



ARCHITECTURAL REVIEW COMMITTEE MEMORANDUM

DATE: MARCH 21, 2022 NEW BUSINESS

SUBJECT: MICHAEL BECKMAN, OWNER, REQUESTING A LAND USE PERMIT AND A WAIVER TO CONTINUE THE USE OF AN ENLARGED PARKLET WITH SHADE STRUCTURE LOCATED AT 800 NORTH PALM CANYON DRIVE, ZONE C-1, (CASE 21-091 LUP). (AP)

FROM: Department of Development Services

SUMMARY & PROJECT DESCRIPTION:

This is a request for a Land Use Permit and waiver to continue the use of a 452-square foot parklet to provide more areas for outdoor dining, with additional dining on the sidewalk. There will be 22 seats on the parklet and 18 seats on the adjacent sidewalk. A waiver is required because the parklet extends beyond the business store front and is utilizing canvas shade structures. The parklet is no wider than the width of an on-street parking space and is enclosed on three sides by a 42" high white, wooden railing with a faux green hedge. The parklet deck is not flush with the city curb, however there are two ADA access points, and the parklet allows for adequate drainage along the gutter. Existing furniture and planters will be able to withstand the natural elements of the Coachella Valley. Shade will be provided by white, nonflammable shade sails, consistent with the color theme of Workshop Kitchen and Bar. Signage and misting are not proposed.

ISSUES

1. The parklet railing is painted white, which is not on the list of approved colors.
2. The parklet is not flush with the adjacent sidewalk.

RECOMMENDATION:

That the Architectural Review Committee approve the application as submitted.

BUSINESS PRINCIPAL DISCLOSURE:

The applicant has filed a Public Integrity Disclosure form stating that Michael Beckman and Joseph Mourani are the sole members. The Public Integrity Disclosure form is included as an attachment to this report.

BACKGROUND INFORMATION:

<i>Surrounding Business Notification</i>	
03/10/22	Notice sent to surrounding property owners within 150-feet, notifying them that the Architectural Review Committee would review the project.

<i>Field Check</i>	
03/07/22	Staff visited the site to observe existing conditions.

STAFF ANALYSIS:

<i>Site Area</i>	
Net Acres	0.48 Acres

<i>General Plan Areas or Master Plan Areas</i>	<i>Compliance</i>
NCC (Neighborhood Community Commercial)	Y
<i>Specific Plan Area</i>	<i>Compliance</i>
N/A	N/A

<i>Surrounding Property</i>	<i>Existing Land Use Per Chapter 92</i>	<i>Existing General Plan Designation</i>	<i>Existing Zoning Designation</i>
Subject Property	Restaurant	NCC	C-1
North	Room & Board Retail	NCC	C-1
South	Retail	NCC	C-1
East	Residential	HDR	R-3
West	Retail	NCC	C-1

PARKLET DESIGN REVIEW CHECKLIST:

LOCATION REQUIREMENTS		
Parklet extends no more than width of the on-street parking space.	Y	
Parklet does not extend beyond tenant space.		N*
Parklet located on one frontage only.	Y	
PARKLET STRUCTURE		
Parklet base provided flush with sidewalk; allows for flow of stormwater.	P	
Parklet decking materials conform to list of permitted materials.	Y	
Parklet decking color conforms to list of permitted colors.	Y	
Railing provided; railing height is between 36" and 43".	Y	
Railing materials conform to list of permitted materials.		N**
Railing color conforms to list of permitted colors.	Y	
Retro Reflective tape is placed on parklet.		N***
UMBRELLAS		
Umbrella(s) allow for 7' minimum clearance; max. 10' height.	N/A	

Umbrella material is non-flammable or flame retardant.	N/A	
Umbrella color is consistent with general color theme of restaurant.	N/A	
No text or logos on umbrellas.	N/A	
FURNITURE		
Parklet furniture is consistent with restaurant furniture.	Y	
Furniture materials conform to list of permitted materials.	Y	
Furniture colors conform to list of permitted colors.	Y	
PLANT MATERIALS		
Plant materials consistent with recommended list.	Y	
MISTING SYSTEM		
Misting system is integral with parklet structure.	N/A	
Post/beams to support misting system no more than 4"x4" and 96" high.	N/A	
LIGHTING		
Full cut-off fixtures or "Tivoli" lighting utilized.	Y	
Light bulbs are clear or white in color.	Y	
Post/beams to support lighting system no more than 4"x4" and 96" high.	Y	
Electrical cords do not pose tripping hazard.	Y	
SIGNAGE		
Signage does not exceed total amount permitted for restaurant.	N/A	
Signage does not extend above top of railing or barrier.	N/A	
WAIVER – SHADE STRUCTURE		
Structure allows for 7' min. clearance; max. 10' height.	Y	
Structure does not extend past perimeter edge of parklet	Y	
Structure canvas is non-flammable or flame retardant.	Y	
Structure color is consistent with general color theme of restaurant.	Y	
Notice provided to business owners/property owners within 150'.	Y	
WAIVER – EXTEND PAST TENANT SPACE		
Consent provided from affected business owner, property owner.	Y	
Notice provided to business owners/property owners within 150'.	Y	

* Waiver is required.

** The color white is not an approved color for parklets; however, it is appropriate to the desert environment.

***Will be conditioned as required in the Land Use Permit.

The applicant is requesting a waiver to extend past their business storefront and to utilize shade sails over the parklet. The following criteria is required for a waiver request:

- a. Business owners within one-hundred and fifty (150) feet of the proposed parklet, as measured along the same street frontage in either direction of the proposed parklet, have been notified of the waiver request at least ten (10) days in advance of the proposed meeting;
- b. Where the proposed parklet has obtained and submitted written consent from any affected business owner and property owner;
- c. The proposed waiver will not result in any significant impacts to adjacent businesses;
- d. The proposed waiver will not result in any significant impacts to public health,

safety, or welfare.

The applicant has complied with the criteria listed above. A notice was mailed to adjacent business owners on March 10, 2022, written letters of approval were provided by Fig+Nash, HK Lane, and the property owner, El Paseo Holdings, LLC. The parklet was initially constructed in 2020 due to COVID and has not negatively impacted adjacent businesses and has not resulted in any significant impacts to public health, safety, and welfare.

CONCLUSION:

The proposed parklet will be an enhancement to the surrounding area. Staff recommends that the Architectural Review Committee approve, as submitted.

