



PLANNING COMMISSION STAFF REPORT

DATE: April 14, 2021 NEW BUSINESS

SUBJECT: MUSEUM OF PINBALL REQUESTING A DETERMINATION THAT A MUSEUM USE IS SIMILAR TO OTHER USES PERMITTED IN THE M-1-P ZONE FOR A PROPOSED PINBALL MUSEUM AT 750 NORTH GENE AUTRY TRAIL, ZONE PD-195 & W-M-1-P (CASE NO. 10.481 DET). (DN)

FROM: Development Services Department

SUMMARY:

This is a request to determine that a museum is consistent with permissible uses in the M-1-P (Planned Research and Development Park) zone, in order to locate a pinball museum within the existing building located the southeast corner N. Gene Autry Trail and Tamarisk Road.

RECOMMENDATION:

Approve the request and determine that the use is similar to other permissible uses in the M-1-P zone.

BACKGROUND INFORMATION:

<i>Related Relevant Actions by Planning, Building, Fire, etc.</i>	
04/06/88	The City Council approved a Planned Development District (PD 195) for the subject site, establishing the Desert Sun newspaper publishing and distribution center and allowing deviations from M-1-P property development standards.
09/14/88	The Building & Safety Division issued Building Permit #B13710 to construct the two-story newspaper facility totaling 78,768 square feet in size.

<i>Neighborhood Meeting/Neighborhood Notice</i>	
04/08/21	Neighborhood organizations within one mile of the subject site were emailed that the subject case would be considered by the Planning Commission on April 14, 2021.

<i>Field Check</i>	
04/05/21	Staff visited the site and noted existing conditions.

DETAILS OF APPLICATION REQUEST:

<i>Site Area</i>	
Net Acres	9.0 Acres

<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	Newspaper publishing and distribution office	Industrial	W-M-1-P & PD-195
North	Undeveloped Lot	Industrial	W-M-1-P & PD-231
South	Undeveloped Lot	Industrial	W-M-1-P & PD-231
East	Dog park w/in Escena	Industrial	W-M-1-P & PD-231
West	Palm Springs Air Museum	Tourist Resort Commercial	W-A

ANALYSIS:

Museum of Pinball has submitted a similar use determination request to allow a museum promoting the art and history of pinball machines that offers daily admission, tours and fundraising. The operator is a 501(c)(3) nonprofit and proposes to operate seven days a week from 11am to 8pm with over 60 volunteers and staff members supporting the facility. The applicant currently has an existing location in Banning, CA that would be relocated to the proposed location. All activities related to the museum are planned to occur inside of the building.

The property is zoned M-1-P (PD 195). Museums are not expressly listed in the Palm Springs Zoning Code (PSZC) as a permitted use in the M-1-P zone. However, pursuant to Section 92.16.01(B) of the code, the Planning Commission may permit any other use in the zoning district which it determines to be similar to those listed in the subject zoning district, subject to certain findings. The Zoning Code requires that the use not be more obnoxious or detrimental to the public health, safety, and welfare, or to other uses permitted in this zone.

The M-1-P zone is intended to provide planned industrial districts that are operated in an unobtrusive manner and compatible with surrounding residential zones. A museum is defined as a building or place where works of art, scientific specimens, or other objects of permanent value are kept and displayed.¹ In this proposal, the applicant intends to

¹ Per dictionary.com

house a large collection of pinball and video arcade machines. The service-related uses permitted in the M-1-P that would most closely compare to the proposed use in terms of impacts would include governmental facilities and business, professional and research offices. A museum has similar characteristics in that they all commonly operate during the day, provide a service to the public and generally produce minimal, if any, environmental hazards (odor, vibration, glare, etc.) that may be associated with light industrial parks. Additionally, they operate in a manner that is compatible with surrounding residential uses and is therefore consistent with the M-1-P zone.

The General Plan designation for the property is IND (Industrial), which is intended for research and development parks, light manufacturing, laboratories and industrial services. The General Plan also indicates industrial development is not a primary use within the City, and any industrial use proposed should not detract from the City's desire to be a premier resort community. The proposed use will provide a cultural opportunity and desirable attraction for residents and tourists, enhancing the City's image as a premier resort community in a manner consistent with the Industrial land use designation.

