



PLANNING COMMISSION STAFF REPORT

DATE: February 12, 2014

SUBJECT: LALITH CHANDRASENA FOR A CONDITIONAL USE PERMIT TO ALLOW MOTORCYCLE SALES AND REPAIR AT 6550 NORTH INDIAN CANYON DRIVE, GENERAL PLAN RBC, ZONE HC (CASE NO. 5.1325 CUP).

FROM: Department of Planning Services

SUMMARY

The Planning Commission will consider a Conditional Use Permit request for motorcycle sales and repair within an existing building located at 6550 North Indian Canyon Drive.

RECOMMENDATION:

Approve, subject to Conditions of Approval.

ISSUES:

- None

BACKGROUND:

<i>Planning Areas</i>		
Specific Plan	None	
Design Plan	None	
Airport Overlay	None	
Indian Land	None	

<i>Most Recent Ownership/Business</i>	
8/30/2013	Mr. Chandrasena purchased the subject property.

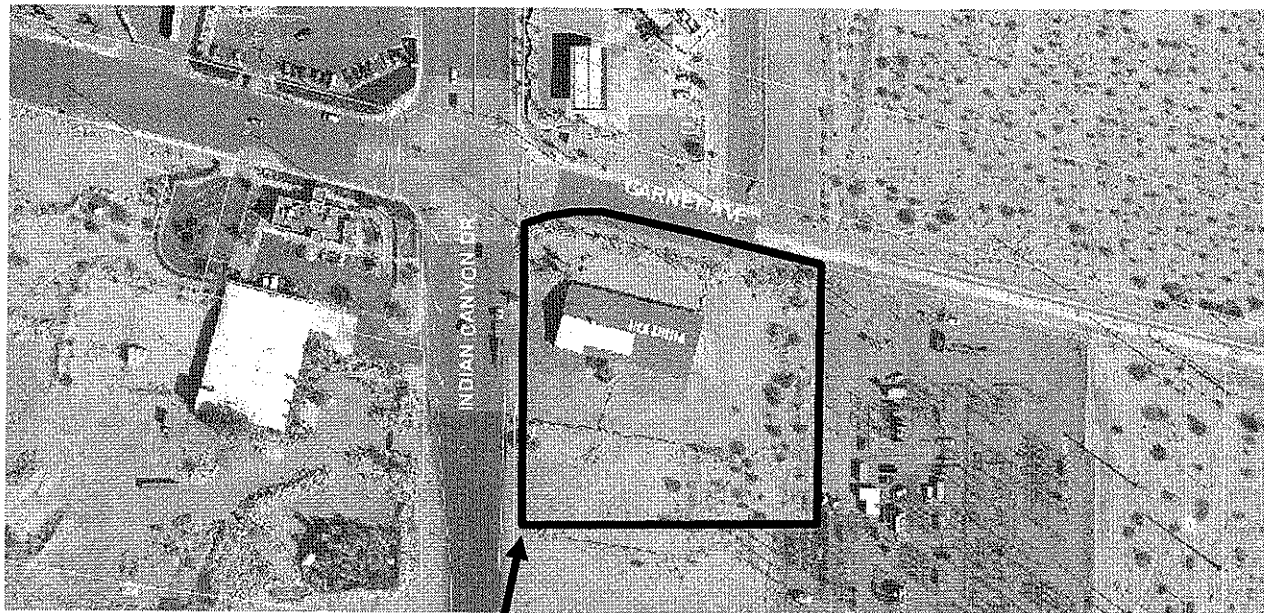
<i>Notification</i>	
1/30/2014	Public hearing notice sent to all property owners and registered occupants within 500 feet of the site.

Field Check	
January 2014	Staff has visited the site to observe existing conditions

Related Relevant City Actions by Planning, Fire, Building, etc...	
1/9/2014	Staff approved a Minor Architectural Application for exterior enhancements to the site and building.

