,

Clarence Luiz  
1201 S Manzanita Ave.  
Palm Springs, Ca. 92264

**Ken Lyon**

---

**From:** Craig Ewing  
**Sent:** Monday, August 27, 2012 8:12 AM  
**To:** Ken Lyon  
**Subject:** FW: Planning Commission - Conditional Usage Permit (number 5.1283), Intervention 911

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:** Jay Thompson  
**Sent:** Monday, August 27, 2012 6:14 AM  
**To:** Craig Ewing; Terri Hintz  
**Subject:** Fwd: Planning Commission - Conditional Usage Permit (number 5.1283), Intervention 911

Sent from my iPad

Begin forwarded message:

**From:** Mitch Friedman <[mitchfr@yahoo.com](mailto:mitchfr@yahoo.com)>  
**Date:** August 24, 2012 11:06:36 AM PDT  
**To:** [Jay.Thompson@palmsprings-ca.gov](mailto:Jay.Thompson@palmsprings-ca.gov)  
**Subject:** **Planning Commission - Conditional Usage Permit (number 5.1283), Intervention 911**

Dear Mr. Thompson,

My name is Mitch Friedman and my partner and I live at 1270 W. Deepwell Rd. I'm writing to you today a resident of the Deepwell Estates neighborhood who is very concerned about the possible official approval of Palm Tee Hotel's conversion to a drug rehabilitation center. While I support the concept of helping people to overcome drug addiction, I strongly object to the placement of a facility devoted to that endeavor within a peaceful residential neighborhood like Deepwell.

As you know, Deepwell Estates is one of the highly desirable neighborhoods in the Palm Springs area and has enjoyed significant investment in property improvements in recent years. This has led to a very stable community with an excellent quality of life and a nice mix of year-round residents and second-home owners. A drug rehabilitation center could bring increased crime, noise, and traffic into the neighborhood as well as individuals who have no stake in keeping the neighborhood safe, clean and quiet. This would certainly affect the desirability of the neighborhood and possibly negatively affect our property values. Furthermore, I'm very concerned that this facility could cause an influx of drugs to our community; the very thing they say they're trying to combat.

Despite possible assertions by Intervention 911 that they will address these issues, I do not think they can be trusted because they opened the business without permits or notification to the City of Palm Springs. Any company which would operate in such a negligent manner is very unlikely to voluntarily comply with city ordinances and will probably not be responsive to issues which could be damaging to our neighborhood's well-being.

I urge you and other City officials to do everything you can to keep this operation from being approved and, furthermore, to have it shut down as quickly as possible and be returned to its proper function as a hotel.

Thank you.

Respectfully yours,  
Mitchell Friedman  
[mitchfr@yahoo.com](mailto:mitchfr@yahoo.com)

**Ken Lyon**

---

**From:** Robert McKenzie <heybob@centurytel.net>  
**Sent:** Monday, August 27, 2012 2:01 PM  
**To:** Steve Pougnet; Chris Mills; Ginny Foat; Rick Hutcheson; 'Paul Lewin:; Citymanager - Mail Login  
**Cc:** Jay Thompson; Ken Lyon  
**Subject:** Intervention 911, Palm Tee Hotel Permit Hearing (5.1283 CUP)  
**Attachments:** image001.gif

Honorable Mayor Steve Pougnet;  
 Honorable Chris Mills, City Council;  
 Honorable Ginny Foat, City Council;  
 Honorable Rick Hutcheson, City Council;  
 Honorable Paul Lewin, City Council;  
 City Manager, David Ready;

As a nearby Deepwell homeowner to Intervention 911's Palm Springs facilities I am writing in opposition to its continuation and urge you to deny its permit.

I grew up in Palm Springs and am a "graduate" of Cahuilla Elementary and own our home that has been in the family for years.

After close scrutiny of Intervention 911's web site, its evasive links, and reading letters from others in our community it is clear to my wife and me that Intervention 911 has not in the past been, nor can be expected to be, an active member of our Deepwell Community, or the Palm Springs support network for the alcohol and drug challenged. It is debatable and worth deep investigation that Intervention 911 has the proper credentials to perform their work as outlined, or that there even exist legitimate licensing authorities it claims to be credentialed by.

My wife oversaw the Boulder County Health Department's substance abuse programs here in Colorado for ten years. The earmark of all providers, like Intervention 911 claims to be, is the providers' active and on-going involvement in building a support network involving the public safety, welfare agencies, social services, medical care, emergency care, and residents. Intervention 911 has done none of that, instead starting its business under the cover of darkness, and even going so far as to operate without registration. It must answer why.

Did Intervention 911 enter other communities with a "it's better to ask forgiveness rather than permission" tactic?

There are several clues that are disturbing. Some of our neighbors refer to Intervention 911 operation as a "rehabilitation" facility. Intervention 911's web site makes no such claim to "rehabilitate" anywhere. The closest it comes is to say it will intervene and provide a "treatment plan" not treatment "alone." While I am not familiar with California Regulatory Agencies' accreditation requirements, one suspects Intervention 911's cautious wording is to avoid regulatory oversight required of rehabilitation providers.

Who are the Intervention 911 clients (by characteristic, not name, of course)? How are they referred to the facility? Might they be freed prisoners paid by the state as a halfway house? How can neighbors determine the relative risk from Intervention 911 clients? None of this has been explained, and if Intervention 911 wants community support, it should tell us.

Will Intervention 911 provide an emergency escalation chain of contacts from local to corporate? Good neighbors make it straightforward to communicate.

Further one has to question how deep the Intervention 911 resources go beyond the thin veneer of their web site. There is nothing in the web site that allows for establishing a dialogue with anyone



other than a prospective client, and there is no mention of their financial backing. One has to wonder why this is all so secretive and who benefits by it.

As neighbors we don't have the knowledge or resources to dig deeply enough into this business, nor should we. We trust in you as elected officials to demand that Intervention 911 absolutely and thoroughly prove it is a legitimate business, meets clearly established regulatory responsibilities, and operates in a transparent and accountable manner to our satisfaction as neighbors and to the expanded and capable Palm Springs substance abuse support community as well.

One suggestion that would be very helpful is to be able to read all public comments and responses on your web site. If it is already available, we'd appreciate you providing the links. We'd get much value from the dialogue and it would help you crystallize the most important issues to the community and us to understand other points of view.

Our best regards and appreciation for your assistance.

Robert McKenzie  
PO Box 3906,  
Eagle, CO 81631-3906

CC:

Mr. Jay Thompson, City Clerk

Mr. Ken Lyon, Case Planner, Department of Planning Services

## Ken Lyon

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**From:** Jay Thompson  
**Sent:** Monday, August 27, 2012 5:10 PM  
**To:** Ken Lyon; Terri Hintz  
**Subject:** FW: Intervention 911, Palm Tee Hotel Permit Hearing (5.1283 CUP)  
**Attachments:** image001.gif

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**From:** Ginny Foat  
**Sent:** Monday, August 27, 2012 4:44 PM  
**To:** Jay Thompson  
**Subject:** FW: Intervention 911, Palm Tee Hotel Permit Hearing (5.1283 CUP)

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**From:** Robert McKenzie [<mailto:heybob@centurytel.net>]  
**Sent:** Monday, August 27, 2012 2:01 PM  
**To:** Steve Pougnet; Chris Mills; Ginny Foat; Rick Hutcheson; 'Paul Lewin:'; Citymanager - Mail Login  
**Cc:** Jay Thompson; Ken Lyon  
**Subject:** Intervention 911, Palm Tee Hotel Permit Hearing (5.1283 CUP)

Honorable Mayor Steve Pougnet;  
Honorable Chris Mills, City Council;  
Honorable Ginny Foat, City Council;  
Honorable Rick Hutcheson, City Council;  
Honorable Paul Lewin, City Council;  
City Manager, David Ready;

As a nearby Deepwell homeowner to Intervention 911's Palm Springs facilities I am writing in opposition to its continuation and urge you to deny its permit.

I grew up in Palm Springs and am a "graduate" of Cahuilla Elementary and own our home that has been in the family for years.

