



Planning Commission Staff Report

Date: February 11, 2009

Case No.: 3.2826 – MAJ Time Extension (Desert Oasis Industrial Lofts)

Type: Major Architectural Approval Time Extension

Location: 400 West San Rafael Road

APN: 669-430-015, 669-430-016

Applicant: Desert Oasis Industrial Lofts, LLC.

General Plan: Mixed Use/Multi-Use

Zone: M-1 Service – Manufacturing Zone

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

Project Planner: Glenn Mlaker, Assistant Planner

PROJECT DESCRIPTION

The applicant is requesting a one year time extension for a previously approved project for the construction of 58 service/manufacturing lofts within seven buildings on approximately 6.55 acres, located at 400 West San Rafael Road.

RECOMMENDATION

That the Planning Commission approve a one year time extension for Case 3.2826-MAJ from March 28, 2009 to March 27, 2010.

PRIOR ACTION

On February 25, 2007 the Architectural Advisory Committee reviewed the plan and recommended approval to the Planning Commission.

On March 28, 2007 the Planning Commission adopted a Negative Declaration (ND); and approved the Major Architectural application (MAJ).

BACKGROUND

The previously approved project consists of 58 service/manufacturing lofts in seven buildings to be developed in two phases. Phase one will consist of buildings A,B,C,D and G and phase two will consist of buildings E & F. The proposed buildings will be one story plus a loft with a height of 25 feet. The 6.55 acre lot is currently vacant.

ANALYSIS

ZONING ORDINANCE

Architectural Approvals, granted pursuant to Section 94.04.00(H) of the Palm Springs Zoning Code (PSZC), have a time limit for construction which is two years. According to Section 94.04.00 (H) of the PSZC, "*extensions of time may be granted by the Planning Commission upon demonstration of good cause*". In the letter of time extension request, the applicant stated that construction has not commenced due to the poor state of the current real estate market. This project was approved on March 28, 2007; therefore, the approval will expire on March 27, 2009.

The applicant submitted a letter of time extension request on January 20, 2009. Review of the time extension must consider changes in the applicable rules and the changes in the character of the neighborhood since the original entitlement was approved.

Staff has concluded that since the approval of the original entitlement, there have been no changes in the applicable rules or in the character of the neighborhood that would warrant denial of the time extension.

ENVIRONMENTAL DETERMINATION

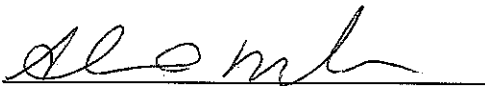
The Planning Department has reviewed this project under the provisions of the California Environmental Quality Act (CEQA), and has determined that a time extension request is considered a "project" pursuant to the terms of the Environmental Quality Act (CEQA). A Negative Declaration (ND) was previously adopted by the Planning Commission on March 28, 2007 for the project. Further environmental documentation is not necessary because the changed circumstances of the project will not result in any

February 11, 2009


new significant environmental effects. The time extension would not result in any new environmental impacts beyond those already assessed in the Mitigated Negative Declaration.

CONCLUSION

Staff believes that the applicant has demonstrated good cause for an extension of time and recommends that the Planning Commission approve a time extension of one year from March 28, 2009 to March 27, 2010 for Case 3.2826 MAJ