Site Area	
Existing Site	2.64-acres (114,998 sq. ft.)
Existing Building	Approx.. 9,000-square feet

Surrounding Property	Existing General Plan Designations	Existing Land Use	Existing Zoning Designations
Subject Property	RBC (Regional Business Center)	Vacant bldg. (previously a western apparel store)	HC (Highway Commercial)
North	RBC	Chevron gas station	HC
South	RBC	Vacant land	HC
East	RBC	Utility substation	HC
West	RBC	Jack-in-the-box restaurant	HC



SUBJECT SITE

PROJECT DESCRIPTION:

The applicant is requesting approval of a Conditional Use Permit (CUP) to operate a motorcycle dealership with sales and repair called "Palm Springs Yamaha". The applicant will occupy all 9,000-square feet of the existing building. Hours of operation will be from 9:00 AM to 7:00 PM seven days a week.

Staff recently approved an architectural application to enhance the property. The applicant will improve the landscape and parking areas. Vertical wall elements with horizontal reveals will be added to the building at two locations. Plans showing enhancements are attached to this staff report.

An area in front of the building may be used for motorcycle display. It is shown as the "DG" area on the site plan. Staff has included conditions in the draft resolution to ensure this area remains attractive and not cluttered in appearance (see recommended condition nos. PLN 2 & PLN 8).

ANALYSIS:

General Plan: The General Plan designation of the subject site is RBC (Regional Business Center). This designation states,

Regional Business Center (Industrial – 0.50 FAR, Office – 0.35 FAR, Commercial – 0.50 FAR). Generally located at the Indian Canyon Drive and Gene Autry Trail interchanges north of the Southern Pacific Railroad and adjacent to I-10, the Regional Business Center area is intended to accommodate a wide variety of business activities in a multi-use environment. The RBC will provide job opportunities for the residents of Palm Springs and the whole of the Coachella Valley. Commercial, office, and industrial uses that can be supported by their proximity to the freeway are encouraged in this area. Uses in this area are intended to provide large-scale development opportunities that serve an area larger than the City proper. Commercial uses can include retail establishments, hotels, automobile dealerships, and other uses that serve a regional population. Business parks and industrial uses are also envisioned under this land use designation. It is envisioned that, over time as market forces demand, additional areas north of the railroad, south of I-10 from Hwy. 111 to Gene Autry Trail may also convert to RBC uses, provided that the appropriate environmental analyses have been conducted and the appropriate infrastructure is provided.

The subject property is an existing commercial building that will be repurposed for motorcycle sales and repair dealership serving a local and regional population. Therefore, the proposed use is consistent with the General Plan.

Zoning: The subject property is zoned HC (Highway Commercial). Pursuant to Planning Commission determination (Case No 10.477), motor scooter, motorbike and motorcycle rental and sales is conditionally permitted in the HC zone. Additionally, service and repair is allowed by Conditional Use Permit.

Parking: Pursuant to Section 93.06.00(D)(21) of the Palm Springs Zoning Code (PSZC), one parking space per eight hundred square feet of gross floor area is required for

motor vehicle sales. Thus, for a 9,000 square foot building, eleven parking spaces are required and twelve are proposed.

REQUIRED FINDINGS

The Planning Commission must make certain findings in order to approve this Conditional Use Permit pursuant to Section 94.02.00 of the Palm Springs Zoning Code; those findings are analyzed by staff 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.*

The subject property is zoned HC (Highway Commercial). Pursuant to Planning Commission determination (Case No 10.477), motor scooter, motorbike and motorcycle rental and sales is conditionally permitted in the HC zone. Additionally, service and repair is allowed by Conditional Use Permit.

- 2) *That the use is necessary or desirable for the development of the community, is in harmony with the various elements of 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 a retail establishment offering motorcycle sales and repair near the interstate. The use at the subject location is desirable for drawing a regional population and aiding in the development of the community.

As noted on page 2-9 of Land Use Element, the RBC designation allows commercial uses including *"retail establishments, hotels, automobile dealerships, and other uses that serve a regional population."* Thus, the use is in harmony with the elements and objectives of the General Plan.