PREPARED BY:	Alex Perez, Assistant Planner
REVIEWED BY:	David Newell, AICP Assistant Director of Planning

ATTACHMENTS:

1. Vicinity Map
2. LUP Application
3. Site Plan
4. Approved Parklet Design Guidelines
5. Public Integrity Form
6. Approval Letters
7. Photos



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS
800 North Palm Canyon Drive



CITY OF PALM SPRINGS

Department of Planning Services

3200 East Tahquitz Canyon Way, Palm Springs, CA 92262

Phone: 760-323-8245 ~ Fax: 760-322-8360

LAND USE PERMIT # 21-091
20-045

Applicant: <i>Michael Bakman</i>	Mailing Address: <i>300 N. Palm Canyon Dr. Ste. G Palm Springs CA 92202</i>	Phone: <i>310-977-7018</i> Fax: E-Mail: <i>michael@workshop</i>
Business Name: <i>Workshop</i>	Site Address: <i>300 N. Palm Canyon Dr. Ste. G, Palm Springs CA 92202</i>	<i>Kitchen bar.com</i>
APN: <i>505-285-014</i>	Zone/GP:	Section, Township, Range:

PROCEDURE: An application for a Land Use Permit shall be submitted to the Department of Planning Services, based upon:

1. Applications for special events require submission no less than 30-days prior to event date. This allows for proper processing and review by multiple City Agencies.
2. A floor plan and/or site plan displaying the layout of the proposal. Outdoor seating that encroaches into the public right-of-way will require an encroachment agreement or license, subject to the approval of the Director of Planning Services.
3. Such other information as the Director of Planning Services may require, including, but not limited to adjacent uses, photographs, building elevations, landscape plans, design studies, furniture information, etc.

STATEMENT OF ACTIVITY: Applicant shall submit a statement of the use, expected size, volume, hours, and length of operations; information relating to sanitation, noise, air pollution, vehicle parking, traffic circulation, and any other information of the proposed project.

60 seats on parklet. 5pm to 11pm reservations, 7 nights a week. Area is swept & washed regularly & tables sanitized. Dining area is used to offset increased spacing in other areas, related to Covid. Total restaurant capacity remains

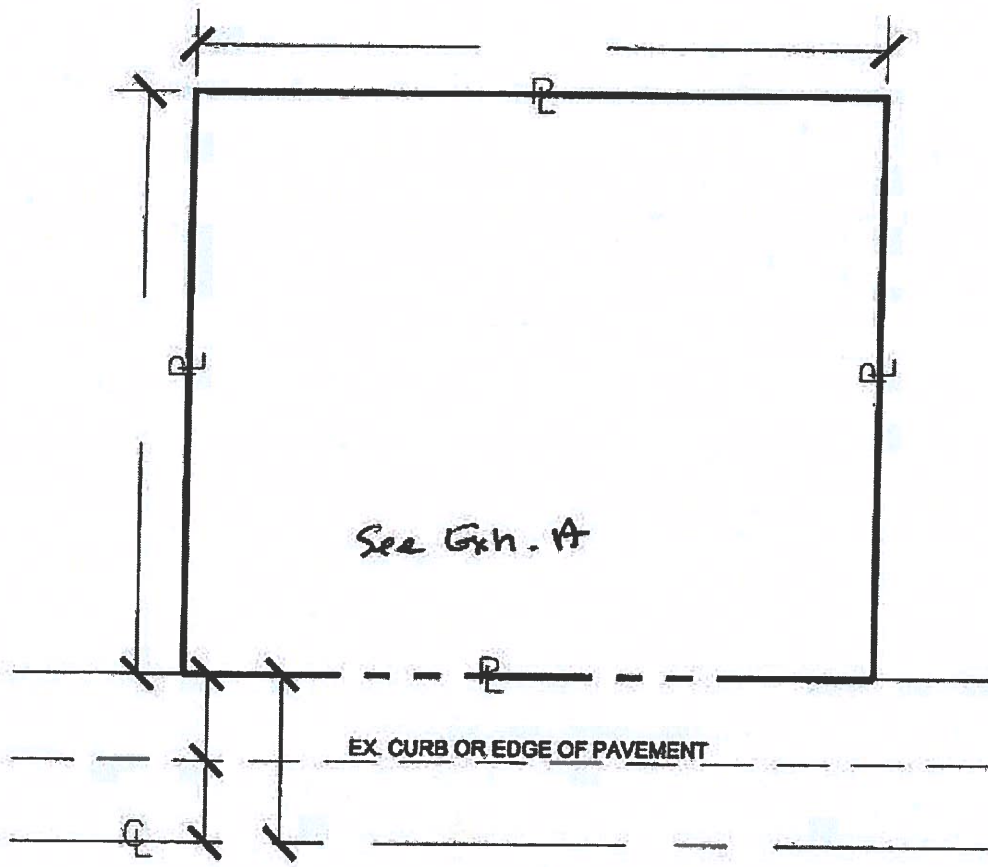
CONDITIONS: (see attached) *similar*

TRANSFER: Transfer of Land Use Permit to another applicant is subject to review and approval by the Director of Planning Services.

REVOCAION: The Director of Planning Services may revoke any Land Use Permit that does not meet or comply with conditions and requirements of this permit.

Applicant's Signature <i>[Signature]</i>	Date <i>12-21-21</i>
---	-------------------------

LAND USE PERMIT # 20-045



SITE PLAN

Please include locations of tables & chairs, fencing, on-site parking, proximity parking, sign location, and all other applicable structures (temporary or permanent).