FINDINGS – COMMISSION DETERMINATION:

Section 94.01.02(B) of the Palm Springs Zoning Code (PSZC) requires that the following findings be made in order to approve the requested use determination:

1. *That the use is in keeping with the stated intent and purpose of the zone.*

Pursuant to PSZC Section 92.16.00, the purpose of the M-1-P zone is to provide for and encourage industrial districts compatible with surrounding or abutting residential zones, as well as not depreciate the character of the resort community. The proposed use is most similar to a governmental facilities and office uses, which is in keeping with the purpose of the M-1-P zoning district.

2. *That field investigations have disclosed that the subject use and its operation are compatible with the uses permitted in the zone wherein it is proposed to be located.*

The proposed use will be generally compatible with other permitted uses that are permitted by right in the M-1-P zoning district. The museum will involve indoor display of unique and historical pinball machines that will not adversely impact other businesses or residential uses within the general vicinity. Operations occur indoors during daytime business hours. Therefore, it is not anticipated that the noise, traffic, or other operational impacts will be different from any other business commonly permitted in the M-1-P zone.

3. *That the subject use is similar to one (1) or more uses permitted in the zone within which it is proposed to be located.*

The proposed use is most closely similar to a governmental facility or a business, professional, or research office use, which are uses permitted by right in the M-1-

P zoning district. A museum has similar characteristics in that they all commonly operate during the day, provide a service to the public and generally produce minimal, if any, environmental hazards (odor, vibration, glare, etc.) that may be associated with light industrial parks.

4. *That the subject use will not cause substantial injury to the values of property in the zone within which it is proposed to be located.*

The proposed use will be located within an existing building, and will maintain the appearance of a professional research park. The operational schedule will be compatible with other commonly permitted businesses in the M-1-P zone. As noted above, the impacts will be minimal and will not injure the values of property within the M-1-P zoning district.

CONCLUSION:

The proposed museum is similar in nature to governmental facilities and business, professional and research offices, in that they all commonly operate during the day, provide a service to the public and generally produce minimal, if any, environmental hazards (odor, vibration, glare, etc.). Consequently, it is recommended that the use be found similar to a governmental facility or office use.

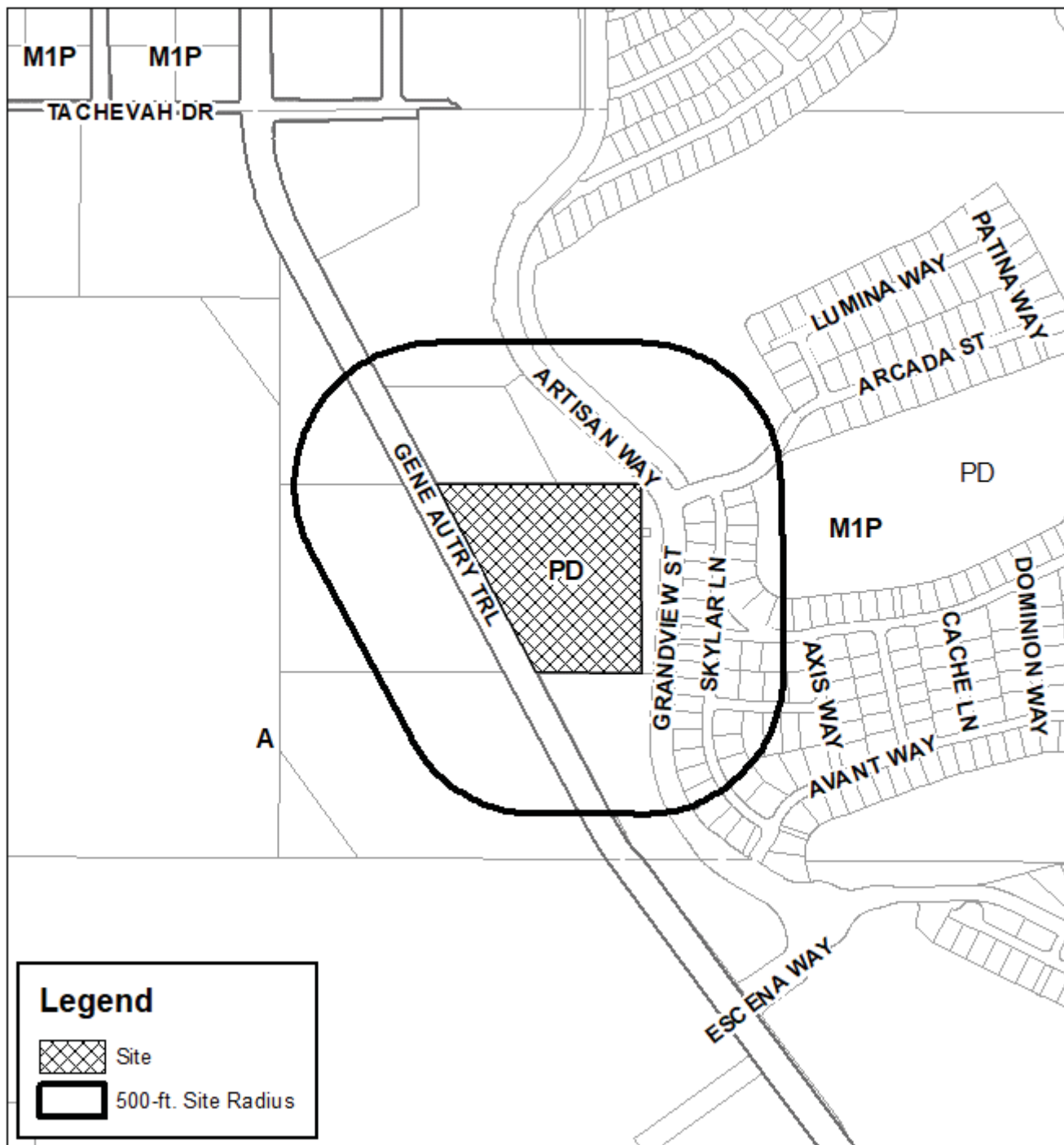
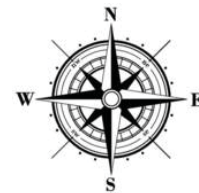
David A. Newell, AICP
Assistant Director of Planning

