



PLANNING COMMISSION STAFF REPORT

DATE: April 9, 2014

NEW BUSINESS

SUBJECT: REQUEST BY FAMILY DEVELOPMENT LLC, FOR APPROVAL OF A ROUGHLY 203 SQUARE FOOT ACCESSORY STRUCTURE CONTAINING A RESTROOM, WET BAR AND SELF-SERVE COFFEE STATION WITHIN THE DOG PARK AREA OF THE SOL DEVELOPMENT; A RESIDENTIAL PLANNED DEVELOPMENT AT THE NORTHEAST CORNER OF NORTH AVENIDA CABALLEROS AND AMADO ROAD, ZONE PDD 363 (CASE 5.1296 MAA PDD 363). (KL)

FROM: Department of Planning Services

SUMMARY

A Minor Architectural Application (MAA) for construction of an accessory structure of approximately 203 square feet, adjacent to the dog park area of the Sol residential development to house a small restroom, wet bar and self serve coffee station for use by the residents of the development.

ISSUES:

The accessory structure is proposed to be located adjacent to a small shade structure that was part of the original design and approval of the dog park within the Sol development.

RECOMMENDATION:

Approve subject to conditions of approval.

BACKGROUND:

The Sol project is a gated residential community located in the vicinity of the Convention Center. It is currently under construction and is comprised of 46, single family residential units on small, individual lots. A small "dog park" was previously approved as part of the overall site plan for the project. The proposed accessory structure would be located in roughly the northeast corner of the dog park.

Ownership Information	
May 1, 2005	Land purchase by Family Development, LLC.

Related Relevant City Actions by Planning, Fire, Building, etc...	
September 11, 2013	Approval of the Final PDD for the Sol project by the Planning Commission.
March 24, 2014	Recommendation for approval of the project by the AAC conditioned that the window mullions match that of the previously approved residential units in the SOL PS development.

Neighborhood Meeting	
None	

ANALYSIS:

Below is the staff analysis of the proposed project against the Architectural Review Guidelines of the zoning code.

PSZC 94.04.00.D. Planning Commission Architectural Advisory Committee Review Guidelines.

The planning commission architectural advisory committee shall examine the material submitted with the architectural approval application and specific aspects of design shall be examined to determine whether the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and whether aesthetically it is of good composition, materials, textures and colors. Conformance will be evaluated, based on consideration of the following:

Item	Guideline	Conforms?	Staff Evaluation
1	Does the proposed development provide a desirable environment for its occupants?	Yes	The proposed structure would provide a desirable amenity for residents of the Sol project.
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Yes	The architecture of the proposed structure is compatible with that of the residential units in the development.
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	The structure is proposed of painted stucco with generous overhangs and areas of glass.

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4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	NA	The proposed accessory structure is conveniently located to provide amenities to users of the private dog park within the Sol project. The applicant may want to study the corner area behind the proposed structure for use as a small utility/service area and provide paving and controlled access to that area for security.
5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	Yes	The proposed structure is harmonious with the architecture of the Sol project. The structure is located relatively close to adjacent residential units but is separated from those units by garden walls.
6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	Partially	The proposed building would be roughly 9' 6" in height and is well below the height limit of the zone. A small ground-mounted "mini-split" air conditioning condensing unit is proposed along the northeast (back) side of the building but no screening is proposed.
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	The colors are consistent with those of the Sol development.
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	The materials and composition of the proposed structure are harmonious with the architecture of the Sol project.
9	Consistency of composition and treatment	Yes	The small structure is uniform in its composition and material treatment.
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	NA	The dog park is fully landscaped, including the area around the proposed accessory structure.

The architecture of the proposed accessory structure is consistent with that of the Sol project. Staff would recommend a small masonry screen wall around the condensing unit and some integrated means of providing trash receptacles in the vicinity of the proposed structure.

ENVIRONMENTAL

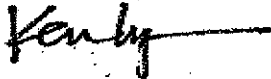
The proposed improvement is deemed a Project under the guidelines of the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines, staff evaluated the proposed project and determined it to be categorically exempt from further environmental review pursuant to Section 15303(c) (new construction; small structures).

