



PLANNING COMMISSION STAFF REPORT

DATE: MARCH 22, 2017

PUBLIC HEARING

SUBJECT: 1875 NORTH PALM CANYON PARTNERS II, LLC, DBA – TOVA HOTEL AND BEACH CLUB FOR A CONDITIONAL USE PERMIT FOR A FULL SERVICE SPA; AND A 200-SEAT RESTAURANT/LOBBY BAR; AND A MAJOR ARCHITECTURAL APPLICATION FOR EXTERIOR BUILDING RENOVATIONS AND CONSTRUCTION OF A 15,200-SQUARE FOOT RESTAURANT BUILDING TO AN EXISTING HOTEL (FORMERLY THE GARDEN VISTA HOTEL) LOCATED AT 1875 NORTH PALM CANYON DRIVE (CASE 5.1382 CUP / 3.0157 MAA). (GM)

FROM: Department of Planning Services

SUMMARY

The Tova Hotel and Beach Club (formerly the Garden Vista Hotel) is requesting a Conditional Use Permit for the addition of a 15,200-square foot restaurant building and full service spa plus review of a Major Architectural application for the following:

- Alteration to front driveway entrance for valet drop-off and improved site circulation.
- Renovation of Building A to include:
 - Removal of porte cochere and significant alterations to the building exterior.
 - New hotel lobby lounge area.
 - Conversion of second floor hotel rooms to new day spa.
 - Addition of 2,000-square feet for housekeeping expansion.
- Exterior façade and interior renovation of guestroom Buildings B, C & D.
- New construction of Building E (pool area) equaling 3,700-square feet as fitness/restrooms/storage area.
- New construction of Building F (new restaurant building) equaling 15,200-square foot restaurant/bar.
- New construction of two (2) bar buildings in pool area.
- Renovation of existing pool and deck area.
- Renovation of site landscaping and site paving/driveways.
- Construction of new trash compactor enclosure.
- Addition of two security gates to guest parking lots.

ISSUES:

- Proposed development on site will require a total of 247 parking spaces with 100 spaces provided on site leaving a deficiency of 147 spaces.
- Variance application (Case 6.547 VAR) has been submitted to allow off-site parking located on two vacant lots located at 1425 North Palm Canyon Drive which is 1,340 feet from the Tova Hotel Property.
- The Palm Springs Zoning Code (PSZC) Section 93.06.00(B)(5)(c) allows parking facilities to be located off-site not more than 300 feet from the building or use they are required to serve.
- Staff is recommending denial of Variance request.
- The proposed project based upon its current square footage and hotel room count cannot be approved without the granting of Variance Application (6.547 VAR) meeting the off-site parking requirements.

RECOMMENDATION:

Upon reviewing the analysis and findings contained in this report, recommend denial as proposed. The required findings to grant a Conditional Use Permit cannot be made unless Variance Case 6.547 VAR is granted.

BACKGROUND AND SETTING:

<i>Related Relevant City Actions by Planning, Fire, Building, etc...</i>	
9/18/1984	Building permit issued (Shiloh Inn)
9/8/2015	AAC reviewed the project and voted to table for further study. (see meeting minutes)
6/6/2016	AAC reviewed a revised project and voted to table for further study. (see meeting minutes)
12/5/2016	AAC reviewed the Major Architectural Application and recommended approval to the Planning Commission with four comments: <ul style="list-style-type: none"> • Trash enclosure maneuvering needs to be reworked. • Light poles do not match architecture. • Wavy pattern needs to distinguish curb from the driveway. • Building A needs Brise Soleil (overhang) on east elevation.

<i>Most Recent Change of Ownership</i>	
8/1/2014	1875 North Palm Canyon Partners

<i>Sign Posting of Pending Project</i>	
	Not Required

Neighborhood Notification

3/16/2017	Email sent to the following: Little Tuscany, Racquet Club Estates, Vista Las Palmas, Old Las Palmas, El Mirador Neighborhood Organizations.
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Notification

3/9/2017	Public hearing notices sent to all property owners within 500 feet of property.
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DETAILS OF APPLICATION REQUEST:

Site Area

4.37-Acres

Surrounding Property	Existing General Plan Designations	Existing Land Use	Existing Zoning Designations
Subject Property	TRC (Tourist Resort Commercial)	Hotel	C-1 / R-3 General Commercial / Multi-Family Residential
North	TRC (Tourist Resort Commercial)	Commercial – Rick’s Restaurant	C-1 General Commercial
South	TRC (Tourist Resort Commercial)	Hotel - Vacant	C-1 / R-3 General Commercial / Multi-Family Residential
East	TRC (Tourist Resort Commercial)	Commercial – Billy Reed’s Restaurant	C-1 General Commercial
West	MDR (Medium Density Residential)	Condominiums – Casa de Oro	RG(6) Multi-Family Residential

DEVELOPMENT STANDARDS:

Pursuant to Section 92.04.03 the following standards apply:

Evaluation of Standards for the C-1 Zone

Standard	Required/Allowed	Provided	Compliance
Lot Area	20,000-square feet	4.37-Acres	Yes
Lot Width	100 feet	322 feet	Yes
Lot Depth	150 feet	548 feet	Yes
Front Yard	5 feet	40 feet	Yes
Side Yard	None	55 feet	Yes
Rear Yard	20 feet when abuts residential	55 feet	Yes
Building Height (max.)	30 feet	30 feet	Yes

Bldg. Coverage	None	21%	Yes
Trash Enclosure	Required	Trash Compactor	Yes
Mech. Equip.	Screened by parapet	Roof Mount / Screened	Yes
Off-Street Parking	See Table in CUP Section	See Table in CUP Section	No

ANALYSIS:

Site Plan:

The site is the former Garden Vista Hotel located in north Palm Springs (on North Palm Canyon Drive North of Vista Chino) across the street from Billy Reed's restaurant. The site is rectangular in shape consisting of a lobby building with attached porte cochere, and three buildings containing hotel rooms in a "U" shape. All buildings face an inner courtyard encompassing two (2) pools and fitness center with perimeter parking lots.