BUSINESS NAME: Workshop Kitchen & Bar

SITE LOCATION: 900 N. Palm Canyon Drive Suite G
Palm Springs CA 92262

TELEPHONE: 310-977-7018 FAX: _____

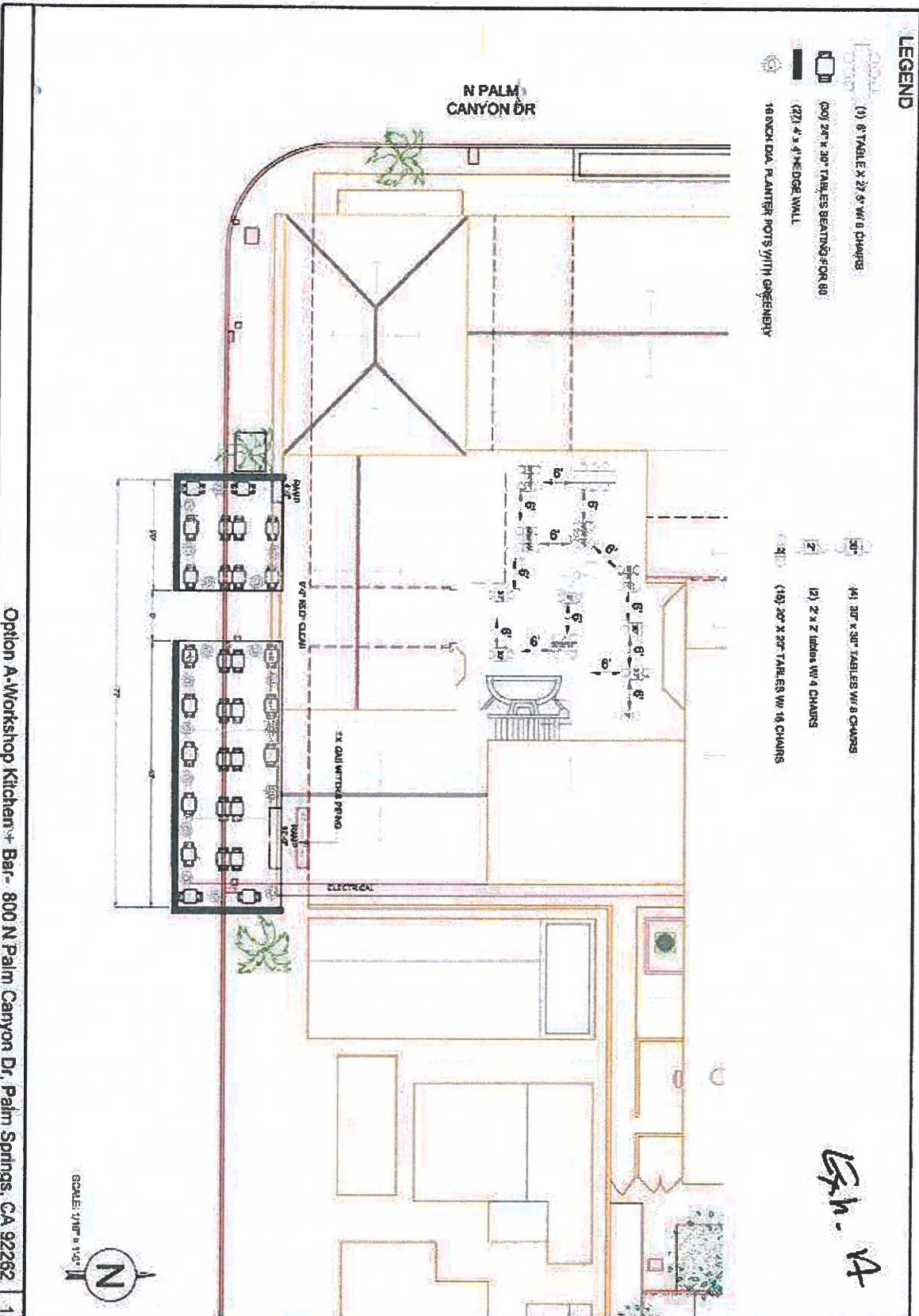
E-MAIL: Michael@workshopkitchenbar.com


LEGEND

- (1) 8' TABLE x 27 1/2' W/O CHAIRS
- (20) 28" x 30" TABLES SEATING 4 OR 60
- (27) 4 x 8' EDGE WALL
- 18 INCH DIA. PLANTER POTS WITH GREENBERRY

- 50' 14' 30" x 30" TABLES W/ 8 CHAIRS
- 2 2' x 2' Tables W/ 4 CHAIRS
- 21 15' 30" x 28" TABLES W/ 16 CHAIRS

Exh. A



 <p>Chorus Events 540 Howell Ave. Torrance, CA 90503 310-320-6200</p>	<p>Client: WORKSHOP KITCHEN + BAR</p> <p>Location: 800 N Palm Canyon Dr, Palm Springs, CA 92262</p> <p>Guest Count: 80</p> <p>Restaurant Name: 8-25-2023</p>
	<p>Table: OUTDOOR DINING</p> <p>Dish Stamp: 9-14-2023</p> <p>Drawn By: JCA</p> <p>Issue Date: TBD</p> <p>Revised Date: TBD</p> <p>Design Date: TBD</p> <p>Design Firm: TBD</p>

Alex Perez

From: Michael Beckman <michael@workshoppalmsprings.com>
Sent: Tuesday, December 21, 2021 9:44 PM
To: Alex Perez
Cc: Kyle Martin; Patricia Sparks
Subject: Re: Parklet
Attachments: LUP App Dec 2021.pdf; Untitled attachment 00010.htm; CheckList.pdf; Untitled attachment 00013.htm; PastedGraphic-3.png; Untitled attachment 00016.htm

Here's a start:

Completed app:

**PERMIT CENTER
CITY OF PALM SPRINGS**

CASE#: 21-091	TYPE: LUP	PROJECT NAME WORKSHOP KITCHEN PARKLET	APN1 505-285-014	ADDRESS 0800 PALM CANYON DRIVE NORTH
-------------------------	---------------------	---	----------------------------	--

REVIEW FEES ACCT #100-32055

CHANGE OF ZONE APPLICATION	\$0.00
TIME EXTENSION FEES	\$0.00
CONDITIONAL USE PERMIT	\$0.00
PLANNED DEVELOPMENT DISTRICT APPLICATION FEE	\$0.00
FINAL DEVELOPMENT PLAN FEE	\$0.00
VARIANCE APPLICATION FEE INCLUDES SIGN VARIANCE	\$0.00
ARCHITECTURAL REVIEW FEE	\$0.00
DEVELOPMENT PERMIT FEE	\$0.00

REVIEW FEES ACCT - #100-32055

PRE-APP FEES	\$0.00
MISCELLANEOUS FEES - #100-32055	\$0.00
MITIGATED NEG DECLARATION	\$0.00
CATEGORICAL EXEMPTION / EIR	\$0.00
NEGATIVE DECLARATION	\$0.00

PLANNING FILING FEES ACCT #100-34120

LAND USE PERMIT	\$1,536.00
ADMIN MINOR MODIFICATION	\$0.00
PLAN CHECKS PLANNING FEE	\$0.00
FINAL INSPECTION PLANNING	\$0.00
PLANNING CC AND R	\$0.00
HSPB FEES	\$0.00

OTHER PLANNING FEES

SIGN #100-32025	\$0.00
MURAL PERMIT - #100-34120	\$0.00
R V - #100-32045	\$0.00
PHN NOTICING - #100-34120	\$0.00
SPECIAL EVENT - #100-34120	\$0.00
IN LIEU PARKING FEES - #132-34175	\$0.00

SUBDIVISION FEES ACCT #100-32060

TENTATIVE MAPS FEES	\$0.00
FINAL MAPS FEES	\$0.00
LOT LINE ADJ/CERT OF COMPLIANCE FEE	\$0.00
ENVIRONMENTAL ASSESSMENT FEE	\$0.00

TOTAL FEE(S)

\$1,536.00

The acceptance of an application or of a fee is not an entitlement or a permit to construct, change or alter any portion of the property described in the application.

