



PLANNING COMMISSION STAFF REPORT

DATE: September 11, 2024

PUBLIC HEARING

SUBJECT: A REQUEST BY LAS CASUELAS VIEJAS, INC. FOR THE APPROVAL OF A CONDITIONAL USE PERMIT TO OPERATE A 960-SQURE-FOOT BAR/COCKTAIL LOUNGE AT 370 NORTH PALM CANYON DRIVE (APN: 513-081-021), ZONE CBD, SECTION 15 (CASE CUP-2024-0007) (NK).

FROM: Department of Planning Services

SUMMARY:

This is a request for approval of a Conditional Use Permit (CUP) for the operation of a new 960-square-foot bar, Alana - Bar and Tapas, within a 3,860-square-foot existing two-story mixed-use building. The business is proposing to conduct indoor live entertainment (DJ) as a part of the bar operation.

ISSUES:

1. There is no on-site parking available at the project site; the proposed bar would require nine (9) off-street parking spaces.
2. A lack of official records (e.g. permits, licenses, land use entitlements, in-lieu off-street parking payment records) which provide the background information of the property in terms of land use and off-street parking.
3. The application proposes to conduct indoor live entertainment (DJ); however, the project site is a mixed-use building and there is a residential unit leased by the applicant immediately above the bar.

RECOMMENDATION:

The Planning Commission adopt the attached draft resolution and approve the project subject to the conditions of approval recommended by staff (Attachment 3).

SCOPE OF REVIEW:

1. The Planning Commission shall review the Conditional Use Permit (Case CUP-2024-0007) for conformance to the criteria listed in PSZC Section 94.02.00(B)(6).

BUSINESS PRINCIPAL DISCLOSURE:

The owner of the business is Las Casuelas Viejas, Inc. A copy of the Integrity Disclosure Form is attached to this staff report (Attachment 5).

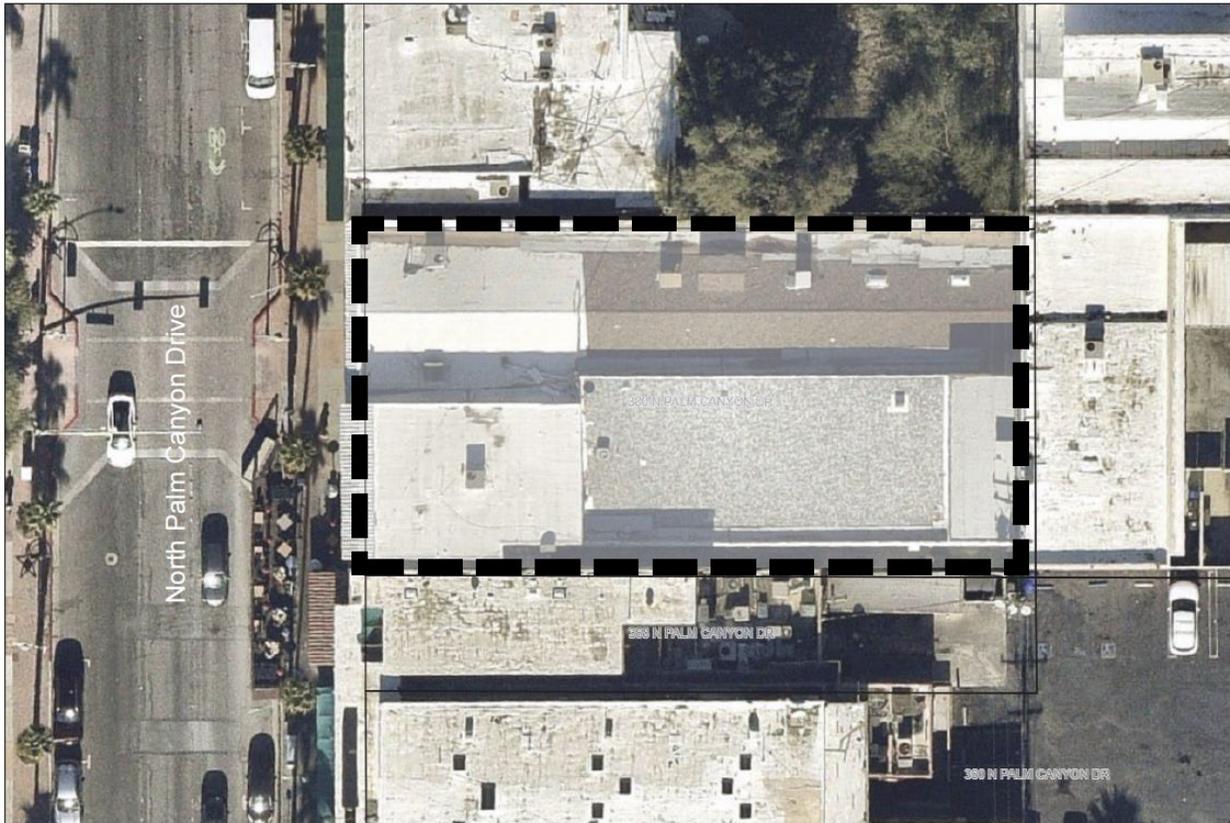
PROJECT DESCRIPTION:

The applicant is proposing to operate a new 960-square-foot bar within an existing two (2)-story mixed-use building which is 3,860 square feet in size. The proposed bar operation includes indoor live entertainment (DJ) on certain days of the week.

Site Setting:

The project site is a 0.25-acre parcel in Downtown, which is developed with two (2) buildings. The buildings were constructed in 1935 (376-380 North Palm Canyon Drive) and 1944 (370 North Palm Canyon Drive). The dimensions of the lot are 145.5 feet by 75 feet, and the site is conforming to the current development standards in terms of the minimum lot dimension and size requirements of the CBD Zone. Today, the site is fully built out, and there is no on-site parking, a trash enclosure, or a loading space available at the site which would typically be required for a standard commercial development. The site is accessible via North Palm Canyon Drive where the frontage of the building is located. An aerial view of the project site is available on page 3 of this staff report, and it is also attached as Attachment 2.

The proposed bar will be located within the 3,860-SF south building addressed 370 North Palm Canyon Drive. The building is a mixed-use building, which is designed with commercial space on the first floor and a residential unit on the second floor. According to the applicant, the rest of the commercial space within the building is currently unoccupied.



Aerial View of the Property (APN: 513-081-021)