The proposed project will rehabilitate an aging resort hotel on the City's main thoroughfare of North Palm Canyon Drive. Changes include a major renovation and addition to Building A; cosmetic changes to three (3) guestroom Buildings B, C, and D; the new construction of Building E (a new pool house), and Building F (a new 15,200-square foot restaurant) as well as rehabilitation of the pool and deck area.

Site access from North Palm Canyon Drive will be redesigned from current conditions to accommodate a right-in, right-out entrance with two (2) curb cuts allowing for better traffic flow, valet drop-off, and improved site circulation. This entry scheme will result in three (3) access lanes to help facilitate proper traffic flow.

The hotel will utilize a 100% valet parking system in a one-way counter-clockwise direction around the hotel. A detailed discussion of the parking requirements is provided in the Conditional Use Permit section of the Staff Report.

The project includes the rehabilitation of Building A which currently contains the lobby check-in area, a large entry porte cochere, conference room, breakfast room, managers quarters, laundry facilities, and 10 guest rooms on the second floor. Building A total size is currently 10,885-square feet. The first level will contain a new lobby/reception area; a lounge/bar; storage; and a new 2,000-square foot addition for back of house operations. The renovation will include the elimination of the second floor guestrooms to be replaced with a full service spa, meeting rooms, and employee area. The total size of Building A after renovation and the 2,000-square foot back of house addition will be 12,800-square feet.

Changes to the guest rooms in Buildings B, C, and D will include a substantial façade upgrade and interior room renovations. No major structural modifications are proposed.

An existing pool building located within the courtyard area will be razed and a new 3,600-square foot building (Building E) will be constructed and contain locker rooms, storage, and fitness room to support the day pool operations. In addition two (2) small bar buildings are proposed.

Building F will be a two story, 15,200-square foot structure containing a restaurant and lounge. This building will be constructed in a grassy area north of the existing Building A. The first level will consist of a main dining room, sushi bar and lounge, kitchen and storage. The mezzanine level will house mechanical equipment, storage, DJ booth, and level 3 will contain a large outdoor patio with lounge seating with a bar, and restrooms.

The arrival point for the renovated hotel will be a large glass canopy that will overhang the driveway and extend between Buildings A and F. This architectural feature will tie the two buildings together and lead guests into the main pool area.

Mass and Scale:

The proposed renovations to Building A will result in a structure that is twenty-four (24') feet in height with a building parapet extending to twenty-eight (28') feet. The existing building tile "roof apron" elements will be removed along with the second floor railings, porte cochere, and stairway tower. The front elevation will be substantially altered and replaced with a large glass façade.

The guestroom buildings (Buildings B, C, & D) renovation will include the removal of the tile "roof aprons" and railings, to be replaced with square vertical wall elements and concrete screen accent block. Maximum height of the buildings will remain at twenty-four (24') feet.

The new restaurant building (Building F) will be 15,200-square feet in size with a maximum height of thirty (30') feet to the top of the parapet. The upper level of the structure will contain a large outdoor covered patio that will step back from the building edge thus reducing the overall front elevation massing. The building is larger in size and height than the renovated Building A, however the Modern design for both buildings with similar expansive glass window systems and horizontal elements are compatible.

Building Design and Detailing:

The renovation of the 1980's motel will require the removal of most of the original building elements to include the tile "roof aprons", wall stucco, second floor railings, guest room doors, stairway towers, and entry porte cochere. The new design is Modern inspired with the use of smooth stucco painted white for the main portion of all buildings; a gray color for the walls of the guest buildings with dark gray doors, and concrete patterned block for accents. For Buildings A and F the front elevations will utilize extensive glazing systems with gray aluminum frames and tempered glass railings on stairwells and balconies.

The pool house building will be similar in design to others on the site. Staff notes that the poolside display monitor as shown on Sheet E6 of the exhibits has been eliminated from the project.

Landscaping and Buffers:

The landscape plan shows a wide variety of accent palms, trees, citrus, and large canopy trees. The use of ground cover, shrubs, cactus, and other accent plants will result in a lush site. The site entry will utilize colored pavers in two shades of brown with gray accents in a symmetrical pattern. The landscaping along North Palm Canyon Drive includes large Palo Verde trees, Date Palms and other ground cover. The parking lot shade trees located in existing islands will be Palo Verde.

Conditional Use Permit

The Palm Springs Zoning Code (PSZC) pursuant to Sections 92.12.01(D)(20) & 92.40.01(D)(22) require the approval of a Conditional Use Permit (CUP) for restaurants as part of a resort hotel and a spa as an accessory use to a hotel in the C-1 and R-3 zones.

The applicant is seeking a Conditional Use Permit (CUP) for the conversion of the second floor of Building A to an accessory full service spa serving hotel guests and the general public; and the construction of Building F as a restaurant and lounge within a hotel serving the general public. These uses will require an interior renovation of Building A to include a new lobby/reception area, lounge, back of house operations and a full service spa on the second floor. The construction of Building F as a full service restaurant and lounge in a 15,200-square foot building will service hotel and general public guests.

The introduction of the new restaurant building and other uses such as the full service spa will result in an increase in the required number of off-street parking spaces. A tabulation of the required parking based upon staffing, number of hotel rooms, and number of seats in the new restaurant is enumerated in the tables below:

Parking Required

Building A (Lobby/Spa)	Number of Spaces
Lobby Bar – Guests	18
Lobby Bar – Staff	4
Hotel & Spa – Staff	10
Hotel Rooms = 104	95
Total – Hotel/Spa	127
Restaurant – Guests	100
Restaurant – Staff	20
Total Restaurant	120

Total Required	247
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Parking Provided

On-Site Parking	
Standard Spaces	91
Compact Spaces	22
Accessible Spaces	7
Total On-Site Provided	100
Total Off-Site Needed	147

The Tova Hotel site is deficient 147 parking spaces based upon the construction of the 15,200-square foot restaurant building and spa use introduced to the site. Staff has been working with the hotel owners to devise a conforming parking plan. The PSZC provides a means to allow off-site parking within a distance of 300 feet from the hotel site. Potential parking sites explored yet deemed unattainable within close proximity to the hotel have included Rick's Restaurant, the Mojave River School site, and the office building at the corner of Vista Chino and North Palm Canyon Drive. According to the applicant, each of these property owners is not willing to commit to a long term lease of 20 years or more.