RECEIVED FROM

RECEIVED BY

DATE

12/28/2021

Customer

Cashier

Planning File

Planning Copy

12859



Palm Springs City Hall

3200 E TAHQUITZ CYN WY
Jacob Azar, Audit & Rev Supervisor
PALM SPRINGS, CA 92262
+1 760-323-8229

Jacob.Azar@palmspringsca.gov

Invoice Number: 12859


Subtotal **\$1,536.00**
Total Taxes **\$0.00**

Total \$ 1,536⁰⁰

PAYMENT ID: ZAV4VZNMCC4AY

Hide Details

Card: Visa 7298
December 28, 2021, 10:09 AM
Method: INTERNET TRANSACTION
Auth ID: 08545G
Reference ID: 136200523356
Authorizing Network: VISA



DATE	VISA
December 28, 2021 10:09 am	 7298

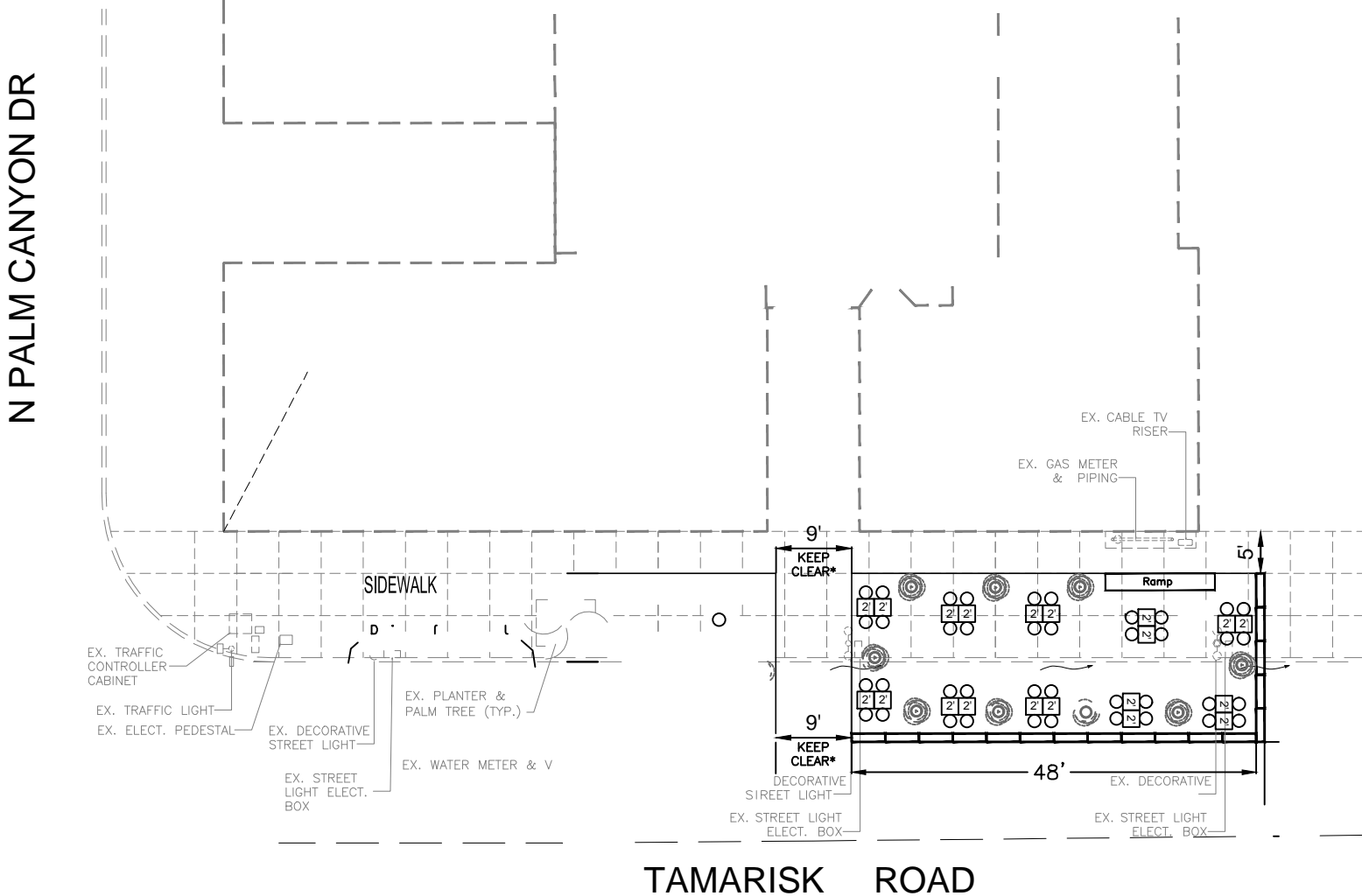
View the Privacy Policies for
Clover










Workshop Kitchen + Bar

800 N Palm Canyon Drive

-  = 16 Inch dia. planter pots with greenery.
-  = 27 1 Ft. (wide) x 4 Ft. (long) Hedge Wall Portions
- *Allow 9 ft. wide aisle between building entrance and face of curb along Tamarisk Road as well as between parklet for loading/unloading between 8AM–5PM.
- 4' min. pedestrian walkway along sidewalk
- Parklet structure must not obstruct any drainage flow along curb
- Ramps must be meet ADA requirements