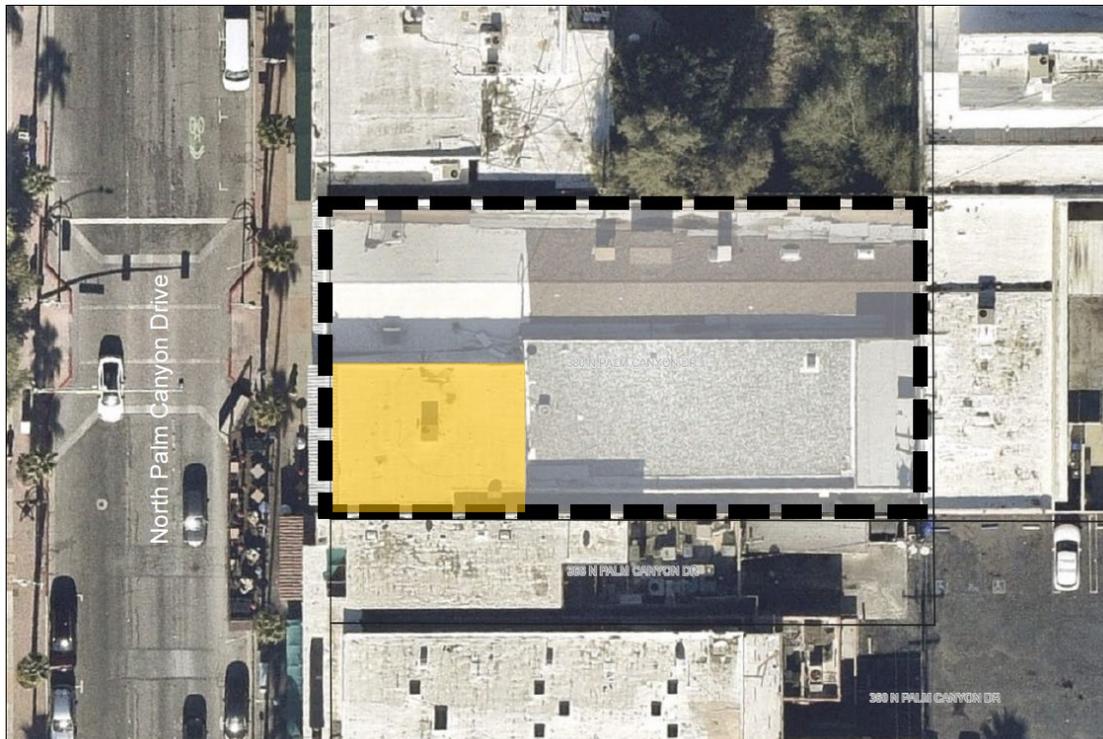


Street-Facing/West Elevation of the Project Site

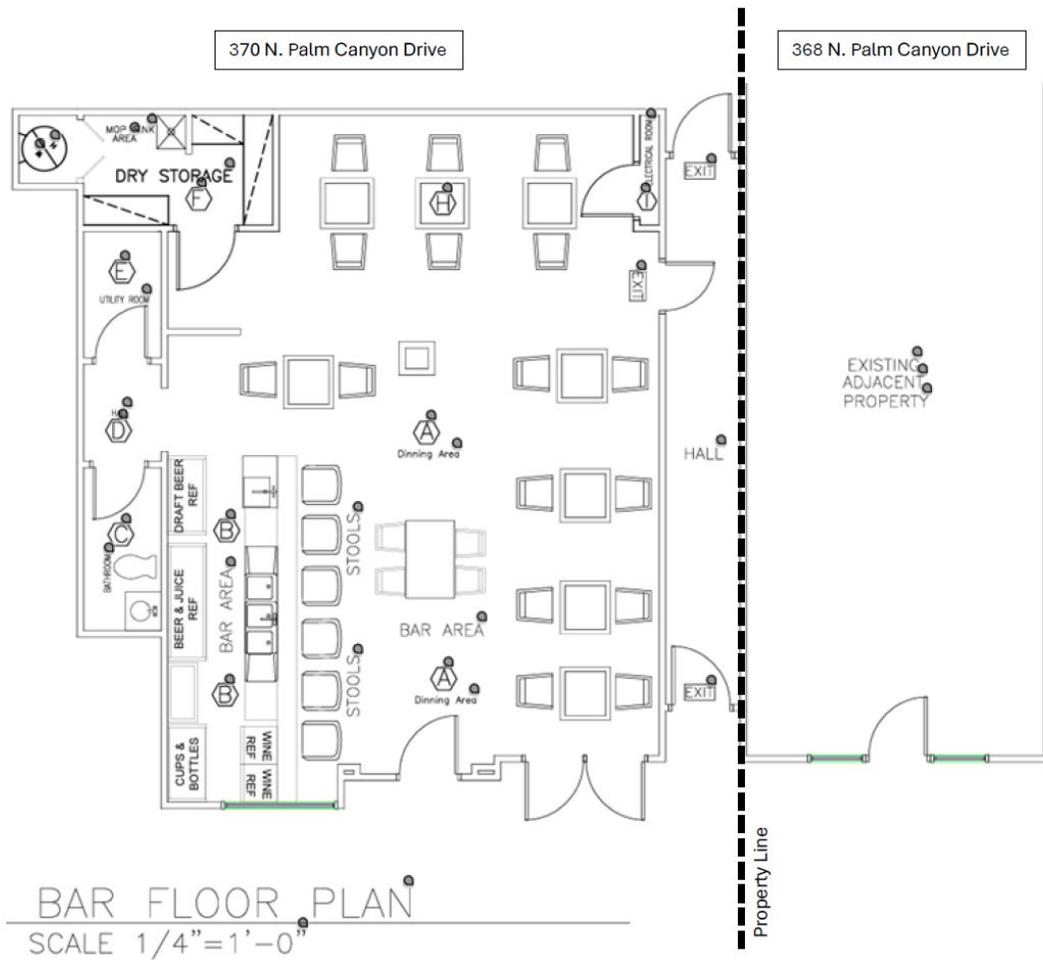
Bar:

The proposed bar will be located within the street-facing commercial space on the ground floor at 370 North Palm Canyon Drive, which was previously occupied by restaurants and art galleries. The size of the proposed bar is 960 square feet, and the space will accommodate a bar counter table and seats, tables and chairs in the main service area, as well as a storage space, a utility room, and a restroom. The main floor will accommodate 26 seats (20 for tables and 6 bar seats), and the business will employ five (5) staff members which include two (2) bartenders and two (2) cocktail waitresses. No outdoor beverage service, outdoor live entertainment, or outdoor sound amplification is proposed. As a part of the bar operation, the applicant is proposing to conduct indoor live entertainment (DJ) on certain days of the week. The proposed hours of operation are summarized in the table below:

<i>Days of the Week</i>	<i>Hours of Operation</i>	<i>Special Service/Activities</i>
Monday	Closed	
Tuesday	4:00 PM – 10:00 PM	
Wednesday	4:00 PM – 10:00 PM	
Thursday	4:00 PM – Midnight	Live DJ Performance: 7:00 PM - 11:00 PM
Friday	4:00 PM – Midnight	Live DJ Performance: 7:00 PM - 11:00 PM
Saturday	4:00 PM – Midnight	Live DJ Performance: 7:00 PM - 11:00 PM
Sunday	Closed	



 *Location of the Proposed Bar*



Proposed Bar Floor Plan (370 North Palm Canyon Drive)

There is no existing or proposed kitchen within the bar space, and the business will offer food items that will be prepared at the adjacent restaurant located at 368 North Palm Canyon Drive (Las Casuelas Original) as a part of the bar operation. The bar operation will require a liquor license issued by the California Department of Alcoholic Beverage Control (ABC), and the applicant has initiated the license acquisition process with the agency.

BACKGROUND INFORMATION:

<i>Related Relevant City Actions</i>	
11/03/1998	Planning Services issued a Land Use Permit for a restaurant (No business name or permit number is shown on the permit).
11/05/2001	Planning Services issued a Land Use Permit (Transfer of Ownership) for Crossroad Café, a full-service restaurant (indoor and outdoor seating).
08/09/2004	Planning Services issued a Land Use Permit (LUP-04-22) for Crosswalk Café (indoor and outdoor seating).

<i>Related Relevant City Actions</i>	
01/28/2009	Planning Services issued a Land Use Permit (LUP-09-012 – Transfer of Ownership) for Spunky Monkey Café (indoor and outdoor seating).
03/25/2010	Planning Services issued a Land Use Permit (LUP-10-012 – Transfer of Ownership) for Spunky Monkey Café (indoor and outdoor seating).

<i>Related Code Compliance Records (Last 5 Years)</i>	
05/13/2022	Code compliance citation for unauthorized building modifications (CE220261). Status: Closed (10/31/2022).
04/12/2023	Code Compliance citation for a vacant building boarding permit requirement (CE 230206). Status: Closed (06/12/2023).
08/14/2024	Code Compliance issued a courtesy notice for graffiti removal (Case PM-0824-0311). Status: In progress (as of 08/20/2024).

<i>Related Building Permits</i>	
08/03/2011	City issued a building permit for a new “single-family residential dwelling” for “380” North Palm Canyon Drive (C29921).
04/24/2023	City issued a Vacant Building Boarding Permit (Building & Safety Permit Number: 2023-1632). The permit expired on 07/23/2023.
07/23/2024	Building Permit (BLDC-2024-0888) has been applied for tenant improvement for Alana Bar & Tapas. Status: Pending (as of 08/20/2024).

<i>Related Business Licenses</i>	
11/11/2011	City issued a license for Desert Artist (Art & Jewelry Shop).
10/03/2012	City issued a license for Desert Painter (Art Gallery).
02/14/2023	City issued a license for Jealous Walls (Art Gallery & Gift Shop).

<i>Neighborhood Meeting/Neighborhood Notice</i>	
08/30/2024	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 September 11, 2024.
08/30/2024	Notice emailed to Neighborhood Organizations within one (1) mile of the project site.
09/01/2024	Notice of public hearing published in the local newspaper.

<i>Most Recent Change of Ownership</i>	
11/14/2023	MK Palm Springs Investments, LLC

<i>Field Check</i>	
08/19/2024	Staff conducted a site visit to confirm the site’s conditions.
08/26/2024	

<i>Existing Street Improvement Conditions</i>			
<i>Street Name</i>	<i>Travel Lanes</i>	<i>Curb & Gutter</i>	<i>Sidewalk</i>
North Palm Canyon Drive	Y	Y	Y

<i>Site Area</i>	
Net Acres	0.25 Acre (10,912.5 SF)

<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	Mixed-Use Building	CBD (Central Business District)	CBD (Central Business District) / D (Downtown Parking Combining Zone) / R (Resort Overlay Zone)
North	Vacant Commercial Building (376-380 N. Palm Canyon Dr.)/Retail (The Michael Weems Collection)	CBD	CBD/D/R
South	Restaurant (Las Casuelas Original)	CBD	CBD/D/R
East	Retail (Mojave Flea Trading Post)	CBD	CBD/D/R
West	Commercial Building (General Telephone Building)	CBD	CBD/D/R

ANALYSIS:

Conformance with the Zoning Code:

The proposed bar use is permitted in the CBD Zone subject to a Conditional Use Permit (CUP) per Palm Springs Zoning Code (PSZC) Section 92.09.01(D)(3). The applicant is proposing indoor live entertainment (DJ) as a part of the bar operation, which is included in the purview of this CUP application review. The proposed project is consistent with the intent of the Resort Combining (R) Zone, which encourages, “...*the development of accommodations and services for these visitors while allowing supporting and complementary land uses*” (PSZC Section 92.25.00.A).

Off-Street Parking Requirements:

As stated earlier in this staff report, the project site is fully built out and there is no off-street parking available today. Originally developed in 1935 and 1944, there are few City records available relating to this property, and there are no records or permits available which tell the history of the site’s off-street parking, including where the previous tenants

and business patrons parked their vehicles. Although the site is located within the Downtown Parking Combining (D) Zone, the site was developed prior to the establishment of the D Zone in 1992, and prior to the parking requirements of the current zoning code.

The Land Use Permits (LUPs) and business license history show that the proposed bar space was previously occupied by restaurants between late 1990s and early 2000s and likely prior to that. The restaurant use was later replaced by art galleries until 2023. The previously issued LUPs for the restaurants do not provide any information pertaining to off-street parking conformance, and there are no documents available which verify how off-street parking analyses were performed when the previous uses were established at the site and the changes of uses occurred. Based on the current off-street parking requirements, the code-required minimum off-street parking spaces for the previous restaurants, based on permit information, would range from 5 to 10. The art galleries would be required to provide 5 spaces. The off-street parking requirements were calculated at the ratio stated in the table below:

Code Section	Use	Required # of Parking Spaces
PSZC Section 92.26.00(C)(4)	Restaurant	1 space/ 4 seats (indoor seating) / 1 space / 8 seats (outdoor seating)
PSZC Section 93.06.00(D)(11)	Art Gallery	1 space / 500 SF, Minimum 5 Spaces Required, plus 1 space for every company vehicle

Notwithstanding the foregoing, and pursuant to PSZC Section 93.06.00(B)(3), provision of additional parking spaces is not required for a new use when a site's off-street parking is deemed legal nonconforming. The proposed bar will be fully located within an existing building space, and there is no physical expansion of the building proposed. There are few records available on City file pertaining to the land uses that occurred at the project site in the early years; however, the tenant space was occupied by service-oriented businesses that are similar to a bar use throughout its history. According to the applicant, the buildings at the property are currently unoccupied except for the new bar space. There is street parking available on both sides of North Palm Canyon Drive, and there are a few public parking lots available within a walking distance from the site, one of which is a public parking lot located across the street approximately 80 feet away from the project site and accommodates approximately 45 vehicles (Attachment 6). Additionally, given the downtown location, some of the prospective patrons may take an alternative transportation method (e.g. Uber, Lyft, taxi, rideshare) considering the nature of the business. For the reasons stated above, staff concludes that the site's off-street parking meets the intent of the requirements of the zoning code and additional off-street parking is not required for the proposed project.

Indoor Live Entertainment:

As noted earlier in this staff report, the project is proposing to conduct indoor live entertainment (DJ) Thursday through Saturday between 7:00 PM and 11:00 PM. The proposed bar space is located immediately below a residential dwelling unit, which is also

leased by the applicant. Considering the proximity of the restaurant to the residential dwelling unit, staff is recommending the following condition of approval (PLN 8) relating to the proposed indoor live entertainment.

PLN 7. Indoor Live Entertainment. Permitted indoor live entertainment shall be limited to Thursday through Saturday between 7:00PM and 11:00 PM. All doors and windows shall be closed during the performance. The activity shall fully conform to the City’s Noise Ordinance regulations (PSMC Chapter 11.74), and the business shall monitor the noise level during the performance.

