



PLANNING COMMISSION STAFF REPORT

DATE: June 26, 2013

SUBJECT: CASE 5.1298 CUP – ANDREW WOOSTER ON BEHALF OF A & J CHAMPION, LLC FOR A CONDITIONAL USE PERMIT TO OPERATE A KENNEL (DOG CARE, BOARDING AND GROOMING) WITHIN A 3,552-SQUARE FOOT SPACE OF A MULTI-TENANT INDUSTRIAL PARK BUILDING LOCATED AT 5000 CALLE SAN RAPHAEL, ZONE M-1, SECTION 20.

FROM: Margo Wheeler, AICP, Director of Planning Services

SUMMARY

The Planning Commission will consider a Conditional Use Permit (CUP) to operate a kennel facility providing dog care, boarding and grooming within a multi-tenant industrial park building.

RECOMMENDATION:

Approve, subject to Conditions of Approval.

ISSUES:

- Project is located within the Airport Influence Area of the 2005 Riverside County Airport Land Use Compatibility Plan ("Plan"). Prior to City approval, the Riverside County Airport Land Use Commission (RCALUC) must find the project consistent with the Plan; this occurred on June 13, 2013 (see attached letter from RCALUC).

PROJECT DESCRIPTION:

The subject site is developed with a multi-tenanted industrial park building that is approximately 15,305 square feet in size and divided between 5 tenant spaces (C-1, C-2, C-3/4, C-5 & C-6). The kennel facility will be operated within Suite C-6, which is identified as 3,552 square feet space. A total of fifteen kennels will be located in the facility. No outdoor space will be utilized as a part of the operation. A commercial "dog potty" will be used indoors for animal waste and will be cleaned hourly.

BACKGROUND:

Related Relevant City Actions by Planning, Fire, Building, etc...

3/21/1985	City issued Building Permit to construct 15,305-square foot building.
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Most Recent Change of Ownership

12/16/1997	A & J Champion Partnership purchased subject property.
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Related Business Licenses

1/27/1999	Business license was issued for a party decorator in Suite C-3.
6/7/2000	Business license was issued for a data recovery office in Suite C-1
2/23/2000	Business license was issued for a motor hardware & accessories shop in Suite C-7 (?)
9/26/2001	Business license was issued for a warehouse (mail orders) in Suite C-5
6/6/2011	Business license was issued for life coach / training office in Suite C-5

Neighborhood Meeting

None	
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Existing General Plan, Zoning and Land Uses of Site & Surrounding Areas

	Existing General Plan Designations	Existing Zoning Designation	Existing Land Use
Subject Property	IND (Industrial) 0.5 FAR	M-1 (Service / Manufacturing)	Multi-tenanted Industrial Park Bldg.
North	IND	M-1	Vacant
South	IND	M-1	Multi-tenanted Industrial Park Bldg.
East	IND	M-1	Bus Service Facility
West	IND	M-1	Vacant

ANALYSIS:

General Plan

Land Use Designation	F.A.R. / Density	Request	Compliance
Industrial	0.50 Floor Area Ratio	Kennel (Existing bldg. 0.22 FAR)	Yes

Zoning – Uses & Lot Standards

	M-1 Zone	Proposed	Compliance
Uses permitted	Kennel with CUP approval	Kennel (dog care, boarding and grooming)	Yes
Lot Standards			
Min. Area	40,000 square feet	Existing (68,825 square feet)	--
Min. Width	200 feet	Existing (200 feet)	--
Min. Depth	200 feet	Existing (343 feet)	--

Zoning – Building Development Standards			
	M-1 Zone	Proposed	Compliance
Building Height	40 feet	Existing / No change (25 feet)	--
Yard Setbacks			
Front	25 feet	Existing / No change	--
Front Landscape	25% of front yard	Existing / No change	--
Lot Coverage	60% maximum	Existing / No change (22%)	--
Off-street Parking	1 space / 500 square feet of floor space for manufacturing uses – 30 spaces required for overall site	Existing / No change (50 parking spaces)	Yes

REQUIRED FINDINGS:

A kennel facility is permitted with the approval of a Conditional Use Permit. Section 94.02.00 of the Zoning Code requires that the Planning Commission make a number of findings for approval of the permit. Those findings are analyzed by staff in order below:

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

Pursuant to Section 92.17.01(A)(3) of the Zoning Code, an animal kennel is a permitted use within the M-1 Zone with the approval of a Conditional Use Permit. The use will be located in the same vicinity as other light industrial uses. Therefore, staff has determined that the finding has been met.