After close scrutiny of Intervention 911's web site, its evasive links, and reading letters from others in our community it is clear to my wife and me that Intervention 911 has not in the past been, nor can be expected to be, an active member of our Deepwell Community, or the Palm Springs support network for the alcohol and drug challenged. It is debatable and worth deep investigation that Intervention 911 has the proper credentials to perform their work as outlined, or that there even exist legitimate licensing authorities it claims to be credentialed by.

My wife oversaw the Boulder County Health Department's substance abuse programs here in Colorado for ten years. The earmark of all providers, like Intervention 911 claims to be, is the providers' active and on-going involvement in building a support network involving the public safety, welfare agencies, social services, medical care, emergency care, and residents. Intervention 911 has done none of that, instead starting its business under the cover of darkness, and even going so far as to operate without registration. It must answer why.

Did Intervention 911 enter other communities with a "it's better to ask forgiveness rather than permission" tactic?

There are several clues that are disturbing. Some of our neighbors refer to Intervention 911 operation as a "rehabilitation" facility. Intervention 911's web site makes no such claim to "rehabilitate" anywhere. The closest it comes is to say it will intervene and provide a "treatment plan" not treatment "alone." While I am not familiar with California Regulatory Agencies' accreditation requirements, one suspects Intervention 911's cautious wording is to avoid regulatory oversight required of rehabilitation providers.

Who are the Intervention 911 clients (by characteristic, not name, of course)? How are they referred to the facility? Might they be freed prisoners paid by the state as a halfway house? How can neighbors determine the relative risk from Intervention 911 clients? None of this has been explained, and if Intervention 911 wants community support, it should tell us.

Will Intervention 911 provide an emergency escalation chain of contacts from local to corporate? Good neighbors make it straightforward to communicate.

Further one has to question how deep the Intervention 911 resources go beyond the thin veneer of their web site. There is nothing in the web site that allows for establishing a dialogue with anyone other than a prospective client, and there is no mention of their financial backing. One has to wonder why this is all so secretive and who benefits by it.

As neighbors we don't have the knowledge or resources to dig deeply enough into this business, nor should we. We trust in you as elected officials to demand that Intervention 911 absolutely and thoroughly prove it is a legitimate business, meets clearly established regulatory responsibilities, and operates in a transparent and accountable manner to our satisfaction as neighbors and to the expanded and capable Palm Springs substance abuse support community as well.

One suggestion that would be very helpful is to be able to read all public comments and responses on your web site. If it is already available, we'd appreciate you providing the links. We'd get much value from the dialogue and it would help you crystallize the most important issues to the community and us to understand other points of view.

Our best regards and appreciation for your assistance.

Robert McKenzie  
PO Box 3906,  
Eagle, CO 81631-3906

CC:

Mr. Jay Thompson, City Clerk

Mr. Ken Lyon, Case Planner, Department of Planning Services

## Ken Lyon

---

**From:** Jay Thompson  
**Sent:** Tuesday, August 28, 2012 9:31 AM  
**To:** Ken Lyon; Terri Hintz  
**Subject:** FW: Planning Commission - Conditional Usage Permit (number 5.1283), Intervention 911

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**From:** Nina Jackson [<mailto:nina.somewhere@gmail.com>]  
**Sent:** Tuesday, August 28, 2012 9:22 AM  
**To:** Steve Pougnet; Chris Mills; Ginny Foat; Rick Hutcheson; [paul.lewin@palmspring-ca.gov](mailto:paul.lewin@palmspring-ca.gov); Citymanager - Mail Login; Jay Thompson; Ken Lyon  
**Subject:** Planning Commission - Conditional Usage Permit (number 5.1283), Intervention 911

This is a letter in response to the proposed Alcohol/Drug Rehabilitation Center proposed for the Deepwell neighborhood.

My name is Nina Jackson, I live at 1147 Paseo De Marcia in the Deepwell neighborhood.

I am of the belief that properly run and properly staffed rehabilitation centers can be a lifeline to alcoholics and addicts. I also feel that putting a facility in an area that is in close proximity to easy access to alcohol and a "party atmosphere" such as Palm Springs, is counterintuitive to rehabilitation. As far as the drug rehabilitation aspect of recovery, especially for methamphetamine, a family neighborhood is not a safe idea.

My reasons are many, especially concerning the relapse rate of meth users, but the attacks on drug rehab centers in Mexico have given me more to worry about. I really don't want family neighborhoods in Palm Springs to be put in the middle of drug/gang activities.

Thankfully, this extreme violence toward recovery centers has not, to my knowledge, occurred in the Coachella Valley. Sadly, our desert communities have been involved in numerous gang activities resulting in homicides where innocent people have been caught in the crossfire.

I truly hope the council will take a long look at the possible side effects of placing drug and alcohol rehabilitation centers in such close proximity of neighborhoods and schools and in a town known for it's "party atmosphere". I would like to know if there is a Security Dept. for this proposed center. The Betty Ford Center has 20 acres and is a secure facility and is also in close proximity to the Eisenhower Medical Center.

I would also like to know if the PSPD has been asked for advice and guidance as well.

Thank you for taking the time to read my concerns,

Nina Jackson

Nina Jackson  
[nina.somewhere@gmail.com](mailto:nina.somewhere@gmail.com)  
206-931-5811

JIM KING ENTERPRISES  
ENERGY AND PUBLIC RELATIONS COMPANY

#032329

August 14, 2012

Mr. David Ready  
City Manager  
City of Palm Springs  
3200 E Tahquitz Canyon Way  
Palm Springs, CA 92262

Dear David Ready,

My name is James "Jim" King and I live at 1635 E. Palm Tree Drive. I am writing to you today as a resident of the Deepwell Estates neighborhood who is very concerned about the possible official approval of the Palm Tee Hotel's conversion to a drug rehabilitation center. While I support the concept of helping people to overcome drug addiction, I strongly object to the placement of a facility devoted to that endeavor within a peaceful residential neighborhood like Deepwell.

I believe this business could be detrimental to our neighborhood's quality of life by possibly bringing increases in crime, noise, and traffic as well as in non-DENO individuals who have no stake in keeping the neighborhood safe, clean and quiet. Furthermore, I worry that this facility could cause an influx of drugs to our community, the very thing they say they're trying to combat.

As for any assertions by Intervention 911 of how they would address these issues, I do not think they can be trusted, because they opened the business without any permits or notification to the City of Palm Springs. In fact, I think any company which would operate in such a negligent manner is more likely to engender those very antisocial factors which could be damaging to our neighborhood's well-being. I attended last months Planning Commission meeting and express my concerns with them as well.

I urge you, the Mayor and City Council to do everything you can to keep this operation from being approved and, furthermore, to have it shut down as quickly as possible and be returned to its proper function as a hotel. When I retired in 2005, I decided to move to a resort city and I chose Palm Springs. I think too many of this type of facility may ruin to "resort feeling" that we all enjoy.

Thank you for your consideration.

  
Personal Regards,

cc: Honorable Mayor Steve Pougnet  
Honorable City Council Members

jimking5000@yahoo.com  
P. O. BOX 2374 PALM SPRINGS, CA 92263-2374  
PHONE: (310) 999-8634 FAX: (760) 904-8952

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**From:** Buge, Carol [mailto:cbuge@support.ucla.edu]  
**Sent:** Thursday, August 16, 2012 12:20 PM  
**To:** Ginny Foat  
**Subject:** Palm Tee

RE: the conversion of the Palm Tee Hotel at 1590 E. Palm Canyon Dr. into a recovery and rehabilitation center for drug and alcohol dependence

As a fairly new resident of Palm Springs I am writing to express my opposition to locating a rehabilitation facility so close to an old, well established residential area. We chose this area with great care, and share our new home with our children and grandchildren. While the concept of rehabilitation facilities and programs is admirable, having one physically embedded within Deepwell is of great concern. I know there are many less residential areas in the vicinity where such a facility could be located.

Please help protect our neighborhood by opposing this new facility.