FINDINGS – CONDITIONAL USE PERMIT:

PSZC Section 94.02.00(B)(6) requires the approval authority to evaluate the application and make findings for conformance to the five criteria. Staff has listed these findings and provided an analysis of the project’s compliance below.

	<i>Criteria and Findings [PSZC 94.02.00(B)(6)]</i>	<i>Compliance</i>
1.	<p><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></p> <p>A bar as a primary use is permitted in the CBD Zone subject to a Conditional Use Permit (CUP) per Palm Springs Zoning Code (PSZC) Section 92.09.01(D)(3). The proposed bar operation is inclusive of indoor live entertainment. Therefore, the proposed project meets this requirement.</p>	Y
2.	<p><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>The site’s General Plan land use designation is Central Business District (CBD). The area is “<i>the main activity center and cultural core of the community</i>” and various commercial activities, including entertainment, are encouraged in the area (Palm Springs 2007 General Plan, page 2-7). Located in Downtown, the bar will service both visitors and local residents. This is consistent with the objectives of the General Plan, which aim for “<i>...a balancing act of land uses that accommodate visitor serving uses while preserving and enhancing the quality of life of its residents</i>” (Palm Springs 2007 General Plan, page 2-19). Further, the proposed use will expand the available services and products that the area has to offer. Hence, the proposed project meets this finding.</p>	Y

	<i>Criteria and Findings [PSZC 94.02.00(B)(6)]</i>	<i>Compliance</i>
3.	<p><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>The project site is conforming to the minimum lot and dimension requirements of the CBD Zone. The project site is a part of the densely developed commercial building corridor along North Palm Canyon Drive. Additionally, the site is directly accessible from the street sidewalk on North Palm Springs, which is a busy pedestrian corridor. The site is adjacent to a restaurant to the south, and it was previously occupied by food and beverage services which indicates that the proposed use is appropriate for the site and its vicinity.</p>	Y
4.	<p><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> <p>The project site is located on North Palm Canyon, which is a major thoroughfare with four (4) lanes. The adjacent street and sidewalk are improved, and it is adequate to accommodate the amount of traffic which is expected to be generated by the proposed bar.</p>	Y
5.	<p><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></p> <p>The recommended conditions of approval are appropriate for the proposed use to ensure the safety and welfare of the general public and fully conform to the applicable development standards. Such conditions include, but are not limited to, the requirement of a security plan imposed by the Police Department (PLN 11), regulations relating to indoor live entertainment (PLN 7), and conformance with the ABC license requirements and operational regulations (PLN 1).</p>	Y

ENVIRONMENTAL ANALYSIS:

The proposed development is considered a “project” pursuant to the terms of the California Environmental Quality Act (“CEQA”), and has been determined to be categorically exempt pursuant to Section 15301(a) of the CEQA Guidelines (Class 1, Existing Facilities). The project may involve minor interior alterations such as partitions, plumbing, and electrical conveyance with no expansion to the floor area of the existing building.

CONCLUSION:

The project proposes to operate a bar within an existing mixed-use building. The proposed bar operation includes indoor live entertainment (DJ), and the space immediately above the bar is a residential unit, which is being leased by the applicant. Mixed-use buildings are permitted by right in the CBD Zone, and potential land use conflicts are mitigated by implementing a recommended condition of approval, PLN 7, which requires adherence to the City’s noise ordinance regulations and all windows and doors to be closed during the indoor live performance. Originally developed in 1935 and 1944, the project site is fully built out and there is no off-street parking available. Considering the historic and current use of the buildings at the site, the site’s proximity to public parking lots, and the nature of the proposed business, staff concludes that the proposed bar use does not require additional off-street parking. Since the proposed project is generally consistent with the goals and objectives of the General Plan Land Use Element and the intent of the zoning code for the CBD Zone, staff recommends that the Planning Commission approve the proposed project subject to the conditions of approval attached to the draft resolution (Attachment #3).

PREPARED BY:	Noriko Kikuchi, AICP, Associate Planner
REVIEWED BY:	Edward Robertson, Principal Planner
REVIEWED BY:	David Newell, AICP, Assistant Director of Planning

ATTACHMENTS:

1. Vicinity Map
2. Aerial Map
3. Draft Resolution and Conditions of Approval (Exhibit A)
4. Justification Letter
5. Public Integrity Disclosure Form
6. Public Parking Location Map
7. Site Photographs
8. Plans

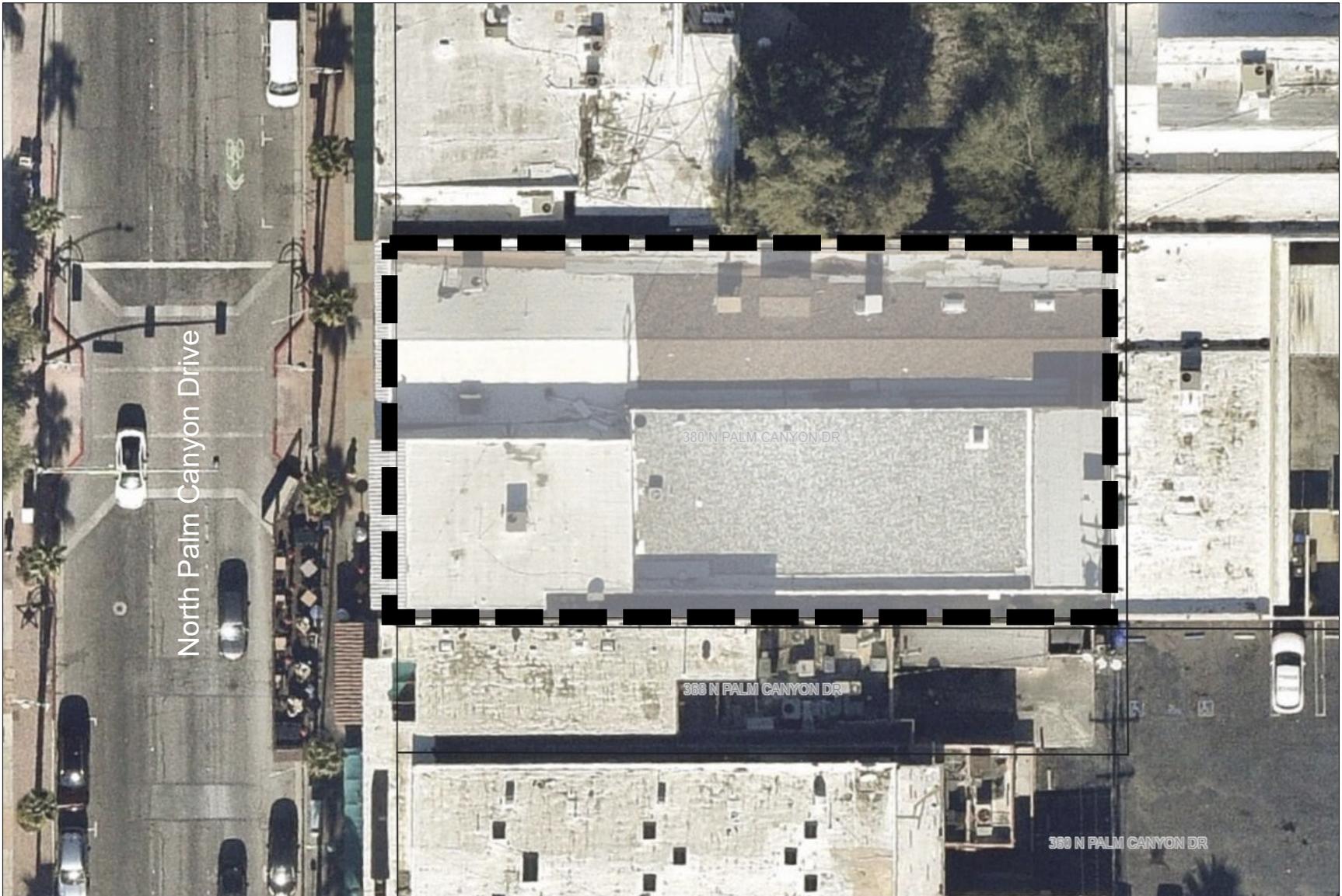


Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

CUP-2024-0007
370 North Palm Canyon Drive (APN: 513-081-021)



 Project Site

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CASE NO. CUP-2024-0007, CONDITIONAL USE PERMIT (CUP), TO ALLOW LAS CASUELAS VIEJAS, INC. TO OPERATE A 960-SQUARE-FOOT BAR AT 370 NORTH PALM CANYON DRIVE (APN: 513-081-021), ZONE CBD, SECTION 15 (CASE NO. CUP-2024-0007).

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

- A. Las Casuelas Viejas, Inc. ("Applicant") has filed a Conditional Use Permit application, Case No. CUP-2024-0007, with the City pursuant to Section 94.02.00 of the Zoning Code for a new bar located at 370 North Palm Canyon Drive (APN: 513-081-021).
- B. Pursuant to Palm Springs Zoning Code Section 92.09.01(D)(3), bars and cocktail lounges as a primary use in the CBD (Central Business District) Zone is permitted subject to a Conditional Use Permit (CUP). The bar operation includes indoor live entertainment on certain days of the week, which is included in the purview of the CUP application review.
- C. Notice of public hearing of the Planning Commission of the City of Palm Springs to consider Case No. CUP-2024-0007, was given in accordance with applicable law.
- D. On September 11, 2024, a public hearing on the application was held by the Planning Commission in accordance with applicable law.
- E. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of Title 14, Chapter 3 of the California Code of Regulations (Class 1, Existing Facilities). The project may involve minor interior alterations such as partitions, plumbing, and electrical conveyance with no expansion to the floor area. Hence, the project does not require any additional environmental assessment and the project is exempt from further CEQA analysis.
- F. The Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.
- G. In accordance with Section 94.02.00 (Conditional Use Permit) of the Zoning Code, the Planning Commission finds as follows:

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;*

A bar as a primary use is permitted in the CBD Zone subject to a Conditional Use Permit (CUP) per Palm Springs Zoning Code (PSZC) Section 92.09.01(D)(3). The proposed bar operation is inclusive of indoor live entertainment. Therefore, the proposed project meets this requirement.

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 site's General Plan land use designation is Central Business District (CBD). The area is "*the main activity center and cultural core of the community*" and various commercial activities, including entertainment, are encouraged in the area (Palm Springs 2007 General Plan, page 2-7). Located in Downtown, the bar will service both visitors and local residents. This is consistent with the objectives of the General Plan, which aim for "*...a balancing act of land uses that accommodate visitor serving uses while preserving and enhancing the quality of life of its residents*" (Palm Springs 2007 General Plan, page 2-19). Further, the proposed use will expand the available services and products that the area has to offer. Hence, the proposed project meets this finding.

