



## **PLANNING COMMISSION STAFF REPORT**

**DATE:** NOVEMBER 8, 2023

PUBLIC HEARING

**SUBJECT:** A REQUEST BY PS SOCIAL GROUP INC, (BDA) HYPHEN WINE SHOP, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT TO EXPAND BUSINESS OPERATIONS TO INCLUDE ON-SITE CONSUMPTION LOCATED AT 1007 NORTH PALM CANYON DRIVE, ZONE C-1, (CASE NO. 5.1535 CUP AMND) (GM).

**FROM:** Development Services Department

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### SUMMARY:

This is a request for the Planning Commission to consider an amendment to a previously approved Conditional Use Permit (CUP) by Palm Springs Social Club Inc., doing business as Hyphen Wine Shop, for on-site wine tasting and the addition of a 180-square foot outdoor patio. The Planning Commission previously approved a CUP which limited the use to those associated with a Type 20 License (Off-Sale Beer and Wine) on September 1, 2021. In addition, the Planning Commission previously approved Resolution #6878 with condition of approval PLN 1 allowing the applicant to conduct Instructional Tasting (Type 86 ABC License), however this requires the wine grower or representative to be on site and conduct the tasting. The applicant would like to offer tastings of any wine as an additional service to customers requiring the Type 42 License (On-Sale Beer and Wine) which necessitates an amendment to the original approved.

### RECOMMENDATION:

Approve the application as submitted.

### BUSINESS PRINCIPAL DISCLOSURE:

The applicant has submitted a Public Integrity Disclosure Form and is included as an attachment to the report.

**PROJECT DESCRIPTION:**

The project requests an amendment to a previously approved Conditional Use Permit (CUP) for land uses associated with a new Type 42 ABC liquor license (On-Sale Beer and Wine) at Hyphen Wine Shop currently operating as a retail store in a 960-square foot tenant space. The business currently maintains a Type 20 ABC license which allows for the sale of beer and wine for consumption off the premises and the approval of the CUP amendment will require the forfeiting of the current Type 20 liquor license. The store specializes in the sale of “natural wine and organic craft beer” with a boutique style interior design. The operating hours are Monday to Thursday 11:00 AM until 7:00 PM; Friday and Saturday 10:00 AM until 8:00 PM; and Sunday from 12:00 PM to 5:00 PM. The amendment will allow for on- site consumption in the form of wine tastings performed by the store and consumption of products sold to include a new small outdoor patio totaling 180-square feet located in the rear of the building adjacent to the parking lot.

**BACKGROUND INFORMATION:**

The subject site is 11,895-square feet in size and located at the corner of North Palm Canyon Drive and Hermosa Place at the edge of the Old Las Palmas neighborhood. The retail building fronts North Palm Canyon Drive with a twenty-three (23) parking space lot located behind the building and accessed from a driveway off Hermosa Place. The existing store is 960-square feet and has two entries from the rear parking lot and from the front street sidewalk.



**Subject Site: 1007 North Palm Canyon Drive**

<i>Most Recent Change of Ownership</i>	
04/6/15	1001 N. Palm Canyon LLC (Roger Stoker)

<i>Related Building Permits/Business Licenses</i>	
1979	The Building Division issued a building permit for construction.
9/1/2021	The Planning Commission approved a CUP and ABC issued a Type 20 ABC liquor license to operate a beer and wine shop.

<i>Neighborhood Meeting/Neighborhood Notice</i>	
N/A	A neighborhood meeting has not been held in conjunction with this request.
N/A	On-site sign posting is not required for this hearing, however an ABC placard has been placed in the front window.
10/26/23	Notice of public hearing mailed to addresses within 500-feet of the site, notifying that the subject application would be considered by the Planning Commission at a public hearing on November 8, 2023. The public hearing notice was also emailed to Neighborhood Organizations within one mile of the project site.

<i>Field Check</i>	
10/26/23	Staff from the Planning Division visited the site to observe existing conditions.

DETAILS OF APPLICATION REQUEST:

<i>Site Area</i>	
Size	11,895-square feet

<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	Retail Building 6,400 sq ft	NCC (Neighborhood Community Commercial)	C-1 (General Commercial)
North	Retail	NCC (Neighborhood Community Commercial)	C-1 (General Commercial)
South	Retail	NCC (Neighborhood Community Commercial)	C-1 (General Commercial)
East	Vacant	HDR (High Density Residential)	C-1 (General Commercial)
West	Multi-Family Residential	NCC (Neighborhood Community Commercial)	R-2 (Multi-family Residential)

**DEVELOPMENT STANDARDS:**

*Pursuant to PSZC Section 93.06.00, the following parking standards apply:*

<i>Parking Requirement</i>							
<i>Use</i>	<i>Square footage</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Comp.</i>
			<i>Reg.</i>	<i>Handi-cap</i>	<i>Reg.</i>	<i>Handi-cap</i>	
Retail	6,400 sq ft	1/300 sq ft	20	1	22	1	
TOTAL SPACES REQUIRED			20	1	22	1	Y
Regular and Handicap Spaces Req.			21		23		Y

**ANALYSIS:**

The request for an amendment to a previously approved Conditional Use Permit at Hyphen Wine Shop that sells “natural wine and organic craft beer” within a 960-square foot tenant space adjacent to other low intense retail uses is consistent with the intent of the PSZC Section 92.12.02(D)(16).

The existing carry-out store that sells high end organic wines and beers from local wineries and brewers seeks approval to have in-store wine tastings performed by the store and not an individual winery or representative. This will require a Type 42 ABC liquor license (On-Site Beer and Wine). The floor plan is an open concept with shelving lining the walls with a display table in the middle of the room and one small cooler for sparkling wines and craft beers that need to be kept chilled. The addition of the new liquor license will not alter the existing floor plan, however the applicant would like to add a small 180-square foot outdoor seating area in an existing patio at the rear of the building adjacent to the parking lot. The site has a total of twenty-three (23) parking spaces to service three (3) individual retail stores. The addition of the new liquor license type will not intensify the uses and existing parking is sufficient. Findings in support of the amendment are provided below.

**FINDINGS – CONDITIONAL USE PERMIT – Case No. 5.1535-CUP:**

Section 94.02.00(B)(6) of the Palm Springs Zoning Code (PSZC) requires that the following five conditions be met in order to approve a Conditional Use Permit. Staff has analyzed these findings in order below.