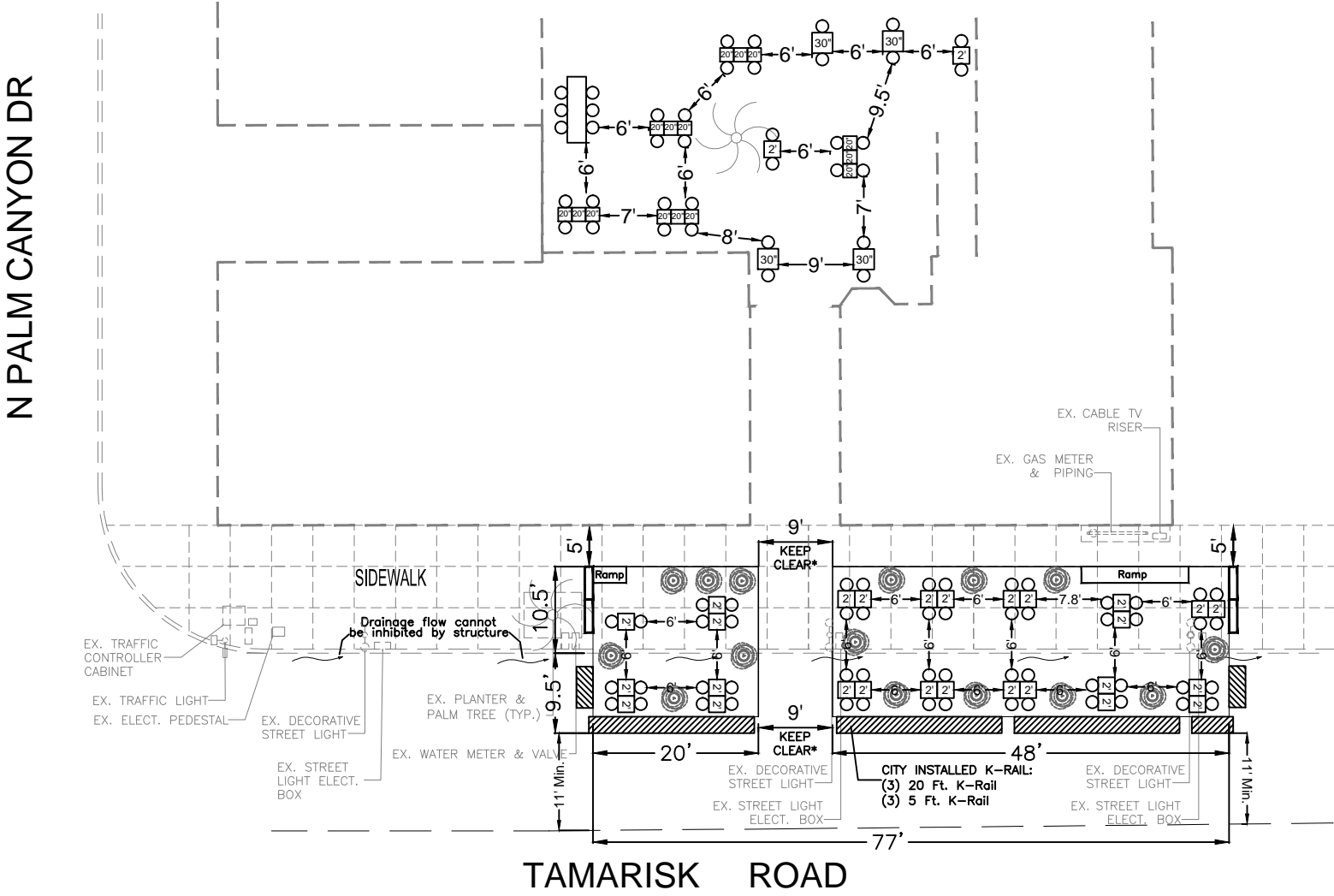


-  = 4 30 in. x 30 in. tables and 8 18 in. chairs.
-  = 29 2 Ft. X 2 Ft. tables and 58 18 in. chairs.
-  = 1 8 Ft. x 27.5 in. table and 6 18 in. chairs.
-  = 15 20 in. X 20 in. tables and 20 18 in. chairs.
-  = 16 Inch dia. planter pots with greenery.
-  = 1 Ft. (wide) x 4 Ft. (long) Hedge Wall Portions
-  = 2 Ft. (wide) K-Rail barriers

Workshop Kitchen + Bar 800 N Palm Canyon Drive

Total of 49 Tables and 92 Chairs

- *Allow 9 ft. wide aisle between building entrance and face of curb along Tamarisk Road as well as between parklet for loading/unloading between 8AM-5PM.
- 4' min. pedestrian walkway along sidewalk
- Parklet structure must not obstruct any drainage flow along curb
- Ramps must be meet ADA requirements



RESOLUTION NO. 24937

ATTACHMENT A

Parklet Design Guidelines

A. General Requirements.

1. **Parklet Position and Dimensions.** For parallel on-street parking spaces, a parklet shall extend no more than eight (8) feet from the face of curb. Where the on-street parking space is less than eight (8) feet in width, the parklet shall extend no more than the width of on-street parking space and shall not extend into the lane of traffic. For diagonal or perpendicular on-street parking spaces, a parklet shall not extend no more than the depth of the on-street parking space and shall not be permitted to extend into the lane of traffic. A parklet shall not be permitted to extend beyond the frontage of the permittee's tenant space or property. For businesses that have frontage on two streets, a parklet shall only be permitted on one street frontage.
2. **Attachment.** Parklet structures or elements shall not be directly attached to the street pavement, curb, or sidewalk surface unless otherwise approved by the Director. A deposit shall be required where approval for such attachment is granted, and shall be equivalent to the cost, as determined by the Director, for repairing any resulting damage caused by the attachment or removal of the attachment and for restoring the street pavement, curb or sidewalk to its prior condition.

B. Platform Base.

1. **Base Required.** All parklets shall require a platform base. The finished floor height of the platform base shall be level with the elevation of the adjacent public sidewalk.
2. **Decking Materials.** Decking materials for the platform base may include the following:
 - a. Plastic or composite decking;
 - b. Treated wood decking;
 - c. Treated wood decking tiles;
 - d. Concrete pavers on a pre-engineered pedestal system.Other similar materials may be approved by the Director. Plywood decking or poured concrete is prohibited; synthetic turf, carpet, or similar coverings are prohibited.
3. **Color.** Platform decking and skirting materials shall be limited to black, grays, browns, natural wood finishes, and similar neutral colors appropriate to the desert environment.

4. Stormwater Management. Platforms shall be designed so as not to impede the flow of stormwater and drainage. A minimum 6" horizontal gap below the decking surface shall be provided between the curb face and base frame along the gutter to allow rainwater to naturally flow without obstruction. The permittee shall be responsible for keeping drainage area free from any obstructions.

C. Railing/Barrier.

1. Railing or Barrier Required. All parklets shall require a railing or similar barrier to protect the parklet and provide separation from the adjacent traffic lane.
2. Height. The railing or barrier shall be a minimum of 36" high from the finished deck surface of the parklet, and shall be a maximum of 43" high from the finished deck surface of the parklet.
3. Materials. Railing or barrier materials may include the following:
 - a. Steel, wrought iron, or aluminum;
 - b. Treated wood;
 - c. "Green walls" or espalier treatments.

Planters may be incorporated into the design of the railing or barrier, and may be constructed of the same materials as the railing or barrier; as an alternative, natural concrete pots, terracotta pots, or high-quality fiberglass or resin pots may be used when incorporated with the railing or barrier. Chain link, rope, wire/steel cable, wood lattice, prefabricated plastic/vinyl fencing, and concrete block are prohibited.

4. Attachment. Railings or barriers shall be attached to the deck or platform structure and shall not be attached to the roadbed or curb.
5. Color. The primary color of railings and barriers shall be limited to black, grays, browns, natural wood finishes, and similar neutral colors appropriate to the desert environment. Accent colors may be permitted for trim and other minor architectural details, where such accent color is consistent with the color theme of the principal restaurant facility.

D. Umbrellas and Other Shade Structures.

1. Umbrellas Preferred. Umbrellas are the preferred shading device for parklets so as to maintain visibility of adjacent businesses. Shade structures other than umbrellas may be approved by a waiver as described in this Section.
2. Height and Placement. Umbrellas and approved shade structures shall have a minimum seven (7) foot vertical clearance, as measured from the finished deck surface of the parklet to the bottom edge of the umbrella or shade structure, and shall not exceed a maximum of ten (10) feet in height from the

finished deck surface of the parklet. Umbrellas or other approved shade structures shall not extend past the perimeter edge of the parklet structure. Shade structures, if approved, shall be designed and positioned to minimize impacts and maintain visibility of adjacent businesses.

3. Materials. Umbrellas, sails, canopies, or other similar fabric shade structures shall be made with non-flammable materials or shall be treated and maintained in a flame-retardant condition.
4. Color. Umbrella and shade structure colors shall be consistent with the general color theme of the principal restaurant facility.
5. Text/Logos. No text or logos shall be permitted on umbrellas or other shade structures.

E. Furniture.

1. General Requirements. Parklet furniture and fixtures shall be consistent with the theme and details of the principal restaurant facility. Furnishings should be of quality materials and designed for outdoor use.
2. Materials. Furniture materials may be metal, finished wood, high-quality resin or polypropylene, vinyl, or other similar materials, and shall be consistent with the furniture utilized in the principal restaurant facility. Plastic furniture or non-commercial grade furniture is prohibited.
3. Color. Furniture colors shall be consistent with the color of the furniture utilized in the principal restaurant facility, or shall be consistent with the colors of the parklet materials.
4. Maintenance. The permittee shall properly maintain all furniture and fixtures, and shall repair or replace any furniture or fixtures that become damaged or faded.