A motorcycle dealership at the proposed location is not anticipated to be detrimental to existing uses or future uses specifically permitted in the HC zone.

- 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 2.64-acre site is located at the southeast corner of a major intersection. An existing 9,000-square foot building will house the sales area. Parking and landscape improvements will occur to better accommodate the proposed use. Therefore, the site is adequate in size and shape to accommodate the proposed use.

- 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 property is located at the corner of Indian Canyon Drive and Garnet Ave, which are identified by the General Plan Circulation Element as Major and Secondary Thoroughfares, respectively. Vehicular access to the site is provided from Indian Canyon Drive. The site has twelve parking spaces and eleven are required. Thus, the traffic generated by the proposed use is minimal and the streets and highways are properly designed and improved to carry the type and quantity of traffic generated by the use.

- 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.*

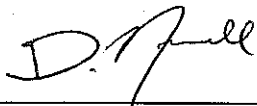
The project is unlikely to have a significant impact on the proposed project site or its immediate surroundings. Conditions to ensure the protection of public health, safety and general welfare are required to be fulfilled by the applicant for approval; these include, but are not limited to, compliance with local, state and federal laws; restrictions of off-site vehicle testing; and limitations on outdoor display.

CONCLUSION

The project is consistent with the land use policies of the General Plan and Zoning Code. Staff is able to recommend findings necessary for approval of the proposed use. On that basis, staff is recommending approval of the proposal.

ENVIRONMENTAL

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project has been determined to be categorically exempt from further environmental review pursuant to Section 15301(a) (Existing Facilities).



David A. Newell
Associate Planner



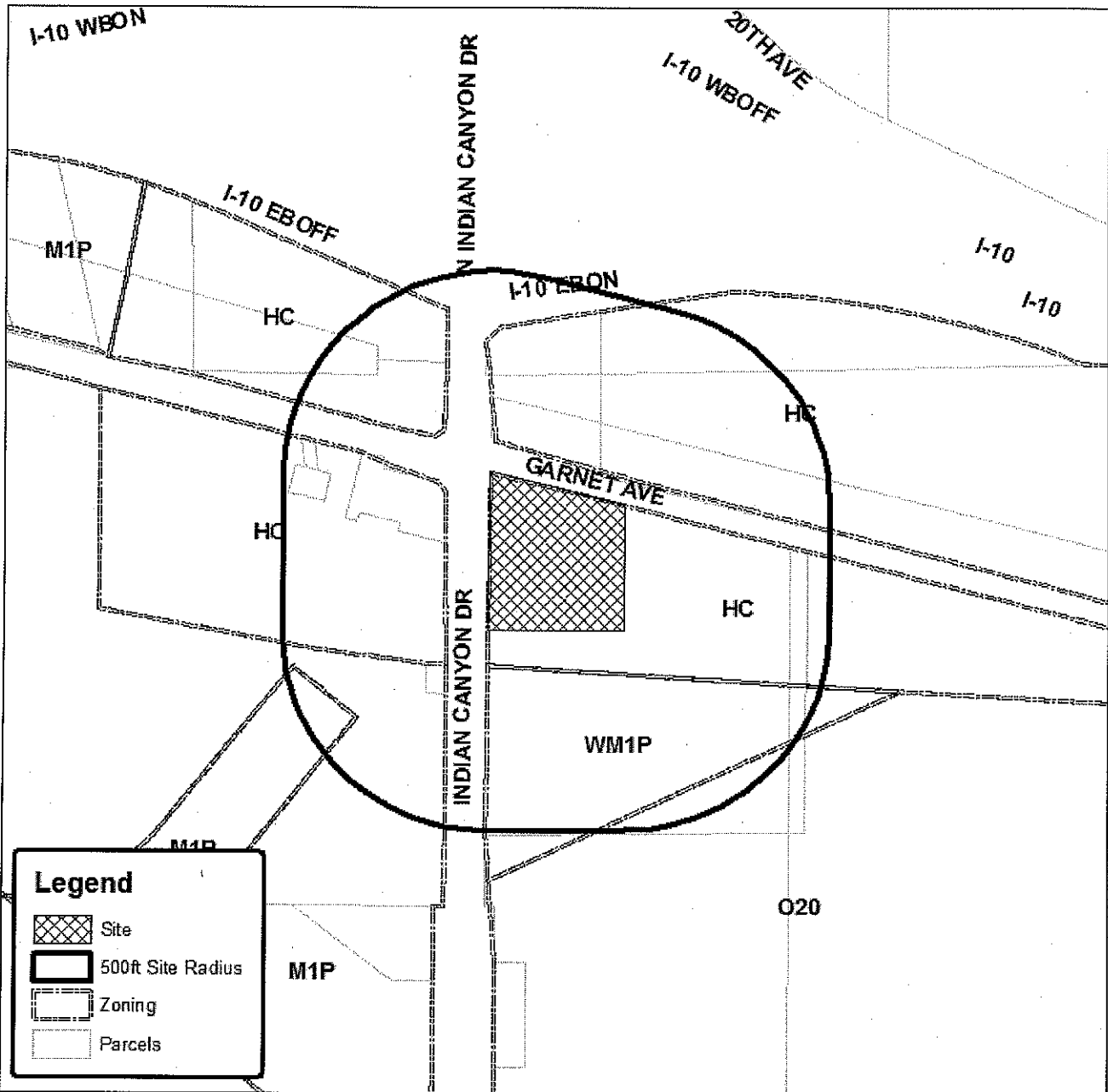
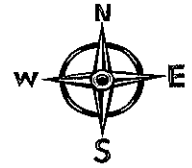
M. Margo Wheeler, AICP
Director of Planning Services