	<i>Criteria and Findings [PSZC 94.02.00(B)(6)]</i>	<i>Compliance</i>
1.	<i>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.</i>	Y

	<i>Criteria and Findings [PSZC 94.02.00(B)(6)]</i>	<i>Compliance</i>
	Section 92.12.02(D)(16) in the General Commercial (C-1) zone of the Palm Springs Zoning Code permits the intended retail store that sell organic wines and craft beers with the approval of a Conditional Use Permit. The store will occupy a 960-square foot tenant space of a larger 6,400-square foot building with associated off-street parking.	
2.	<p data-bbox="277 489 1211 667"><i>That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.</i></p> <p data-bbox="277 674 1211 1029">The proposed use will further the goals of the General Plan for the Uptown Design District by providing a retail store that adds to the concentration of mixed uses that stimulate activity and create a sense of place by connecting nearby residential uses with a commercial corridor along North Palm Canyon Drive. The General Plan designation for the site is Neighborhood Community Commercial which provides an opportunity for convenience commercial uses that serve adjacent residential neighborhoods, and nearby employment centers, therefore, the proposed retail store complies with the General Plan.</p>	Y
3.	<p data-bbox="277 1041 1211 1220"><i>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.</i></p> <p data-bbox="277 1226 1211 1507">The Planning Commission finds that the site on which the retail store is proposed is fully developed with an existing building, parking, walls, and landscaping. It is located in the Uptown Design District where a variety of furniture, art galleries, apparel, and design shops provide a vibrant mixture of stores for residents and visitors to explore. The site has a large off-street parking lot behind the building to accommodate the proposed use and is not visible from North Palm Canyon Drive.</p>	Y
4.	<p data-bbox="277 1520 1211 1621"><i>That the site for the proposed use relates to the streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.</i></p>	Y

	<i>Criteria and Findings [PSZC 94.02.00(B)(6)]</i>	<i>Compliance</i>
	The site on which the retail shop is located fronts North Palm Canyon Drive, a major thoroughfare on the City’s Circulation Map, Hermosa Place is a local street providing access to the Old Las Palmas neighborhood. Each of these streets will be able to handle the vehicular traffic generated by the proposed use. It is also in the pedestrian-oriented Uptown Design District and is served by major transit lines along Palm Canyon Drive. The Planning Commission finds the proposed use consistent with this finding.	
5.	<i>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.</i>	Y
	The proposal expands the scope of the business to include additional wine tasting and an outdoor patio to an existing retail wine and beer shop in a commercial building with low intense uses that will not be detrimental to the overall health and safety of the immediate neighborhood. Conditions of Approval have been included in the attached 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 noise ordinance, limitations on operating hours and other necessary requirements.	

ENVIRONMENTAL ANALYSIS:

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

CONCLUSION:

The project is consistent with the land use policies of the General Plan and Zoning Code. Staff has made required findings in support of approval of the proposed CUP. Therefore, staff recommends that the Planning Commission approve the proposal subject to conditions.

PREPARED BY	Glenn Mlaker, AICP – Associate Planner
REVIEWED BY	David Newell, AICP – Assistant Planning Director

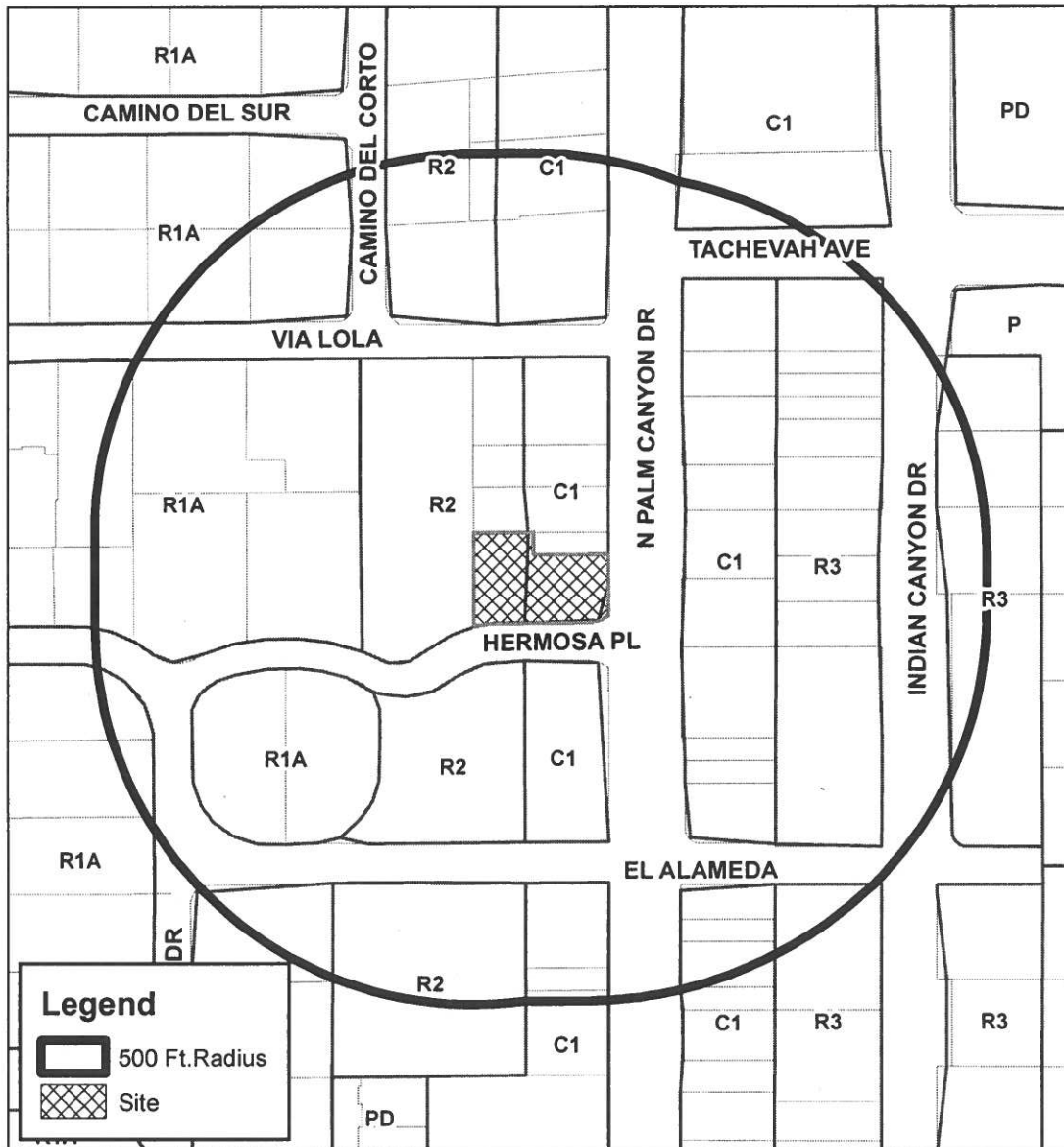
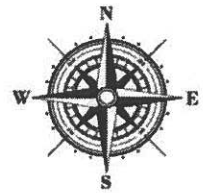
ATTACHMENTS:

1. Vicinity Map
2. Draft Resolution
3. Conditions of Approval

4. Justification Letter
5. Correspondence
6. Planning Commission Resolution #6878 dated 9-1-2021
7. Public Integrity Disclosure Form
8. Site Photographs
9. Plans



# Department of Planning Services Vicinity Map



**CITY OF PALM SPRINGS**  
Hyphen – Wine Bar  
1007 North Palm Canyon Drive  
Cases 5.1535 CUP



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 5.1535 AMND, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT (CUP) TO EXPAND BUSINESS OPERATIONS TO INCLUDE ON-SITE CONSUMPTION AT HYPHEN WINE SHOP LOCATED AT 1007 NORTH PALM CANYON DRIVE, ZONE C-1.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

A. PS Social Group Inc, BDA Hyphen (“Applicant”) has filed an application for an amendment to a previously approved Conditional Use Permit with the City pursuant to Section 94.02.00 of the Zoning Code to allow wine tasting and an outdoor patio at an existing retail wine and beer shop in a 960-square foot tenant space located at 1007 North Palm Canyon Drive, Zone C-1, APN: 505-261-010.