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

The project site is conforming to the minimum lot and dimension requirements of the CBD Zone. The project site is a part of the densely developed commercial building corridor along North Palm Canyon Drive. Additionally, the site is directly accessible from the street sidewalk on North Palm Springs, which is a busy pedestrian corridor. The site is adjacent to a restaurant to the south, and it was previously occupied by food and beverage services which indicates that the proposed use is appropriate for the site and its vicinity.

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

The project site is located on North Palm Canyon, which is a major thoroughfare with four (4) lanes. The adjacent street and sidewalk are

improved, and it is adequate to accommodate the amount of traffic which is expected to be generated by the proposed bar.

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

The conditions of approval are appropriate for the proposed use to ensure the safety and welfare of the general public and fully conform to the applicable development standards. Such conditions include, but are not limited to, the requirement of a security plan imposed by the Police Department (PLN 11), regulations relating to indoor live entertainment (PLN 7), and conformance with the ABC license requirements and operational regulations (PLN 1).

THE PLANNING COMMISSION RESOLVES:

That the findings and determinations reflected above are true and correct and are incorporated by this reference herein as the cause and foundation for the action taken by and through this Resolution. Based upon the foregoing, the Planning Commission hereby approves Case No. CUP-2024-0007, Conditional Use Permit, to allow Las Casuelas Viejas, Inc. to operate a 960-square-foot bar at 370 North Palm Canyon Drive, subject to the conditions set forth in the attached Exhibit A.

ADOPTED this 11th day of September, 2024.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Christopher Hadwin
Director of Planning Services

RESOLUTION NO. _____

EXHIBIT A

Case CUP-2024-0007
Alana Bar & Tapas – Las Casulelas Viejas, Inc.

370 North Palm Canyon Drive
(APN: 513-081-021)

September 11, 2024

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. Except as modified by the conditions below, this approval authorizes the operation of a 960-square-foot bar within an existing mixed-use building located at 370 North Palm Canyon Drive.
- ADM 2. Reference Documents. The interior improvements and operation shall be in accordance with the plan on file in the Department of Planning Services 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, lessee, applicant and successors and assigns (collectively "applicant") shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm

Springs, its legislative body, advisory agencies, or administrative officers concerning Case CUP-2023-0007. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. 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 Planning Commission authorizing the permit.
- ADM 7. 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 8. Cause No Disturbance. The owner shall monitor 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 9. 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 10. Comply with City Noise Ordinance. This use and property shall comply with the provisions of Chapter 11.74 (Noise Ordinance) of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit (CUP).

Ordinance Time of Day	Ordinance dBA Limits
7:00 AM to 6:00 PM	60
6:00 PM to 10:00 PM	55
10:00 PM to 7:00 AM	50

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. Serving of Alcoholic Beverages and Products. Applicant shall obtain a valid California Department of Alcoholic Beverage Control (ABC) liquor license for the serving of alcoholic beverages and shall fully conform to the operational requirements imposed by the agency.

PLN 2. Hours of Operation (Bar). This Conditional Use Permit allows the following hours of operation for the bar (see PLN 7 for regulations relating to indoor live entertainment):

- Tuesday and Wednesday: 4:00 PM – 10:00 PM
- Thursday, Friday, and Saturday: 4:00 PM – Midnight
- Monday and Sunday: Closed

Any future modifications to the hours of operation shall require an amendment to this CUP.

PLN 3. Outdoor Entertainment and Amplified Sound/Music. Outdoor entertainment and amplified sound/music is not permitted under this Conditional Use Permit (CUP).

PLN 4. Intensification of Use. The expansion or intensification of the approved use, which include but are not limited to, the expansion of the use to the exterior, an addition to the floor area, and an increase in the amount of seats, shall require an amendment to this Conditional Use Permit.

PLN 5. Sign Permits Required. No signs are approved by this action. All signs, including temporary signs, shall be reviewed and approved in accordance with Palm Springs Zoning Code (PSZC) Section 93.20.00 (Signs). No signs shall be installed without sign permits. Work done without permits shall be

assessed the base fee plus a fine of the same amount in accordance with the City's Comprehensive Fee Schedule.

- PLN 6. Outside Storage Prohibited. No outside storage of any goods, products, or materials shall be permitted.
- PLN 7. Indoor Live Entertainment. Permitted indoor live entertainment shall be limited to Thursday through Saturday between 7:00PM and 11:00 PM. All doors and windows shall be closed during the performance. The activity shall fully conform to the City's Noise Ordinance regulations (PSMC Chapter 11.74), and the business shall monitor the noise level during the performance.
- PLN 8. Property Maintenance. The property shall be maintained in accordance with Palm Springs Zoning Code Section 93.19.00 (Property Maintenance Standards).
- PLN 9. Police Department. The business shall work with the Police Department to amicably resolve complaints related to the business operations at this property.
- PLN 10. Exterior Alterations. Exterior alterations, which include but are not limited to, permanent and temporary sign installation, window and door replacement, fence/wall installation, and change to the color and materials of the exterior elevations, require separate review and approval by the Department of Planning Services and Historic Preservation Officer (HPO). Such work shall not be commenced unless the work is first reviewed and approved by the Department of Planning Services and HPO.
- PLN 11. Security Plan Required. The applicant shall submit a security plan to the Department of Planning Services prior to the commencement of the bar operation. The security plan to be submitted to the Department of Planning Services shall be pre-approved by the Police Department. The commencement of the bar operation is prohibited until this requirement is met.

BUILDING DEPARTMENT CONDITIONS

- BLD 1. Construction Permits. Prior to any construction on-site, all appropriate permits must be secured.
- BLD 2. Building Code. Construction documents shall comply with the 2022 California Building Code.
- BLD 3. Riverside County Health Department Approval Required. Construction plans shall be approved by the Riverside County Department of Environmental Health.

FIRE DEPARTMENT CONDITIONS:

- FIRE 1. These Fire Department conditions may not provide all requirements. Owner/developer is responsible for all applicable state and locally adopted fire codes. Detailed plans are still required for review. Conditions are subject to final plan check and review.
- FIRE 2. Fire Department Conditions were based on the 2019 California Fire Code as adopted by City of Palm Springs, Palm Springs Municipal Code, PSFD Appendix “T” Development Requirements. This building will require fire sprinklers and a fire alarm system based on the change of use.
- FIRE 3. **Conditions of Approval** – “Conditions of Approval” received from the Palm Springs Planning Department must be submitted with each plan set. Failure to submit will result in a delay of plan approval.
- FIRE 4. **Fire Extinguishers:** Shall provide 2A 10BC fire extinguishers every 75’. Shall mount 3-5’ off the ground.
- FIRE 5. **Aisle Widths:** Shall maintain 36” aisle widths in between all seats.
- FIRE 6. **Exits:** Shall provide 2 exit discharges. They shall either be completely open or closed with panic bars.
- FIRE 7. **Occupant Load:** An Occupant load shall be calculated by a license architect.
- FIRE 8 **Door Swing:** N.W door exit door in alley shall swing out.

END OF CONDITIONS

Justification Letter

June 25, 2024

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

Current Zone Use: Central Business District

General Plan: Medium-Low

Occupancy Group: B

Project: Alana Bar & Tapas

Certificate of Occupancy: 03/27/2024

Building Department Permit No.: BLDC-2024-0531

Business Owner: Alana Coffin / Las Casuelas Viejas, Inc.

Address: 370 N. Palm Canyon Drive, Palm Springs, CA 92262

To Whom It May Concern:

In accordance with the City of Palm Springs' requirement for a justification letter regarding the new restaurant/bar, Alana Bar & Tapas, please note the following:

1. The current property owner intends to redevelop the existing restaurant/bar located at 370 N. Palm Canyon Drive. The existing establishment has become outdated and does not align with current design trends seen in adjacent restaurants/bars. The space has been closed for over a year. My current business, "Las Casuelas Original," has been a staple in Palm Springs for over 66 years, serving as an icon for locals and visitors alike. Due to space constraints and a desire to preserve the restaurant's original structure, I have not previously been able to offer bar service.

Information:

- The bar will offer a modern and clean design without altering the façade or existing architecture. It will provide high-quality bar service that meets contemporary standards while respecting the current aesthetic of the city.
- Hours of operation will be as follows: Tuesday and Wednesday from 4 PM to 10 PM; Thursday, Friday, and Saturday from 4 PM to midnight. The bar will be closed on Sunday and Monday. We are requesting permission to have a live DJ on Thursday, Friday, and Saturday from 7 PM to 11 PM. We plan to employ a total of five staff members: three full-time and two part-time, including two bartenders and two cocktail servers.
- Adjacent properties include my restaurant, "Las Casuelas Original," to the south, and an empty space, previously a gallery, to the north.
- The property faces N. Palm Canyon Drive, directly across from a restaurant/bar called Azul, which has been closed for over four years.

Sustainability: The proposed project will not participate in the City of Palm Springs Green Building Program. However, it will employ standard industry construction practices, including recycled materials, energy-efficient HVAC equipment (SEER Rating), LED lighting, and low-VOC paints and floor sealers. The project is situated in a walkable community and will complement Palm Springs' architectural and design aesthetics.

We propose to create a bar offering an atmosphere reminiscent of Mexico City, with cocktails and appetizers designed in collaboration with a top bartender from Mexico City and Chef Gabe Woo. The goal is to deliver a unique experience reflective of Mexico City's vibrant culinary scene.

The bar will be managed by owner Alana Coffin, who has extensive experience in this type of establishment. Additionally, a floor manager will oversee daily customer service and quality control for food and drinks. The team will include two bartenders and two cocktail servers.

Please note that the parklet in front of the property belongs solely to Las Casuelas restaurant and will not be utilized by the bar. The existing infrastructure that is behind Las Casuelas restaurant will, and has previously, been used for guest parking. Additionally, this parking lot will seamlessly house our trash bins in our already approved, designated section which we have used historically (Since 1950s) for the restaurant.

Given the information provided, I believe the proposed redevelopment and use of 370 N. Palm Canyon Drive aligns with all city requirements and is thus subject to approval.