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

The use will provide dog care, boarding and grooming within a service manufacturing industrial area of the City, consistent with the zone and general plan designations. The proposed use is desirable for the development of the community as it will enhance available options to pet owners. The kennel will be entirely contained within the building and is not anticipated to be detrimental to existing uses or future uses specifically permitted in the M-1 Zone designation.

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

The subject property is an existing multi-tenanted industrial park complex with fifty parking spaces available. The proposed use is anticipated to have two full-time employees and provide care for up to fifteen animals entirely within a 3,552-square foot space. Impacts to the existing parking area will be minor for the proposed use, and all activities associated with the operation will occur indoors. Therefore, the proposed use is not anticipated to be detrimental to existing and future permitted uses of land in the neighborhood.

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

The project site is located along South Gene Autry Trail, which is designated as a major thoroughfare on the General Plan Circulation Element. The building is approximately 15,305-square feet in size and any traffic generated by the proposed use will be insignificant to the nearby streets and highways.

- 5) *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards. Such conditions may include:*
 - a. *Regulation of use*
 - b. *Special yards, space and buffers*
 - c. *Fences and walls*
 - d. *Surfacing of parking areas subject to city specifications*
 - e. *Requiring street, service road, or alley dedications and improvements or appropriate bonds*
 - f. *Regulation of points of vehicular ingress and egress*
 - g. *Regulation of signs*
 - h. *Requiring landscaping and maintenance thereof*
 - i. *Requiring maintenance of grounds*
 - j. *Regulation of noise, vibrations, odors, etc.*
 - k. *Regulation of time for certain activities*
 - l. *Time period within which the proposed use shall be developed*
 - m. *Duration of use*
 - n. *Dedication of property for public use*
 - o. *Any such other conditions as will make possible the development of the city in an orderly and efficient manner and in conformity with the intent and purposes set forth in this Zoning Code, including but not limited to mitigation measures outlined in an environmental assessment.*

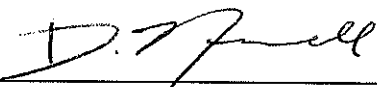
Staff has included Conditions of Approval to provide parameters and restrictions for the use, including, but not limited to, compliance with the City Noise Ordinance, etc.

ENVIRONMENTAL DETERMINATION:

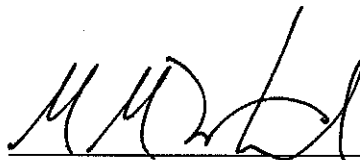
Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is Categorically Exempt as a Class I exemption per Section 15301(Existing Facilities).

NOTIFICATION:

Notification of this public hearing was sent to property owners within a 400 foot radius of the subject parcel. As of the writing of this report, staff has not received any correspondence from the public.