ATTACHMENTS

1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. Justification letter
4. Elevations Plan
5. Site Plan



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 5.1325 CUP

APPLICANT: Lalith Chandrasena,
Palm Springs Yamaha

DESCRIPTION: An application for a Conditional Use Permit to allow motorcycle sales and repair at 6550 North Indian Canyon Drive, Zone HC (Highway Commercial), Section 23.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT, CASE NO. 5.1325, AUTHORIZING THE SALE AND REPAIR OF MOTORCYCLES AT THE PROPERTY LOCATED AT 6550 NORTH INDIAN CANYON DRIVE.

WHEREAS, Lalith Chandrasena ("Applicant") has filed an application with the City pursuant to Sections 94.02.00 of the Palm Springs Zoning Code (PSZC) to operate motorcycle dealership with sales and repair at 6550 North Indian Canyon Drive, HC Zone, Section 23; and

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider the application for Conditional Use Permit, Case No. 5.1325 was given in accordance with applicable law; and

WHEREAS, on February 12, 2014, a public hearing on the application for Conditional Use Permit, Case No. 5.1325 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed Conditional Use Permit is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301(e) (Class 1 - Existing Facilities) 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: The Planning Commission finds that this Conditional Use Permit is Categorically Exempt from environmental review pursuant to Section 15301(e) (Class 1- Existing Facilities) of the California Environmental Quality Act Guidelines.

Section 2: Pursuant to Zoning Ordinance Section 94.02.00, the Planning Commission finds that:

- a. *The use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by the City Zoning Ordinance.*

The subject property is zoned HC (Highway Commercial). Pursuant to Planning Commission determination (Case No 10.477), motor scooter, motorbike and motorcycle rental and sales is conditionally permitted in the HC zone. Additionally, service and repair is allowed by Conditional Use Permit.

- b. *The use applied for 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 a retail establishment offering motorcycle sales and repair near the interstate. The use at the subject location is desirable for drawing a regional population and aiding in the development of the community.

As noted on page 2-9 of Land Use Element, the RBC designation allows commercial uses including *"retail establishments, hotels, automobile dealerships, and other uses that serve a regional population."* Thus, the use is in harmony with the elements and objectives of the General Plan.

A motorcycle dealership at the proposed location is not anticipated to be detrimental to existing uses or future uses specifically permitted in the HC zone.