Sincerely,

Alana Coffin



PUBLIC INTEGRITY DISCLOSURE
APPLICANT DISCLOSURE FORM

RECEIVED

JUL 30 2024

DEPARTMENT OF
PLANNING SERVICES

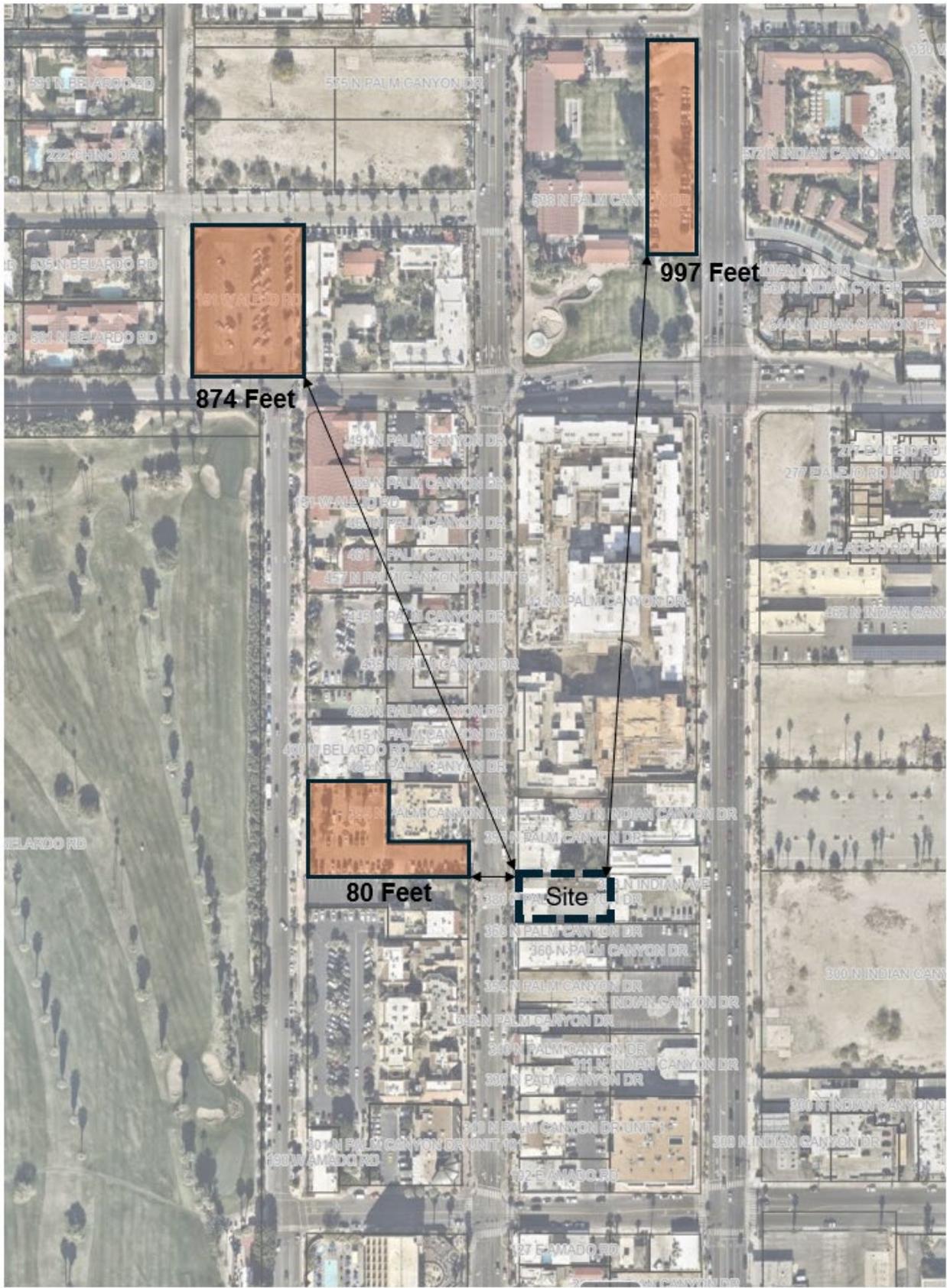
1. Name of Entity: Las Casuelas Viejas, Inc
2. Address of Entity (Principle Place of Business): 368 N. Palm Canyon dr. Palm Springs, Ca 92262
3. Local or California Address (if different than #2)
4. State where Entity is Registered with Secretary of State: California
5. Type of Entity: [X] Corporation
6. Officers, Directors, Members, Managers, Trustees, Other Fiduciaries (please specify)
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
Alana Coffin [name] [X] Officer [] Director [] Member [] Manager
[] General Partner [] Limited Partner
[] Other

7. Owners/Investors with a 5% beneficial interest in the Applicant Entity or a related entity	
EXAMPLE JANE DOE <hr/> [name of owner/investor]	50%, ABC COMPANY, Inc. <hr/> [percentage of beneficial interest in entity and name of entity]
A. Alana Coffin <hr/> [name of owner/investor]	100% <hr/> [percentage of beneficial interest in entity and name of entity]
B. <hr/> [name of owner/investor]	<hr/> [percentage of beneficial interest in entity and name of entity]
C. <hr/> [name of owner/investor]	<hr/> [percentage of beneficial interest in entity and name of entity]
D. <hr/> [name of owner/investor]	<hr/> [percentage of beneficial interest in entity and name of entity]
E. <hr/> [name of owner/investor]	<hr/> [percentage of beneficial interest in entity and name of entity]

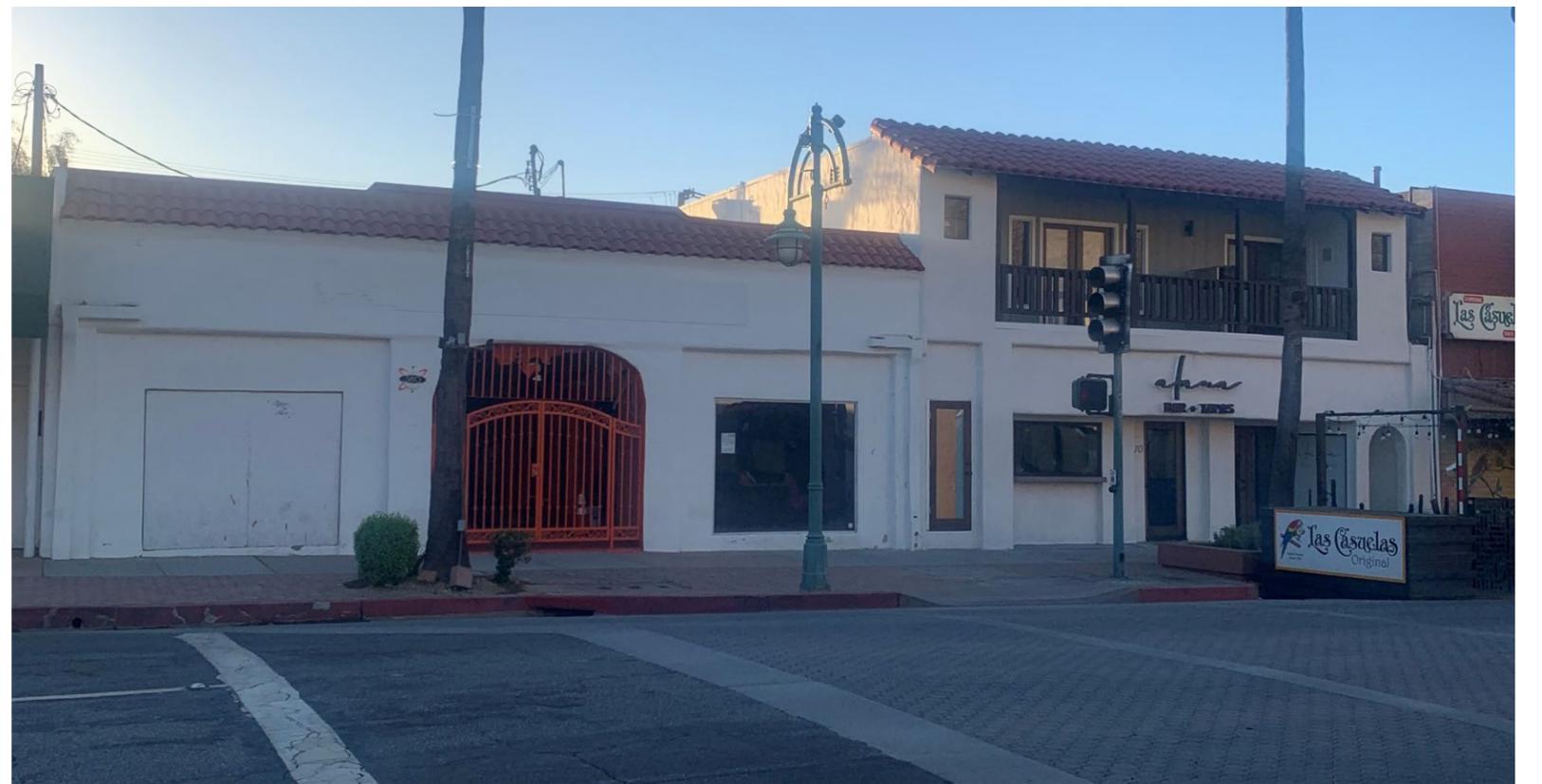
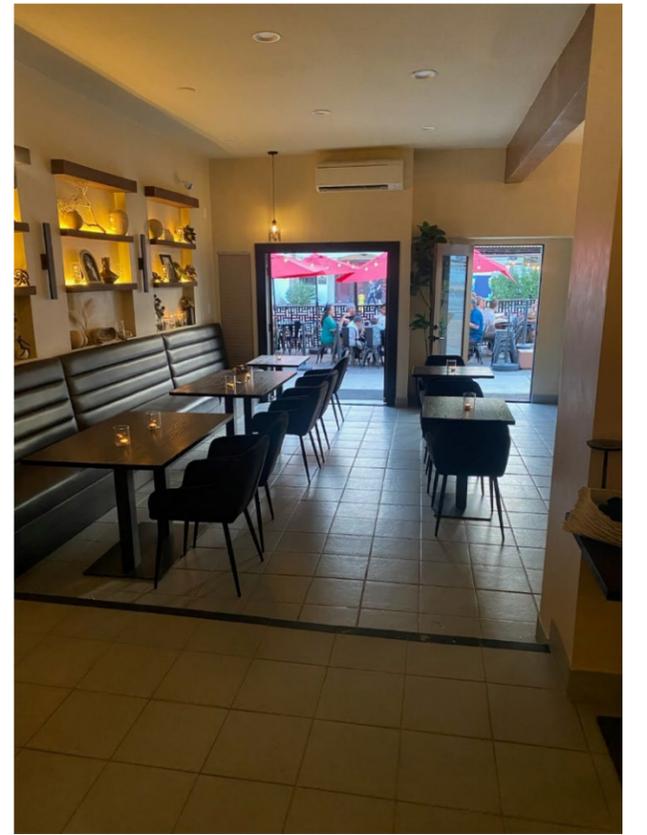
I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