Glenn Mlaker
Assistant Planner



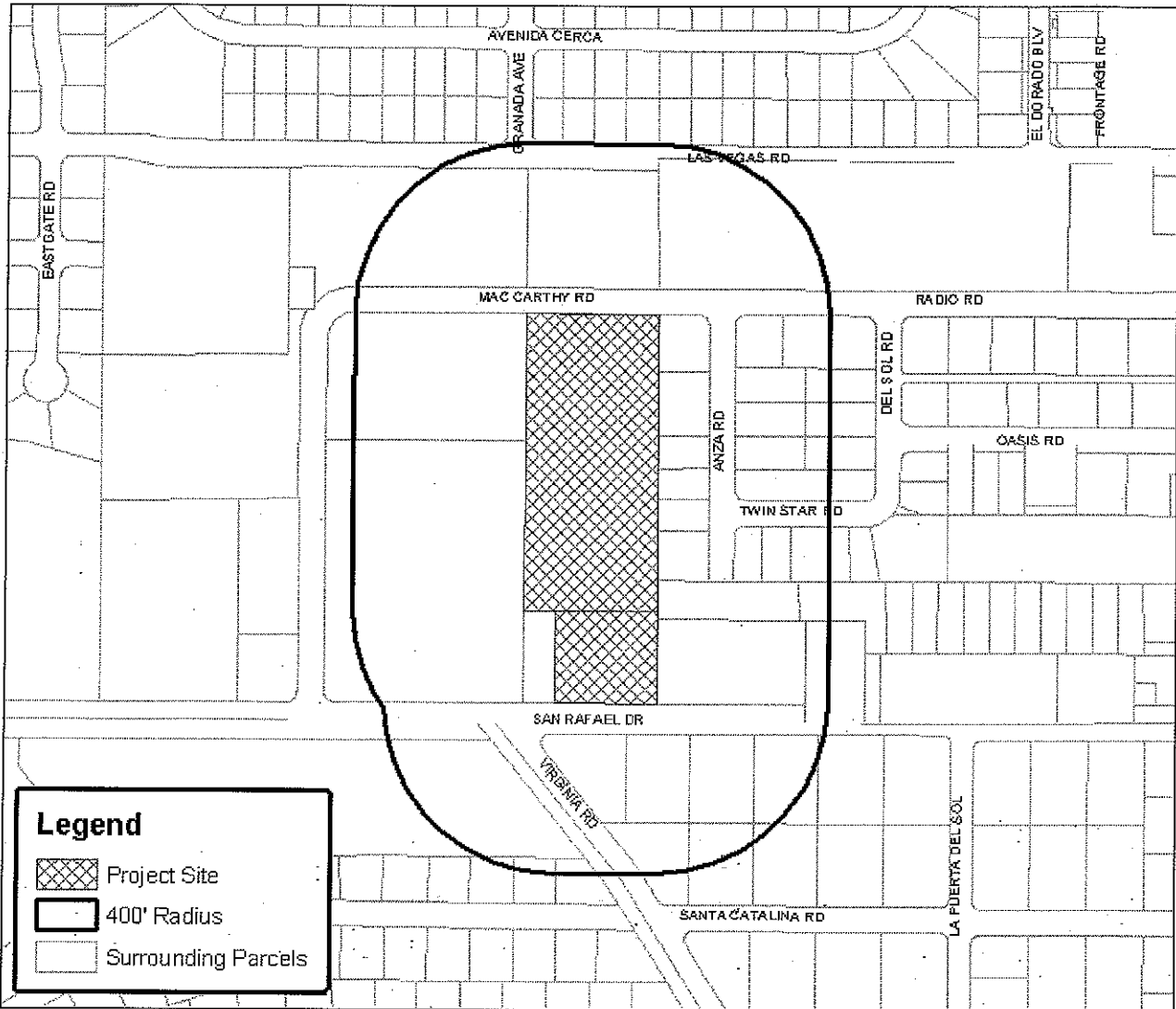
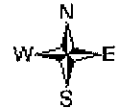
Craig A. Ewing A/CP
Director of Planning Services

Attachments:

- 500' Radius Map
- Draft Resolution
- Site Plan & Elevation
- Letter Requesting Time Extension



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CASE NO: 3.2826 MAJ

APPLICANT: Desert Oasis Industrial
Lofts

DESCRIPTION: To consider a request for a one-year time extension on the project consisting of 58 service/manufacturing lofts and accessory off-street parking and associated landscaping at 400 West San Rafael Road, Zoned M1, Section 34.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA APPROVING A ONE-YEAR TIME EXTENSION FROM MARCH 28, 2009 TO MARCH 27, 2010 FOR CASE NO. 3.2826-MAJ, A PREVIOUSLY ENTITLED INDUSTRIAL DEVELOPMENT OF 58 SERVICE/MAUFACTURING LOFTS WITHIN SEVEN BUILDINGS ON 6.55 ACRES AT 400 WEST SAN RAFAEL ROAD, ZONE M-1, SECTION 34, APN 669-430-016.

WHEREAS, Desert Oasis Industrial Lofts LLC ("Applicant") has filed an application with the City pursuant to Chapter 94.04.0(H) of the Palm Springs Zoning Code for a one-year time extension to Case No. 3.2826 – MAJ for an industrial development of 58 service/manufacturing lofts within seven buildings on 6.55 acres.