B. On September 1, 2021, the Planning Commission approved Resolution #6878 permitting and Conditional Use Permit (CUP) including an ABC Type 20 (Off-Sale Beer and Wine) liquor license – Package Store to allow for the sale of beer and wine for take-out only.

C. Notice of public hearing of the Planning Commission of the City of Palm Springs to consider Case No. 5.1535 – CUP was given in accordance with applicable law.

D. The proposed project is considered a “project” pursuant to the terms of the California Environmental Quality Act (“CEQA”) and has been determined to be Categorically Exempt as a Class I exemption (Existing Facilities) pursuant to Section 15301 of the CEQA Guidelines.

E. The Planning Commission has carefully reviewed and considered all the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

F. Section 94.02.00(B)(6) of the Zoning Code requires the Planning Commission not approve a Conditional Use Permit unless it finds as follows:

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

Section 92.12.02(D)(16) in the General Commercial (C-1) zone of the Palm Springs Zoning Code permits the intended retail store that sell organic wines and craft beers with the approval of a Conditional Use Permit. The store will occupy a

960-square foot tenant space of a larger 6,400-square foot building with associated off-street parking and small 180-square foot outdoor patio.

2. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The proposed use will further the goals of the General Plan for the Uptown Design District by providing a new retail store that adds to the concentration of mixed uses that stimulate activity and create a sense of place by connecting nearby residential uses with a commercial corridor along North Palm Canyon Drive. The General Plan designation for the site is Neighborhood Community Commercial which provides an opportunity for convenience commercial uses that serve adjacent residential neighborhoods, and nearby employment centers, therefore, the proposed retail store complies with the General Plan.

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

The Planning Commission finds that the site on which the retail store is proposed is fully developed with an existing building, parking, walls, and landscaping. It is located in the Uptown Design District where a variety of furniture, art galleries, apparel, and design shops provide a vibrant mixture of stores for residents and visitors to explore. The site has a large off-street parking lot behind the building to accommodate the proposed use and is not visible from North Palm Canyon Drive.

4. *That the site for the proposed use relates to the streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The site on which the retail shop is proposed fronts North Palm Canyon Drive, a major thoroughfare on the City's Circulation Map, Hermosa Place is a local street providing access to the Old Las Palmas neighborhood. Each of these streets will be able to handle the vehicular traffic generated by the proposed use. It is also in the pedestrian-oriented Uptown Design District and is served by major transit lines along Palm Canyon Drive. The Planning Commission finds the proposed use consistent with this finding.

5. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

The proposal expands the scope of the business to include additional wine tasting and an outdoor patio to an existing retail wine and beer shop in a commercial building with low intense uses that will not be detrimental to the overall health and safety of the immediate neighborhood. Conditions of Approval have been included in the attached 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 noise ordinance, limitations on operating hours and other necessary requirements.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case No. 5.1535 – CUP AMND, a Conditional Use Permit amendment to add a Type 42 (On-Sale Beer and Wine) liquor license to an existing 960-square foot retail store with 180-square foot outdoor patio located at 1007 North Palm Canyon Drive, subject to the conditions set forth in the attached Exhibit A.

ADOPTED this 8TH day of NOVEMBER 2023.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

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Christopher Hadwin  
Director of Planning Services

# Planning Commission Resolution No.

## EXHIBIT A

Case 5.1535 CUP AMND – Hyphen

1007 North Palm Canyon Drive

November 8, 2023

### CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

### ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1535 CUP AMND, except as modified the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans on file in the Planning Division except as modified by the conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner/applicant shall defend, indemnify, and hold harmless the City of Palm Springs, its elected officials, agents, officers, and employees (“Indemnitees”) from any claim, action, or proceeding against the City of Palm Springs or any Indemnitee(s) to attach, set aside, void or annul, the approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers of this Land Use Permit application or arising in any way out of the activities authorized by this Land Use Permit. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding and the applicant will either undertake defense of the

matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Commencement of Use. The time limit for commencement of the use authorized by this conditional use permit shall be two (2) years from the effective date of approval. A conditional use permit shall become effective after an elapsed period of fifteen (15) days from the date of the decision by the commission authorizing the permit.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05. Permits will not be issued until the appeal period has concluded.
- ADM 9. Cause No Disturbance. The owner shall monitor outdoor parking areas, walkways, and adjoining properties and shall take all necessary measures to ensure that customers do not loiter, create noise, litter, or cause any disturbances while on-site. The owner and operator shall ensure that at closing time, all customers leave the property promptly and that the property is clean and secure before the owner/operator leaves the premises. The Police Chief, based upon complaints and/or other cause, may require on-site security officers to ensure compliance with all City, State, and Federal laws and conditions of approval. Failure to comply with these conditions may result in revocation of this permit, temporary business closure or criminal prosecution.

- ADM 10. Grounds for Revocation. Non-compliance with any of the conditions of this approval or with City codes and ordinances, State laws; any valid citizen complaints or policing and safety problems (not limited to excessive alcohol consumption, noise, disturbances, signs, etc) regarding the operation of the establishment; as determined by the Chief of Police or the Director of Building and Safety, may result in proceedings to revoke the Conditional Use Permit. In addition, violations of the City Codes and Ordinances will result in enforcement actions which may include citations, arrest, temporary business closure, or revocation of this permit in accordance with the law.
- ADM 11. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers.

### **PLANNING DEPARTMENT CONDITIONS**

- PLN 1. Sales. The Conditional Use Permit approves the land use to operate a retail store selling craft beer and wine for consumption on site and take-away. Business to acquire the appropriate ABC liquor license reflecting the activities on site.
- PLN 2. Outdoor Patio. The CUP approves a 180-square foot outdoor patio at rear of store adjacent to parking lot. A barrier (low fence, or planters) delineating patio to be approved at Staff level.
- PLN 3. Store Interior. The floor plan provided shows an open concept with shelving lining the walls with a display table in the middle of the room and one small cooler for sparkling wines and craft beers that need to be kept chilled. There is no interior or exterior seating provided.
- PLN 4. Off-Street Parking. Parking for store will be provided in existing parking lot located behind commercial building. A total of twenty-three (23) spaces are to be shared by all tenants.
- PLN 5. Signage Advertising Alcohol Sales. Signage advertising the use authorized under this permit shall be strictly prohibited.
- PLN 6. Hours of Operation. The operating hours will be Monday to Thursday 11:00 AM until 7:00 PM; Friday and Saturday 10:00 AM until 8:00 PM; and Sunday from 12:00 PM to 5:00 PM. Any future modifications to the hours of operation shall require an amendment to this Conditional Use Permit.
- PLN 7. Letter of Convenience or Necessity. The CA ABC may determine that a Letter of Convenience or Necessity from the City Council is required. If the Resolution of Convenience and Necessity is not approved, this CUP amendment application will not be valid.