*Carol H. Bugé*  
1484 Paseo de Marcia

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**From:** MRTANMAN2@aol.com [mailto:MRTANMAN2@aol.com]  
**Sent:** Saturday, August 04, 2012 3:26 PM  
**To:** mrtanman2@aol.com  
**Subject:** Intervention 911

To whom it may concern:

As a homeowner in the Deepwell Neighborhood, I have some concern regarding the proposed conversion of the Palm Tee Hotel at 1590 E. Palm Canyon Dr. into a recovery and rehabilitation center for drug and alcohol dependence.

While the concept of rehabilitation facilities and programs are admirable, having one physically embedded within Deepwell is of great concern. Potential issues of increased crime, noise, influx of drugs, traffic, greater numbers of non-Deepwell persons, and other un-neighborly activities can all have a negative effect on our highly-valued quality of life.

I strongly object to this facility being allowed to operate at this location.

Respectfully submitted.

**GENO Azevedo**  
**1565 Palm Colony**



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

From: Rick Camoirano [mailto:rcamoirano@gmail.com]

Sent: Monday, August 06, 2012 10:33 AM

To: Ginny Foat

Subject: Palm Tee Rehab Facility

Dear Ginny,

Steve,

I am a long-time Deepwell resident who is deeply concerned about the non-permitted residential rehab facility operating at the former Palm Tee Motel. In the past, and I have lived here nine years, Deepwell has had spates of burglaries and other crimes associated with residents on East Palm Canyon between Sunrise and Sagebrush Road. My house was among those broken into by a group living at the motel at Palm Canyon and Sagebrush.

The site is inappropriate for a rehab facility for many reasons, including the traffic and parking issues which will certainly impact Calle Rolph and beyond.

I encourage the council to reject the application by Palm Tee, which was submitted only after the facility was discovered to be operating without the proper permits from the city.

Thank you,

Rick Camoirano

1160 S Driftwood Drive

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**From:** Philip Fleck [mailto:pmfleck@gmail.com]  
**Sent:** Wednesday, August 08, 2012 2:07 PM  
**To:** Ginny Foat  
**Subject:** conditional use permit (5.1283 CUP) Palm Tell Hotel

**TO:** Executive Board, City of Palm Springs, CA:

Steve Pougnet; Mayor

Chris Mills; Member, City Council

Ginny Foat; Member, City Council

Rick Hutcheson; Member, City Council

Paul Lewin; Member, City Council

David Ready; City Manager

**FROM:** Philip M. Fleck

<http://www.pmfleck@gmail.com>

Deepwell Neighborhood Resident

(Addr provided if necessary)

Palm Springs, CA. 92264

**DATE:** August 5, 2012

**SUBJECT:** Intervention 911 Rehabilitation Facility

Palm Tee Hotel

1590 E. Palm Canyon Drive

Palm Springs, CA 92264

ISSUE: Should Intervention 911 be permitted to continue business in our residential neighborhood?

I was recently advised by our neighborhood Organization (DENO) of the purchase and subsequent operation of the Palm Tee Hotel as a recovery and rehabilitation facility. Further, that Intervention 911 failed to obtain the proper permits or Planning Commission approval prior to operating their facility in this neighborhood.

As a constituent, resident of the Deepwell neighborhood, and recently retired law-enforcement officer, I am extremely concerned about this issue; having experience in the results of facilities of this nature embedded in residential neighborhoods. Politics aside, the reality will be an increase in criminal activity and complaints, property crime, escalated but unenforceable traffic issues, and eventual lowered property values.

Prior to moving to Palm Springs in 2009 I lived and worked in San Francisco. My position in local government there provided me with opportunity to see firsthand the negative effect facilities of this nature have on residential neighborhoods; and the political posturing that provided no help to the residents. Crime did increase, quality-of-life was lessened, and subsequently property values were affected.

As management of this city is your responsibility, I am sure you would not want to see any of the above mentioned issues occur under your watch, let alone in the neighborhoods that each of you reside.

I moved in to the Deepwell neighborhood because of its appeal as a clean, quiet, upscale and friendly community. Being retired, I no longer need to be "politically correct" and not speak out when I can see trouble coming. This neighborhood has already seen its share of opportunity crime in the recent past; don't help create a catalyst for more...

I suspect that the failure to notify the City prior to opening this business was intended; with the idea that once embedded it would appear politically insensitive to close it; a tactic well used in the past. I urge you to revoke the current conditional use permit (5.1283 CUP) and not issue any further permits for use and/or business related to any recovery or rehabilitation facility at this address; this was a hotel, keep it that way.

Philip Fleck  
[pmfleck@gmail.com](mailto:pmfleck@gmail.com)

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**From:** Pascht & Le Messurier [mailto:ralph-mark@sympatico.ca]  
**Sent:** Thursday, August 09, 2012 11:52 AM  
**To:** Steve Pougnet  
**Cc:** Chris Mills; Ginny Foat; Rick Hutcheson; paul.lewin@palmspringca.gov; Citymanager - Mail Login  
**Subject:** Intervention 911 at th former Psalm Tee Hotel

Dear Mayor Pougnet, Councilors, and City Manager:

A polite Canadians we are not usually in the habit of writing our political representatives urgent letters of concern about issues in Canada, let alone in the United States. But, here goes.

First, please know that we believe the present Palm Springs City Council and Staff are doing an exceptional job in re-establishing the City as the preeminent place to live in the Coachella Valley. And in that regard, as homeowners now for 2 years in the Deepwell Estates neighbourhood, we have put our money where our mouths are.

However, we have been recently made aware that the Palm Tee Hotel at 1590 E. Palm Canyon Drive has been for many months now been informally converted into a into a recovery and rehabilitation center for drug and alcohol dependence, by an organization calling themselves "Intervention 911".

We say "informally converted" as the organization in question seems not to have filing any permits for this use of the Hotel in advance with the Palm Springs Council. Subsequently, and only once they were found out, again, it seems, they responded by filing a Conditional Use Permit (CUP) Application with the Council, and then, in order to avoid possibly lengthy litigation costs, the Council has now let the organization continue to operate its facility, as is, until the CUP application has run its course.

As homeowners in Deepwell Estates, we are concerned that this organization has established itself in our neighbourhood starting with an act of bad faith, (i.e.: not receiving proper permits, nor advising the surrounding community of its intentions nor facility establishment), and is now using the Council's approval process to continue to operate despite already flouting the established zoning permit procedures.

It seems that for them, forgiveness, (at least temporarily), is indeed easier to obtain than permission. This forgiveness should not be granted permanence by the Council. Our reasoning is as follows.

While we are in no way against such facilities, nor even are against one near our neighbourhood, (they do have to be established *somewhere* as unfortunately there is a real need), what is at issue are the methods by which they established themselves and are now trying to play the zoning requirement procedures like a fiddle.

If Intervention 911 is subsequently granted permission to continue *formally*, it will create precedence in Palm Springs that anyone seeking to establish a property use anywhere in the City not in line with the accepted uses of a particular area or formal zoning requirements will be able to do so with impunity. Due municipal regulations and by-laws are established to keep the Council in a proactive position, not a reactive one. And cease and desist orders should be the accepted and immediate way to prevent and end infractions of established laws. Otherwise, what is the point in these laws in the first place?

As Canadians who purchased and renovated a second home in Palm Springs 2 years ago we are concerned. We are literally investing in the future of Palm Springs after having been annual visitors for almost 20 years – we simply love the place. Is Intervention 911 doing the same, or

just looking for distressed real estate at fire sale prices, with minimal community involvement or permissions?

Again, they are operating under an act of bad faith, hoping that bureaucratic procedures and the indirect threat of onerous legal costs will effectively keep the Council's hands duly tied.

The local Deepwell Estates Neighbourhood Organization (DENO) has been reporting an unusual increase of crimes of opportunity in our area over the past months, starting this spring. These crimes include car break-ins of vehicles both on the street and in driveways or carports, and house burglaries even when homeowners are present. It is hopefully just a coincidence that this increase in petty property crimes comes around the same time as the establishment of this facility in the former Palm Tee Hotel. However, as Intervention 911 was in effect clandestinely operating this facility, there is no way one could or can know the impact, if any, that this facility may or may not have had upon our neighbourhood.

We are effectively in the dark while Intervention 911 continues to operate outside the bounds of accepted property usage in our area.