David A. Newell
Associate Planner



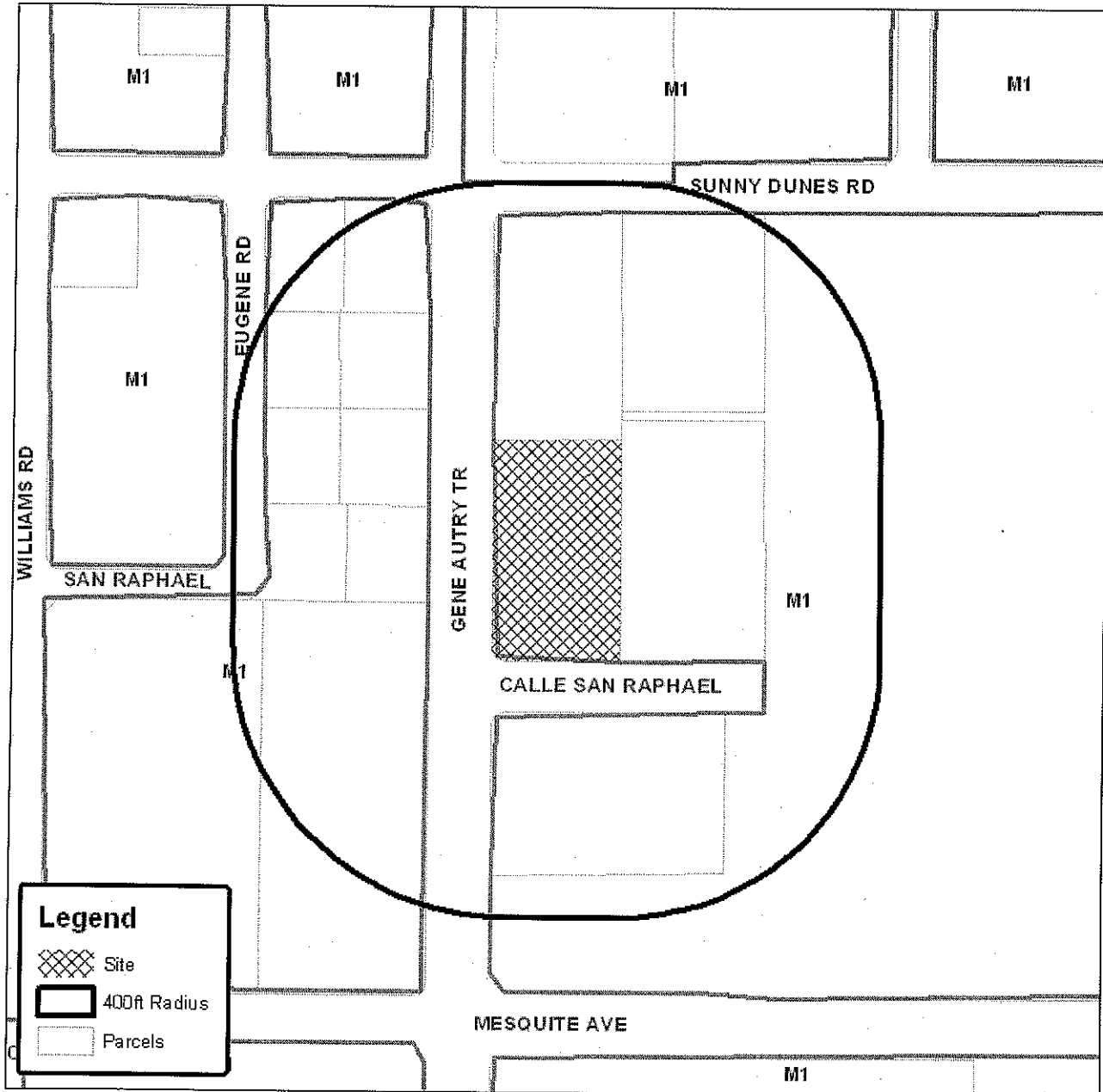
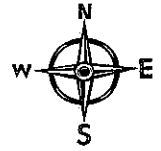
Margo Wheeler, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. Floor Plan
4. Letter from Riverside County Airport Land Use Commission



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE: 5.1298 CUP

APPLICANT: Andrew Wooster

DESCRIPTION: A request for a Conditional Use Permit to operate a kennel (dog care, boarding and grooming) within 3,552-square foot space of a multi-tenant industrial park building located at the northeast corner of Gene Autry Trail and Calle San Raphael, Zone M-1, Section 20.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 5.1298, A CONDITIONAL USE PERMIT (CUP) TO ALLOW A KENNEL FACILITY WITHIN THE EXISTING MULT-TENANTED INDUSTRIAL PARK BUILDING LOCATED AT 5000 CALLE SAN RAPHAEL.