VARIANCE

The Palm Springs Zoning Code (PSZC) per Section 94.06.00 allows for the submission of a Variance application seeking relief from Section 93.06.00(B)(5)(c) requiring off-site parking facilities be located no more than 300 feet from the principal use. Over the past year the applicant has been searching for a suitable vacant parcel to purchase and construct a parking lot to meet the requirements of the PSZC relative to distance and required number of spaces. The applicant has contracted to purchase a lot located at 1425 North Palm Canyon which is located 1,340 feet from the hotel site and beyond the maximum distance of 300 feet allowed by the PSZC. The Variance application will be reviewed by the Planning Commission in conjunction with this application.

Staff is recommending denial of the Variance and has determined that three (3) of the required findings cannot be made. There is not sufficient evidence to support the relief from the PSZC distance requirement of 300 feet. Specific findings which cannot be made relating to the property at 1425 North Palm Canyon Drive include no special circumstances exist in terms of limiting the properties ability to develop as a viable commercial property; the granting of the Variance would constitute a special privilege and would be inconsistent with the limitations set upon other properties in the vicinity and zone; and the valet parking scheme may impact the public health and safety.

REQUIRED FINDINGS:

Conditional Use Permit

Pursuant to Zoning Code Section 92.12.01(D)(20) & 92.40.01(D)(22) the proposed development requires the approval of a Conditional Use Permit (CUP) for restaurants as part of a resort hotel and a spa as an accessory use to a hotel in the C-1 and R-3 zones. The Planning Commission must make certain findings in order to approve the Conditional Use Permit pursuant to Section 94.02.00 of the Palm Springs Zoning Code; those findings are analyzed below:

- a. *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.*

Section 92.12.01(D)(20) of the Palm Springs Zoning Code (PSZC) allows restaurants within a hotel, Section 92.12.01(D)(22) allows a spa use as an accessory to a hotel subject to the hotel containing more than fifty (50) rooms and located on a major thoroughfare servicing outside guests. The PSZC permits the intended uses with the approval of a CUP meeting all zone requirements including provisions for adequate off-street parking. The site plan as designed does not meet the minimum standard without the approval of Variance 6.547 for off-site parking. Based upon this requirement the finding cannot be met.

- b. *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.*

Approval of the CUP will allow for a new restaurant and spa services for hotel guests and the general public. These commercial services are a desirable attribute for a resort hotel that contributes to the tourism industry which is a vital component of the economy of Palm Springs. The proposed project is harmonious with the General Plan Community Design Element as follows:

- Policy LU 1.4: Encourage the expansion of existing facilities and new uses that contribute exceptional benefits to the City.
- Policy LU 7.1: Encourage a diversity of high-quality commercial uses.
- Goal CD12: Create active, vibrant and attractive gathering places.
- Goal CD 15: Provide safe, attractive, and well-designed parking areas.

The project conforms to this finding.

- c. *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 renovation of an existing hotel on a 4.37-acre site meets all required setbacks, height limits and other development standards. The construction of a new 15,200-square foot restaurant building on an existing open space area will result in a deficiency in off-street parking. The hotel with 104 rooms meets the parking standards, however the project as presented with the proposed new construction does not adequately provide the required parking. Therefore the site is not adequate in size and shape to accommodate the proposed use and the finding cannot be met.

- d. *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 North Palm Canyon Drive which is a Major Thoroughfare in the General Plan Circulation Element. The existing site will be altered to add a second driveway to provide increased vehicle circulation. The revised ingress/egress point will allow for three lanes of vehicle stacking for hotel check-in, and valet drop-off and pick-up. The hotel is properly served by adjacent streets and the finding has been met.

- e. *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 proposal is to renovate an existing hotel complex to include the construction of a 15,200-square foot restaurant building and full service spa. Conditions of Approval will be included as attachment Exhibit A to ensure that the use operates in a manner which protects the public health, safety and general welfare. These conditions include compliance with the City's Zoning Ordinance and other necessary requirements and the finding has been met.

Architectural Review Criteria:

PSZC Section 94.04.00(D) requires an evaluation of the proposed development to determine if it will provide a desirable environment for its occupants, be compatible with the character of the adjacent and surrounding developments, and whether it is good composition, material, textures, and colors. Conformance shall be evaluated based on the following criteria:

1. 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 areas;

The proposed hotel rehabilitation and construction of the new restaurant building and full service spa along with the renovation of the guestroom buildings will freshen this aging property and provide greater amenities to the hotel guests and general public. The project provides good separation of pedestrian and vehicular circulation by re-working the front vehicle entry with a right-in, right-out driveway from North Palm Canyon Drive, with three travel lanes and valet drop-off area. Adequate pedestrian sidewalks are provided within the site and the finding is met.

2. 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;

The renovation of the existing hotel and construction of a new restaurant building and full service spa is consistent with adjacent commercial properties along North Palm Canyon Drive. The immediate neighborhood fronting the street consists of similar hotels, restaurants and commercial uses such as the Arrive Hotel, Monroe, and Ivy Palm, and other restaurants including Rick's and Billy Reed's. The architectural design of the renovated hotel will introduce an interesting and unique design element to the northern entry of the City. The use of varied building materials with multi-colored pavers for the front arrival motor court and landscaping will allow the renovated hotel to be distinct from the adjoining and adjacent properties. The proposed project is compatible with the existing development in the vicinity and the finding has been met.