We were both resident in Palm Springs this past March and April, and the Palm Tee Hotel sign was still present and, to all visible intents and purposes, still looked like a tourist hotel. So, what does Intervention 911 really have to hide? Will that sign still be there when we return to Palm Springs this October/November? Will there be any signage there to indicate what is really going on? Perhaps up the street Ralph's supermarket at Smoketree will quietly convert into a 24-hour nightclub with live entertainment out in the parking lot, but keep the Ralph's sign up and a row of grocery carts out front? Just saying.

In closing, thank you for taking the time to read this letter of concern, and please keep up the good work in making Palm Springs the great place that it is, and that we hope it will continue to be.

Best Regards,

Mark Le Messurier  
Ralph Pascht  
1015 S. Calle Marcus  
Palm Springs, CA  
92264

**From:** bob russano [mailto:bobrussano@gmail.com]

**Sent:** Saturday, August 11, 2012 3:32 PM

**To:** Ginny Foat

**Subject:**

**Ginny,**

**I live in Smoke Tree Condominiums, directly across the street from this proposed Rehab center. I have dealt with this type of change before. My experience has been negative. We had a local conversion, similar to this, run by a religious organization. The problems that ensued were of the usual variety associated with a concentration of drug & alcohol abusers. Break-ins, both vehicle and households, etc.**

**Given the nature of the Smoke Tree neighborhood, I do not think this is a reasonable location for this type of facility.**

**We already have considerable problems with the homeless population in this area. I do not think this is a good location. "NIMBY"...yes to a point, but also based on personal experience. Many of the neighborhood residents are 'snow birds' and it creates a perfect setting for those with a leaning towards crime to do their illegal acts undetected.**

**Given my other experience, I am 'gun shy' of having to deal with it again. We were given all sorts of assurances by the religious association about 'security, curfews, etc...all for not...it was a disaster and ended up costing the neighborhood and the city a great deal of time and money...not to mention what it did to a settled neighborhood's character.**

**Sincerely,**

**Bob Russano**

**1655 East Palm Canyon Dr.**

**#309**

**Palm Springs, Ca. 92264**

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**From:** David Ready  
**Sent:** Friday, August 17, 2012 3:03 PM  
**To:** 'Jonathan Rosenblatt'  
**Cc:** Craig Ewing; Tom Wilson; Lee A. Bonno  
**Subject:** RE: Intervention 911, 1590 E. Palm Canyon Dr, and rehab facilities

Jonathan,  
Thank you for your message – please allow me to check with the Planning Director on this particular facility – I'm out of town until the 27<sup>th</sup> – however will follow up.

Regards,  
David



**DAVID H. READY, Esq., Ph.D.,  
CITY MANAGER**

City of Palm Springs Tel: (760) 322-8350  
3200 E. Tahquitz Canyon Way Fax: (760) 323-8207  
Palm Springs, CA 92262 TDD: (760) 864-9527  
[www.palmsprings-ca.gov](http://www.palmsprings-ca.gov) [David.Ready@palmsprings-ca.gov](mailto:David.Ready@palmsprings-ca.gov)

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**From:** Jonathan Rosenblatt [<mailto:jrosenblatt@msn.com>]  
**Sent:** Friday, August 17, 2012 1:27 PM  
**To:** Paul Lewin; Steve Pougnet; Chris Mills; Ginny Foat; Rick Hutcheson; Citymanager - Mail Login  
**Subject:** Intervention 911, 1590 E. Palm Canyon Dr, and rehab facilities

Dear Mayor Pougnet, Palm Springs City Council Members, and City Manager Ready,

As the Chairman of the Deepwell Estates Neighborhood Organization and resident of Palm Springs for the last 8 years, I would like to express my concern regarding the operation of the currently unlicensed rehabilitation facility run by Intervention 911 at 1590 E. Palm Canyon Dr (located on the outskirts of Deepwell Estates). While the concept of rehabilitation and rehabilitation facilities is admirable, realistically having a facility in the midst of one's neighborhood does bring up many legitimate questions about crime, traffic, and noise. The Deepwell area has experienced what feels like an increasing number of crimes and burglaries over the last two years; so the presence of this rehabilitation facility has caused some anxiety amongst the DENO membership. To make matters and feelings more complicated, Intervention 911 decided to open their facility "under the radar" and without City permitting - a move which could be interpreted as underhanded and not that of a reputable operator.

I would strongly urge that should Intervention 911 appeal their Conditional Usage Permit (number 5.1283) to the City Council, that the City Council take into account the feelings of the Deepwell community and reject the appeal.

Likewise, when the City Council takes up the general issue of legislation affecting rehabilitation facilities, please remember the concerns of your constituents.

Sincerely,

Jonathan  
Jonathan Rosenblatt  
1010 Manzanita Ave.  
Palm Springs, CA 92264  
949-422-1135 (cell)  
[jrosenblatt@msn.com](mailto:jrosenblatt@msn.com)

## Ken Lyon

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**From:** Jonathan Rosenblatt <jrosenblatt@msn.com>  
**Sent:** Monday, August 20, 2012 7:02 PM  
**To:** Craig Ewing  
**Cc:** David Ready; Bette OCamb; Ken Lyon  
**Subject:** RE: Intervention 911, 1590 E. Palm Canyon Dr, and rehab facilities

Dear Mr. Ewing,

Many thanks for the information that you provided.

We will inform the DENO membership regarding this opportunity to speak at the Planning Commission meeting in September.

Sincerely,

Jonathan

Jonathan Rosenblatt  
1010 Manzanita Ave.  
Palm Springs, CA 92264  
949-422-1135 (cell)  
[jrosenblatt@msn.com](mailto:jrosenblatt@msn.com)

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Subject: FW: Intervention 911, 1590 E. Palm Canyon Dr, and rehab facilities  
Date: Mon, 20 Aug 2012 08:39:56 -0700  
From: [Craig.Ewing@palmsprings-ca.gov](mailto:Craig.Ewing@palmsprings-ca.gov)  
To: [jrosenblatt@msn.com](mailto:jrosenblatt@msn.com)  
CC: [David.Ready@palmsprings-ca.gov](mailto:David.Ready@palmsprings-ca.gov); [Bette.OCamb@palmsprings-ca.gov](mailto:Bette.OCamb@palmsprings-ca.gov); [Ken.Lyon@palmsprings-ca.gov](mailto:Ken.Lyon@palmsprings-ca.gov)

Mr. Rosenblatt,

The City Manager forwarded your comments to my attention and I thought I'd give you an update on the status of the project. Intervention 911's application for a Conditional Use Permit has been deemed "complete" by the planning staff and so we can proceed to a public hearing with the Planning Commission. The tentative date for that hearing is Wednesday, September 26<sup>th</sup>, beginning at 1:30 p.m. At that time, anyone may present comments to the Commission, either verbally or in writing.

The planner assigned to the case is Ken Lyon, who returns from his vacation tomorrow (Tuesday). You may mail or e-mail to his attention any comments about the site or application and they will be forwarded to the Planning Commission.

Mr. Lyon is also working on the Zone Text Amendment regarding overall rules for sober living facilities, so you may also contact him on this larger issue.

Feel free to call me if you have any questions or concerns.

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



Thomas M. Stansbury, LCSW  
1175 E. Cactus Rd.  
Palm Springs, CA 92264

RECEIVED

SEP 06 2012

PLANNING SERVICES  
THE CITY OF PALM SPRINGS

City of Palm Springs  
Department of Planning Services  
Attn: Planning Commission  
P.O. Box 2743  
Palm Springs, CA 92263-2743

Sep 6, 2012

re: CUP # 5.1283 (Intervention911)

Dear Members of the Palm Springs Planning Commission,

As a resident of the Deepwell Estates neighborhood, I am deeply concerned about the proximity of Intervention911's facility to our peaceful and quiet community. The former Palm Tee Hotel property (1590 E Palm Cyn Dr) sits within our formal neighborhood boundaries and has for many years been a good Deepwell neighbor.

However, the owners of Intervention 911 re-opened the former hotel as a sober living home early this year without a permit to operate a business of any kind. I need not detail here all that transpired to bring us to this point, but suffice to say that a business opening up without a license or basic City business permit in itself creates concerns as to how that owner will operate the business.