- PLN 8. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00.
- PLN 9. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 10. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

#### **POLICE DEPARTMENT CONDITIONS**

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

#### **BUILDING DEPARTMENT CONDITIONS**

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

**END OF CONDITIONS**



1007 N Palm Canyon, Palm Springs, CA 92262 +1 760-459-9199  
john@hyphenpsp.com

October 4, 2023

City of Palm Springs  
Department of Planning Services  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

Re: Amend Conditional Use Permit / Justification Letter

Department of Planning,

I am requesting to amend my current Conditional Use Permit (CUP) to include a Type 42 on premise pouring license.

### Project Description

My current CUP allows for a Type 86 license for in-store tastings which I applied for and received from the SLA. To use this license for in-store tastings I must have a representative from the winery, a distributor or winemaker to pour wines. Unfortunately, all of these people live over 2 hours away or in another country, and can rarely make it to Palm Springs and when a sales rep comes out they don't come back for 2-3 months. Winemakers very rarely visit Palm Springs.

I am requesting to amend my CUP so that myself or my employees can pour for in-store wine tastings without having to schedule a winery or sales representative. With the the Type 42 I will legally have to charge for tastings and plan on charging a small fee of \$5-\$10 depending on the wines being poured. This will also allow the guest to enjoy a glass of wine at the shop at the tasting table.

*Please note below is from my original Justification Letter and the only change besides being open for business are a change in hours of operation (highlighted in red).*

### Information

- We will employ two people in Year 1, and anticipate two or three additional employees in Years 2-3.
- Hours of operation will be Mon-Th 11am-8pm, Fri-Sat 11am-9pm, Sun noon-6pm.
- **New hours of operation:** Mon-Thur 10am-7pm, Fri-Sat 10am-8pm, Sun 11am-5pm.
- Neither the company nor myself personally own or operate any other businesses.
- In addition to the CUP we will require a Palm Springs Business License and an off-sale beer and wine license (Type 20).

### Findings

- 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;  
=>> The use is for a retail off-premise natural wine and organic craft beer store.



- b. That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located;  
 ==> The location is a pre-existing single story retail complex with 4 retail spaces. The addition of a natural wine shop enhances the community because a) there is no other similar, dedicated wine shop in the neighborhood, and b) enhances Palm Springs by making available a product that protects the planet and is healthier than other wine products sold in any liquor store, supermarket or big box store in Palm Springs. This is not only non-detrimental to the neighborhood but will enhance the growing Design District clientele which tends to follow modern design and health trends. The building is pre-existing, is set back from the city sidewalk and has its own parking with 20 spaces and 1 ADA parking spot.
- 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 location is already a retail building and has a walled parking lot with 20 spaces and 1 ADA parking spot. It is set back from the city sidewalk with small / low shrubbery and perennial plantings in front of each retail space.
- 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 proposed use will have minimal effect on current vehicular traffic levels, and the dedicated parking will minimize any parking issues. Deliveries will be accepted in the early morning via the rear entrance off the parking lot before the other retail spaces open for business.
- 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. Such conditions may include:
- i. Regulation of use,  
 ==> Retail off-premise natural wine and organic craft beer.
  - ii. Special yards, space and buffers,  
 ==> Currently set back from the city sidewalk.
  - iii. Fences and walls,  
 ==> Parking lot is currently walled.
  - iv. Surfacing of parking areas subject to city specifications,  
 ==> Parking lot is blacktop.
  - v. Requiring street, service road or alley dedications and improvements or appropriate bonds,  
 ==> N/A
  - vi. Regulation of points of vehicular ingress and egress,  
 ==> N/A
  - vii. Regulation of signs,  
 ==> Building signage already approved
  - viii. Requiring landscaping and maintenance thereof,  
 ==> All landscaping is existing with irrigation and maintained by the landlord.
  - ix. Requiring maintenance of the grounds,  
 ==> Supplied by the landlord.
  - x. Regulation of noise, vibration, odors, etc.,  
 ==> N/A

- xi. Regulation of time for certain activities,
  - ==> Hours of operation: 11AM- 8PM M-T, 11AM - 9PM F-S, Noon - 6PM Sunday
  - New hours of operation: Mon-Thur 10am-7pm, Fri-Sat 10am-8pm, Sun 11am-5pm.
- xii. Time period within which the proposed use shall be developed,
  - ==> 1-2 months
- xiii. Duration of use
  - ==> 4 -12 years
- xiv. Dedication of property for public use,
  - ==> N/A
- xv. And such other conditions as will make possible the development of the city in an orderly and efficient manner and in conformity with the intent and purposes set forth in this Zoning Code, including but not limited to mitigation measures outlined in an environmental assessment.
  - ==> N/A

The presence of natural wines in Palm Springs is sparse. There are two bars that have a small selection, but no one that is actively selling it to the customer or cheerleading about how great natural wines are for the environment, your health and how they support small family farmers. Most wine consumers assume all wine is naturally made. What big commercial wineries don't want their consumers to know is that there can be more than 200 chemicals added to that bottle of wine they're purchasing, but the only one listed on the label is sulfites. Natural wine producers at a minimum will grow organic grapes and use minimal sulfites. Some producers will grow bio-dynamically and use little to no sulfites at all. These producers do not use any pesticides, they don't irrigate, and most still use oxen to plow their fields. There's a circle of life in the soil that keeps it aerated and alive for the vines to thrive.

I've searched for 2 years for just the right location in Palm Springs and I'm very excited to have found one with great neighbors like Grace Home and Sea Plane. The space is approx. 900 square feet, large enough to have a nice-size selection and small enough to get to know my neighbors and tourists, and educate them about the fantastic world of natural wines. hyphen- will carry natural wines from all over the world, including it's own backyard in Northern California; wines that you don't see in supermarkets or big box chains.

When I opened Social Wines in Boston my main focus was on customer service and educating people about natural wines. I plan on doing the same with hyphen- . Social Wines was open for 18 months when it won Best Wine Shop in Boston from Boston Magazine. I hope to repeat my 6.5 year success in Palm Springs for a much longer time.

Regards,



John Libonati  
President - PS Social Group Inc dba hyphen-

PS: Why the name "hyphen-"? Because a hyphen connects. A hyphen joins.

## Glenn Mlaker

---

**From:** Trevor Wayne <trevor@trevorwayne.com>  
**Sent:** Wednesday, October 25, 2023 12:42 PM  
**To:** Glenn Mlaker  
**Cc:** John Libonati  
**Subject:** Hyphen Wine

**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.

Hello!

My name is Trevor Wayne. Im a store owner a block south of Hyphen Wine on Palm Canyon... as well as a resident right above my storefront.