3. 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;

The proposed renovations to Buildings A thru D will result in a structure that is twenty-four (24') feet in height with a building parapet to conceal mechanical equipment extending to twenty-eight (28') feet for Building A. The existing building tile "roof apron" elements will be removed along with the second floor railings, porte cochere, and stairway tower. The new restaurant building (Building F) will be 15,200-square feet in size with a maximum height of thirty (30') feet to the top of the parapet. The building is larger in size and height than the renovated Building A, however the Modern design for both buildings with similar expansive glass window systems and horizontal elements are compatible and the finding has been met.

4. *Building design, materials and colors to be sympathetic with desert surroundings;*
AND
5. *Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously,*
AND
6. *Consistency of composition and treatment,*

The renovation of the 1980's motel will require the removal of most of the original building elements to include the tile "roof aprons", wall stucco, second floor railings, guest room doors, stairway towers, and entry porte cochere. The new design is Modern inspired with the use of smooth stucco painted white for the main portion of all buildings; a gray color for the walls of the guest buildings with dark gray doors, and concrete patterned block for accents. For Buildings A and F the front elevations will utilize extensive glazing systems with gray aluminum frames and tempered glass railings on stairwells and balconies and the finding has been met.

7. *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;*

The landscape plan includes a wide variety of accent palms, trees, citrus, and large canopy trees. The use of ground cover, shrubs, cactus, and other accent plants will result in a lush site. The site entry will utilize colored pavers in two shades of brown with gray accents in a symmetrical pattern. The landscaping along North Palm Canyon Drive includes large Palo Verde trees, Date Palms and other ground cover. The parking lot shade trees located in existing islands will be Palo Verde and the finding has been met.

ENVIRONMENTAL ASSESSMENT

In this instance, Staff is recommending denial of the application. Approval of the attached Denial Resolution is not subject to the California Environmental Quality Act ("CEQA") under CEQA Guidelines (14 Cal. Code Regs.) sections 15060(c)(2), 15060(c)(3), and 15061(b)(3). The activity is not subject to CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; and the activity is covered by the general rule that CEQA applies only to activities that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA.

NOTIFICATION

Notification was sent to adjacent property owners within 500 feet from the subject property on March 9, 2017 to inform the neighbors that there has been a Conditional Use Permit application submitted for the subject property.

CONCLUSION

Staff has analyzed the Conditional Use Permit for a new restaurant and full service spa and has found that two (2) of the required five (5) findings cannot be met. Staff has determined that finding A cannot be met being that the proposed project is not consistent with the PSZC relative to required off-street parking. The site is deficient in 147 parking spaces and relies on the approval of a Variance application (Case 6.547 VAR) to meet the parking requirement. Staff is recommending denial of the Variance based upon separate findings. In addition, finding C cannot be met based upon the site being of inadequate size and shape to accommodate off-street parking requirements for the proposed 15,200-square foot restaurant building and other intended uses. Based upon these determinations, Staff is recommending denial of the Conditional Use Permit.

The Planning Commission in its review of the Major Architectural Application evaluates the project relative to findings for architectural merit. Staff commends the applicant for developing an architecturally appropriate renovation of the Tova Hotel site. The design of the hotel with unique and attractive architecture along with a fully developed landscape plan would allow an aging property to redevelop into a viable business that benefits the surrounding neighborhood. Staff has determined that the proposed project meets the required findings for architectural review.



Glenn Mlaker, AICP
Associate Planner



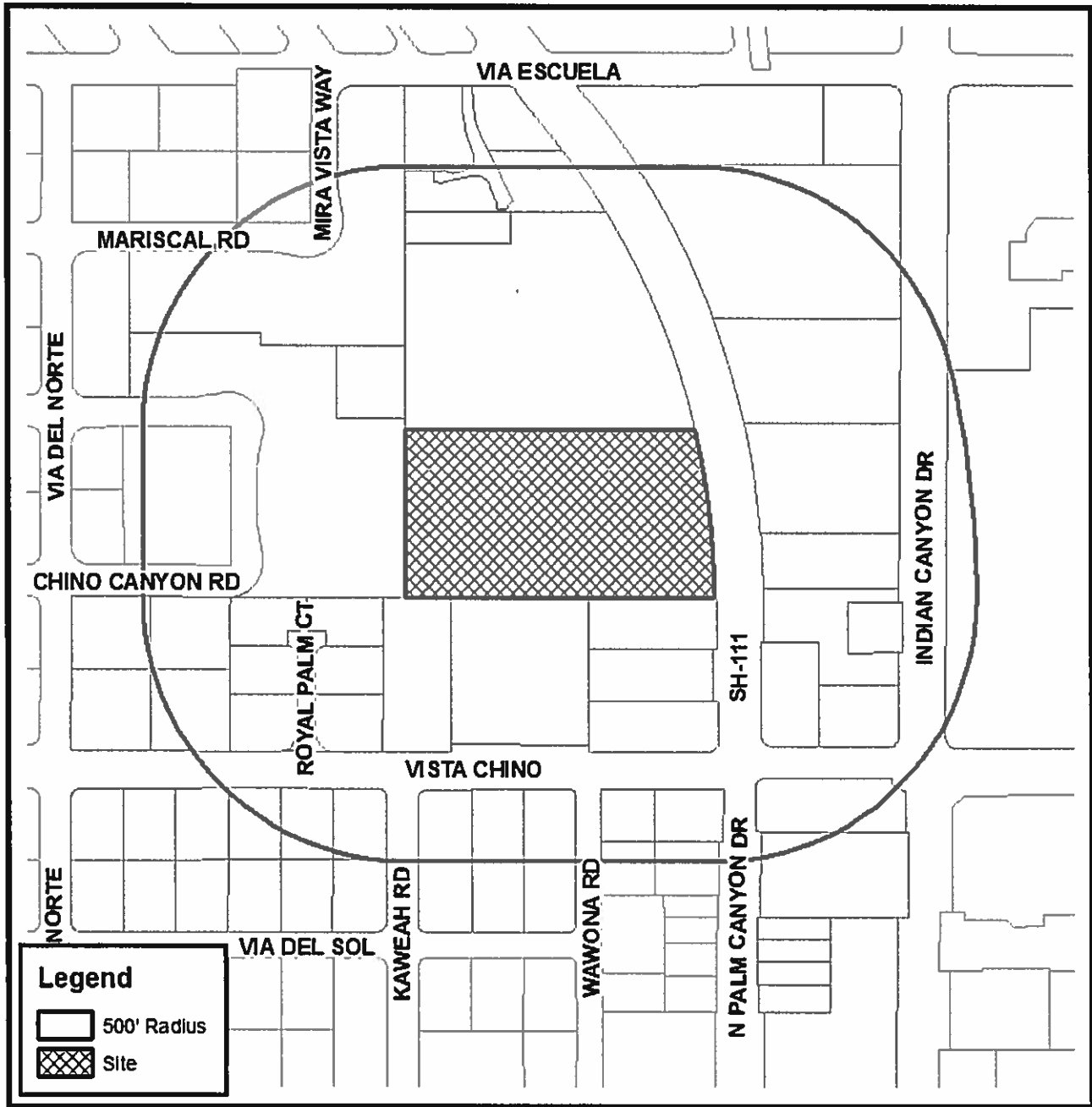
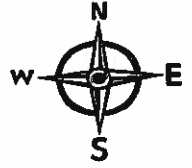
Flinn Fagg, AICP
Director of Planning Services