One would expect that while Intervention911's CUP is in progress, that they would be extraordinarily careful about not creating any problems in the neighborhood. Indeed, however, there have already been complaints expressed first-hand to me from three of the neighbors nearest to this property. These complaints include excessive noise/loud partying, loud cursing from sober living residents while they are waiting for the bus near the corner of Calle Rolph and E Palm Cyn, smoke wafting from the property onto the neighbor's properties (one of which is itself a non-smoking hotel), inadequate parking (such that neighbors are at times unable to get into their own driveways), and cigarette butts and trash strewn about the street in front of the facility and near the bus stop.

Intervention911's CUP states (paraphrased) that they will hold their clients to a standard of behavior that includes treating neighbors and the community with courtesy and respect at all times. Based on the comments above that I personally received from these neighbors, it seems to me that the owners don't even hold *themselves* to that standard, much less their *residents*. Given that it is a matter of record that they opened without a permit and then initially resisted reasonable attempts to get them to submit a CUP, I would question whether they are capable of holding their clients to those standards that they espouse in the CUP.

The CUP also states a contradiction which must be pointed out. Intervention911 initially states they are a "sober living facility", but then later in the narrative section of the application, they go on to state that they wish to offer "onsite therapy (individual and group),... nursing or doctor assisted medication management, and services that would be found at a drug and alcohol treatment center."

It is important to note that if they offer these additional services, they are no longer operating a "sober living facility", they are then operating a full scale drug and alcohol treatment facility and would require licensing by the State of California. But along with additional services come more employees, which

would necessitate additional parking. This is but one more piece of a complicated puzzle. The CUP states that there will be four employees on site. I would wonder whether that applies 24/7?

As a Social Worker licensed in the State of California, and one who has practiced psychotherapy and psychosocial rehab extensively in the field of drug and alcohol abuse, including at the Betty Ford Center, I understand and support the rationale for such facilities. At the same time, I remain concerned that all the problems that come with such facilities (and believe me, there are many!) are coming into a quiet residential neighborhood like Deepwell.

Deepwell already has the Tennis Court Apartment within our formal boundaries, and there is a long history of problems within that complex involving drugs. Given the very close proximity of the Tennis Court to the Intervention 911 facility, I would be concerned about the easy availability of drugs to residents of Intervention911, complicating their recovery and complicating existing efforts to keep the Tennis Court problems under control.

I urge the Commission to take very seriously the notion of permitting such a facility with our neighborhood and to deny the referenced CUP.

Thank you,

A handwritten signature in cursive script that reads "Thomas M. Stansbury". The signature is written in dark ink and is positioned below the typed name.

Thomas M. Stansbury, LCSW

XC: DHR -  
Council  
Coy E

DELIVERED SEP 1 10 40 AM '12

Mayor Pougnet  
Mayor Pro Tem Foat  
Councilmembers Hutcheson  
Lewin  
Mills

Re: Palm Tee Hotel Sober Living

As a Deepwell resident Located here in Palm Springs, I have concerns regarding the purposed Conditional Use Permit (CUP) filed by this hotels present owner Ken Seeley.

I walk my dog twice a day thru the Deepwell community, often passing the Palm Tee Hotel. On September the third I engaged in conversation with on of the hotel clients. He informed me there were eleven gentlemen staying at the hotel and I noticed that the parking lot was full of cars.

Concerns: 1) Mr. Seeley has requested a 32 bed facility at this location. See attached picture--this picture was taken on Sept. 3 with 11 clients in residence. Where would these 32 clients and staff members park their vehicles given the fact that the parking lot is already full with 11 clients? 3) Mr. Seeleyy has been given 2 dates for completion of his paperwork, May 1 and July 31 and it is yet to be completed and he has been allowed to remain in business--unsupervised by the city. 4) Mr. Seeley operates every Sudaday barbeque-meetings. These barbeques are noisy, causing distrubance to the neighborhood. Mr. Seeley invites non-residence people to these barbeques which has caused the noise volume to escalate and additional parkiing issues. I have noticed for the past few Sundays that Mr. Seeley's clients of the Palm Tee Hotel their cars down the street from the hotel to insure parking.

As elected city officials we voted you into office to represent all citizens and neighborhoods. I have attended 2 neighborhood associations and the concerns for this business are many with all eyes on our city government to represent us. We hope you will not buckle to pressure from the unknown.

In closing, I have two questions for you. 1) Why has the city allowed this business to continue without proper paperwork completed? 2) Given this information, how would you like to have this business as your neighbor?

Sincerely, A very Concerned Deepwell Resident

RECEIVED

SEP 20 2012

PLANNING SERVICES  
DEPARTMENT



1873

CASE# RELATED PROJECT NAME ADDRESS / DESCRIPTION PROPERTY TYPE STATUS APPT/STATUS APPT/STATUS APPT/STATUS APPT/STATUS APPT/STATUS APPT/STATUS

28610 TTM STREBE CONSOLIDATED TRUST NORTH OF TACHEVAH DRIVE Partially Complete Evan Matzner (760)275-7741 Planning Services

A 19-lot, single-family, residential subdivision north of Tachevah Drive, between North Avenida Caballeros and North Sunrise Way  
Residential

5,1283 CUP 5.1282 CUP INTERVENTION 911 1590 PALM CANYON DRIVE EAST Pending Initial Review Eric McLaughlin (323)401-3660 Ken Lyon

Request for a Conditional Use Permit to allow a substance abuse recovery center currently in a 16-unit hotel complex.  
Residential

35623 TTM 5.1135 PD RAINBOW VISION 334 PALM CANYON DRIVE EAST On Hold Joy Silver (505)474-9696 Edward Robertson

A proposed condominium map for the development of approximately 13.28 acres for a campus-style resort/retirement community of 184 for-sale condominiums with the availability of home healthcare service provision through a third party provider, along with resort-style hospitality services and amenities  
Hotel/Mixed Use

## Ken Lyon

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**From:** Ginny Foat  
**Sent:** Wednesday, September 26, 2012 5:40 PM  
**To:** Ken Lyon  
**Subject:** FW: Palm Tee Hotel, 1590 E Palm Canyon Dr

---

**From:** Mike Paonessa [[mailto:mike\\_paonessa@hotmail.com](mailto:mike_paonessa@hotmail.com)]  
**Sent:** Tuesday, August 07, 2012 6:59 AM  
**To:** Ginny Foat  
**Cc:** 'Mike Paonessa'  
**Subject:** Palm Tee Hotel, 1590 E Palm Canyon Dr

Council member Foat,

I am writing to you regarding the Palm Tee rehab center located at 1590 E Palm Canyon Drive.

It is my understanding that this facility was opened without proper permitting. As a property owner in the adjoining neighborhood of Deepwell Estates, I am very concerned with a 32 bed rehab facility in my neighborhood. My experience is that facilities of this large size cannot adequately monitor the coming and going of their clients and one of the result is higher crime in the adjoining area.

I am not a "not-in-my-backyard" proponent but large facilities like this do not belong in a residential neighborhood. They should be much much smaller if they are to be so closely imbedded into a quiet residential neighborhood.

As a property owner, I am urging you to be very careful in your review of this permit and what it will do to the neighborhood. I hope you will do the right thing for the homeowners and tax payers of this neighborhood.

Thank you,

**Mike Paonessa**

cell: 773-860-6453  
efax: 888-370-4574

## Ken Lyon

---

**From:** Ginny Foat  
**Sent:** Wednesday, September 26, 2012 5:39 PM  
**To:** Ken Lyon  
**Subject:** FW: 1590 E. Palm Canyon Drive

---

**From:** Mark Coleman [<mailto:markdcoleman@comcast.net>]  
**Sent:** Tuesday, August 07, 2012 5:54 PM  
**To:** Ginny Foat  
**Subject:** 1590 E. Palm Canyon Drive

August 7, 2012

Dear Ginny Foat,

Regarding Palm Tree Hotel conversion  
1590 E. Palm Canyon Drive

I am opposed to granting any type of use permit or occupancy for this type of facility- no matter how admirable the concept is.