Hyphen Wine has been an amazing addition to Design District North! John Libonati has been a wonderful supporter of the local business around here and has certainly helped in shaping the clean up efforts we have been working on on this street.

I am writing to give my opinion that a Type 42 license for Hyphen makes great sense, and would add a nicer touch to the block for me and my neighbors!

Hoping nothing but bigger and better for Hyphen!

Thank you!!

Trevor Wayne

The Trevor Wayne Store  
901 N. Palm Canyon Dr.  
Suite 105  
Palm Springs, CA 92262  
(442) 304-8934

Trevor Wayne, Inc.

## Glenn Mlaker

---

**From:** Heather Stanley <heatherstanley7@gmail.com>  
**Sent:** Wednesday, October 25, 2023 4:21 PM  
**To:** Glenn Mlaker  
**Cc:** john@hyphenpsp.com  
**Subject:** Support of Type 42 License for Hyphen Wine Shop

**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.

Hi Glenn,

I wanted to share my support of providing a Type 42 License for Hyphen Wine Shop. Hyphen is unique in that they are the only natural wine shop in the city of Palm Springs. Natural wine is gaining traction amongst wine producers and consumers, given its sustainable industry practices and no added chemicals. Since natural wine is still emerging in the industry, it's important to give consumers the ability to try the wine before they buy.

John has already developed a great community with like-minded wine enthusiasts in his shop, and with more options for tasting, he will be able to continue to grow his business and this community.

Thank you for your consideration,

Heather

--

Heather Stanley | C: 954.593.6781

## Glenn Mlaker

---

**From:** Lawrence W. Hutchings <lwhutchings@yahoo.com>  
**Sent:** Tuesday, October 31, 2023 3:16 PM  
**To:** Glenn Mlaker  
**Cc:** John Libonati  
**Subject:** Hyphen Wine Shop

**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.

10/31/23

Dear Sir,

My husband Dennis Clark and I are writing in support of Hyphen's application to change its license application to include tasting.

We have been crossing town from our home in Seven Lakes Country Club to shop at Hyphen for nearly two years, as we appreciate the care that has gone into the owner's selection of wines as well as benefiting from his knowledge in recommending them to us. Having the ability to attend wine tastings would certainly add to the quality of service he is able to provide for us.

We believe local businesses like Hyphen are vital to our community and that the City should do all it can to promote their success. Please consider his application favorably.

Sincerely,

Larry Hutchings  
Dennis Clark

This e-mail message and any attachments may contain confidential information that is legally privileged. If you are not the intended recipient(s), or person responsible for delivering it to the intended recipient(s), you are hereby notified that any review, disclosure, copying, distribution or use of any of the information contained herein is strictly prohibited. If you have received this transmission in error, please contact the sender by reply e-mail and destroy the original transmission and any attachments without reading or saving in any manner.

**Glenn Mlaker**

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**From:** Frank Calabrese <frank.calabrese@nyu.edu>  
**Sent:** Monday, October 30, 2023 10:00 AM  
**To:** Glenn Mlaker  
**Cc:** Andy Klink  
**Subject:** Support for hyphen- wines

**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.

Dear Glenn Mlaker,

I'm a frequent customer of **Hyphen** at 1007 N Palm Canyon Drive, Palm Springs 92262, and I live less than a mile away. The shop has been a welcome addition to the neighborhood.

I write to add my support to their pending change in license application / amending the CUP.

The ability to sample wine and other recommendations offered by John Libonati would elevate our shopping and sipping experience. I also believe that it would provide the additional benefit of drawing more foot traffic to the N Palm Canyon corridor.

Thank you for your consideration.

Sincerely,  
Frank Calabrese and Andrew Klink  
2150 N. Zanjero Road  
Palm Springs, CA 92262

RESOLUTION NO. 6878

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE 5.1535, A CONDITIONAL USE PERMIT (CUP) TO ALLOW A NEW WINE AND BEER RETAIL STORE WITH A TYPE 20 ABC LIQUOR LICENSE LOCATED AT 1007 NORTH PALM CANYON DRIVE, ZONE C-1.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

- A. PS Social Group Inc, BDA Hyphen ("Applicant") has filed an application for a Conditional Use Permit with the City pursuant to Section 94.02.00 of the Zoning Code to allow a retail wine and beer take-out only shop in a 960-square foot tenant space located at 1007 North Palm Canyon Drive, Zone C-1, APN: 505-261-010.
- B. The CUP will be associated with an ABC Type 20 License – Package Store to allow for the sale of beer and wine for take-out only.
- C. Notice of public hearing of the Planning Commission of the City of Palm Springs to consider Case No. 5.1535 – CUP was given in accordance with applicable law.
- D. The proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA") and has been determined to be Categorically Exempt as a Class I exemption (Existing Facilities) pursuant to Section 15301 of the CEQA Guidelines.
- E. The Planning Commission has carefully reviewed and considered all the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

- F. Section 94.02.00(B)(6) of the Zoning Code requires the Planning Commission not approve a Conditional Use Permit unless it finds as follows:
  - 1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this Zoning Code.*

Section 92.12.02(D)(16) in the General Commercial (C-1) zone of the Palm Springs Zoning Code permits the intended retail store that sell organic wines and craft beers with the approval of a Conditional Use Permit. The store will occupy a 960-square foot tenant parking space of a larger 6,400-square foot building with associated off-street parking.

2. *That the use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the general plan and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The proposed use will further the goals of the General Plan for the Uptown Design District by providing a new retail store that adds to the concentration of mixed uses that stimulate activity and create a sense of place by connecting nearby residential uses with a commercial corridor along North Palm Canyon Drive. The General Plan designation for the site is Neighborhood Community Commercial which provides an opportunity for convenience commercial uses that serve adjacent residential neighborhoods, and nearby employment centers, therefore, the proposed retail store complies with the General Plan.

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

The Planning Commission finds that the site on which the retail store is proposed is fully developed with an existing building, parking, walls, and landscaping. It is located in the Uptown Design District where a variety of furniture, art galleries, apparel, and design shops provide a vibrant mixture of stores for residents and visitors to explore. The site has a large off-street parking lot behind the building to accommodate the proposed use and is not visible from North Palm Canyon Drive.

4. *That the site for the proposed use relates to the streets and highways properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The site on which the retail shop is proposed fronts North Palm Canyon Drive, a major thoroughfare on the City's Circulation Map, Hermosa Place is a local street providing access to the Old Las Palmas neighborhood. Each of these streets will be able to handle the vehicular traffic generated by the proposed use. It is also in the pedestrian-oriented Uptown Design District and is served by major transit lines along Palm Canyon Drive. The Planning Commission finds the proposed use consistent with this finding.

5. *That the conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare and may include minor modification of the zone's property development standards.*

The proposal to add a new retail wine and beer shop in an existing building with low intense uses will not be detrimental to the overall health and safety of the immediate neighborhood. Conditions of Approval have been included in the



attached 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 noise ordinance, limitations on operating hours and other necessary requirements.