Attachments:

1. 500' Vicinity Map
2. Resolution
3. AAC meeting minutes of September 8, 2015
4. AAC Meeting Minutes of June 6, 2016
5. AAC Meeting Minutes of December 5, 2016
6. Parking Summary
7. Site Photos
8. Project Packet includes:
 - Owner Project Narrative
 - Site Plan
 - Landscape Plan
 - Site Circulation
 - Variance Request Justification
 - Building Site Sections
 - Floor Plans
 - 3D Images
 - Building Elevations
 - Material Board



Department of Planning Services Vicinity Map



Legend

- 500' Radius
- Site

CITY OF PALM SPRINGS

**CASE 5.1382 CUP
TOVA HOTEL
1875 NORTH PALM CANYON DRIVE**

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, DENYING A CONDITIONAL USE PERMIT FOR A FULL SERVICE SPA; AND 200-SEAT RESTAURANT/LOBBY BAR; AS THE TOVA HOTEL AND BEACH CLUB LOCATED AT 1875 NORTH PALM CANYON DRIVE, ZONE C-1/R-3, SECTION 3, APN 504-310-027.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

A. 1875 North Palm Canyon Partners II, LLC, DBA Tova Hotel and Beach Club (the Applicant"), has filed an application, Case 5.1382 CUP, with the City pursuant to Section 94.02.00 of the Palm Springs Zoning Code (PSZC) for a Conditional Use Permit for a full service spa and 200-seat restaurant/lobby bar as part of a hotel renovation located at 1875 North Palm Canyon Drive, Zone C-1/R-3, Section 3.

B. On March 22, 2017, a public hearing was held regarding Case No. 5.1382 CUP by the Planning Commission in accordance with applicable law.

C. 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, all written and oral testimony presented.

D. Pursuant to the requirements for granting a Conditional Use Permit requiring all five (5) findings be met, Section 94.02.00 (B)(6) of the Zoning Ordinance, the Planning Commission finds:

a. *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.*

Section 92.12.01(D)(20) of the Palm Springs Zoning Code (PSZC) allows restaurants within a hotel, Section 92.12.01(D)(22) allows a spa use as an accessory to a hotel subject to the hotel containing more than fifty (50) rooms and located on a major thoroughfare servicing outside guests. The PSZC permits the intended uses with the approval of a CUP meeting all zone requirements including provisions for adequate off-street parking. The site plan as designed does not meet the minimum standard without the approval of Variance 6.547 for off-site parking. Based upon this requirement the finding cannot be met.

b. *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.

Approval of the CUP will allow for a new restaurant and spa services for hotel guests and the general public. These commercial services are a desirable attribute for a resort hotel that contributes to the tourism industry which is a vital component of the economy of Palm Springs. The proposed project is harmonious with the General Plan Community Design Element as follows:

- Policy LU 1.4; Encourage the expansion of existing facilities and new uses that contribute exceptional benefits to the City.
- Policy LU 7.1; Encourage a diversity of high-quality commercial uses.
- Goal CD12 "Create active, vibrant and attractive gathering places."
- Goal CD 15 "Provide safe, attractive, and well-designed parking areas."

The project conforms to this finding.

- c. *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 renovation of an existing hotel on a 4.37-acre site meets all required setbacks, height limits and other development standards. The construction of a new 15,200-square foot restaurant building on an existing open space area will result in a deficiency in off-street parking. The hotel with 104 rooms meets the parking standards, however the project as presented with the proposed new construction does not adequately provide the required parking. Therefore the site is not adequate in size and shape to accommodate the proposed use and the finding cannot be met.

- d. *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 North Palm Canyon Drive which is a Major Thoroughfare in the General Plan Circulation Element. The existing site will be altered to add a second driveway to provide increased vehicle circulation. The revised ingress/egress point will allow for three lanes of vehicle stacking for hotel check-in, and valet drop-off and pick-up. The hotel is properly served by adjacent streets and the finding has been met.

- e. *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 proposal is to renovate an existing hotel complex to include the construction of a 15,200-sqaure foot restaurant building and full service spa. Conditions of Approval will be included as attachment Exhibit A to ensure that the use operates in a manner which protects the public health, safety and general welfare. These conditions include compliance with the City's Zoning Ordinance and other necessary requirements and the finding has been met.

THE PLANNING COMMISSION RESOLVES:

- A. Based upon the foregoing, the Planning Commission determines that all of the required findings cannot be met and hereby **DENIES** Conditional Use Permit request 5.1382 CUP.

- B. Denial of 5.1382 CUP is not subject to the California Environmental Quality Act ("CEQA") under CEQA Guidelines (14 Cal. Code Regs.) sections 15060(c)(2), 15060(c)(3), and 15061(b)(3). The activity is not subject to CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; and the activity is covered by the general rule that CEQA applies only to activities that have the potential for causing a significant effect on the environment. Where it can be seem with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA

ADOPTED this 22nd day of March, 2017.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

folding plate roof on front of the live/work buildings, and encouraged simpler finishes for the live/work building.