WHEREAS, Andrew Wooster ("Applicant") has filed a Conditional Use Permit application with the City pursuant to Section 94.02.00 of the Zoning Code to allow dog care, grooming and boarding within a 3,552-square foot space (Suite C-6) of a 15,305-square foot building located at 5000 Calle San Raphael, Zone M-1, Section 20, APN: 680-561-002; and

WHEREAS, a kennel facility including dog care, grooming and boarding may be permitted in the M-1 (Service / Manufacturing) Zone with the approval of a Conditional Use Permit; and

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider Case No. 5.1298 CUP was given in accordance with applicable law; and

WHEREAS, on June 26, 2013, a public hearing on the application was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and has been determined to be Categorically Exempt as a Class I exemption (Existing Facilities) pursuant to Section 15301 of the CEQA Guidelines; and

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

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: Section 94.02.00(B)(6) of the Zoning Code requires the Planning Commission not approve a Conditional Use Permit unless it finds as follows:

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

Pursuant to Section 92.17.01(A)(3) of the Zoning Code, an animal kennel is a permitted use within the M-1 Zone with the approval of a Conditional Use Permit. The use will be located in the same vicinity as other light industrial uses. Therefore, staff has

determined that the finding has been met.

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

The use will provide dog care, boarding and grooming within a service manufacturing industrial area of the City, consistent with the zone and general plan designations. The proposed use is desirable for the development of the community as it will enhance available options to pet owners. The kennel will be entirely contained within the building and is not anticipated to be detrimental to existing uses or future uses specifically permitted in the M-1 Zone designation.

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

The subject property is an existing multi-tenanted industrial park complex with fifty parking spaces available. The proposed use is anticipated to have two full-time employees and provide care for up to fifteen animals entirely within a 3,552-square foot space. Impacts to the existing parking area will be minor for the proposed use, and all activities associated with the operation will occur indoors. Therefore, the proposed use is not anticipated to be detrimental to existing and future permitted uses of land in the neighborhood.

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

The project site is located along South Gene Autry Trail, which is designated as a major thoroughfare on the General Plan Circulation Element. The building is approximately 15,305-square feet in size and any traffic generated by the proposed use will be insignificant to the nearby streets and highways.

5. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards. Such conditions may include:*
 - a. *Regulation of use*
 - b. *Special yards, space and buffers*
 - c. *Fences and walls*
 - d. *Surfacing of parking areas subject to city specifications*
 - e. *Requiring street, service road, or alley dedications and improvements or appropriate bonds*
 - f. *Regulation of points of vehicular ingress and egress*

- g. *Regulation of signs*
- h. *Requiring landscaping and maintenance thereof*
- i. *Requiring maintenance of grounds*
- j. *Regulation of noise, vibrations, odors, etc.*
- k. *Regulation of time for certain activities*
- l. *Time period within which the proposed use shall be developed*
- m. *Duration of use*
- n. *Dedication of property for public use*
- o. *Any such other conditions as will make possible the development of the city in an orderly and efficient manner and in conformity with the intent and purposes set forth in this Zoning Code, including but not limited to mitigation measures outlined in an environmental assessment.*

Staff has included Conditions of Approval to provide parameters and restrictions for the use, including, but not limited to, compliance with the City Noise Ordinance, etc.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case No. 5.1298 CUP, a Conditional Use Permit to allow a kennel facility with dog care, grooming and boarding in a 3,552 square foot space of a 15,305-square foot building located at 5000 Calle San Raphael, subject to the conditions set forth in the attached Exhibit A.

ADOPTED this 26th day of June, 2013.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Margo Wheeler, AICP
Director of Planning Services

RESOLUTION NO. _____

EXHIBIT A

Case 5.1298 CUP
Wooster's Canine Retreat

5000 Calle San Raphael

June 26, 2013

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1298 CUP, except as modified by the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans date stamped April 15, 2013, on file in the Planning Division, except as modified by the conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1298 CUP. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter

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

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of this Conditional Use Permit shall be valid for a period of two (2) years from the effective date of the approval. Once the use is implemented, the Conditional Use Permit does not have a time limit, provided the project has remained in compliance with all conditions of approval.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Cause No Disturbance. All dogs shall be leashed or otherwise secured when outside of the building to avoid disturbance or conflict to others on-site, those in the surrounding areas or vehicles on roadways. The operator shall post this requirement on all exit doors. It will be the responsibility of the operator to monitor and enforce this requirement.
- ADM 10. Grounds for Revocation. Non-compliance with any of the conditions of this approval or with City codes and ordinances, State laws; any valid citizen complaints or policing and safety problems regarding the operation of the establishment; as determined by the Chief of Police or the Director of Building and Safety, may result in proceedings to revoke the Conditional Use Permit. In addition, violations of the City Codes and Ordinances will result in

enforcement actions which may include citations, temporary business closure, or revocation of this permit in accordance with the law.