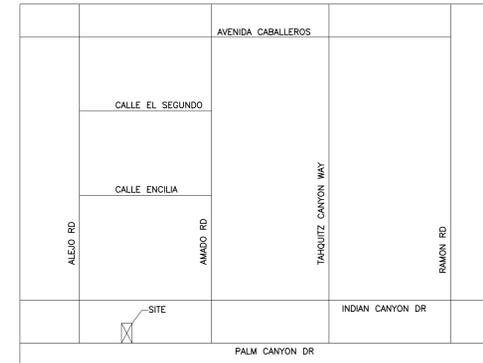
Signature of Disclosing Party, Printed Name, Title	Date
Alana Coffin	07/20/24

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



-  Project Site
-  Public Parking





VICINITY MAP
NOT TO SCALE



GENERAL INFORMATION

APPLICANT/OWNER ALANA COFFIN
 ADDRESS..... 370 NORTH PALM CANYON SPRINGS CA 92262
 PHONE..... (760) 534-5115

APN..... 513-081-021
 PROJECT ADDRESS..... 370 NORTH PALM CANYON SPRINGS CA 92262
 ZONE..... COMMERCIAL
 SCOPE OF WORK..... PROPOSED BAR RENOVATION 960 SQFT

AREA TABULATIONS..... EXISTING BUILDING 2900 SQFT.
 PROPOSED TENANT IMPROVEMENT 960 SQFT.
 TOTAL BUILDING SQFT 3860

UTILITY PURVEYORS

SCHOOL DISTRICT: PSUSD
 WATER: CVWD
 SEWER: CITY SEWER
 GAS: PROPANE (THE GAS COMPANY)
 ELECTRICITY: EDISON
 TELEPHONE: VERIZON
 CABLE/TELEVISION TIME WARNER CABLE

OCCUPANCY CLASSIFICATION: GROUP B
 DESCRIPTION OF USE
 TYPE OF CONSTRUCTION: TYPE II-B
 SPRINKLERS: YES
 STORIES: 2
 HEIGH: 10' CEILING HEIGHT
 FLOOR AREA: 2045 SQFT TOTAL
 OCCUPANT LOAD: 20

BUILDING CODES REFERENCES:

- 2022 CALIFORNIA BUILDING CODES.
- 2022 CALIFORNIA ENERGY CODES.
- 2022 CALIFORNIA MECHANICAL CODES.
- 2022 CALIFORNIA PLUMBING CODES.
- 2022 CALIFORNIA ELECTRICAL CODES.
- 2022 CALIFORNIA RESIDENTIAL CODES.
- 2022 CALIFORNIA GREEN STANDARDS CODES.
- 2022 CITY OF PALM SPRINGS BUILDING CODES.

SHEET INDEX:

- A-1 SITE PLAN
- A-2 EXISTING FLOOR PLAN
- A-3 EXISTING FLOOR PLAN & PROPOSED FLOOR PLAN
- A-4 BAR FLOOR PLAN
- A-5 ELECTRICAL PLAN & PLUMBING PLAN

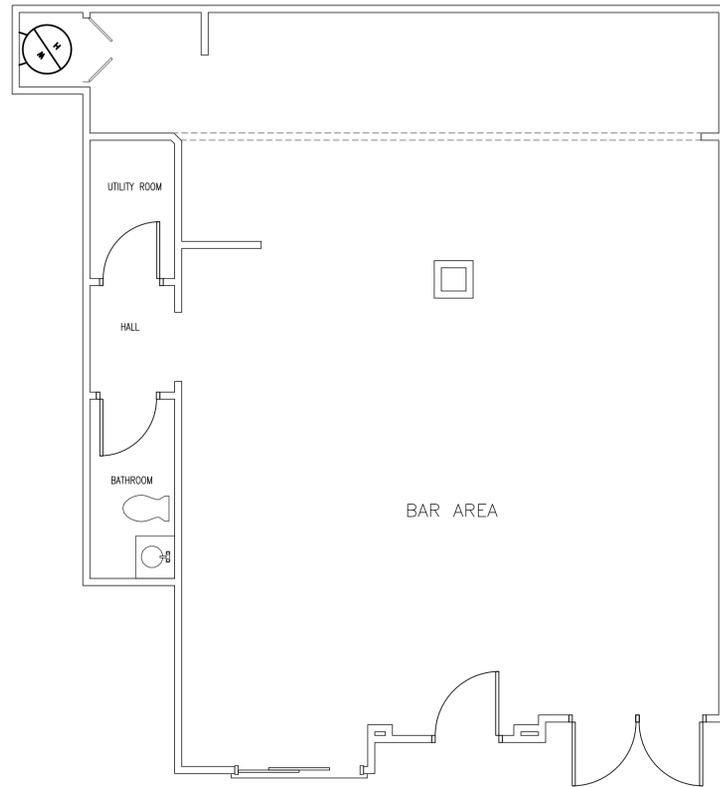
REVISIONS	BY

NEC DESIGN AND DRAFTING
 PRINCIPAL DESIGNER: JESUS CARRANZA
 P.O. BOX 853 THERMAL, CA 92274
 PH: (760) 774-6900 EMAIL: JESUSCARRANZA10@YAHOO.COM

A PROPOSED BAR DESIGN FOR:
 LAS CASUELAS RESTAURANT
 370 NORTH PALM CANYON
 PALM SPRINGS CA 92262

DRAWN J.C.
CHECKED J.C.
DATE 1-15-24
SCALE 1/4"=1'-0"
JOB NO. ###

SHEETNUMBER
 A-1



(E) 1ST FLOOR PLAN
 SCALE 1/4"=1'-0"



(E) 2ND FLOOR PLAN
 SCALE 1/4"=1'-0"

REVISIONS	BY

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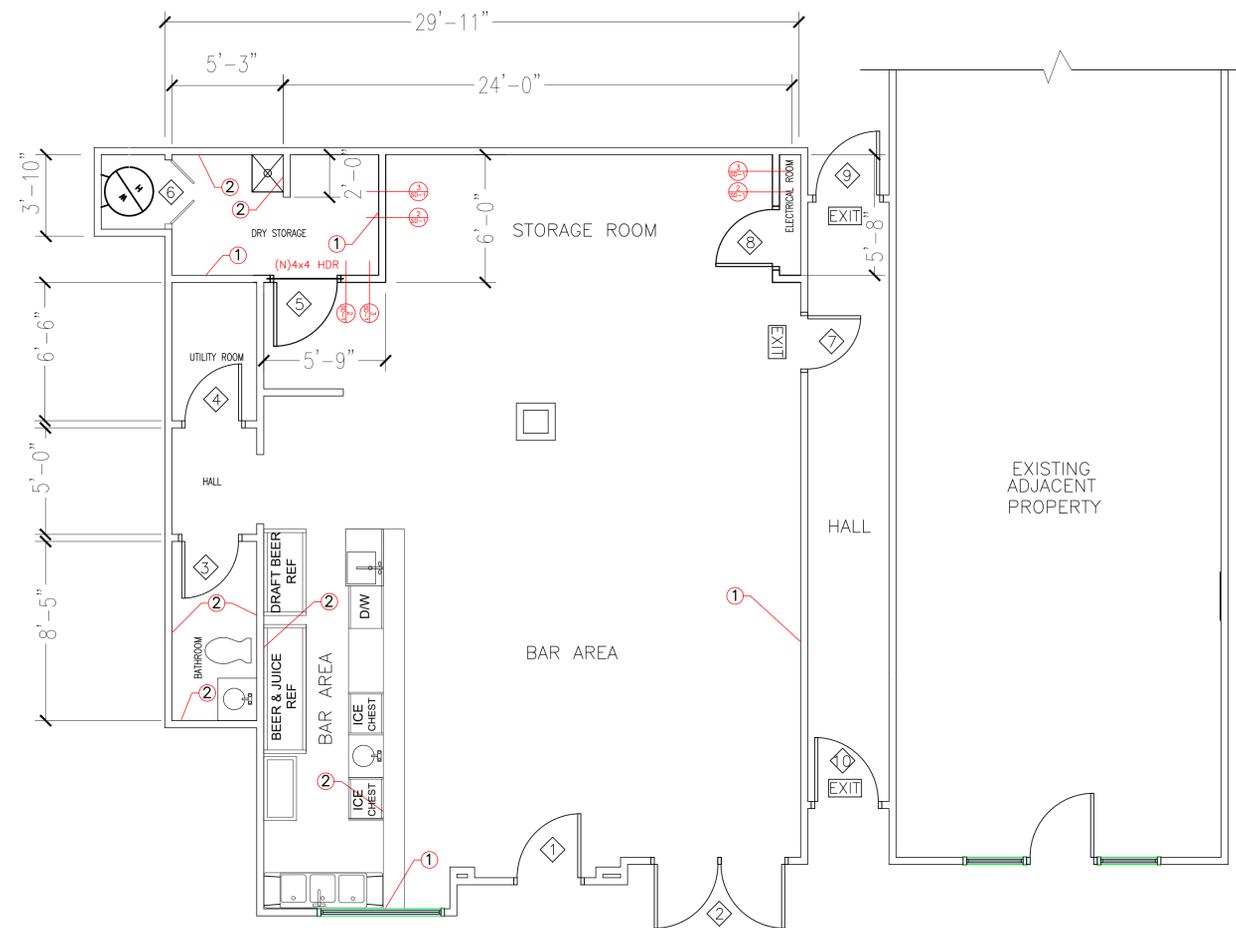
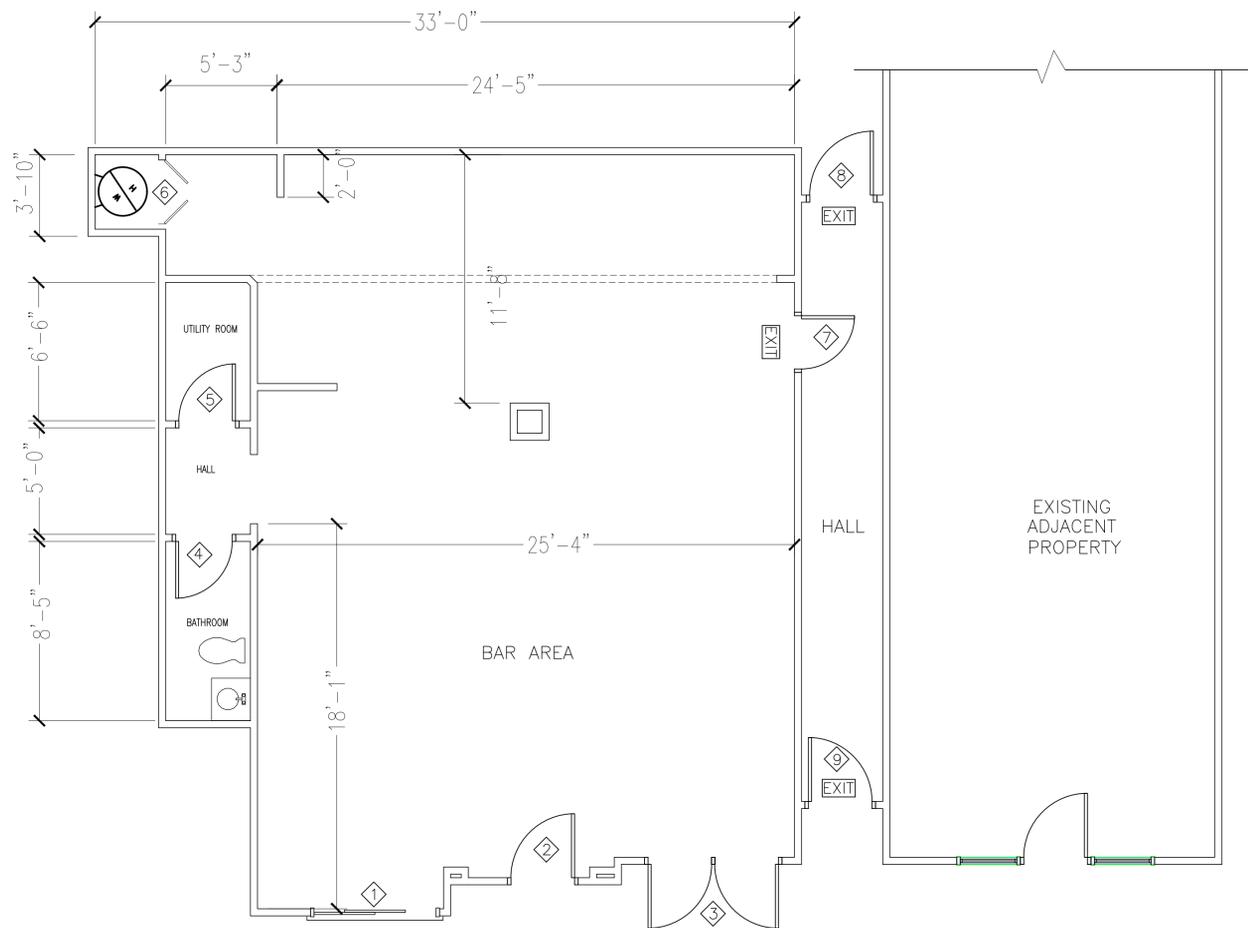
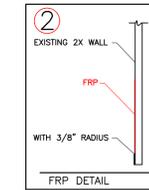
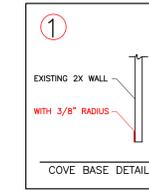
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SHEETNUMBER
 A-2