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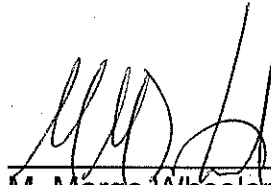
Case 5.1296 PDD 363 / MAA Dog Park Amenities Building at "SOL PS"; 400 N. Avenida Caballeros

NOTIFICATION:

Architectural Review pursuant to Zoning Code Section 94.04.00.E.4 does not require a public hearing.



Ken Lyon, RA
Associate Planner



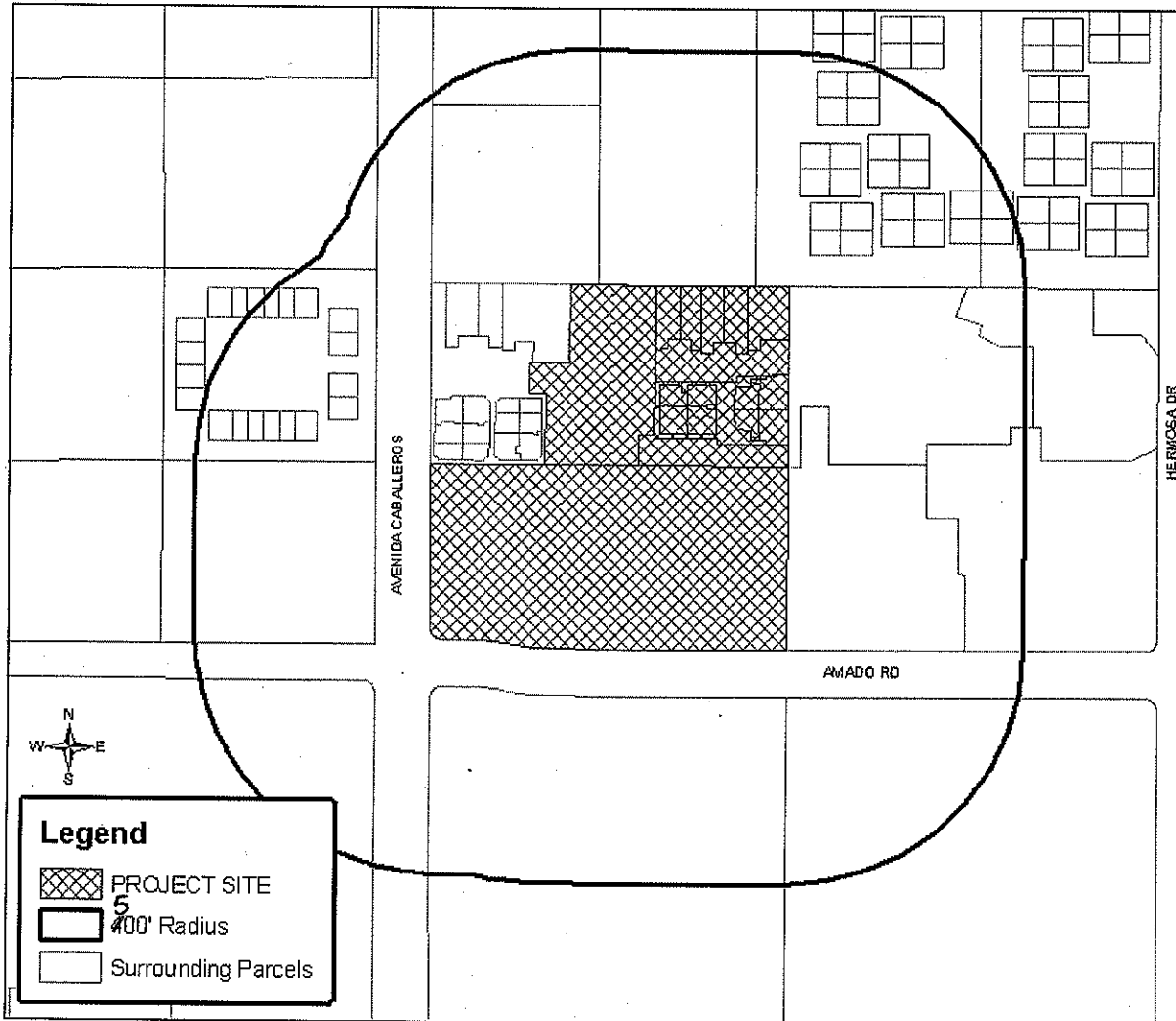
M. Margo Wheeler, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Draft Resolution
3. Small scale diagrams.