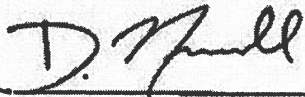
NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby approves Case No. 5.1535 – CUP, a Conditional Use Permit amendment to allow a 960-square foot retail store selling beer and wine only located at 1007 North Palm Canyon Drive, subject to the conditions set forth in the attached Exhibit A.

ADOPTED this 1ST day of SEPTEMBER 2021.

AYES: AYLAIAN, ERVIN, HIRSCHBEIN, MORUZZI, SONG, WEREMIUK  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: ROBERTS

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA



---

David Newell, AICP  
Assistant Planning Director

Planning Commission Resolution No. 6878

EXHIBIT A

CITY OF PALM SPRINGS, CALIFORNIA, PLANNING DEPARTMENT	
<b>PLANNING COMMISSION APPROVAL</b>	
Date	9/1/21
Case	5.1535 CUP
Reso No.	6878
Planner	cm

Case 5.1535 CUP – Hyphen

1007 North Palm Canyon Drive

September 1, 2021

**CONDITIONS OF APPROVAL**

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

**ADMINISTRATIVE CONDITIONS**

- ADM 1. Project Description. This approval is for the project described per Case 5.1535 CUP, except as modified the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans on file in the Planning Division except as modified by the conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner/applicant shall defend, indemnify, and hold harmless the City of Palm Springs, its elected officials, agents, officers, and employees ("Indemnitees") from any claim, action, or proceeding against the City of Palm Springs or any Indemnitee(s) to attach, set aside, void or annul, the approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers of this Land Use Permit application or arising in any way out of the activities authorized by this Land Use Permit. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding and the applicant will either undertake defense of the

matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Commencement of Use. The time limit for commencement of the use authorized by this conditional use permit shall be two (2) years from the effective date of approval. A conditional use permit shall become effective after an elapsed period of fifteen (15) days from the date of the decision by the commission authorizing the permit.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05. Permits will not be issued until the appeal period has concluded.
- ADM 9. Cause No Disturbance. The owner shall monitor outdoor parking areas, walkways, and adjoining properties and shall take all necessary measures to ensure that customers do not loiter, create noise, litter, or cause any disturbances while on-site. The owner and operator shall ensure that at closing time, all customers leave the property promptly and that the property is clean and secure before the owner/operator leaves the premises. The Police Chief, based upon complaints and/or other cause, may require on-site security officers to ensure compliance with all City, State, and Federal laws and conditions of approval. Failure to comply with these conditions may result in revocation of this permit, temporary business closure or criminal prosecution.

- ADM 10. Grounds for Revocation. Non-compliance with any of the conditions of this approval or with City codes and ordinances, State laws; any valid citizen complaints or policing and safety problems (not limited to excessive alcohol consumption, noise, disturbances, signs, etc) regarding the operation of the establishment; as determined by the Chief of Police or the Director of Building and Safety, may result in proceedings to revoke the Conditional Use Permit. In addition, violations of the City Codes and Ordinances will result in enforcement actions which may include citations, arrest, temporary business closure, or revocation of this permit in accordance with the law.
- ADM 11. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers.

#### **PLANNING DEPARTMENT CONDITIONS**

- PLN 1. Alcohol Sales. The Conditional Use Permit approves a Type 20 (package Store) ABC license and authorizes the sale of specialty craft beer and organic wine for take-out only at 1007 North Palm Canyon Drive. Should the business owner seek approval of a Type 86 (Instructional Tasting) further approval is not required.
- PLN 2. Store Interior. The floor plan provided shows an open concept with shelving lining the walls with a display table in the middle of the room and one small cooler for sparkling wines and craft beers that need to be kept chilled. There is no interior or exterior seating provided.
- PLN 3. Off-Street Parking. Parking for store will be provided in existing parking lot located behind commercial building. A total of twenty-three (23) spaces are to be shared by all tenants.
- PLN 4. Signage Advertising Alcohol Sales. Signage advertising the use authorized under this permit shall be strictly prohibited.
- PLN 5. Hours of Operation. The operating hours will be Monday to Thursday 11:00 AM until 8:00 PM; Friday and Saturday 11:00 AM until 9:00 PM; and Sunday from 12:00 PM to 6:00 PM. Any future modifications to the hours of operation shall require an amendment to this Conditional Use Permit.
- PLN 6. Letter of Convenience or Necessity. The applicant shall obtain a Letter of Convenience or Necessity from the City Council prior to commencement of the alcohol sales use. If the Resolution of Convenience and Necessity is not approved, this CUP application will not be valid.
- PLN 7. Sign Applications Required. No signs are approved by this action. Separate approval and permits shall be required for all signs in accordance with Zoning Ordinance Section 93.20.00.

- PLN 8. Exterior Alarms & Audio Systems. No sirens, outside paging or any type of signalization will be permitted, except approved alarm systems.
- PLN 9. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.

**POLICE DEPARTMENT CONDITIONS**

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

**BUILDING DEPARTMENT CONDITIONS**

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

**END OF CONDITIONS**



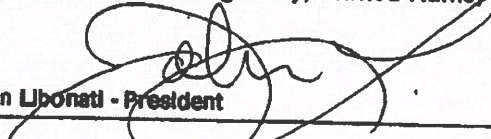
# PUBLIC INTEGRITY DISCLOSURE APPLICANT DISCLOSURE FORM

1. Name of Entity	PS Social Group Inc. dba hyphen
2. Address of Entity (Principle Place of Business)	1007 N Palm Canyon Dr. Palm Springs, CA 92262
3. Local or California Address (if different than #2)	
4. State where Entity is Registered with Secretary of State	CA
<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>	
John Libonati - President	<input checked="" type="checkbox"/> Officer <input type="checkbox"/> Director <input type="checkbox"/> Member <input type="checkbox"/> Manager
_____ [name]	<input type="checkbox"/> General Partner <input type="checkbox"/> Limited Partner
	<input type="checkbox"/> Other _____
Christopher Schutte - Treasurer	<input checked="" type="checkbox"/> Officer <input type="checkbox"/> Director <input type="checkbox"/> Member <input type="checkbox"/> Manager
_____ [name]	<input type="checkbox"/> General Partner <input type="checkbox"/> Limited Partner
	<input type="checkbox"/> Other _____
N/A	<input type="checkbox"/> Officer <input type="checkbox"/> Director <input type="checkbox"/> Member <input type="checkbox"/> Manager
_____ [name]	<input type="checkbox"/> General Partner <input type="checkbox"/> Limited Partner
	<input type="checkbox"/> Other _____

RECEIVED  
JUL 01 2021  
TRAINING SERVICES  
CENT

7. Owners/Investors with a 5% beneficial interest in the Applicant Entity or a related entity	
<b>EXAMPLE</b>	
<i>JANE DOE</i>	<i>50%, ABC COMPANY, Inc.</i>
[name of owner/investor]	[percentage of beneficial interest in entity and name of entity]
A. John Libonati	50%
[name of owner/investor]	[percentage of beneficial interest in entity and name of entity]
B. Christopher Schutte	50%
[name of owner/investor]	[percentage of beneficial interest in entity and name of entity]
C. N/A	
[name of owner/investor]	[percentage of beneficial interest in entity and name of entity]
D. N/A	
[name of owner/investor]	[percentage of beneficial interest in entity and name of entity]
E. N/A	
[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  John Libonati - President	Date July 1, 2021
--	----------------------