Member Song questioned the landscape treatment on Belardo.

Member Hirschbein said additional setback on the north side should be devoted to the landscape buffer between Tahquitz Creek Trail; it needs to address the public realm in a more important way (northeast corner of live/work building); the design of the ground floor commercial spaces need to be modified so that the square footage can be easily increased/decreased for retail tenants.

Member Cassady said he prefers variation in the roof of live/work building (folded plates and "wave" design).

Member Song said the roof design needs to be simpler/cleaner; proportion of clerestory windows need to be redesigned; project needs "entry feature" at the northeast corner.

Member Lockyer said the northeast corner needs activity; street tree design on interior needs additional variety.

Chair Fredricks said the folding plate design is preferable for the live/work buildings. He expressed concern with the double gates

M/S/C (Hirschbein/Lockyer, 5-2 opposed Song/Cassady) Table and resubmit with changes:

1. Entrance/sequence element at the northeast corner of property.
2. Additional area gained from street reduction should be used for landscape buffer on the north side of the project.
3. Retail units should be developed such that they can be large retail spaces, instead of in-line, small retail spaces.

NEW BUSINESS:

3. **1875 NORTH PALM CANYON PARTNERS II, LLC, DBA – INFUSION BEACH & HOTEL FOR A CONDITIONAL USE PERMIT FOR A 98-SEAT RESTAURANT AND A MINOR ARCHITECTURAL APPLICATION FOR EXTERIOR BUILDING RENOVATIONS TO EXISTING HOTEL (FORMALLY THE GARDEN VISTA HOTEL) LOCATED AT 1875 NORTH PALM CANYON DRIVE (CASE 5.1382 CUP / 3.0157 MAA). (GM)**

Assistant Planner Mlaker provided an overview of the proposed project.

Member Hirschbein verified the courtyard elevations remain the same and recommended keeping a porte cohere for shading.

Member Purnel questioned the vehicular circulation and verified the landscape treatment.

Member Song verified that the roof tiles will remain on the hotel buildings; and noted that a pathway from the drop-off to the lobby is needed.

Member Hirschbein said the front door needs greater visibility.

Member Lockyer questioned the need for screening on the exterior hallways.

Member Fauber commented that the entry sequence is weak.

Member Hirschbein said the drop-of sequence needs to be redesigned.

Member Purnel noted a lack of thoroughness on the circulation and landscape; he expressed concern with the roof color and wall color.

Member Fauber said the screens should be detailed the same as Building A.

Chair Fredricks said the sizes are off on the landscape plan and suggested more detail in the screens and spaced box of screens.

Member Song said the drawing needs to show the screens.

M/S/C (Fredricks/Fauber, 7-0) Resubmit with changes.

4. A MAJOR ARCHITECTURAL APPROVAL BY JAVIER MORENO FOR THE CONSTRUCTION OF AN APPROXIMATELY 3,427-SQUARE FOOT SINGLE-FAMILY RESIDENCE ON AN APPROXIMATELY 19,395-SQUARE FOOT PARCEL ALONG A MAJOR THOROUGHFARE AT 2580 NORTH SUNRISE WAY, ZONE R-1-C (CASE 3.3903 MAJ). (ER)

Principal Planner Robertson presented the proposed single-family residence.

Member Song noted the front fence design - she verified the stucco treatment of the wall, pilasters, design of wrought iron gates (with glass panel design).

Member Purnel questioned the quantity of the plantings (what's shown on the plan is correct and preferred).

Member Lockyer said no landscaping is shown on the north side of the wall and gate.

Member Song said the design of the vehicular gate and wall should be reviewed by staff.

City of Palm Springs
ARCHITECTURAL ADVISORY COMMITTEE
Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California 92262

Minutes of June 6, 2016

CALL TO ORDER: Vice-Chair Cassady called the meeting to order at 3:02 pm.

ROLL CALL:

Committee Members Present: Fauber, Lockyer, Secoy-Jensen, Song and Vice-Chair Cassady

Committee Members Excused: Purnel and Chair Fredricks

Planning Commissioner Present: Hirschbein

Also Present: Flinn Fagg, Glenn Mlaker

REPORT OF THE POSTING OF AGENDA: The agenda was available for public access at the City Hall bulletin board (west side of Council Chamber) and the Planning Department counter by 4:00 pm on Wednesday, June 1, 2016.

ACCEPTANCE OF THE AGENDA: The agenda was accepted, as presented.

PUBLIC COMMENTS: None.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES: MAY 2, 2016 AND MAY 16, 2016

M/S/C (Fauber/Song, 5-0-2 absent Purnel/Fredricks) Approve minutes of May 2, 2016, as amended.

M/S/C (Song/Secoy-Jensen, 5-0-2 absent Purnel/Fredricks) Approve minutes of May 16, 2016, as amended.

NEW BUSINESS:

2. 1875 NORTH PALM CANYON PARTNERS II, LLC, DBA – INFUSION BEACH

& HOTEL FOR A CONDITIONAL USE PERMIT FOR A 98-SEAT RESTAURANT AND A MAJOR ARCHITECTURAL APPLICATION FOR A NEW 4,800-SQUARE FOOT BUILDING AND EXTERIOR BUILDING RENOVATIONS TO EXISTING HOTEL (FORMALLY THE GARDEN VISTA HOTEL) LOCATED AT 1875 NORTH PALM CANYON DRIVE (CASE NOS. 5.1382 CUP / 3.0157 MAA). (GM)

Associate Planner Mlaker presented the proposed project.

Member Secoy-Jensen questioned if the signage will be under a separate permit.

Member Fauber asked if there is a change in the color of the roof.

GARY WANDS, representing Door Thirteen Architecture, was present to answer questions.

Member Song asked for clarification on the design of the island in driveway and valet service; and entry to lobby building and ramp.

Member Lockyer questioned why the lobby building is raised.