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 5.1296 MAA; PDD 363,

APPLICANT: SOL PS, LLC

DESCRIPTION: A proposed 203 square foot accessory structure located within the dog park area of the Sol project; a residential planned development comprised of 46 two and three story single family residential units on individual lots, located on a roughly 7.11 acre parcel at the northeast corner of North Avenida Caballeros and Amado Road. Zone PDD 363, Section 14 Specific Plan.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A MINOR ARCHITECTURAL APPLICATION FOR CONSTRUCTION OF AN AMENITIES BUILDING IN THE DOG PARK AREA OF THE SOL PS DEVELOPMENT; A RESIDENTIAL PLANNED DEVELOPMENT DISTRICT LOCATED AT THE NORTHEAST CORNER OF AMADO ROAD AND AVENIDA CABALLEROS, CASE 5.1296 PDD 363 MAA (ZONE PDD 363).

WHEREAS, Family Development LLC ("Applicant") has filed an application with the City pursuant to Sections 94.04.00 (*Architectural Review*) of the Palm Springs Zoning Code (PSZC) for construction of an amenities building in the dog park area of the SOL PS development; (Zone PDD 363, Section 14); and

WHEREAS, notice of public meeting of the Planning Commission of the City of Palm Springs to consider the application for Case 5.1296 PDD 363 MAA was given in accordance with applicable law; and

WHEREAS, on April 9, 2014, a public meeting on the application for Case 5.1296 PDD 363 MAA was held by the Planning Commission in accordance with applicable law; and

WHEREAS, the proposed is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (new construction, small structures) 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: Pursuant to CEQA, the subject project is Categorical Exempt from environmental review pursuant to Section 15303 (new construction, small structures) of the CEQA Guidelines.

Section 2: Pursuant to *PSZC 94.04.00.D. Planning Commission Architectural Advisory Committee Review Guidelines*.

The planning commission has examined the material submitted with the architectural approval application and determined that the proposed development will provide desirable environment for its occupants as well as being compatible with the character of adjacent and surrounding developments, and is aesthetically of good composition, materials, textures and colors. Conformance was evaluated based on consideration of the following:

Item	Guideline	Conforms?	Staff Evaluation
1	Does the proposed development provide a desirable environment for its occupants?	Yes	The proposed structure would provide a desirable amenity for residents of the Sol project.
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	Yes	The architecture of the proposed structure is compatible with that of the residential units in the development.
3	Is the proposed development of good composition, materials, textures, and colors?	Yes	The structure is proposed of painted stucco with generous overhangs and areas of glass.
4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	NA	The proposed accessory structure is conveniently located to provide amenities to users of the private dog park within the Sol project. The applicant may want to study the corner area behind the proposed structure for use as a small utility/service area and provide paving and controlled access to that area for security.
5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	Yes	The proposed structure is harmonious with the architecture of the Sol project. The structure is located relatively close to adjacent residential units but is separated from those units by garden walls.
6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	Partially	The proposed building would be roughly 9' 6" in height and is well below the height limit of the zone. A small ground-mounted "mini-split" air conditioning condensing unit is proposed along the northeast (back) side of the building but no screening is proposed.
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	The colors are consistent with those of the Sol development.
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	Yes	The materials and composition of the proposed structure are harmonious with the architecture of the Sol project.
9	Consistency of composition and treatment	Yes	The small structure is uniform in its composition and material treatment.
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	NA	The dog park is fully landscaped, including the area around the proposed accessory structure.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case 5.1296 PDD 363 MAA, a roughly 203 square foot accessory structure containing a restroom, wet bar, and self-serve coffee station within

the dog park area of the SOL PS development, subject to those conditions set forth in Exhibit A, which are to be satisfied unless otherwise specified.