- ADM 11. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 12. Comply with City Animal Ordinance. This use shall comply with all applicable provisions of Chapter 10 Animals of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 13. Comply with Riverside County Airport Land Use Commission. The owner and operator shall comply with all five conditions imposed by the Riverside County Airport Land Use Commission.
- ADM 14. Notice to Tenants. The applicant shall provide all tenants with a copy of the Conditions of Approval for this project.
- ADM 15. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit and approved security plan to all buyers and potential buyers.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Hours of Operation. The applicant shall be required to maintain the operating hours as stated on the Conditional Use Permit application. Hours of operation shall be from 7:00 AM to 6:00 AM daily. Any future modifications to the hours of operation shall require prior approval by the Planning Director.
- PLN 2. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00.
- PLN 3. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 4. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

BUILDING DEPARTMENT CONDITIONS

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

END OF CONDITIONS

FOR LEASE

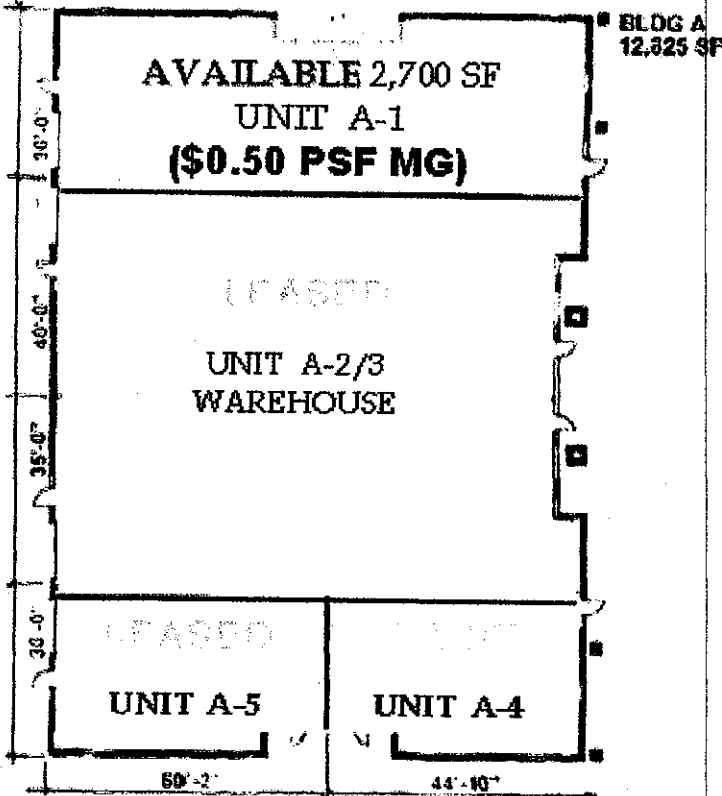


**COLDWELL
BANKER
COMMERCIAL**

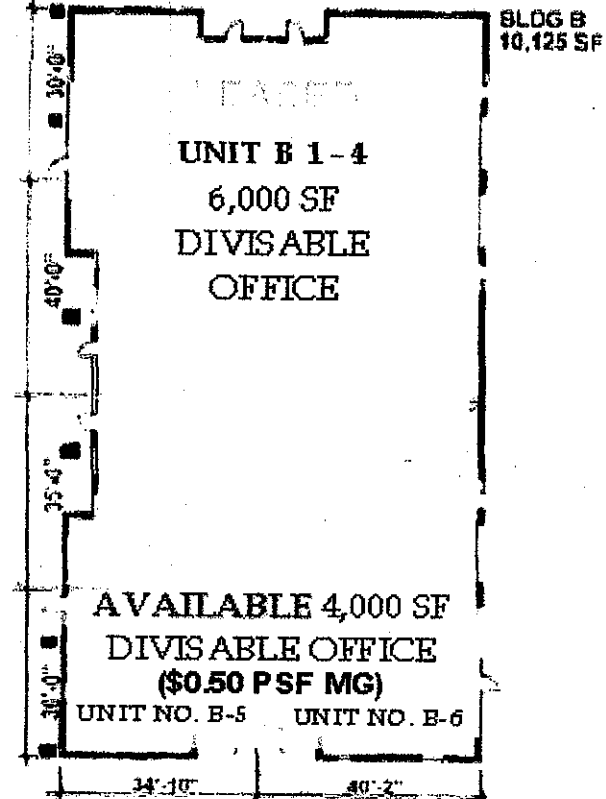
LYLE & ASSOCIATES
DRE Lic # 01462012

5005 CALLE SAN RAFAEL
PALM SPRINGS, CA

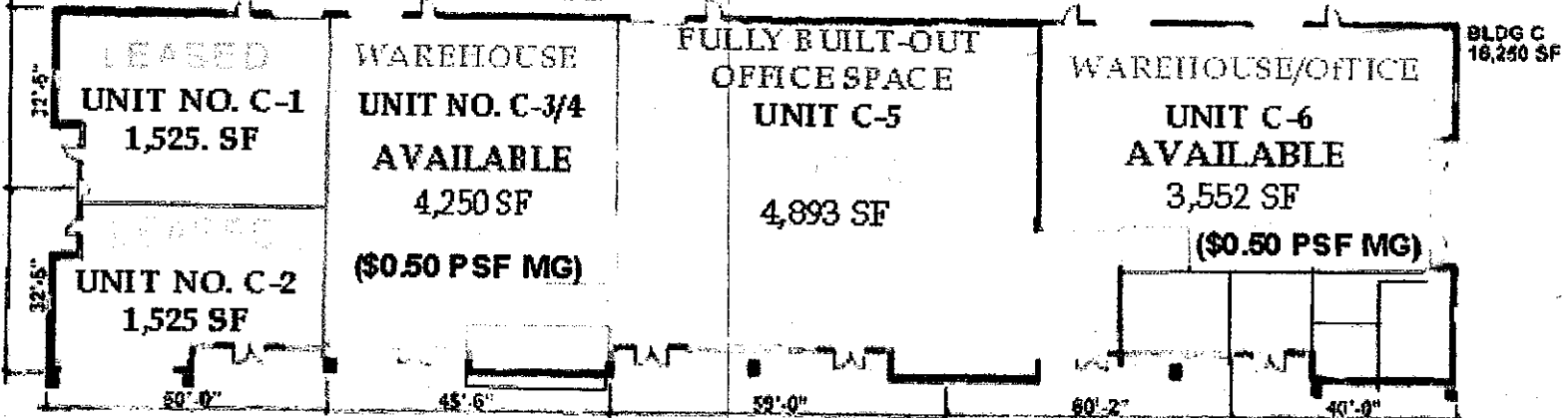