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





**INFORMATION AND INSTRUCTIONS -**

**SECTION 23958.4 B&P**

- Instructions
- This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
  - Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
  - Part 2 is to be completed by the applicant, and returned to ABC.
  - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

**PART 1 - TO BE COMPLETED BY ABC**

1. APPLICANT'S NAME

PS SOCIAL GROUP INC

2. PREMISES ADDRESS (Street number and name, city, zip code)

1007 N PALM CANYON DR., PALM SPRINGS, CA 92262-4419

3. LICENSE TYPE

42

4. TYPE OF BUSINESS

- |   |  |   |  |
|---|--|---|--|
| <input type="checkbox"/> Full Service Restaurant      | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge                          | <input type="checkbox"/> Private Club          |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club       | <input type="checkbox"/> Night Club                               | <input type="checkbox"/> Veterans Club         |
| <input type="checkbox"/> Cafe/Coffee Shop             | <input type="checkbox"/> Brew Pub          | <input type="checkbox"/> Tavern: Beer                             | <input type="checkbox"/> Fraternal Club        |
| <input type="checkbox"/> Bed & Breakfast:             | <input type="checkbox"/> Theater           | <input type="checkbox"/> Tavern: Beer & Wine                      | <input type="checkbox"/> Wine Tasting Room     |
| <input type="checkbox"/> Wine only                    | <input type="checkbox"/> All               |   |  |
| <input type="checkbox"/> Supermarket                  | <input type="checkbox"/> Membership Store  | <input type="checkbox"/> Service Station                          | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store                 | <input type="checkbox"/> Department Store  | <input type="checkbox"/> Convenience Market                       | <input type="checkbox"/> Drive-in Dairy        |
| <input type="checkbox"/> Drug/Variety Store           | <input type="checkbox"/> Florist/Gift Shop | <input checked="" type="checkbox"/> Convenience Market w/Gasoline |  |
| <input checked="" type="checkbox"/> Other - describe: |  |   |  |

5. COUNTY POPULATION

6. TOTAL NUMBER OF LICENSES IN COUNTY

7. RATIO OF LICENSES TO POPULATION IN COUNTY

- On-Sale  Off-Sale  On-Sale  Off-Sale

8. CENSUS TRACT NUMBER

446.06

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

2

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

90

- On-Sale  Off-Sale  On-Sale  Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- Yes, the number of existing licenses exceeds the number allowed
- No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- Yes (Go to Item #13)  No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

14. TOTAL NUMBER OF REPORTING DISTRICTS

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

16. AVERAGE NO. OF OFFENSES PER DISTRICT

17. 120% OF AVERAGE NUMBER OF OFFENSES

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.
- c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, an on-sale general (public premises) license, or an on-sale general music venue license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

**FOR DEPARTMENT USE ONLY**

PREPARED BY (Name of Department Employee)

MARICELA MATA

**PLANNED OPERATION (RETAIL)**

**SECTION I - FOR ALL RETAIL APPLICANTS**

1. APPLICANT'S NAME(S) (If an individual, last name, first name, middle name. Name of entity if corporation, limited partnership or limited liability company. **PS Social Group Inc. dba hyphen-**) 2. LICENSE TYPE(S) **42**

3. PREMISES ADDRESS (Street number and name, city, zip code) **1007 N Palm Canyon Dr. Palm Springs, CA 92262** 4. NEAREST CROSS STREET **Hermosa Place**

5. TYPE OF BUSINESS (Choose one that best describes the planned operation)
- |   |  |  |   |
|---|--|--|---|
| <input type="checkbox"/> Full Service Restaurant      | <input type="checkbox"/> Cafeteria/Hofbrau | <input type="checkbox"/> Cocktail Lounge   | <input type="checkbox"/> Private Club   |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club       | <input type="checkbox"/> Night Club        | <input type="checkbox"/> Veterans Club  |
| <input type="checkbox"/> Cafe/Coffee Shop             | <input type="checkbox"/> Brew Pub          | <input type="checkbox"/> Tavern            | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast              | <input type="checkbox"/> Theater           | <input type="checkbox"/> Wine Tasting Room |   |
- 
- |   |  |  |  |
|---|--|--|--|
| <input type="checkbox"/> Supermarket        | <input type="checkbox"/> Membership Store  | <input type="checkbox"/> Service Station               | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store       | <input type="checkbox"/> Department Store  | <input type="checkbox"/> Convenience Market            | <input type="checkbox"/> Drive-in Dairy        |
| <input type="checkbox"/> Variety/Drug Store | <input type="checkbox"/> Gift Shop/Florist | <input type="checkbox"/> Convenience Market w/Gasoline |  |
- Other - describe: **WINE TASTING**

6. FOOD SERVICE  None  Minimal  Full Meals 7. MEAL TYPE  Dinner House  Seafood  Fast Food/Deli  Pizza/Pasta  Other: \_\_\_\_\_

8. TYPE OF FOOD  American  Chinese  French  Greek  Indian  Italian  Japanese  Korean  Mexican  Thai  Other: \_\_\_\_\_

9. HOURS OF FOOD SERVICE:  
 BREAKFAST HOURS - From: \_\_\_\_\_ To: \_\_\_\_\_ LUNCH HOURS - From: \_\_\_\_\_ To: \_\_\_\_\_ DINNER HOURS - From: \_\_\_\_\_ To: \_\_\_\_\_

10. OPERATING HOURS:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time							
Closing Time							

11. ENTERTAINMENT: (One or more may apply. Please describe any entertainment with an asterisk (\*) below)
- |  |  |   |  |
|--|--|---|--|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> *Amplified Music    | <input type="checkbox"/> Patron Dancing             | <input type="checkbox"/> Card Room                 |
| <input type="checkbox"/> Recorded Music  | <input type="checkbox"/> *Live Entertainment | <input type="checkbox"/> Bikini/Topless/Exotic      | <input type="checkbox"/> Movies                    |
| <input type="checkbox"/> Juke Box        | <input type="checkbox"/> *Floor/Stage Shows  | <input type="checkbox"/> Pool/Billiard Tables       | <input type="checkbox"/> *Hot Spot*/Lottery        |
| <input type="checkbox"/> *Other          | <input type="checkbox"/> Karaoke             | <input type="checkbox"/> *Amateur/Pro Sports Events | <input type="checkbox"/> Video/Coin-Operated Games |
- \*Description: \_\_\_\_\_