As a taxpayer and a homeowner, this will detract from the safety and enjoyment of life I expect from owning a home in Palm Springs. The potential for increased crime, influx of drug dealers and drugs will have a negative effect of the entire area.

I am appalled that the City has not issued a cease and desist order to this facility. They should have never been issued a Conditional Use Permit after the business failed to get the required permits. They have a duty to run their business legally, especially when they were represented by an attorney. What other laws or ordinances are they breaking- including fire requirements? It is outrageous that they started opening their business without the required approval.

Once caught- they should have been shut down from doing any remodel or updating to open a recovery and rehabilitation center in a residential neighborhood. They have no regard to their neighbors and how this type of business will impact the quality of life for every resident in the adjoining Deepwell neighborhood and the surrounding areas.

They do not have approval for this type of business and I expect you to do everything in your power- including changing the ordinances to prevent this from opening in the City of Palm Springs.

Regards,

Mark Coleman  
1417 S Calle Rolph  
Palm Springs, CA 92264



**Susan Balenzano**

#407  
1655 East Palm Canyon Drive  
Palm Springs California  
92264

September 26, 2012

Ginny Foat:

Dear Sir:

We are writing to you as concerned homeowners of Smoketree Racquet Club. We are aware that the property of Palm Tee Motel on Palm Canyon Dr., Palm Springs is under consideration for an alcohol and drug rehabilitation center. While we are supporters of rehab centers and understand the need for such a facility; we are strongly opposed to having one across the street from our complex.

We have been owners at Smoke Tree for 3 years but we've enjoyed coming to this complex for at least 13 years. In that time we have experienced first hand many incidences of drug dealing, violence, section 8 shenanigans and most recently a tenant was arrested for having a meth lab right upstairs from us. Not to mention the increasing homeless situation across the street and behind our complex. As this seems to be an ongoing issue for us we feel this would be a deterrent to the guests of the rehab center with too much temptation right across the street.

We have an awesome community consisting of owners, "snowbirds" and full time renters who are constantly trying to keep up the value of our homes. We have just recently reached the highest occupancy rate in a years which not only means an increase in HOA fees for us, lower delinquency rate of short sales and foreclosures for the banks but more importantly for the City of Palm Springs, more property tax.

Please reconsider allowing the rehab center to occupy prime real estate property on East Palm Canyon Dr. This area has enjoyed revitalization over the last couple of years and we consider Palm Springs to be one of the most scenic, vibrant, family oriented, upscale yet affordable resort destinations in California. We personally have worked and saved long and hard to earn such a respected address, this rehab center does not belong here. It could be any where away from the tourists and locals who are trying to build your economy. Why not in the outlying desert, or in the hills, property is inexpensive in Desert Hot Springs. Please keep Palm Springs safe and worry free and protect our investments.

Sincerely your very concerned tax paying residents

Susan and Nick Balenzano

**Harriet&Samuel  
Anderson**

#407  
1655 East Palm Canyon Drive  
Palm Springs California  
92264

Ginny Foat:

Dear Madam,

We are writing to you as concerned homeowners of Smoketree Racquet Club. We are aware that the property of Palm Tee Motel on Palm Canyon Dr., Palm Springs is under consideration for an alcohol and drug rehabilitation center. While we are supporters of rehab centers and understand the need for such a facility; we are strongly opposed to having one across the street from our complex.

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Sincerely your very concerned tax paying resident

Harriet and Samuel Anderson

## Ken Lyon

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**From:** Jay Thompson  
**Sent:** Wednesday, September 26, 2012 11:16 AM  
**To:** Ken Lyon; Terri Hintz  
**Subject:** FW: Conversion of the Palm Tee Hotel to a Rehabilitation and Recovery Center

Has this already been to the Commission and going to Council?

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

**From:** john charlton [mailto:jcharlton305@gmail.com]  
**Sent:** Wednesday, September 26, 2012 10:25 AM  
**To:** Jay Thompson  
**Subject:** Conversion of the Palm Tee Hotel to a Rehabilitation and Recovery Center

Hello,

Mr. Paul Lewin recommended I forward you my letter in order that it forms part of the input to the planning commissions report on this matter.

I forwarded this letter yesterday, September 25th and wish to include that a few hours later on this date the sounds of sirens from emergency vehicles were noted to attend the Facility where medical attention was being given to a male client before being transported (without lights and sirens) by ambulance. While I don't know what the medical emergency entailed or if the male was revived (drug overdose?) there was quite a commotion on the property and out on the street. A number of neighbours were drawn from their homes to check out what the disturbance was about. I did not observe any manager on site at the time of the incident however, this cannot be confirmed.

Honourable Mayour Pougnet, City Councillors and City Manager.

My name is Colleen Kerr. My husband John Charlton and I reside at the Smoketree Racquet Club, 1655 E. Palm Canyon. Our President and presiding Board members recommended that owners at Smoketree (128 residential complex) voice their concerns regarding the conversion of the formerly known Palm Tee Hotel to the current Rehabilitation and Recovery Centre (911 Rehabilitation) temporarily being operated under a CUP. We understand the CUP was only issued in June 2012 after the City was made aware by concerned citizens from the Deepwell neighbourhood that such a facility had been operating without permit since March 2012. This initial 'deception' by a purported legitimate business expected to know what permits are required before operating is the first of a long list of concerns we have regarding the facility's negative impact on the quality of life in our neighbourhood.

While you may have already received some letters from Smoketree's owners there are a number I have personally spoken to who are fear full that should they identify themselves, speak their minds and disclose some of the negative incidents they have already experienced, there may be repercussions. Therefore and unfortunately, their silence may be interpreted as tacit acceptance of the Facility in this residential area.

First and foremost the concept of a Rehabilitation and Recovery Center is admirable and a positive step in helping people get well (in this particular Center, men only). The concern is the location of such a facility to the proximity of so many residents that are negatively impacted by the 'activities and optics' of such a Facility.

I will share some of my own recent experiences.

1. Shortly after 6 pm on September 13th, while taking my usual stroll down Calle Rolph I witnessed approximately 8 male clients all donning matching T-shirts sweeping the roadway. It resembled a jail's 'chain gang' I have seen in other larger city areas. I'm sure other residents or visitors to the area would have thought the same. I felt uneasy and intimidated having to walk by these groups of young men alone. What fed this uneasiness was out of nowhere a sudden verbal exchange of profanities between 2 men were exchanged causing one of the males ripping his T-shirt off, throwing it onto the trunk of a parked vehicle and storm off angrily into the Deepwell neighbourhood on foot.

2. There is increase in the amount of cigarette butts on the grounds mostly from the clients and friends who visit them on a regular basis.

I have personally witnessed cigarette butts being tossed by pedestrian and vehicles coming and going from the facility.

3. There is a red truck parked frequently near the stop sign on Calle Rolph at . Palm Canyon which is leaking oil. The driver is either a client or visitor. The pools of oil now on the roadway is very visible and just one more thing that brings the look of this neighbourhood look bad.

4. Parking at this facility is obviously limited as many of the current clients and visitors have vehicles. I have witnessed 3 vehicles associated to the facility now parking a few blocks away and walking to and from the facility. Although this only indirectly effects me, I would venture to guess this has a negative impact on nearby residents.

5. There is a spike in noise and activities on Sundays, 2 of recent that caused me to smell and investigate an exorbitant amount of smoke originating from the facility over to the Smoketree Racquet Club.

While it would appear it was from barbecuing for a number of clients and visitors to the facility, it will mean I and many others will have to ensure our windows and patio doors are closed during these days taking away our freedom to enjoy the cooler weather upon us.

6. Late in the afternoon of September 20th I again observed a group of males from the facility advertising/donning the same matching T-shirts walking down E. Palm Canyon pushing brooms. The owner/owners of the Recovery Center could tell me all they want that the clients are harmless and not a concern, I don't know that! I, like so many, resort to what we know and have been taught. These are large young men many with tattoos walking along the street in a pack. I felt the need to move in doors until they were out of sight. If I as a middle aged female feels this way, how do you think the elderly and more vulnerable residents around the facility feel when encountering these men? Besides, doesn't our tax dollars already go towards this street cleaning service? Subjecting these men to this cost free labour is demoralizing, looks bad for the neighbourhood and is taking away the work from current City employees.