5055 CALLE SAN RAFAEL



5005 CALLE SAN RAFAEL



5000 CALLE SAN RAFAEL



NOT-TO-SCALE

MARTA WARD 760.772.6400 EXT.225
MWARD@CBCLYLE.NET

78-000 Fred Waring Dr., Ste. 200

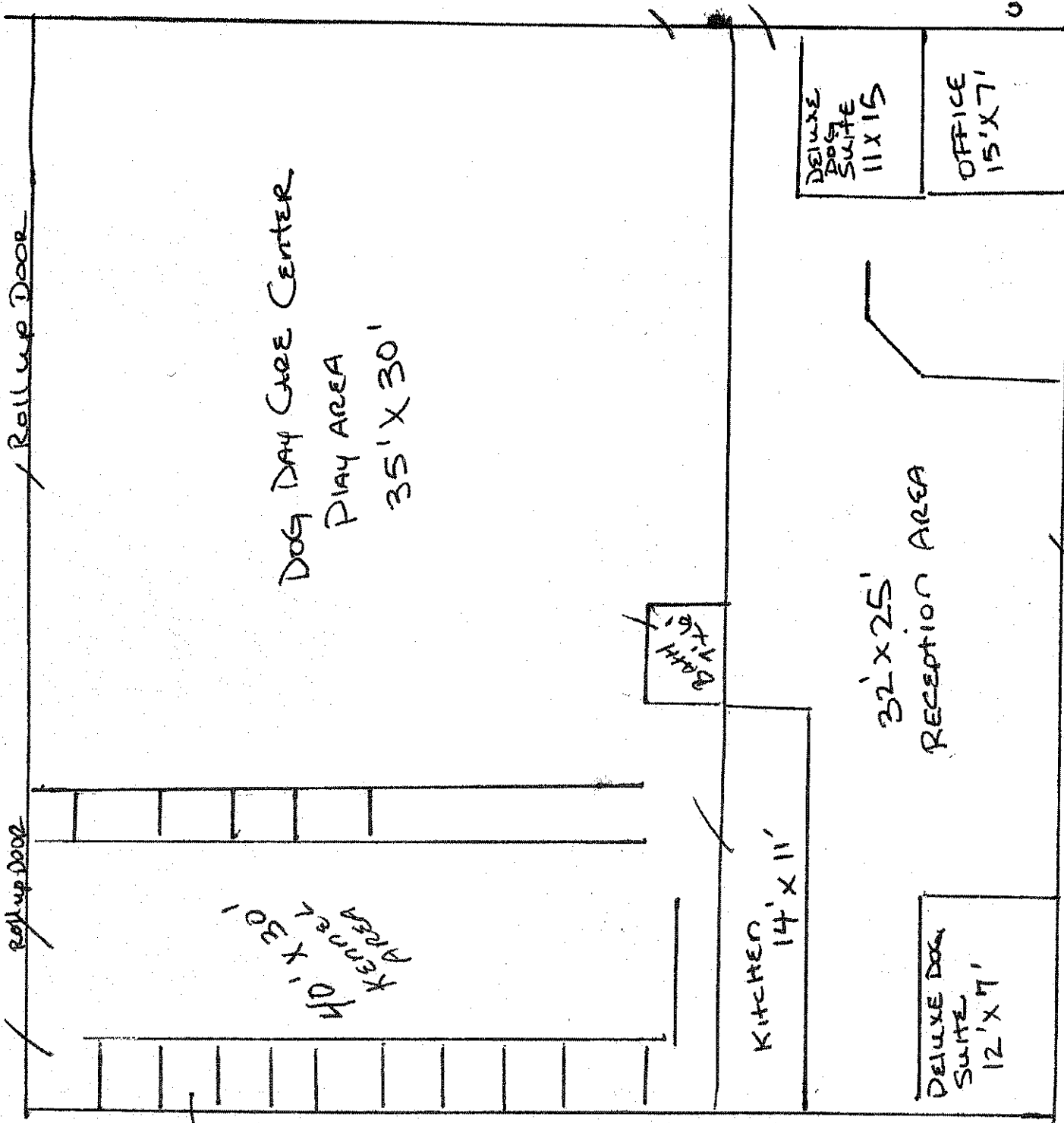
Palm Desert, CA 92211

www.cbclyle.com

The information herein has been obtained from sources believed to be reliable. While we do our best to ensure accuracy, we have not verified the information and shall not be responsible for any errors or omissions. Any person, company, or individual who uses this information to lease or purchase real estate shall do so at their own risk. Lyle & Associates, Inc. is not responsible for any errors or omissions in this advertisement. © 2004 Lyle & Associates, Inc.

EAST CALLE SAN RAPHAEL

WOOSTERS CANINE RETREAT 3552 SQ FT.