DOOR SCHEDULE					
MARK	SIZE		TYPE	MATERIAL	NOTES
	WIDTH	HEIGHT			
1	6'-0"	6'-8"	FRANCE	SOLID WOOD	
2	3'-0"	6'-8"	SWING	SOLID WOOD	
3	6'-0"	6'-8"	SWING	FRANCE	
4	2'-8"	6'-8"	SWING	SOLID WOOD	
5	2'-8"	6'-8"	SWING	SOLID WOOD	
6	3'-0"	6'-8"	POCKET	SOLID WOOD	
7	2'-6"	6'-8"	SWING	SOLID WOOD	
8	3'-0"	6'-8"	FRANCE	SOLID WOOD	
9	3'-0"	6'-8"	SWING	SOLID WOOD	

DOOR SCHEDULE					
MARK	SIZE		TYPE	MATERIAL	NOTES
	WIDTH	HEIGHT			
1	3'-0"	6'-8"	FRANCE	SOLID WOOD	
2	6'-0"	6'-8"	SWING	FRANCE	
3	2'-8"	6'-8"	SWING	SOLID WOOD	
4	2'-8"	6'-8"	SWING	SOLID WOOD	
5	3'-0"	6'-8"	SWING	SOLID WOOD	
6	3'-0"	6'-8"	FOLD	SOLID WOOD	
7	2'-8"	6'-8"	SWING	SOLID WOOD	PANIC HARDWARE
8	3'-0"	6'-8"	SWING	SOLID WOOD	
9	3'-0"	6'-8"	SWING	SOLID WOOD	
10	3'-0"	6'-8"	SWING	SOLID WOOD	



(E) FLOOR PLAN
SCALE 1/4" = 1'-0"

(N) FLOOR PLAN
SCALE 1/4" = 1'-0"

REVISIONS	BY

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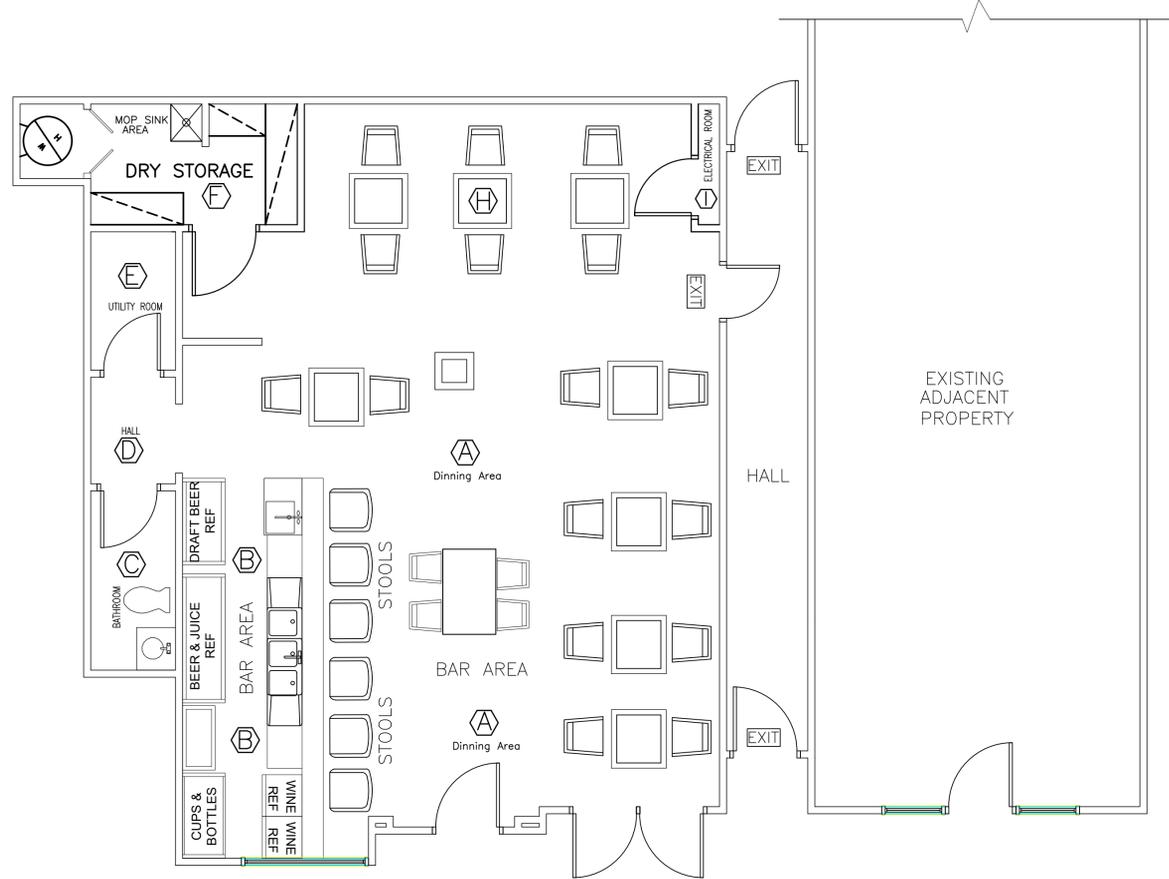
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CHECKED J.C.
DATE 1-15-24
SCALE 1/4"=1'-0"
JOB NO. ###

SHEETNUMBER
A-3

REVISIONS	BY

FINISH SCHEDULE

Room or Area	FLOOR	INTERIOR COVE BASE	4" MANSOOT	WALLS	CEILING
SERVICE COUNTER AREA	PORCELAIN TILE	6" PORCELAIN TILE WITH A 3/8" RADIUS.	Ceramic Tile	5/8" DRYWALL	DRYWALL 5/8"
DINING AREA	PORCELAIN TILE	6" PORCELAIN TILE WITH A 3/8" RADIUS.	Ceramic Tile	5/8" DRYWALL	DRYWALL 5/8"
RESTROOMS AREA	PORCELAIN TILE	6" PORCELAIN TILE WITH A 3/8" RADIUS.	Ceramic Tile	5/8" DRYWALL	DRYWALL HARDID
DRY STORAGE AREA	PORCELAIN TILE	6" PORCELAIN TILE WITH A 3/8" RADIUS.	Ceramic Tile	5/8" DRYWALL	DRYWALL 5/8"
MOP SINK AREA	PORCELAIN TILE	6" PORCELAIN TILE WITH A 3/8" RADIUS.	Ceramic Tile	5/8" DRYWALL	DRYWALL 5/8"
UTILITY AREA	PORCELAIN TILE	6" PORCELAIN TILE WITH A 3/8" RADIUS.	Ceramic Tile	5/8" DRYWALL	DRYWALL 5/8"
STORAGE AREA	PORCELAIN TILE	6" PORCELAIN TILE WITH A 3/8" RADIUS.	Ceramic Tile	5/8" DRYWALL	DRYWALL 5/8"



BAR FLOOR PLAN
SCALE 1/4" = 1'-0"