12. YES OR NO QUESTIONS :
- a) Will you hire a manager? (Rule 57.5) .....  Yes  No
- b) Will you have a food lessee? (Rule 57.7) .....  Yes  No
- c) Do you intend to sell cocktails or servings of wine to go?.....  Yes  No
- d) Does your business have a pass-through window? .....  Yes  No
- e) Does your business have any fixed bars?.....  Yes  No
- i) If yes, how many? \_\_\_\_\_
- f) Does your business have a patio?.....  Yes  No
- g) Will you share a common licensed area with another licensee?.....  Yes  No
- h) Does the premises have a parking lot?.....  Yes  No
- i) If yes, is it shared with other business?.....  Yes  No

13. What percentage of your total sales will be from alcoholic beverages? **95**

14. Patron Capacity **15**

15. PREMISES IS LOCATED ON :  Major Thoroughfare  Secondary Street  Other : \_\_\_\_\_

16. PREMISES LOCATED IN :  Free Standing Building **Grace Home**  
 Shopping Center (name) : \_\_\_\_\_  
 10 Units or Less  More than 10 Units

17. SURROUNDING AREA :  Commercial  Industrial  Residential  
 Rural  Other : \_\_\_\_\_

18. TYPE OF STRUCTURE :  Single Story  Two-Story  
 Multi-Story - Number of Stories: \_\_\_\_\_

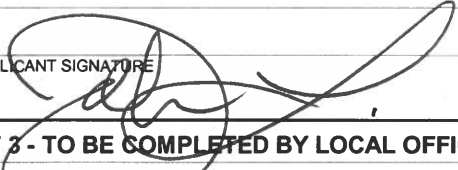
**FOR ABC USE ONLY**

INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23790.5, etc.)

**PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)**

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do not proceed to Part 3.

Applying for a Type 42 to be able to pour tastings at my retail location without using a sales rep or winemaker. I would also like to use my back patio for tastings and to allow guests to enjoy a glass of wine. Other than restaurant bars there is no place in the area doing this.

22. APPLICANT SIGNATURE 

23. DATE SIGNED 10/18/2023

**PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)**

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance.

Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes  No  See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

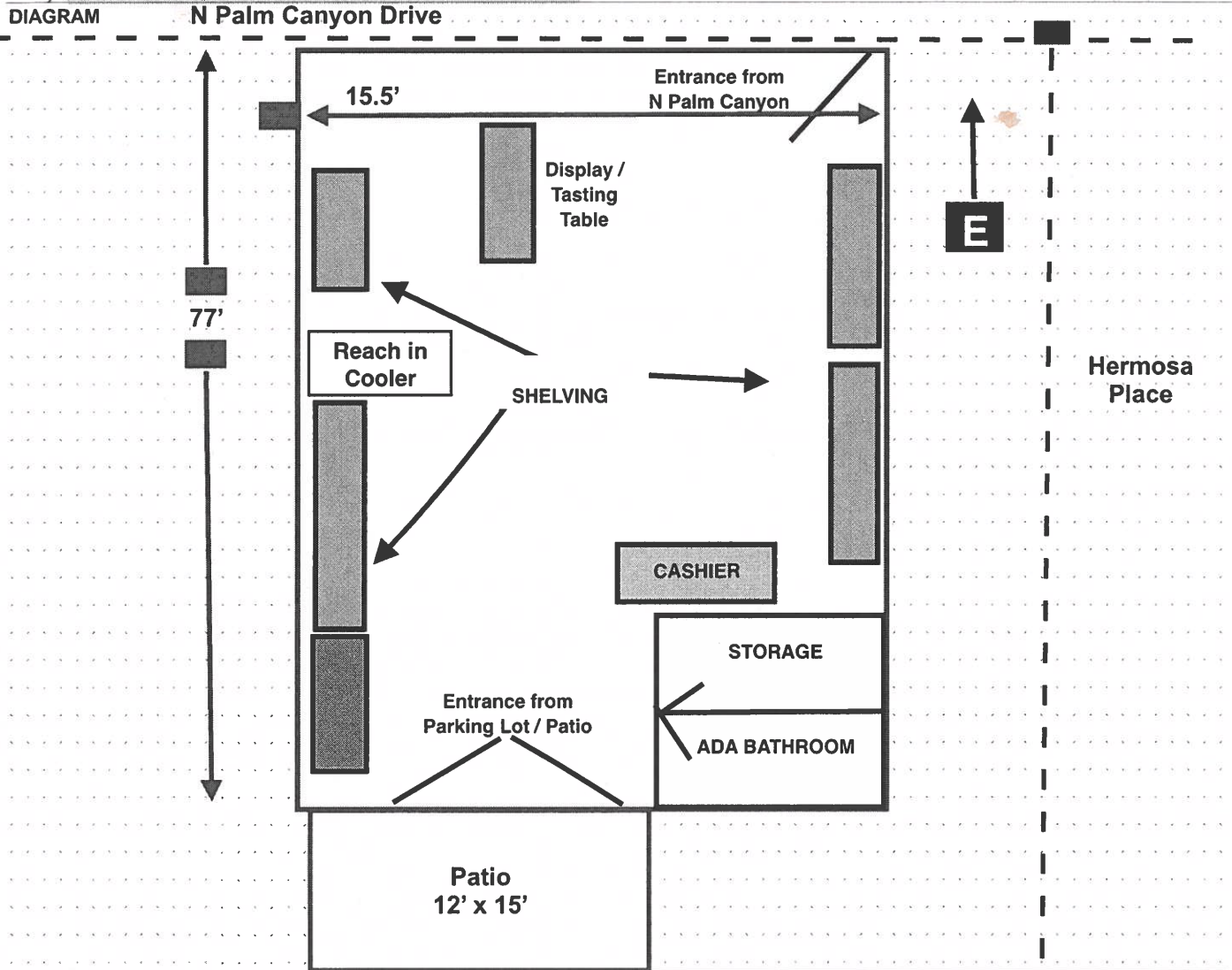
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26. CITY/COUNTY OFFICIAL NAME	27. CITY/COUNTY OFFICIAL TITLE	28. CITY/COUNTY OFFICIAL PHONE NUMBER
29. CITY/COUNTY OFFICIAL SIGNATURE	30. DATE SIGNED	

**LICENSED PREMISES DIAGRAM (RETAIL)**

1. APPLICANT'S NAME(S) (If an individual, last name, first name, middle name. Name of entity if corporation, limited partnership or limited liability company.) <b>PS Social Group Inc. dba hyphen-</b>	2. LICENSE TYPE <b>Type 42</b>
3. PREMISES ADDRESS (Street number and name, city, zip code) <b>1007 N Palm Canyon Dr. Palm Springs, CA 92262</b>	4. NEAREST CROSS STREET <b>Hermosa Place</b>

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.). The area to be licensed must be outlined in red.



It is hereby declared that the above-described premises and character of premises, as indicated on the reverse side, will not be changed in accordance with Rule 64.2 of the California Code of Regulations without first notifying and securing approval of the Department of Alcoholic Beverage Control. Substantial changes to the premises may require an application fee in accordance with Section 24072 of the Business and Professions Code. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required)	DATE SIGNED
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**FOR ABC USE ONLY**

CERTIFIED CORRECT (Signature)	PRINTED NAME	INSPECTION DATE
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