F. Plant Materials.

1. General Requirements. The use of drought-tolerant plant materials is encouraged to screen and soften the appearance of the parklet structure. Plant materials shall be selected and maintained in such a manner so as to not impair visibility of adjacent businesses or create impacts to traffic safety.
2. Plant Materials. The following plant varieties are recommended:
 - a. Agave geminiflora
 - b. Carissa
 - c. Euphorbia splendens
 - d. Hesperaloe

- e. *Ixora coccinea*
- f. *Leucophyllum* sp.
- g. *Pedilanthus*
- h. *Pedilanthus*
- i. *Portulacaria*
- j. *Russelia*
- k. *Variegated Dianella*
- l. *Yucca pallida*
- m. *Yucca whipplei*

Other similar drought-tolerant vegetation may be approved by the Director.

3. **Maintenance.** All plant materials shall be well maintained by the permittee to avoid excessive growth that may interfere with visibility or accessibility; planters shall be kept free of litter and debris. The permittee shall be responsible for proper maintenance of all plant materials, and shall immediately remove and replace any dead plant materials.

G. Lighting/Misting Systems.

1. **Misting Systems.** Misting systems are encouraged, and shall be designed to be integral to the structure of the parklet. Posts and beams may be used to support and conceal the misting system, but shall be limited to no more than 4" x 4" in width and no more than 96" in height, as measured from the deck surface of the parklet structure. Water supply for the misting system shall not be permitted to extend onto the public sidewalk or other location that may cause tripping hazards. Misting systems shall be capped off when not in use.
2. **Lighting.** Lighting for the parklet shall be designed to control glare, minimize light trespass onto adjacent properties, and avoid interference with the safe operation of motor vehicles. Lighting should incorporate full cut-off fixtures; however, bare bulbs (e.g. "Tivoli lighting") may be permitted where bulbs with a lower lumen output are used and glare issues are not created, as determined by the Director. Light bulbs shall be clear or white in color; LED fixtures are encouraged. Posts and beams may be used to support the lighting system, but shall be limited to no more than 4" x 4" in width and no more than 96" in height, as measured from the deck surface of the parklet structure. Blinking, moving, or changing intensity of illumination is not allowed. Electrical cords shall not extend onto the public sidewalk or other location that may cause tripping hazards.

H. Safety Requirements.

1. **Wheel Stops Recommended.** Wheel stops shall be installed at each end of the parklet structure when directed by the Director. Wheel stops shall not be required where a parklet is directly adjacent to a landscape island or sidewalk bulb out.

2. Concrete Barriers. Concrete barriers (“k-rails”) may be required by the Director due to specific traffic or street conditions adjacent to the parklet location. When required, a five (5) foot concrete barrier shall be placed at the leading edge of the parklet structure relative to the direction of travel. The concrete barrier shall be covered with wood or other appropriate treatment so that the appearance of the barrier is consistent with the railing or barrier utilized on the remaining sides of the parklet structure. Alternate barrier techniques may be approved provided traffic safety and visibility are not compromised.
3. Retroreflective Tape. Retroreflective tape shall be required at the exterior corners of the parklet railing or barrier, relative to the direction of travel. The Director may approve alternative materials or techniques provided traffic safety and visibility are not compromised.

I. Signage.

1. No Additional Signage Permitted. No additional signage shall be permitted for the parklet other than the signage that is allowed for the principal business pursuant to PSZC Chapter 93.
2. Substitution of Signage Types. Where a permittee has not utilized an Accessory Sign or Portable Sign for the principal restaurant business, as those sign types are defined in PSZC Chapter 93, the equivalent square footage of either sign type may be utilized for signage that is to be affixed to the parklet structure. However, no more than one (1) sign may be allowed for the parklet structure.
3. Signage Location. Any allowable signage shall be placed on the parklet railing or barrier, and shall not extend above the top of the railing or barrier.
4. Applicable Sign Regulations. All other sign regulations and requirements, as identified in PSZC Chapter 93, shall be applicable to any signage utilized for the parklet structure, including illumination requirements, prohibited sign types, permit requirements, and all associated regulations.

J. Approval Process and Criteria.

1. Application Submittal. An applicant for the establishment of a parklet shall submit a Land Use Permit application upon such forms as may be established by the Department, and shall be accompanied by such fees as may be established by the City Council. The application shall be signed and notarized by the property owner of the principal business that is submitting the application. Application materials shall include, but not be limited to, the following items:
 - a. A site plan of the parklet, drawn to scale;

- b. Elevations of the parklet, showing the height and construction details of the parklet;
 - c. Materials and color selections for the parklet platform base, railing or barrier, posts/beams;
 - d. Proposed furniture selections;
 - e. Proposed umbrella or shade structure materials and colors;
 - f. Proposed plant materials;
 - g. Proposed lighting and misting systems;
 - h. Any signage proposed for the parklet; and
 - i. A list of waivers the applicant is seeking, if any.
2. Parklet Review Subcommittee. There is hereby established an ad hoc Parklet Review Subcommittee, which shall consist of up to three (3) members of the Architectural Review Committee. The subcommittee members shall be appointed and removed by the Chair of the Architectural Review Committee, and shall serve at the pleasure of the Chair as needed for the duration of the parklet program. Alternates to the subcommittee may be appointed by the Chair as needed. The role of the subcommittee is to review parklet applications not requiring a waiver and to consult with and advise the Director as to conformance to the criteria contained in this Section. After consulting with the subcommittee, the Director shall render a decision as to any parklet application that does not require a waiver.
3. Approval Authority. The approval authority for Land Use Permit applications to establish a parklet use shall be as follows:
 - a. Parklet Use with No Waivers. For applications where no waivers of these Design Guidelines are requested, the Director shall be the approval authority, in consultation with the Parklet Review Subcommittee.
 - b. Parklet Use with Waivers. For applications where waivers of these Design Guidelines are requested, the Architectural Review Committee shall be the approval authority. Meetings and actions of the Architectural Review Committee shall be conducted pursuant to the Brown Act and in accordance with the Committee's bylaws.
4. Director's Criteria and Findings for Parklet Use with no Waivers. In considering a Land Use Permit application for the establishment of a parklet with no waivers, the Director, in consultation with the Parklet Review Subcommittee, shall evaluate the application and make findings for conformance to the following criteria:
 - a. The proposed parklet design conforms to the Parklet Design Guidelines as listed herein;
 - b. The proposed colors and materials are consistent with colors and materials of the principal restaurant business;
 - c. The proposed parklet design is consistent and harmonious with the architectural character of surrounding businesses.

If the Director finds that these criteria have been met, the Director shall issue the Land Use Permit for the parklet use, subject to those reasonable terms and conditions consistent with the Design Guidelines.