WHEREAS, on February 11, 2009, a public meeting on the application was held by the Planning Commission in accordance with applicable law; and

WHEREAS, The Planning Department has reviewed this project under the provisions of the California Environmental Quality Act (CEQA), and has determined that a time extension request is considered a "project" pursuant to the terms of the Environmental Quality Act (CEQA). A Negative Declaration (ND) was previously adopted by the Planning Commission on March 28, 2007 for the project. Further environmental documentation is not necessary because the changed circumstances of the project will not result in any new significant environmental effects. The time extension would not result in any new environmental impacts beyond those already assessed in the Negative Declaration.

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.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves a one year time extension from March 28, 2009 to March 27, 2010 for Case No. 3.2826 - MAJ.

ADOPTED this 11th day of February, 2009.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

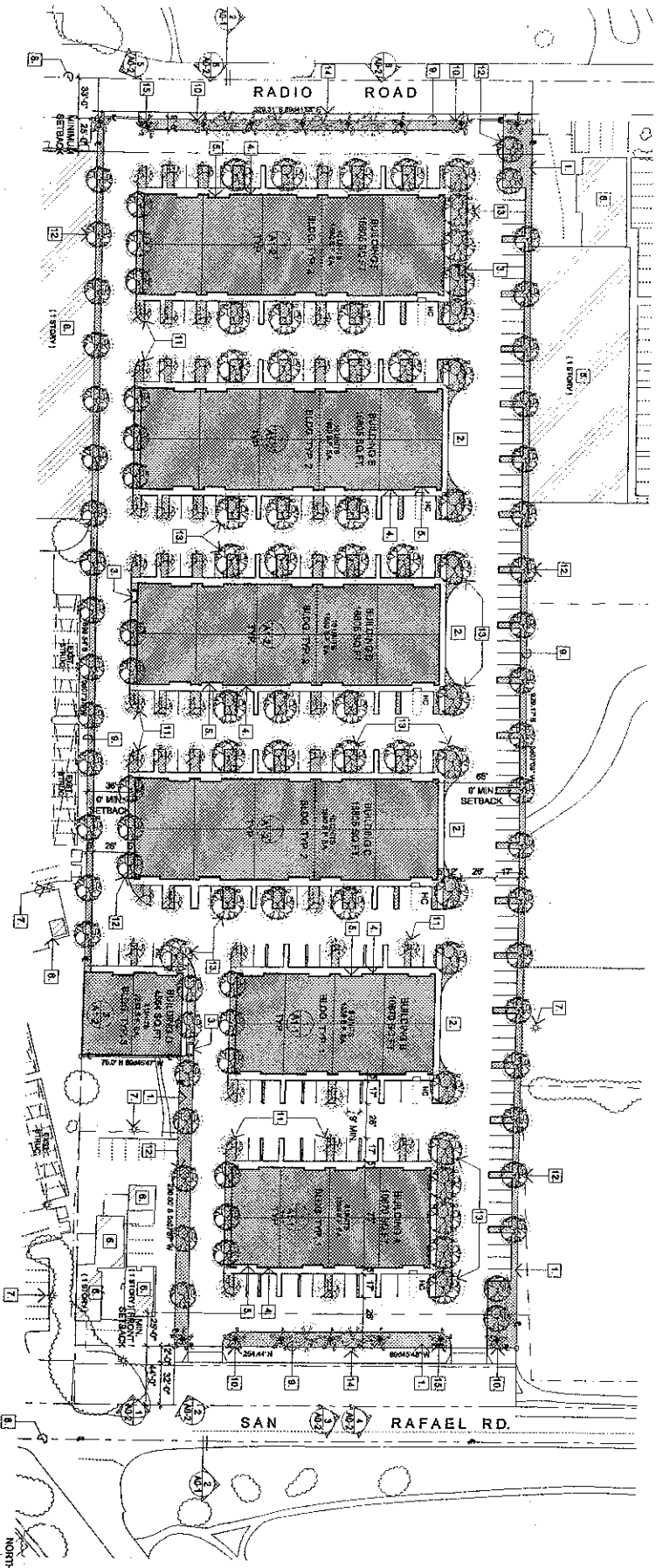
CITY OF PALM SPRINGS, CALIFORNIA

Craig Ewing, AICP
Director of Planning Services

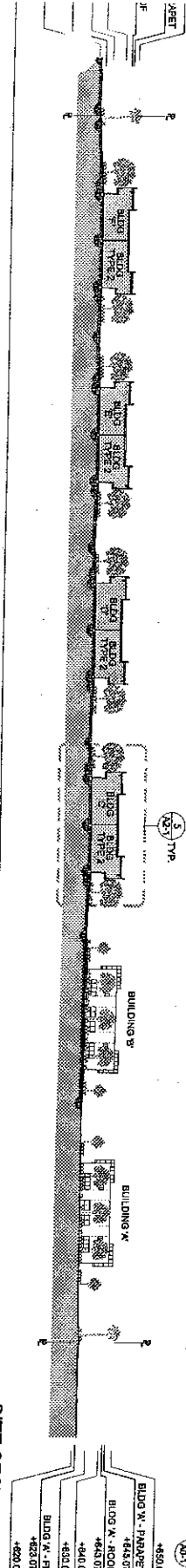
H2A
 Architects