Member Secoy-Jensen asked about the roof materials and programming of pool parties.

Member Fauber asked about the phasing of the renovations.

Member Lockyer questioned the design intent of the screen.

Vice-Chair Cassidy asked about the change of ownership

AAC Member Comments:

Member Song:

- Concern about driveway entrance configuration, island design does not work.
- Question on one-way driveway aisles shown.
- Discussion on HC ramp at lobby entrance, it does not work.
- Asked for description on the two building interactions.
- Clarification on the color of the metal screen on hotel rooms.
- Screens placed floor to ceiling is overpowering, look at alternate design scheme.
- Provide elevations for all sides of new lobby building.
- Provide street connection for pedestrians onto Palm Canyon.
- Re-study entry into lobby building.

Member Secoy-Jensen:

- Roof material.
- Asked for explanation on the hotel concept.
- Floating screen appears conceptual and not well thought out.
- Restudy vehicular driveway access.

Member Lockyer:

- Asked for description of hexagon screen.
- Comments about screen extending beyond the lobby building.
- What is the connection between the lobby building and outdoor lounge?
- Landscaping incomplete along Palm Canyon, lounge area, and inside courtyards.
- Plan looks conceptual and questions the ability to actually build.

Member Fauber:

- Provide actual material samples.
- Show sections of new lobby building.

Vice-Chair Cassady:

- Plans look conceptual and do not include final details.
- Questions the function of the outdoor lounge area.

M/S/C (Cassady/Secoy-Jensen, 5-0-2 absent Purnel/Fredricks) Table.

COMMITTEE MEMBER COMMENTS: None.

STAFF MEMBER COMMENTS: Planning Director Fagg provided details on the upcoming AAC vacancies.

ADJOURNMENT: The Architectural Advisory Committee adjourned at 4:01 pm to the next regular meeting at 3:00 pm on June 20, 2016, Council Chamber, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.



Flinn Fagg, AICP
Director of Planning Services

**LOCATED AT THE NORTHWEST CORNER OF BELARDO ROAD AND
TAHQUITZ CANYON WAY, ZONE CBD (CASE 3.3992 MAA). (DN)**

Associate Planner Newell presented the proposed one-story elevator structure within Block D of the Downtown Palm Springs Specific Plan.

Member Fredricks asked if signage will be reviewed at a later date.

EMILY WOODS, applicant, provided materials that will be used for the proposed structure.

Member Secoy-Jensen noted that lighting is not shown and asked if there is a reflected ceiling plan. She asked why dark gray was selected for the color of the metal screen.

Member Purnel thinks the design is creative; however, he would like to see landscape design around the building.

Member Fredricks questioned if the location over the parking garage would allow planters. (yes)

Member Lockyer thinks if planters are required they should be a part of the architectural design of this structure and not be deferred to the landscape plan. He agrees that it looks barren without any landscape around it.

Member Song said her concern is because it's a free-standing element, a landscape buffer towards the building will create a secondary layer.

Member Fredricks suggested planters might be better further away from the structure.

M/S/C (Lockyer/Purnel, 6-0-2 absent Cassady/Rotman) Approve subject to Subcommittee review.

1. Review landscape planters at the perimeter of building.
(Subcommittee members: Purnel, Lockyer and Fredricks)

A recess was taken at 4:55 pm. The meeting resumed at 5:00 pm.

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9. **1875 NORTH PALM CANYON PARTNERS II, LLC, DBA – TOVA HOTEL AND BEACH CLUB FOR A CONDITIONAL USE PERMIT FOR A FULL SERVICE SPA; AND A 200-SEAT RESTAURANT/LOBBY BAR; AND A MINOR ARCHITECTURAL APPLICATION FOR EXTERIOR BUILDING RENOVATIONS TO EXISTING HOTEL (FORMALLY THE GARDEN VISTA HOTEL) LOCATED AT 1875 NORTH PALM CANYON DRIVE (CASE 5.1382 CUP / 3.0157 MAA). (GM)**

Associate Planner Mlaker provided an overview of the proposed project as outlined in the staff memorandum.

TOM VENTURA, Gensler, project architect, described in greater detail the project concept, renovations, new construction, restaurant, pool house building, colors of the building, street circulation and landscape plan.

TOM DOCZI, TKD & Associates, clarified details about the landscape plan, grade changes and parking lot islands to meet shading requirements.

Member Secoy-Jensen appreciates the professionalism and supports the project as presented.

Members Purnel, Lockyer and Miller spoke in support of the project.

Chair Song made the following comments:

- Trash enclosure maneuvering needs to be reworked.
- Light poles do not match architecture.
- Wavy pattern needs to distinguish curb from the driveway.
- Building A needs Brise Soleil (overhang) on east elevation.

M/S/C (Secoy-Jensen/Lockyer, 6-0-2 absent Cassady/Rotman) Approve as submitted.*

*A recommendation to include the above comments by Chair Song.

COMMITTEE MEMBER COMMENTS: None.

STAFF MEMBER COMMENTS: Planning Director Fagg reported that no additional meetings are scheduled for this month and the next meeting will be held on Tuesday, January 3, 2017.

ADJOURNMENT: The Architectural Advisory Committee of the City of Palm Springs adjourned at 5:40 pm to the next regular meeting at 3:00 pm on *Tuesday, January 3, 2017*, Council Chamber, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

Flinn Fagg, AICP
Director of Planning Services

PARKING SUMMARY

REQUIRED PARKING AREA	
BLDG. A (LOBBY / SPA) [93.06.00(D)] (16)(c)) & (93.06.00(D)] (16)(d))	
LOBBY BAR (GUESTS)	18
LOBBY BAR (STAFF)	4
HOTEL & SPA (STAFF)	10
	32
BLDG. B,C,D HOTEL ROOMS [93.06.00(D)] (16)(a)] (b))	
104 HOTEL ROOMS	95
HOTEL PARKING REQUIRED	127
BLDG. F (RESTAURANT) [93.06.00(D)] (16)(c))	
RESTAURANT (GUESTS)	100
RESTAURANT (STAFF)	20
RESTAURANT PARKING REQUIRED	120
TOTAL PARKING REQUIRED	247

TOVA building footprints (max)

- Building A: 8,500 SF
- Building B / D: 16,350 (x2)
- Building C: 4,850 SF
- Building E: 3,570 SF
- Building F: 6,800 SF
- Pool Bars (Total): 1,120 SF
- Outer Buildings: 1,200 SF

93.06.00(D)(16)(c)

One (1) parking space shall be provided for every sixty (60) square feet of gross floor area of dining room, bar and dancing areas, and places where the public is served. As an alternative where seating can be determined, one (1) parking space for every five (5) seats shall be provided. An additional twenty (20) percent of the above required parking spaces shall be provided for the use of the employees.