3' X 5' KENNELS 15 TOTAL

40' X 30' Kennel Area

DOG DAY CARE CENTER PLAY AREA 35' X 30'

KITCHEN 14' X 11'

32' X 25'

RECEPTION AREA

DELUXE DOG SUITE 11 X 15

OFFICE 15' X 7'

DELUXE DOG SUITE 12' X 7'

← J. GENE AUNT RY TRAIL →

**AIRPORT LAND USE COMMISSION
RIVERSIDE COUNTY**



RECEIVED

JUN 20 2013

**PLANNING SERVICES
DEPARTMENT**

CHAIR
Simon Housman
Rancho Mirage

June 17, 2013

VICE CHAIRMAN
Rod Ballance
Riverside

Mr. David Newell, Associate Planner
City of Palm Springs Department of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

COMMISSIONERS

Arthur Butler
Riverside

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

John Lyon
Riverside

File No.: ZAP1014PS13

Glen Holmes
Hemet

Related File No.: CUP No. 5.1298

Greg Pettis
Cathedral City

APN: 680-561-002

Richard Stewart
Moreno Valley

Dear Mr. Newell:

STAFF

Director
Ed Cooper

On June 13, 2013, the Riverside County Airport Land Use Commission (ALUC) found the proposal to operate a kennel (dog boarding, day care, and grooming) for up to fifteen dogs within a 3,552 square foot suite (Unit C-6) in an existing multi-tenant industrial park building located at 5000 Calle San Raphael in the City of Palm Springs (at the northeast corner of Gene Autry Trail and Calle San Raphael), approximately 3,120 feet southeasterly of the southeasterly terminus of Runway 13R-31L at Palm Springs International Airport,

Russell Brady
John Guerin
Barbara Santos

CONSISTENT with the 2005 Palm Springs Airport Land Use Compatibility Plan, subject to the following conditions:

County Administrative Center
4080 Lemon St., 14th Floor.
Riverside, CA 92501
(951) 955-5132

CONDITIONS:

1. The following uses shall be prohibited:

- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or FAA-approved obstruction lighting.
- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe

www.rcaluc.org

air navigation within the area.

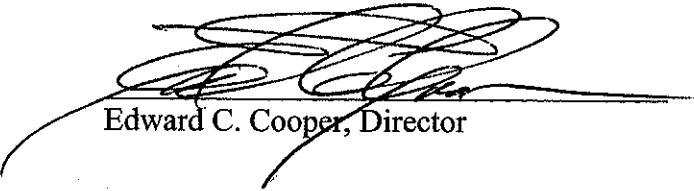
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, aboveground bulk storage of hazardous materials, highly noise-sensitive outdoor nonresidential uses, critical community infrastructure facilities, and hazards to flight.
2. The attached notice shall be provided to all tenants of the building, and shall be recorded as a deed notice.
 3. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. All new outdoor lighting shall be downward facing.
 4. Prior to the issuance of building permits, the landowner shall convey an aviation easement to Palm Springs Airport, which shall be recorded, or shall provide evidence that such an easement covering the property has already been recorded, unless such easement is prohibited by law or waived by the Airport. Copies of the aviation easement, upon recordation, shall be forwarded to the City of Palm Springs Planning Department and to the Riverside County Airport Land Use Commission.
 5. The City of Palm Springs shall either prohibit the following uses or shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses:

Auction rooms, assemblies of people, auditoriums, classrooms, conference rooms with a capacity of 20 or more persons, community care facilities, court rooms, dance floors, exhibit rooms, gaming (including bingo), restaurants, drinking establishments, gymnasiums, homeless shelters, lounges, retail sales facilities, reviewing stands, skating rinks, stages, swimming pools, vocational and technical schools, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A.

This prohibition or requirement for review does not apply to uses that were established in this building prior to 2005 and have been in continuous operation since their establishment.

Should you have any questions regarding this action, please contact Russell Brady, ALUC Contract Planner, at (951) 955-0549 or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Edward C. Cooper, Director

Attachments: Notice of Airport in Vicinity

cc: Andrew Wooster (lessee/payee)
A & J Champion LP
Marta Ward
Agua Caliente Band of Cahuilla Indians
Bureau of Indian Affairs – Palm Springs Agency
Tom Nolan, Executive Director, Palm Springs International Airport
ALUC Staff

Y:\Airport Case Files\Palm Springs\ZAP1014PS13\ZAP1014PS13.LTR.doc

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)