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

The 2.64-acre site is located at the southeast corner of a major intersection. An existing 9,000-square foot building will house the sales area. Parking and landscape improvements will occur to better accommodate the proposed use. Therefore, the site is adequate in size and shape to accommodate the proposed use.

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

The property is located at the corner of Indian Canyon Drive and Garnet Ave, which are identified by the General Plan Circulation Element as Major and Secondary Thoroughfares, respectively. Vehicular access to the site is provided from Indian Canyon Drive. The site has twelve parking spaces and eleven are required. Thus, the traffic generated by the proposed use is minimal and the streets and highways are properly designed and improved to carry the type and quantity of traffic generated by the use.

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

The project is unlikely to have a significant impact on the proposed project site or its immediate surroundings. Conditions to ensure the protection of public health, safety and general welfare are required to be fulfilled by the applicant for

approval; these include, but are not limited to, compliance with local, state and federal laws; restrictions of off-site vehicle testing; and limitations on outdoor display.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Conditional Use Permit Case No. 5.1325, subject to those conditions set forth in Exhibit A, which are to be satisfied unless otherwise specified.

ADOPTED this 12th day of February, 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

M. Margo Wheeler, AICP
Director of Planning Services

RESOLUTION NO. _____

EXHIBIT A

Case 5.1325 CUP

Palm Springs Yamaha
6550 North Indian Canyon Drive

February 12, 2014

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 5.1325 CUP; except as modified with the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped January 16, 2014, including site plan, landscaping and architectural elevations on file in the Planning Division except as modified by the approved conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1325 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. The time limit for commencement of use shall be two (2) years from the effective date of approval. Extensions of time may be approved by the commission upon demonstration of good cause by the applicant.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. 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.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. If exterior lighting is proposed, exterior lighting plans, including a photometric site plan showing the project's conformance with Section 93.21.00 Outdoor Lighting Standards of the Palm Springs Zoning ordinance, shall be submitted for approval by the Department of Planning prior to issuance of a building permit. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be included.

If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of hillsides is permitted.

- PLN 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. The applicant shall not display signage prohibited under Zoning Ordinance Section 93.20.04, including but not limited to:
- a. Rotating, Moving, Flashing, Reflecting, Prismatic or Blinking Signs. Signs which rotate, move flash, reflect, blink or appear to do any of the foregoing shall be prohibited. This includes, but is not limited to flags, banners, pennants, inflatable objects and balloons, unless otherwise authorized in Section 93.20.08
 - b. Signs attached, affixed to or from the interior of any merchandise or products displayed outside of permanent buildings.
- PLN 3. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.
- PLN 4. Screen Roof-mounted Equipment. All roof mounted mechanical equipment shall be screened per the requirements of Section 93.03.00 of the Zoning Ordinance.
- PLN 5. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 6. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 7. No off-site Parking. Vehicles associated with the operation of the proposed development including company vehicles or employees vehicles shall not be permitted to park off the proposed building site unless a parking management plan has been approved.
- PLN 8. Outdoor Display. Outdoor merchandise display shall be located on the west side of the building and entirely on private property. Items displayed are limited to motorcycles in working condition and clean in appearance. The outdoor display area shall not exceed six hundred square feet in area.
- PLN 9. Vehicle Testing. All vehicle testing shall be limited to paved streets. The business operators shall clearly communicate this information to customers prior to any vehicle testing. Violations of this condition may result in infractions, misdemeanors or revocation of this CUP.
- PLN 10. (add any additional conditions imposed by the Planning Commission or City Council here)

POLICE DEPARTMENT CONDITIONS

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

BUILDING DEPARTMENT CONDITIONS

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

END OF CONDITIONS



**Architecture
Planning
Interior Design**

January 16, 2014

City of Palm Springs Planning Department

3200 East Tahquitz Canyon Way
Palm Springs, California 92262

RECEIVED

JAN 16 2014

PLANNING SERVICES

DEPARTMENT
5-1325

**RE: Request for conditional use permit for:
Palm Springs Motor Sports Inc.**

Palm springs Motor Sports Inc. request a Conditional Use Permit for the use of the land and existing building located at the south east corner of North Indian Canyon Drive and Garnet Avenue. 6550 Indian Canyon Drive.