ROOM FINISH SCHEDULE

Room or Area	FLOOR	Floor Base Cove	Walls	Ceiling	Remarks
Dinning Area	Ceramic Tile	continuous with floor	colored, drywall, white	water-resistant drywall	
SERVICE COUNTER AREA	Ceramic Tile	continuous with floor	colored, drywall, enamel	water-resistant drywall	
Restroom	Ceramic Tile	continuous with floor	colored, drywall, enamel	water-resistant drywall	
HALL	Ceramic Tile	continuous with floor	colored, drywall, enamel	water-resistant drywall	
UTILITY Area	Ceramic Tile	continuous with floor	colored, drywall, enamel	water-resistant drywall	
DRY STORAGE	Ceramic Tile	continuous with floor	colored, drywall, enamel	water-resistant drywall	
Storage Room	Ceramic Tile	continuous with floor	colored, drywall, enamel	water-resistant drywall	
ELECTRICAL ROOM	Ceramic Tile	continuous with floor	colored, drywall, enamel	water-resistant drywall	
RECEPT. ROOM	Ceramic Tile	continuous with floor	colored, drywall, enamel	water-resistant drywall	

NOTES:

- OWNER TO APPROVE ALL FINISHES PRIOR TO ANY CONSTRUCTION
- ALL SHEETROCK WALLS TO HAVE PRIMER COAT, TWO FINISH COATS OF DUNN EDWARDS LOW SHEEN OR SEMI-GROSS PAINT APPLIED TO SURFACE
- ALL TILED WALLS TO HAVE 1/4" HARDY WALL BACKER BOARD INSTALLED BEFORE THE INSTALLATION OF TILE/STONE.
- ALL ELECTRICAL EQUIPMENT LISTED ABOVE TO HAVE INDEPENTENET 20 AMP CIRCUIT BREAKER.
- CHAIR SEATS TO HAVE WASHABLE SURFACE AND/OR FABRIC.
- GRANITE COUNTER TOP TO HAVE A THREE COAT SEALER APPLIED.
- GFI PLUGS TO BE LOCATED AT ALL WET AREAS.
- USE ALL COPPER PIPE AND CONNECTORS IN WALLS.
- FAUCETS ARE TO BE NSF APPROVED.
- NO ADDED UREA-FORMALDEHYDE MAY BE USED IN COMPOSITE WOOD OR LAMINATE BONDING ADHESIVES.

NEC DESIGN AND DRAFTING
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SHEETNUMBER A-4

REVISIONS	BY

*NOTE: ALL LIGHTING TO BE ENERGY EFFICIENT.

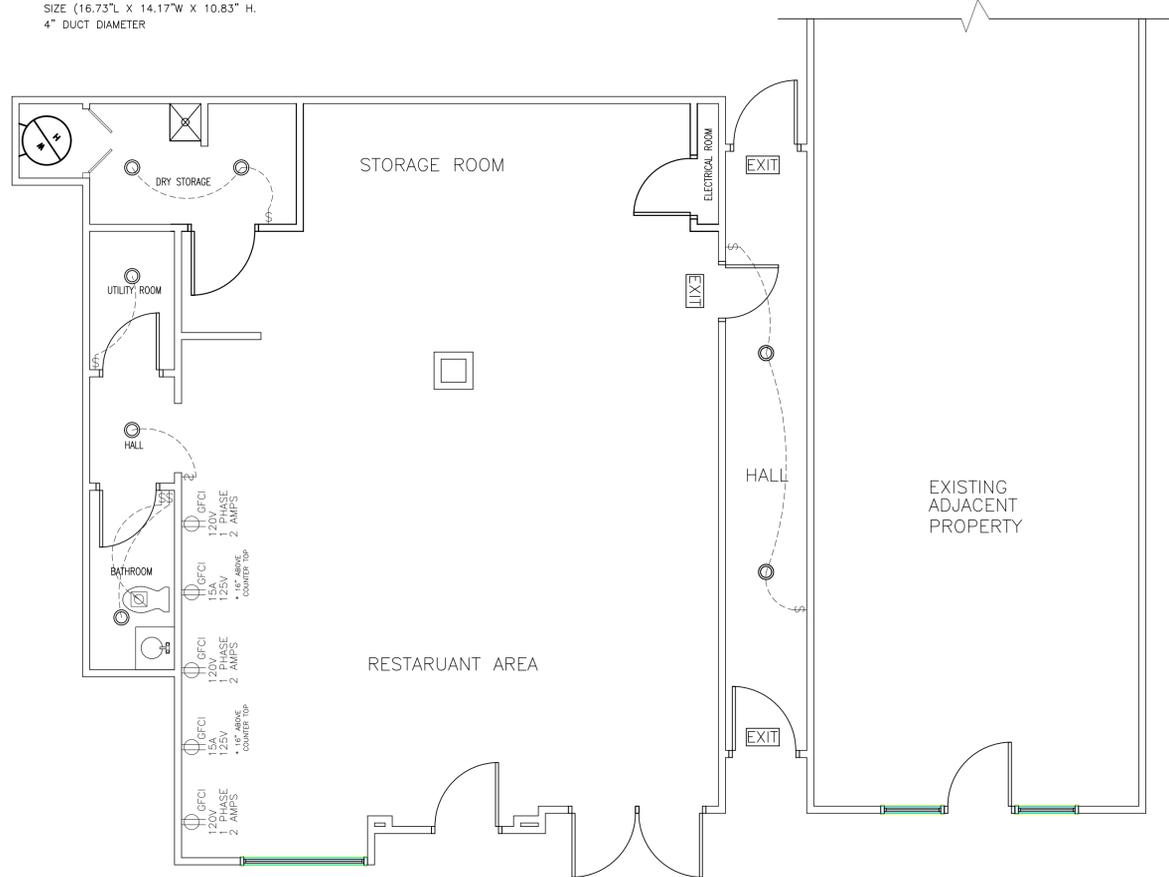
- NEW 6" CAN LIGHTS
- *NOTE: ALL CAN LIGHTS TO BE ENERGY EFFICIENT.
- ⚡ ON/OFF LGHT SHIFT
- ⊙ OUTSIDE LIGHT
- ⊕ NEW DUPLEX OUTLET, AFCI, TAMPER-RESISTANT
- ⊕ GFCI GROUND FAULT INTERRUPTER

☒ EXHAUST FAN (NOTE: SEPARATELY SWITCHED FROM THE LIGHTING).

NEW BATHROOMS EXHAUST VENT PANASONIC MODEL# FV-11VQ5.

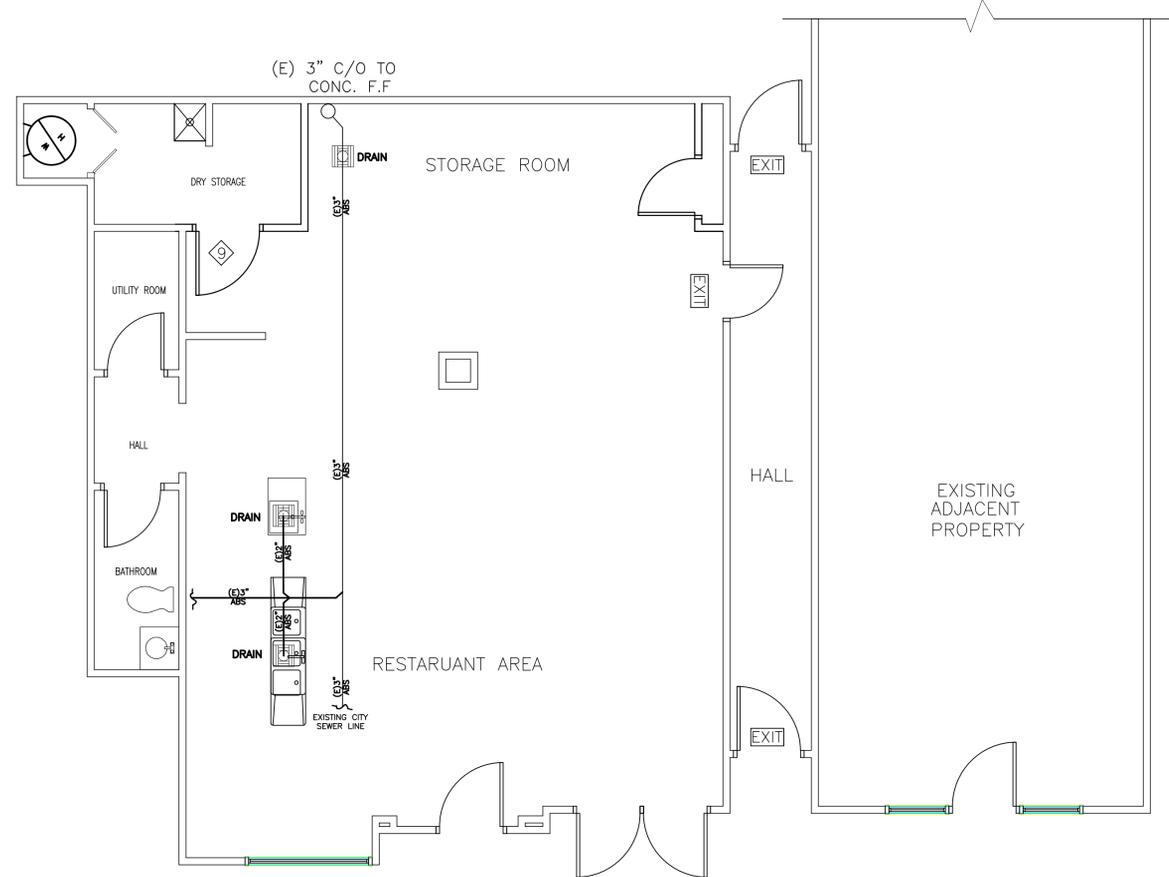
CAPACITY 110 CFM
0.3 SONES RATING
SIZE (16.73"L X 14.17"W X 10.83" H.
4" DUCT DIAMETER

NOTE: ALL 125-VOLTS, 15- AND 20-AMPERE RECEPTACLES TO BE TAMPER-RESISTANT TYPE.
NOTE: ALL BRANCH CIRCUITS THAT SUPPLY 125 VOLT, SINGLE PHASE, 15 AND 20 AMP OUTLETS INSTALLED SHALL BE PROTECTED BY AN ARC-FAULT CIRCUIT INTERRUPTER.
NOTE: PROVIDE GFI PROTECTION TO ALL 120 VOLT, 15 AND 20 AMP RECEPTACLES INSTALLED OUTDOORS, BATHROOMS, AND COUNTER TOP SURFACE. ARC-FAULT CIRCUIT INTERRUPTER.



ELECTRICAL PLAN

SCALE 1/4"=1'-0"



PLUMBING PLAN

SCALE 1/4"=1'-0"

NEC DESIGN AND DRAFTING

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A PROPOSED BAR DESIGN FOR:

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DRAWN
J.C.

CHECKED
J.C.

DATE
1-15-24

SCALE
1/4"=1'-0"

JOB NO.
###

SHEETNUMBER

A-5