ADOPTED this 9th day of April, 2014.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

M. Margo Wheeler, AICP
Director of Planning Services

RESOLUTION NO. _____

EXHIBIT A

Case 5.1296 PD 363 MAA

A ROUGHLY 203 SQUARE FOOT ACCESSORY STRUCTURE WITHIN THE DOG PARK AREA OF THE SOL DEVELOPMENT; A RESIDENTIAL PLANNED DEVELOPMENT AT THE NORTHEAST CORNER OF NORTH AVENIDA CABALLEROS AND AMADO ROAD, (ZONE PDD 363)

April 9, 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 5.1296 PDD 363 MAA; except as modified with the approved Mitigation Monitoring Program and the conditions below;
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped March 4, 2014, including site plans, architectural elevations, exterior materials and colors, 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 5.1296 PDD 363 MAA. 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 the Minor Architectural Application (MAA) shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Public Art Fees. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial projects or 1/4% for residential projects with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning and Zoning and the Public Arts

Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.

- ADM 10. Park Development Fees. The developer shall dedicate land or pay a fee in lieu of a dedication, at the option of the City. The in-lieu fee shall be computed pursuant to Ordinance No. 1632, Section IV, by multiplying the area of park to be dedicated by the fair market value of the land being developed plus the cost to acquire and improve the property plus the fair share contribution, less any credit given by the City, as may be reasonably determined by the City based upon the formula contained in Ordinance No. 1632. In accordance with the Ordinance, the following areas or features shall not be eligible for private park credit: golf courses, yards, court areas, setbacks, development edges, slopes in hillside areas (unless the area includes a public trail) landscaped development entries, meandering streams, land held as open space for wildlife habitat, flood retention facilities and circulation improvements such as bicycle, hiking and equestrian trails (unless such systems are directly linked to the City's community-wide system and shown on the City's master plan).
- 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.

ENVIRONMENTAL ASSESSMENT CONDITIONS

- ENV 1. Cultural Resource Survey Required. Prior to any ground disturbing activity, including clearing and grubbing, installation of utilities, and/or any construction related excavation, an Archaeologist qualified according to the Secretary of the Interior's Standards and Guidelines, shall be employed to survey the area for the presence of cultural resources identifiable on the ground surface.
- ENV 2. Cultural Resource Site Monitoring. There is a possibility of buried cultural or Native American tribal resources on the site. A Native American Monitor shall be present during all ground-disturbing activities. (check for duplication in engineering conditions)
- a. A Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc. Contact the Agua Caliente Band of Cahuilla Indian Cultural Office for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning. After consultation the Director shall have the authority to halt destructive construction and shall notify a Qualified Archaeologist to further investigate the site. If necessary, the Qualified Archaeologist shall

prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval.

b. Two copies of any cultural resource documentation generated in connection with this project, including reports of investigations, record search results and site records/updates shall be forwarded to the Tribal Planning, Building, and Engineering Department and one copy to the City Planning Department prior to final inspection.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Outdoor Lighting Conformance. 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. Water Efficient Landscaping Conformance. The project is subject to the Water Efficient Landscape Ordinance (Chapter 8.60.00) of the Palm Springs Municipal Code and all other water efficient landscape ordinances. The applicant shall submit a landscape and irrigation plan to the Director of Planning for review and approval prior to the issuance of a building permit. Landscape plans shall be wet stamped and approved by the Riverside County Agricultural Commissioner's Office prior to submittal. Prior to submittal to the City, landscape plans shall also be certified by the local water agency that they are in conformance with the water agency's and the State's Water Efficient Landscape Ordinances.
- PLN 3. 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 submit a sign program to the Department of Planning Services prior to the issuance of building permits.
- PLN 4. Flat Roof Requirements. Roof materials on flat roofs (less than 2:12) must conform to California Title 24 thermal standards for "Cool Roofs". Such roofs must have a minimum initial thermal emittance of 0.75 or a minimum SRI of 64 and a three-year aged solar reflectance of 0.55 or greater. Only matte (non-specular) roofing is allowed in colors such as beige or tan.
- PLN 5. Maintenance of Awnings & Projections. All awnings shall be maintained and periodically cleaned.

- PLN 6. 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 7. Surface Mounted Downspouts Prohibited. No exterior downspouts shall be permitted on any facade on the proposed building(s) that are visible from adjacent streets or residential and commercial areas.
- PLN 8. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 9. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 10. Provide masonry visual and acoustical screen wall around the A/C condensing unit.
- PLN 11. Provide an integrated means of providing trash receptacles and enclosures.
- PLN 12. (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.