4. During the early evening of September 23rd I walked by the facility on my usual evening stroll where I observed the male clients going from room to room visiting each other. They were particularly louder and more boisterous than normal. When a ball they were throwing about came over the fence and across the street I felt the need to walk faster so not to encounter them when they came out to fetch it.

Again, I didn't feel safe walking alone although I can't substantiate that feeling with anything tangible.

I don't know alot about this particular Rehabilitation and Recovery Center or what managerial oversight they provide to this group of men. i.e. is there random drug and alcohol testing, are there clients with sexual or gambling addictions, are any of the clients Court imposed from crimes committed as a result of their addictions.

Overall, I assimilate what I have seen and experienced as now living across the street from a 'Fraternity House'. This facility does not belong in this neighbourhood. People, including myself, are angst at the perspective that this facility may become a permanent fixture which, I am sure, will be at full capacity of clients on a regular basis. It is a big and, unfortunately, ever growing business. These are young men who, for all intense purposes are presumed to be clean and sober, but, due particularly to their age and background, bring a diversity that just doesn't fit or should be tolerated in this quiet and reserved neighbourhood.

I now have had to change my walking routine and no longer enjoy the freedom of walking past or near this facility. I'm sure I for one will have to make other adjustments to my lifestyle should this Facility be permitted to remain at this location.

I, along with many other owners was prepared to attend the Planning Commission Hearing on September 26th but I understand it has been postponed. Please advise when the meeting is being held.

Colleen Kerr

## **Ginny Foat**

---

**From:** Ginny Foat  
**Sent:** Monday, September 17, 2012 11:46 AM  
**To:** 'rick brown'  
**Subject:** RE: palm tee hotel and rehabilitation facility

Dear Rick:

I am John Morris, office volunteer for Mayor pro-tem Ginny Foat. I wanted to keep you notified of the latest developments regarding the Proposed Rehab facility. The legal counsel for the client asked that we pull the item from the Sept 26 Planning Commission. We expect it to return sometime in October and will keep you advised when we know more.

Sincerely:

John Morris

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**From:** rick brown [mailto:rtbrown@pacbell.net]  
**Sent:** Friday, August 24, 2012 1:40 PM  
**To:** Steve Pougnet; Chris Mills; Ginny Foat; Rick Hutcheson; Paul Lewin;; Citymanager - Mail Login  
**Subject:** Fw: palm tee hotel and rehabilitation facility

----- Forwarded Message -----

**From:** Daniel Miville <rick705@pacbell.net>  
**To:** rtbrown@pacbell.net  
**Sent:** Fri, August 24, 2012 1:38:31 PM  
**Subject:** Fw: palm tee hotel and rehabilitation facility

----- Forwarded Message -----

**From:** richard brown <rtbrown705@me.com>  
**To:** Mayor Steve Pougnet: steve.pougnet@palmsprings-ca.gov; Chris Mills: chris.mills@palmsprings-ca.gov; Ginny Foat: ginny.foat@palmsprings-ca.gov; Rick Hutcheson: rick.hutcheson@palmsprings-ca.gov; Paul Lewin: paul.lewin@palmspringca.gov; City Manager David Ready: CityManager@palmspringsca.gov  
**Cc:** rick705@pacbell.net; all4me92115@yahoo.com  
**Sent:** Fri, August 17, 2012 2:55:11 PM  
**Subject:** palm tee hotel and rehabilitation facility

Dear city of Palm Springs

Hello my name is Richard Brown.. We own the property at 1673 S. Calle Rolph Palm Springs 92264.. We are concerned about this new bussiness which has started in our neighborhood. This new business (intervention 911 located at the former palm tee hotel) is located directly across from

our residential property on 1673 S. Calle Rolph.. We rent our property out seasonally. A few weeks ago on a Sunday, I was shocked to see about 30 to 40 cars parked on our neighborhood streets. Some of the people parked in front of our property used a lot of profanity as they were leaving . I also picked up some trash afterwards in front of our property. I am very concerned about the fact that I am now hearing about the possibility of this being a norm for this new business. This new business only has a few parking spots. They are asking for a permit to house 32 guests.. If they are allowed to book 32 guests into there property, they will have to park in front of our property..So now were does this leave us? Our tenants guests and our guests will have to park on the next block? This was a very nice neighborhood when we purchased this property .. We would hope the City Of Palm Springs plans to keep it that way.. Thanks

Richard Brown

Daniel Miville

1673 S. Calle Rolph

Palm Springs Ca 92264

619-200-8442

619-583-0109

619-200-2445

Brian and Gail Townsley  
383 E Sonora Road  
Palm Springs, CA 92264

Planning Commission, City of Palm Springs  
c/o Ken Lyons, Associate Planner  
Department of Planning Services  
City of Palm Springs, CA  
3200 Tahquitz Canyon Way  
Palm Springs, CA 92263

**RE: OBJECTION TO APPROVAL OF CONDITIONAL USE PERMIT: CASE 5.1283  
SUBSTANCE ABUSE RECOVERY CENTER PROPOSED LOCATION 1425 VIA SOLEDAD**

Dear Mayor, City Council, and Members of the Planning Commission:

As home owners in the residential community impacted by the referenced application, we object to an approval of the conditional use permit for a substance abuse recovery center located at 1425 Via Soledad.

This is a quiet, residential neighborhood with an elementary school two blocks away from the proposed property. Our home, located at 383 E Sonora Road, is two doors east. We have already experienced the negative effects of the proposed use, sans permit, specifically loud parties and large numbers of vehicles parked all along our neighborhood streets.

Please support the preservation of our residential community by voting no on the submitted conditional use permit.

Respectfully,

*B-12.018*  
*Gail A. Townsley*

Brian R. Townsley

Gail A. Townsley

RECEIVED

OCT 01 2012

PLANNING SERVICES  
DEPARTMENT



## Ken Lyon

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**From:** Craig Ewing  
**Sent:** Tuesday, October 02, 2012 8:08 AM  
**To:** Ken Lyon  
**Subject:** FW: Futtere

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

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

**From:** Linda Futterer [<mailto:homtak@earthlink.net>]  
**Sent:** Wednesday, September 26, 2012 9:53 PM  
**To:** Craig Ewing  
**Subject:** Futtere

Mr Ewing,

The summer hiatus has passed and my concerns about the Palm Tee hotel are still present. We have been notified that the Palm Tee Hotel conditional use permit was not on the September planning committee agenda as Mr. Seeley's legal team asked for more time. As residents we are wondering what is the legal issue as a conditional use permit is the requirement of these facilities.

During the summer months the Palm Tee's population, visitors, and other drug facilities clients being brought to the Palm Tee has increased two fold. Traffic up and down the street has tripled as we have individuals coming at various times during the day and late afternoon for what I believe are meetings. Other recovery facilities drop off individuals who join the clients here for meetings, swimming, or the Sunday B-B Qs. The last two weekends there have been individuals sitting pool side after 10:00 PM visiting. What they probably don't realize is the sound carries at night. Women are present at this time. Last evening we had emergency vehicles appear after 8:00 PM. Someone was removed from the Palm Tee by ambulance. At 5:00 PM today I am working in my office which looks out to the street. A large van arrives and brings three young boys, well under eighteen, to the Palm Tee.

The clientele at the Palm Tee are not the problem. However there are more and more individuals coming to use the services at the Palm Tee.

I need to comment on one activity that has taken place on two Thursdays evenings. Clients at the Palm Tee are asked by Mr. Seeley to put on blue tee shirts, take booms and plastic bags and go down Calle Rolph sweeping the street and picking up trash. Last Thursday I waited for one man and greeted him. I asked him what he was doing and he told me they were volunteers. When asked from where he said, "From the Palm Tee, Mr Seeley wants us to show the neighborhood how much we appreciate living here". I was shocked. I told him you are paying Mr. Seeley to provide you a safe, sober environment not clean the streets. He agreed. I told him this was humiliating and violated the cardinal rule of the 12 step program that of confidentiality. This man told me he was 72 years old, a former executive. It

was 105 degrees at that time of evening. He was actually struggling to walk and get back to the hotel. I feel this is abusive to the fragile self esteem of these clients.