Howard Hinkle Architects LP
 81222700
 1502 J Street
 San Diego, California
 92101

**DESERT OASIS
 INDUSTRIAL
 LOFTS**



SITE PLAN



SITE SECTION

KEYNOTES

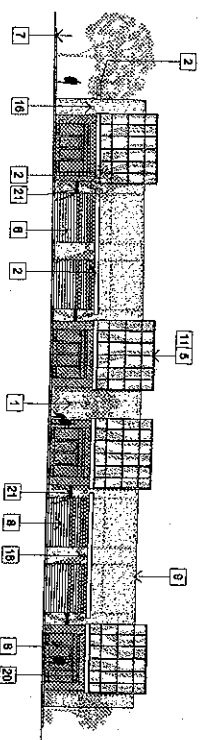
- 1 REQUIRED LANDSCAPE AREA
- 2 REQUIRED TRUCK TRUCK LOADING / UNLOADING AREA
- 3 TRASH ENCLOSURE
- 4 PAINTED METAL ROLL-UP WAREHOUSE DOOR, TYPICAL LOCATION
- 5 ANODIZED ALUMINUM & LOW-E GLASS ENTRY DOORS, TYPICAL LOCATION
- 6 OFF-SITE EXISTING STRUCTURE, NOT PART OF THIS PROJECT
- 7 OFF-SITE LIGHTING, TYPICAL, NOT PART OF THIS PROJECT
- 8 CENTERLINE OF STREET
- 9 PROPERTY LINE OF PROJECT
- 10 STREET PALM PER LANDSCAPE DRAWINGS AND SPECIFICATIONS TYPICAL
- 11 SMALL PARKING LOT TREE PER LANDSCAPE DRAWINGS AND SPECIFICATIONS TYPICAL
- 12 TREBUETTES TREE PER LANDSCAPE DRAWINGS AND SPECIFICATIONS TYPICAL
- 13 LARGE PARKING LOT TREE PER LANDSCAPE DRAWINGS AND SPECIFICATIONS TYPICAL
- 14 'STREET' TREE PER LANDSCAPE DRAWINGS AND SPECIFICATIONS TYPICAL
- 15 OFF-SITE PROJECT & SITE SIGN, NIGHT TIME ILLUMINATION WITH SPOT LIGHTS
- 16 PAINTED METAL WITH CONCRETE REINFORC AND FOUNDATION

3.2826
 OCT 20 2005

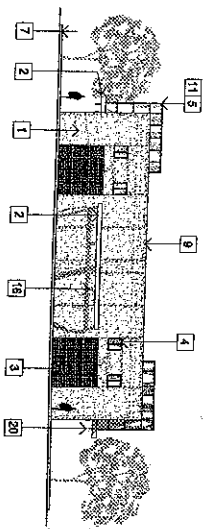
SITE PLAN

SCALE: 1" = 40'-0"
 A0-1

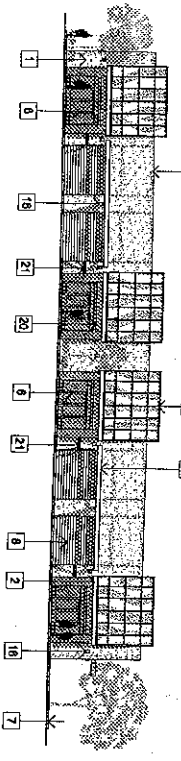
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 PLANNING DIVISION