5. Criteria for Waivers of the Parklet Design Guidelines. In considering a Land Use Permit application for that includes a waiver of these Design Guidelines, the Architectural Review Committee shall evaluate the application and make the following findings prior to approving a waiver:
 - a. Business owners within one-hundred and fifty (150) feet of the proposed parklet, as measured along the same street frontage in either direction of the proposed parklet, have been notified of the waiver request at least ten (10) days in advance of the proposed meeting;
 - b. Where the proposed parklet will extend in front of an abutting business or property, the permittee has obtained and submitted written consent from any affected business owner and property owner;
 - c. The proposed waiver will not result in any significant impacts to adjacent businesses;
 - d. The proposed waiver will not result in any significant impacts to public health, safety, or welfare.

K. Operational Requirements.

1. Parklet Use. The establishment of a parklet may be permitted for dining and cocktail lounge uses only. Nightclub uses, merchandise sales, or other commercial uses are prohibited.
2. Hours/Days of Use.
 - a. Hours of Use. The permittee shall be required to operate the parklet for the minimum hours and days per week as listed below:
 - (1) Winter Period (October 1 to May 31). Parklets shall be in operation for a minimum of thirty-six (36) hours per week.
 - (2) Summer Period (June 1 to September 30). Parklets shall be in operation for a minimum of twenty-four (24) hours per week.
 - b. Appearance of Parklet – Operating Hours. The parklet area shall be set up with tables and chairs and ready to receive customers during all hours that the principal business is open to the public.
 - c. Appearance of Parklet – Non-Operational Hours. Tables, chairs and umbrellas may remain in the parklet area when the principal business is closed to the public. Chairs may be stacked within the parklet area for periods of twelve (12) hours or less. As an alternative, all furnishings and equipment may be removed from parklet and stored in an indoor location.
 - d. Waiver. Any closure or suspension of use of the parklet for periods of greater than fourteen (14) days shall require approval of the City Manager. In submitting the request, the permittee shall provide a plan for addressing

the appearance and maintenance of the parklet during the suspension period.

3. Storage. No items, other than dining items (tables, chairs, and umbrellas), may be stored within the parklet area. All other equipment or furnishings, including heaters, host/hostess stands, and similar items must be stored indoors when not in use.
4. Music. Music in the parklet area shall be permitted pursuant to Chapter 92 of the Palm Springs Zoning Code (PSZC). No exceptions to the Noise Ordinance are permitted.

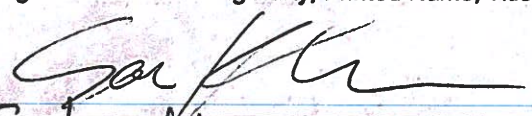


**PUBLIC INTEGRITY DISCLOSURE
APPLICANT DISCLOSURE FORM**

1. Name of Entity	
Fuzion Five	
2. Address of Entity (Principle Place of Business)	
285 S. Palm Canyon Drive, D1	
3. Local or California Address (if different than #2)	
4. State where Entity is Registered with Secretary of State	
California	
<i>If other than California, is the Entity also registered in California?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No	
5. Type of Entity	
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input type="checkbox"/> Trust <input type="checkbox"/> Other (please specify)	
6. Officers, Directors, Members, Managers, Trustees, Other Fiduciaries (please specify) <i>Note: If any response is not a natural person, please identify all officers, directors, members, managers and other fiduciaries for the member, manager, trust or other entity</i>	
Soutee Khamvongsouk [name]	<input type="checkbox"/> Officer <input type="checkbox"/> Director <input type="checkbox"/> Member <input type="checkbox"/> Manager <input checked="" type="checkbox"/> General Partner <input type="checkbox"/> Limited Partner <input type="checkbox"/> Other _____
Saengnakhorn Cinq-Mars [name]	<input type="checkbox"/> Officer <input type="checkbox"/> Director <input type="checkbox"/> Member <input type="checkbox"/> Manager <input checked="" type="checkbox"/> General Partner <input type="checkbox"/> Limited Partner <input type="checkbox"/> Other _____
Huy Vu [name]	<input type="checkbox"/> Officer <input type="checkbox"/> Director <input type="checkbox"/> Member <input type="checkbox"/> Manager <input checked="" type="checkbox"/> General Partner <input type="checkbox"/> Limited Partner <input type="checkbox"/> Other _____

7. Owners/Investors with a 5% beneficial interest in the Applicant Entity or a related entity	
EXAMPLE	
JANE DOE	50%, ABC COMPANY, Inc.
[name of owner/investor]	[percentage of beneficial interest in entity and name of entity]
A.	
Soutee Khamvongsouk	25%
[name of owner/investor]	[percentage of beneficial interest in entity and name of entity]
B.	
Saengnakhorn Cinq-Mars	25%
[name of owner/investor]	[percentage of beneficial interest in entity and name of entity]
C.	
Huy Vu	17%
[name of owner/investor]	[percentage of beneficial interest in entity and name of entity]
D.	
Chuong Vu	17%
[name of owner/investor]	[percentage of beneficial interest in entity and name of entity]
E.	
Thuy Luong	16%
[name of owner/investor]	[percentage of beneficial interest in entity and name of entity]

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

Signature of Disclosing Party, Printed Name, Title	Date
 Soutee Khamvongsouk.	1-18-22

PENALTIES
Falsification of information or failure to report information required to be reported may subject you to administrative action by the City.

El Paseo Holdings LLC

250 E. Wisconsin Ave., Suite 1610
Milwaukee, WI 53202
(414) 847-3100

January 24, 2022

City of Palm Springs
3200 E Tahquitz Canyon Way
Palm Springs, CA 92262

Re: Parklet for Workshop Kitchen + Bar, 800 N. Palm Canyon Drive

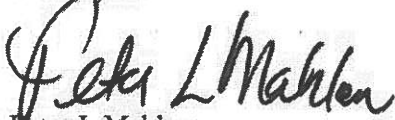
To whom it may concern:

As the Managing Partner of El Paseo Plaza at 800 N. Palm Canyon Drive, I am writing to advise you that I fully support our tenant **Workshop Kitchen + Bar's** continued use of the parklet on Tamarisk Road.

Workshop Kitchen + Bar has complied with all of the requirements for the use of their parklet and given the situation with the omicron variant, the parklet is important and needed for Workshop to continue serving their customers.

Feel free to contact me directly at 414-347-1350 if you should have any questions.

Thank you.



Peter L. Mahler
Managing Partner
El Paseo Holdings LLC

PLM/ag

Alex Perez

From: Michael Beckman <michael@workshopkitchenbar.com>
Sent: Tuesday, February 8, 2022 12:14 PM
To: Alex Perez
Subject: Fwd: Temporary Land Use Permit for Outdoor Dining | Workshop

NOTICE: This message originated outside of The City of Palm Springs -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.