The neighborhood still wonders what type of business Mr. Seeley is running, even though he is rather under the radar there are still issues here. Why he has no conditional permit, why he is operating a business which gets larger and more complex and as time goes on will be more difficult to control or monitor as long as he is allowed to operate status quo

I appreciate the cities time and your support to our community. I think it is going to be rather complicated in the future if the planning commission does not come up with fair and usable rules for these facilities.

I feel you need to know what the day by day activities are as I observe them in my daily routine.

**Steven Batten and Peter Garvey**

250 E Sonora Rd  
Palm Springs CA 92264-8434

RECEIVED

OCT 11 2012

PLANNING SERVICES  
CITY OF PALM SPRINGS

October 8, 2012

Mr. Ken Lyons, Associate Planner  
Department of Planning Services  
City of Palm Springs  
3200 Tahquitz Canyon Way  
Palm Springs, CA 92263

Re: Use Permit CUP Case 5.1282 and CUP Case 5.1283 – Unpermitted Sober Living Facility at 1425 S. Via Soledad

Dear Mr. Lyons,

We are writing to express our OBJECTION to the application of a Use Permit for a proposed (and currently operating, non-permitted) Sober Living Facility operating at 1425 S. Via Soledad directly across from our residence at 250 E. Sonora Road. We had planned to attend the City Council Meeting concerning this permit but have been advised that the attorneys for the Sober Living Facility may be using a "stalling tactic" in order to prevent neighbors from being able to attend such a meeting and to deny our right to lodge the opinion that such a permit should not be granted.

Specifically, it has come to our attention that the Sober Living Facility has plans to conduct group therapy, Alanon/AA/12-Step groups and events, meetings, classes, parties, medical management, pool parties, public barbeques, etc. Currently there are only seven available parking spaces at the Sober Living Facility which are already filled by facility residents necessitating that employees and/or facility residents park additional vehicles on the street in front of our residence and those of our neighbors. Allowing these groups and group functions will only exacerbate the limited parking facilities currently available and negatively impact the entire neighborhood. Additionally, the need for these groups is questionable given that there is a 12-Step Meeting Facility in the Stein Mart shopping center on South Palm Canyon within 200 feet of the Sober Living Facility. Clearly residents could attend groups at that facility which has plenty of parking available for attendees.

One of us, Dr. Steven Batten, conducts his small licensed psychotherapy practice from our residence. When applying for the Palm Springs Business License Dr. Batten was told that he could not use the office for group therapy given the impact on parking and traffic in the neighborhood. Even though our driveway provides potential parking space for 4 vehicles, the license to operate the psychotherapy practice was issued on the condition that psychotherapy be available to individuals but not to groups. In order to be a good neighbor Dr. Batten consented to this restriction not wanting to adversely impact the neighborhood. Obviously, if a small practice with 4 parking spaces was not allowed to conduct small group meetings (no more than 6 attendees), the larger Sober Living Facility should be restricted from doing so as well given the large groups they have proposed.

We have already experienced the negative impact from situations such as residents playing football in the street refusing to yield to through traffic, and an "evicted" resident sitting on the street curb for

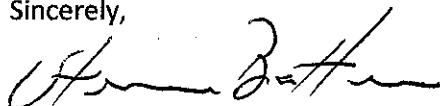
more than 5 hours with plastic bags containing his belongings waiting for friends/relatives to arrive to pick him up.

When the property was operated as Alexander Inn, the grounds were meticulously maintained, the guests of the boutique hotel acted appropriately and the operation was positive for the neighborhood. Since the Sober Living Facility surreptitiously began its operations, the grounds have deteriorated significantly and the tenor of its activities reflects negatively on our neighborhood.

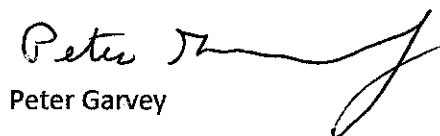
We are alarmed that the Sober Living Facility has been allowed to operate without a valid Palm Springs Business License. It is our understanding that the law requires anyone conducting business in Palm Springs, whether in a private home or a separate free-standing building, must have a license. The blatant disregard of this law by the owners of the Sober Living Facility does not speak well of their business practices or of their capability to be good neighbors and a positive contribution to our neighborhood.

We encourage you to include our comments in any consideration of permits to allow the Sober Living Facility to conduct or expand its operations.

Sincerely,



Steven Batten



Peter Garvey

Mayor Pougnet  
Mayor Pro Tem Foat  
Councilmembers Hutcheson  
Lewin  
Mills

Re: Palm Tee Hotel Sober Living

As a Deepwell resident located here in Palm Springs, I have concerns regarding the proposed Conditional Use Permit (CUP) filed by this hotel's present owner Ken Seeley.

I walk my dog twice a day thru the Deepwell community, often passing the Palm Tee Hotel. On September the third I engaged in conversation with one of the hotel clients. He informed me there were eleven gentlemen staying at the hotel and I noticed that the parking lot was full of cars.

Concerns: 1) Mr. Seeley has requested a 32 bed facility at this location. See attached picture--this picture was taken on Sept. 3 with 11 clients in residence. Where would these 32 clients and staff members park their vehicles given the fact that the parking lot is already full with 11 clients? 3) Mr. Seeley has been given 2 dates for completion of his paperwork, May 1 and July 31 and it is yet to be completed and he has been allowed to remain in business--unsupervised by the city. 4) Mr. Seeley operates every Sunday barbeque-meetings. These barbeques are noisy, causing disturbance to the neighborhood. Mr. Seeley invites non-residence people to these barbeques which has caused the noise volume to escalate and additional parking issues. I have noticed for the past few Sundays that Mr. Seeley's clients of the Palm Tee Hotel their cars down the street from the hotel to insure parking.

As elected city officials we voted you into office to represent all citizens and neighborhoods. I have attended 2 neighborhood associations and the concerns for this business are many with all eyes on our city government to represent us. We hope you will not buckle to pressure from the unknown.

In closing, I have two questions for you. 1) Why has the city allowed this business to continue without proper paperwork completed? 2) Given this information, how would you like to have this business as your neighbor?

Sincerely, A very Concerned Deepwell Resident

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SEP 19 2012

PLANNING SERVICES

## Ken Lyon

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**From:** Dan Staley <danielstaley@mac.com>  
**Sent:** Friday, August 31, 2012 12:42 PM  
**To:** Steve Pougnet; Chris Mills; Ginny Foat; rich.hutcheson@palmsprings-ca.gov; Paul Lewin; Citymanager - Mail Login  
**Cc:** Jay Thompson; Ken Lyon  
**Subject:** Palm Tee Sober Living in Deepwell

I am writing to you as a long-time resident of the Deepwell neighborhood, to express my SUPPORT for the Palm Tee residential sober-living facility on Calle Rolph. I have owned my home at 1210 S Calle Rolph since 2005. I was struck by the hostile tenor of the DENO opposition to my new neighbors at the Palm Tee, so I made it a point to walk down the street, visit the place myself and talk to the people who work and reside there. They could not have been friendlier or more welcoming. On my tour, I could see absolutely no reason for any neighborhood opposition to this impressive group of sober people working on their recovery from addiction. The community rooms are clean, tasteful and well-decorated and the individual rooms are well-kept and orderly. I would note that many of the clients seemed to be from a rather upscale background. There is a rigid structure for group meetings, individual accountability with drug-testing, curfews, etc. Residents are voluntarily walking the streets of Deepwell to pick up litter, which I appreciate. These are sober people earnestly working on their recovery, and I don't understand why we should be concerned about their presence. I would be far more concerned about a cheap motel attracting weekend partiers, which is what the Palm Tee recently was-- and I don't recall any neighborhood opposition at that point. I would guess that the opposition to the Palm Tee's presence is based on ignorance and fear about alcoholism, addiction and recovery issues, but that's just a guess-- I really don't understand it. At any rate, I urge you, the Mayor, City Council and City Manager, to behave more charitably and with more of an enlightened spirit than the Deepwell Estates Neighborhood Organization, and NOT revoke the permit for this commendable facility.

Thank you,  
Dan Staley

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Palm Springs CA 92264

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