The property is in the Highway Commercial Zone. This zone is appropriate for this use.

Highway Commercial Zone allows all uses listed in either C-1 or C-2 to be permitted uses for Highway Commercial Zones.

In C-1 Zone, Allowed use with C.U.P.: Automobile sales agencies (50% of autos displayed shall be new). 92.12.01 D 5

In C-2 Zone, Allowed use without C.U.P.: Automobile sales agencies (50% of autos displayed shall be new). 92.14.01 A 3

Nowhere in the Palm Springs Zoning Code are Motorcycles listed with or without a C.U.P.

With this: We request that this project use be approved with a C.U.P. The similarity to the allowed auto sales use is significant. The use of this zone for a motorcycle sales agency is already established with the Harley Davidson dealership located just north of highway 111 On the west side of North Indian Canyon Drive.

Business information: Number of Employees: 6-8 (4 at one time).
Hours of operation: Sunday thru Saturday, 9:00 am to 7:00 pm.
Any existing similar uses owned or operated by applicant: None
Required state licenses: DMV Dealership Licenses
Department of Auto Repair shop repair permit.

The new motorcycle dealership will replace a vacant poorly maintained building with a thriving business in an upgraded facility. It will bring additional jobs to the community. It will bring additional sales tax revenue to the City of Palm springs.

Thank you for you consideration.

Sincerely,
Chris Sahlin Architects, on behalf of Lee Chandrasena – Palm Springs Motor Sports, Inc.

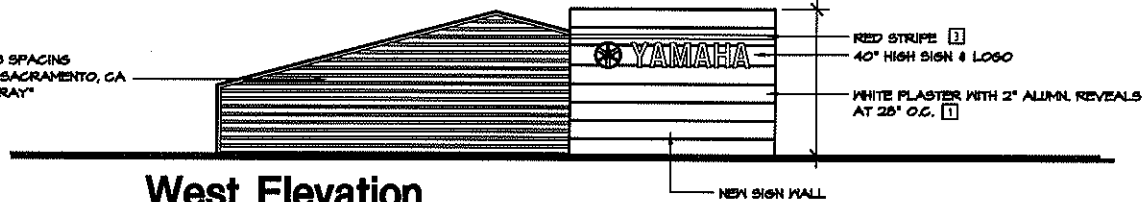
Chris Sahlin, A.I.A.

cc: File
Chris Sahlin Architects

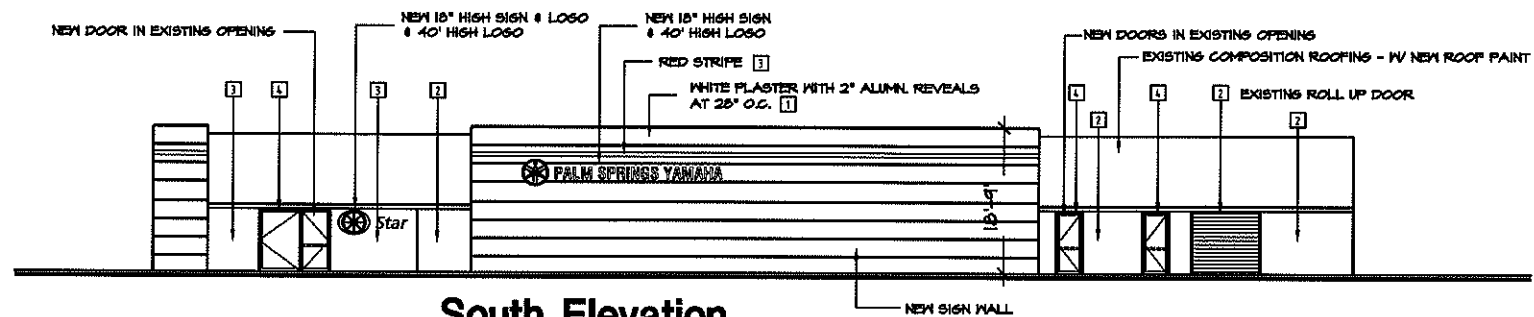
121 S. Palm Canyon Drive, Suite 200 Palm Springs, California 92262