LOBBY BAR (GUESTS): 1,068 SF / 60 SF = 18 STALLS
18 X .20 = 4 EMPLOYEE STALLS

93.06.00(D)(16)(d)

COMMERCIAL ACCESSORY USES SHALL PROVIDE ONE (1) PARKING SPACE FOR EACH EMPLOYEE.

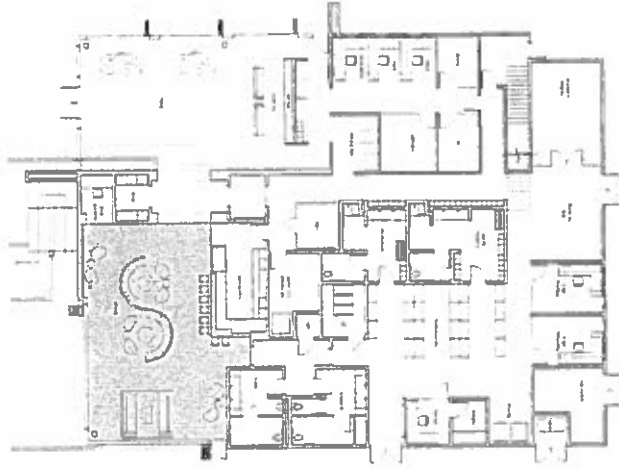
SPA (STAFF): 10 STALLS

93.06.00(D)(16)(a)(b)

(a) THERE SHALL BE PROVIDED ONE (1) GARAGE, CARPORT OR OPEN PARKING SPACE AS AN ACCESSORY FOR EACH OF THE FIRST FIFTY (50) GUEST ROOMS IN ANY ESTABLISHMENT.

(b) ESTABLISHMENTS WITH MORE THAN FIFTY (50) GUEST ROOMS SHALL PROVIDE 0.75 GARAGES/CARPORTS, OR OPEN PARKING SPACE AS AN ACCESSORY FOR EACH GUEST ROOM IN EXCESS OF FIFTY (50).

HOTEL (104 ROOMS): 104 - 50 = 54
54 X .75 = 41
54 + 41 = 95 STALLS



BUILDING A

93.06.00(D)16(c)

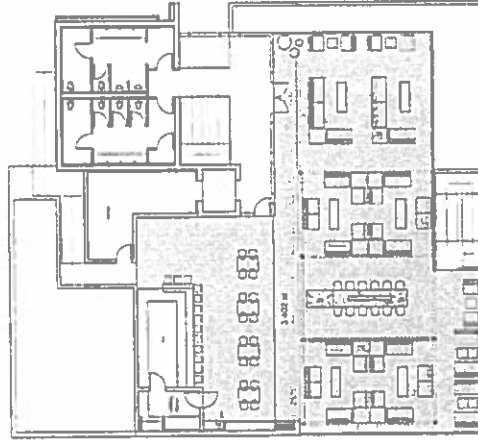
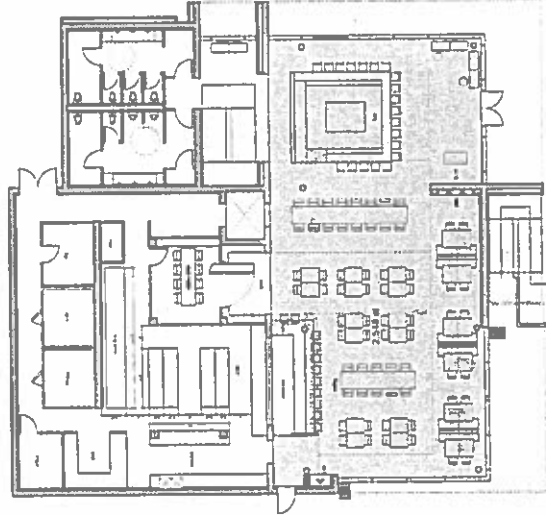
ONE (1) PARKING SPACE SHALL BE PROVIDED FOR EVERY SIXTY (60) SQUARE FEET OF GROSS FLOOR AREA OF DINING ROOM, BAR AND DANCING AREAS, AND PLACES WHERE THE PUBLIC IS SERVED. AS AN ALTERNATIVE WHERE SEATING CAN BE DETERMINED, ONE (1) PARKING SPACE FOR EVERY FIVE (5) SEATS SHALL BE PROVIDED. AN ADDITIONAL TWENTY (20) PERCENT OF THE ABOVE REQUIRED PARKING SPACES SHALL BE PROVIDED FOR THE USE OF THE EMPLOYEES

RESTAURANT (GUESTS) (FIRST FLOOR): 2,548 SF

RESTAURANT (GUESTS) (SKY LOUNGE): 3,402 SF

5,950 SF / 60 SF = 100 STALLS

100 X .20 = 20 EMPLOYEE STALLS



BUILDING F

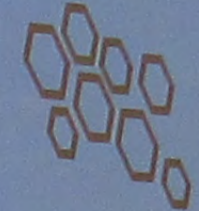

INFUSION
beach &
hotel
COMING SOON

MAXIMUM CLEARANCE 9 FEET

31/08/2015



1875



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MAXIMUM CLEARANCE 9 FEET

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POLICE DEPT

TRUCK
ROUTE

TO
10

La Fontaine
Resort

31/08/2015



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31/08/2015