ENGINEERING DEPARTMENT CONDITIONS

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

FIRE DEPARTMENT CONDITIONS

GENERAL CONDITIONS

These Fire Department conditions may not provide all requirements. Detailed plans shall be required for review.

- FID 1 **Fire Extinguisher Requirements (CFC 906)**: Provide one 2A:10B:C portable fire extinguisher. Extinguisher shall be mounted in a visible, accessible location 3 to 5 feet above floor level. Preferred location is in the path of exit travel or near an exit door.

END OF CONDITIONS

JASON PERRY, hotel manager, was available for questions.

COMMITTEE MEMBER CASSADY asked if brick is in keeping with the roof brick.

APPLICANT replied yes.

M/S/C (Fredricks/Hirschbein, 6-0-1 absent Song) Approve as submitted.

4. **FAMILY DEVELOPMENT LLC, FOR ARCHITECTURAL REVIEW OF A 203 SQUARE FOOT ACCESSORY STRUCTURE CONTAINING A RESTROOM, WET BAR AND SELF-SERVE COFFEE STATION WITHIN THE DOG PARK AREA OF THE SOL DEVELOPMENT; A RESIDENTIAL PLANNED DEVELOPMENT AT THE NORTHEAST CORNER OF NORTH AVENIDA CABALLEROS AND AMADO ROAD, ZONE PDD 363 (CASE 5.1296 MAA PDD 363). (KL)**

CHRIS MILLS, APPLICANT, was available for questions.

VICE-CHAIR FAUBER asked if the building is closed or locked.

CHRIS MILLS responded that residents have a key and is unattended.

VICE-CHAIR FAUBER asked about the finish on the doors and windows.

CHRIS MILLS responded that it consists of vinyl pane glass windows and the door is wood with metal frame.

CHAIR SECOY-JENSEN asked what material consists of for the residential windows.

CHRIS MILLS responded they were aluminum but now are vinyl.

CHAIR SECOY-JENSEN asked if any screening will be provided for the condenser.

CHRIS MILLS responded yes. He said the equipment will be behind the wall, which is set on the diagonal.

VICE-CHAIR FAUBER said it looks like fabric is covering over the seating area; and asked for a description.

CHRIS MILLS said it is freestanding. It is steel pipe, 3" round shown on Sheet AR1.1. It is a canvas structure and there are four columns at different heights with different tweaks.

M/S/C (Secoy-Jensen/Fauber, 6-0-1 absent/Song) Approve with condition:

- Window mullion matches windows of the units.

5. DOUG AND TERRANCE JONES FOR ARCHITECTURAL REVIEW OF TWO SIXTY-SIX (66) FOOT TALL MONOPOLE STRUCTURES AND ASSOCIATED

EQUIPMENT SHELTERS LOCATED ON VACANT LAND ON THE WEST SIDE OF GOLDEN SANDS MOBILE HOME PARK AT 3430 NORTH SUNRISE WAY, ZONE O. (CASE 5.1321 CUP & 6.533 VAR). (DN)

NORM MACLEOD, CIG WIRELESS, said he is working with staff. He submitted a material board. No parabolic here.

COMMITTEE MEMBER FREDRICKS said it appears to be date palms not Washingtonian.

TED SWEKANA, CIG WIRELESS, said they may have one that looks closer to Mexican fan palm.

VICE-CHAIR FAUBER asked if all the fronds cover the antennas.

TED SWEKANA responded that they will. He said there is no landscaping to screen the equipment wall. Will consider. They agreed to a maintenance bond with Four Seasons.

CHAIR SECOY-JENSEN asked what the wall material will be. And said she prefers split face.

APPLICANT agreed.

COMMITTEE MEMBER PURNEL asked why palms are not all around the towers. He wants greater setback and screening on the east.

APPLICANT indicated they had approval of the location by the trailer park.

CHAIR SECOY-JENSEN asked what height is acceptable.

APPLICANT said engineers say this is optimal. Others say 48' to 55'. He believes they can come down some.

DIRECTOR WHEELER repeated that the staff recommendation is denial and we cannot verify the veracity of the information of the applicant.