Tel 760 325 5227 Fax 760 325 5229

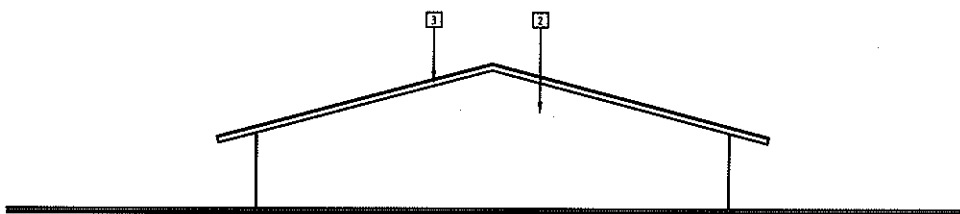
86" METAL SIDING PANELS 1/4" RIB HEIGHT W/ 6" RIB SPACINGS
26 GAUGE "KLONDIKE" BY ABC BUILDING PRODUCTS, SACRAMENTO, CA
& MATCHING TRIM SECTIONS - COLOR "OLD TOWN GRAY"



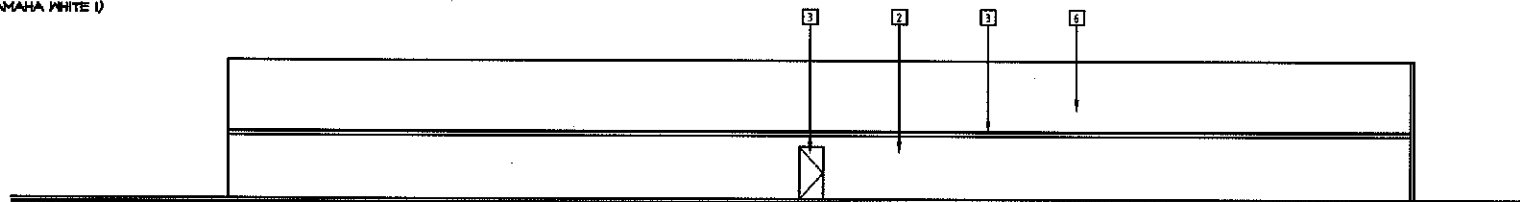
West Elevation



South Elevation



East Elevation



North Elevation

YAMAHA DEALERSHIP - ELEVATIONS

Color & Materials Schedule

- 1 EXTERIOR PLASTER & METAL DOORS - BEHR PMD-TSOM
COLOR: YAMAHA WHITE I
- 2 EXTERIOR PLASTER & METAL DOORS - BEHR PMD-TSOM
COLOR: ANCIENT PENTER
- 3 ACCENT PLASTER - BEHR UL110-TD
COLOR: EDGY RED
- 4 DOOR FRAMES - BEHR T10F 7
COLOR: BELUGA BLACK
- 5 METAL SIDING - "KLONDIKE" BY ABC BUILDING PRODUCTS
COLOR: OLD TOWN GRAY
- 6 EXISTING ROOF - BEHR MULTI-SURFACE 100% ACRYLIC ROOF PAINT
COLOR: WHITE (MATCH YAMAHA WHITE I)

CSA

Chris Sahlin Architects
121 S. Palm Canyon Dr. Ste. 229
Palm Springs, California 92262
Tel. 760 325 5227
Fax. 760 325 5226



PROJECT SITE DEVELOPMENT

6650 Indian Canyon Drive
Palm Springs, California

FOR Lee Chandrasena

Revisions	Date

SHEET TITLE

Exterior
Building
Elevations

DRAWN BY CLS
DATE 11-26-13
JOB NO. 13-116
SHEET NO. 3

A-3

RECEIVED

JAN 16 2014

PLANNING SERVICES
DEPARTMENT

5.1325