HK Lane approval email for the parklet:

Michael Beckman
Co-owner and Executive Chef

c — 310-977-7018



IG @workshopkitchenbar
workshopkitchenbar.com

Begin forwarded message:

From: "Paul D. Bojic" <realestateattorney1@msn.com>
Subject: RE: Temporary Land Use Permit for Outdoor Dining | Workshop
Date: January 26, 2022 at 12:01:41 PM PST
To: "michael@workshoppalmsprings.com" <michael@workshoppalmsprings.com>
Cc: Harvey Katofsky <Hkatofsky@hklane.com>, Matt Torres <mtorres@hklane.com>

Chef Michael:

I hope all is well.

As I mentioned in our telephone conference, this office represents HK Lane Real Estate, a tenant in the building. Owner Harvey Katoksky and Administrator Matt Torres are copied on this email.

With this email, HK Lane Real Estate continues to approve of your restaurants use of the "parklet" for use for restaurant patrons. Please contact this office should you have any questions.

Thank you.

Paul D. Bojic, Esq.

Law Offices of Paul D. Bojic

Indian Wells/Palm Desert/Rancho Mirage/La Quinta/Palm Springs Office

45110 Club Drive, Suite E, Indian Wells, California 92210

Office Phone: (760) 340-3700 - Office FAX:(760) 340-3724

Notice: this email and any attachments may contain information that is confidential and protected by the attorney-client privilege. If you are not the intended recipient, please delete this message and any attachments and notify the sender, or call 760-340-3700 or 714-485-4119. Thank you.

Nothing in this message is intended as tax advice. However, to ensure compliance with requirements imposed by the IRS, we inform you that, if any advice concerning one or more U.S. Federal tax issues is contained in this communication (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

This email is not intended as a solicitation

From: Michael Beckman <michael@workshoppalmsprings.com>

Sent: Tuesday, January 4, 2022 2:00 PM

To: Matt Torres <mtorres@hklane.com>

Cc: daniella@hklane.com; Ron Gerlich <rgerlich@hklane.com>

Subject: Re: Temporary Land Use Permit for Outdoor Dining | Workshop

Happy New Year, Matt and team.. I hope the holidays were good to you.

I'm working with the city of PS to try and keep our parklet for 2022. They started charging rent on it in November and I've been on the fence about the whole thing, but then Omicron happened and I think it's safe to have the option to use it through this year.

The city is requiring that we go through architectural review and imposing some restrictions and requirements on it. They have asked for fresh letters of approval from tenants and from the landlord.

Are you open to working with us a little longer on this? I appreciate your support and patience thus far.

Thank you.

Michael Beckman
Co-owner and Executive Chef

c — 310-977-7018

<image001.png>
IG @workshopkitchenbar
workshopkitchenbar.com

On Sep 16, 2020, at 5:04 PM, Matt Torres <mtorres@hklane.com> wrote:

Hi Michael,

It was a pleasure to chat with you regarding the proposal for the sidewalk space there at the El Paseo Building (800 N Palm Canyon Drive).

Your rendering and ideas are very impressive and we hope that it allows you to increase your business.

You have full support and approval from HK Lane Real Estate.

Sincerely,
Matt Torres
<Email Siganture -Matt Torres.png>

-----Original Message-----
From: "Michael Beckman" <michael@workshoppalmsprings.com>
Sent: Wednesday, September 16, 2020 4:29pm
To: "Matt Torres" <mtorres@hklane.com>, daniella@hklane.com, "Ron Gerlich" <rgerlich@hklane.com>
Subject: Fwd: Temporary Land Use Permit for Outdoor Dining | Workshop

Hi guys, thank you again for taking the time this week. City is asking for an approval letter to use the sidewalk in front of your space. Would you mind shooting me an email referencing our call yesterday with approval to move forward?
I appreciate your support.

Michael Beckman | Chef Owner
Workshop Kitchen + Bar
Truss & Twine
800 N. Palm Canyon Drive
Suite G
Palm Springs, CA, 92262
e: michael@workshoppalmsprings.com
c: 310-977-7018
o: 760-459-3451

Begin forwarded message:
From: Alex Perez <alex.perez@palmspringsca.gov>
Subject: RE: Temporary Land Use Permit for Outdoor Dining | Workshop

Date: September 16, 2020 at 4:20:07 PM PDT
To: Michael Beckman <michael@workshoppalmsprings.com>
Cc: Planning <Planning@palmspringsca.gov>, Felipe Primera
<Felipe.Primera@palmspringsca.gov>

If you are occupying the space in front of adjacent business owners, staff requires approval letters from these business owners that gives you permission to locate in front of their store.

<Email Siganture -Matt Torres.png>

Alex Perez

From: Michael Beckman <michael@workshopkitchenbar.com>
Sent: Saturday, January 22, 2022 1:54 PM
To: Alex Perez
Subject: Fwd: Tamarisk Parklet

NOTICE: This message originated outside of The City of Palm Springs -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.

Fig & Nash tenant. More letters coming.

Sent from my iPhone

Begin forwarded message:

From: Mick Fox <mick@figandnash.com>
Date: January 22, 2022 at 6:39:41 AM PST
To: Michael Beckman <michael@workshopkitchenbar.com>
Cc: dino@figandnash.com
Subject: Re: Tamarisk Parklet

To whom it may concern:

We at Fig & Nash have no objection to The Workshop Kitchens continued use of the park-let on Tamarisk through this year.

Best,
Mick Fox
Principle, Creative Director
760.898.8498
figandnash.com

On Jan 21, 2022, at 11:12 AM, Michael Beckman <michael@workshopkitchenbar.com> wrote:

Hi Mick,

Hope you are well. How's the new store doing? Must be a big change from PS.

Just a simple email writing that you do not object to our continued use of the parklet on Tamarisk through this year. Hopefully we're out of the woods here soon!

I appreciate your support.

Michael Beckman
Co-owner and Executive Chef

c — 310-977-7018

<PastedGraphic-3.png>

IG@workshopkitchenbar.com
workshopkitchenbar.com

On Jan 4, 2022, at 2:01 PM, Mick Fox <mick@figandnash.com> wrote:

Hello Michael,

Yes, we are open to continuing the arrangement we currently have in place as long as the structure is physically there.

After we receive the January gift cards you can let us know what you expect from us moving forward. Tracy is there today until 5:00 pm.

Mick & Dino

On Jan 4, 2022, at 1:33 PM, Michael Beckman <michael@workshoppalmsprings.com> wrote:

Happy New Year, Mick and Dino. I hope the holidays were good to you.

I'm working with the city of PS to try and keep our parklet for 2022. They started charging rent on it in November and I've been on the fence about the whole thing, but then Omicron happened and I think it's safe to have the option to use it through this year.

The city is requiring that we go through architectural review and imposing some restrictions and requirements on it. They have asked for fresh letters of approval from tenants and from the landlord.

Are you open to working with us a little longer on this? I appreciate your support and patience thus far.

Thank you.

Michael Beckman
Co-owner and Executive Chef

c — 310-977-7018

<PastedGraphic-3.png>
IG @workshopkitchenbar
workshopkitchenbar.com