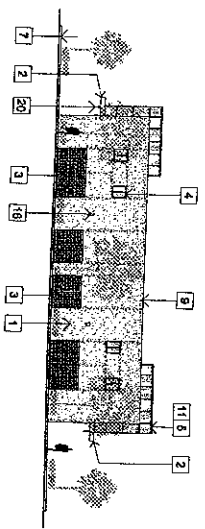
NORTH ELEVATION
 BUILDING TYPE 1



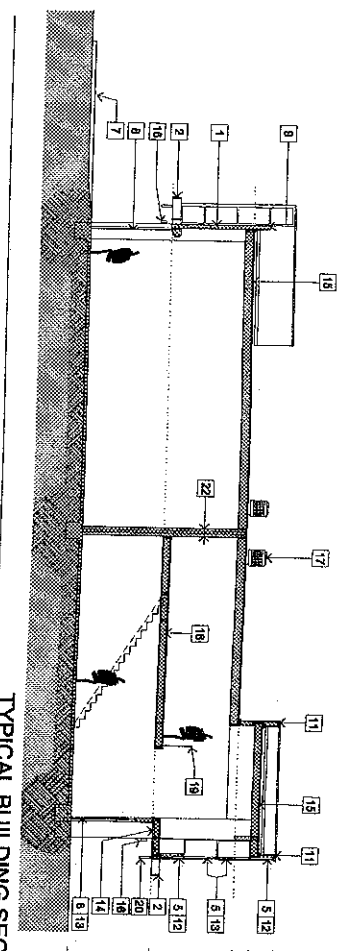
EAST ELEVATION
 BUILDING TYPE 1



SOUTH ELEVATION
 BUILDING TYPE 1



WEST ELEVATION
 BUILDING TYPE 1



TYPICAL BUILDING SECTION
 SCALE: 1/8" = 1'-0"

ELEVATION AND SECTION LIGHTING & SIGNAGE NOTES

1. A SIGNAGE LIGHTING THE LIGHTING SHALL BE SUBMITTED FOR APPROVAL TO PERMITS.
2. ALL SIGN SHALL BE THE PROPERTY OF THE CLIENT. PROVIDER SHALL INCLUDE SIGNAGE IN THE CONTRACT AND PROVIDE TO PERMITS.
3. CHECK ALL SIGNS INCLUDING SIGNAGE LIGHTING AND SIGNAGE LIGHTING AND SIGNAGE LIGHTING TO PERMITS.

ELEVATION & SECTION KEYNOTES

1. 12" x 12" CONCRETE PILING.
2. 12" x 12" CONCRETE PILING.
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20. 12" x 12" CONCRETE PILING.
21. 12" x 12" CONCRETE PILING.

Desert Oasis Industrial Lofts, LLC
PO BOX 40345
San Diego, Ca. 92164
TEL: 619-990-4628
FAX: 619-283-2373

January 14, 2009

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

RE: TPM 35958
APN 669-430-015 & 669-430-016

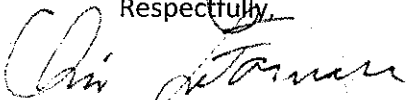
Mr. Newell:

We would like to request a one year extension on our Architectural Plans, for the above proposed project. Our plans are slated to expire in 2009. As you are aware we are continuing to move forward in the mapping phase of this project. It is our hope that in the right market climate we will bring a beautiful development to the community which will allow small business owners an affordable space to call their own. When we began this project the market conditions for building this project were very different than they are today. We have done a great deal of research and not only does it not pencil out financially because of current negative market conditions for us to begin building at this time, but the ability for small business to obtain financing to purchase these industrial units is also extremely difficult.

We have dedicated a great deal of time and money into this project, and do not want to see our plans expire before we have the ability to bring this project to fruition. We intend to continue moving forward to obtain our final map. During this time we will continue to keep our finger on the pulse of the real estate market with the hope that this will be a viable project for both us and the small business owner.

We look forward to your continued support of our proposed project and appreciate your willingness to grant our extension in light of the economic times that have hit the real estate market and developers.

Respectfully,



Chris LaFornara, Member



Michelle LaPrise, Member



Paul Goldfarb, Member

RECEIVED

PLANNING SERVICES
DEPARTMENT

3.2826