ATTACHMENTS:

1. Vicinity Map
2. Aerial Map
3. Draft Resolution
4. Letter of Request



Department of Development Services Vicinity Map



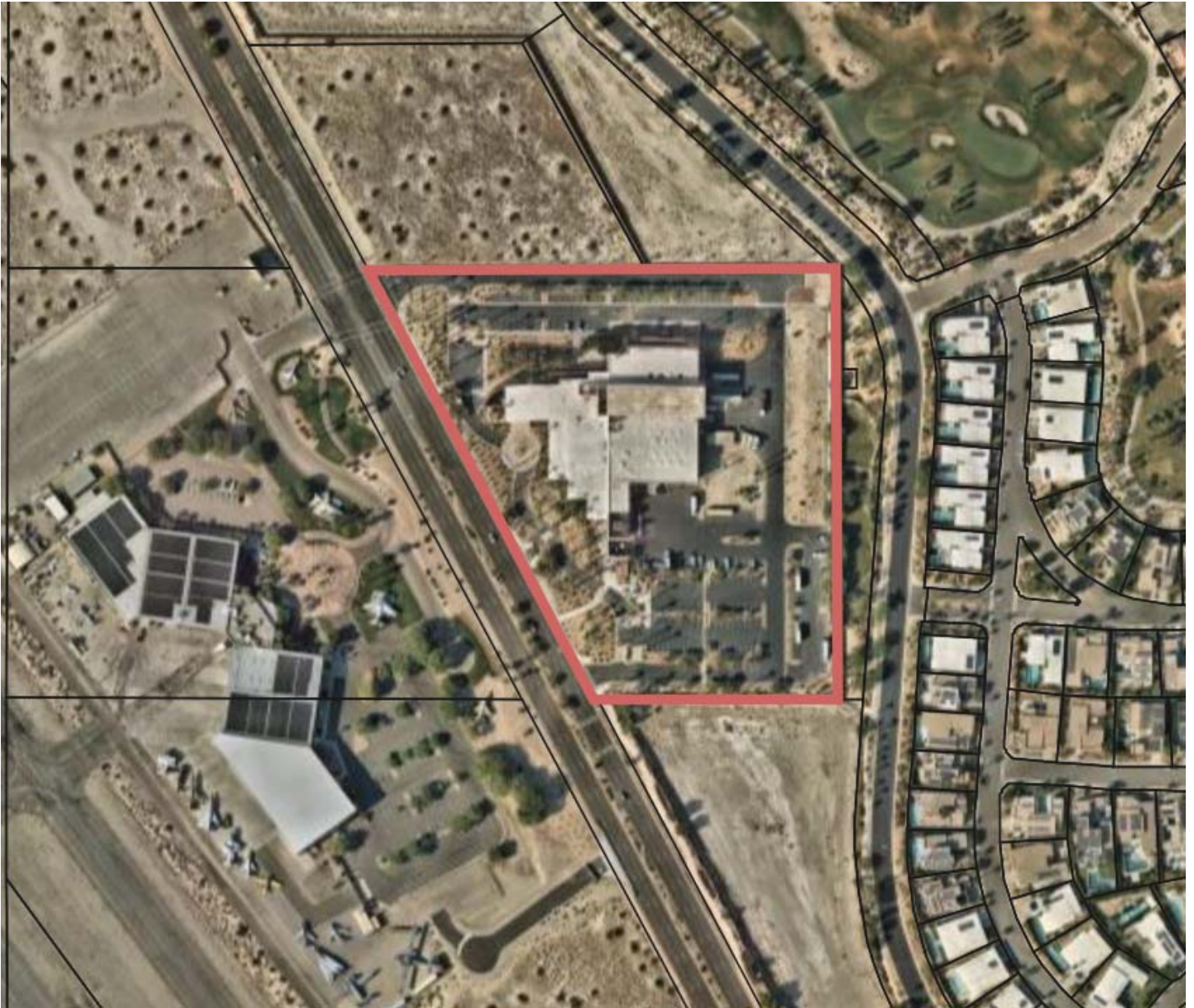
CITY OF PALM SPRINGS

Case #: 10.481 Determination

Address: 750 N. Gene Autry Trail



Department of Development Services Aerial Map



CITY OF PALM SPRINGS

Case #: 10.481 Determination

Address: 750 N. Gene Autry Trail

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING THAT A MUSEUM IS SIMILAR TO OTHER PERMITTED USES IN THE M-1-P (PLANNED RESEARCH AND DEVELOPMENT PARK) ZONE (CASE 10.481 DET).

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

A. Jonathan Weeks, of Museum of Pinball, Inc. ("Applicant"), has filed an application with the City pursuant to Section 94.01.00 of the Palm Springs Zoning Code (PSZC) for a determination that a pinball museum, to be located at 750 N. Gene Autry Trail, is similar to other permitted uses in the M-1-P (Planned Research and Development Park) zone (Case No. 10.481 DET).

B. On April 14, 2021, a public meeting on the application was held by the Planning Commission in accordance with applicable law.

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

D. Pursuant to the requirements of Section 94.01.02(B), the Planning Commission finds:

1. *That the use is in keeping with the stated intent and purpose of the zone.*

Pursuant to PSZC Section 92.16.00, the purpose of the M-1-P zone is to provide for and encourage industrial districts compatible with surrounding or abutting residential zones, as well as not depreciate the character of the resort community. The proposed use is most similar to a governmental facilities and office uses, which is in keeping with the purpose of the M-1-P zoning district.

2. *That field investigations have disclosed that the subject use and its operation are compatible with the uses permitted in the zone wherein it is proposed to be located.*

The proposed use will be generally compatible with other permitted uses that are permitted by right in the M-1-P zoning district. The museum will involve indoor display of unique and historical pinball machines that will not adversely impact other businesses or residential uses within the general vicinity. Operations occur indoors during daytime business hours. Therefore, it is not anticipated that the noise, traffic, or other operational impacts will be different from any other business commonly permitted in the M-1-P zone.

3. *That the subject use is similar to one (1) or more uses permitted in the zone*

within which it is proposed to be located.

The proposed use is most closely similar to a governmental facility or a business, professional, or research office use, which are uses permitted by right in the M-1-P zoning district. A museum has similar characteristics in that they all commonly operate during the day, provide a service to the public and generally produce minimal, if any, environmental hazards (odor, vibration, glare, etc.) that may be associated with light industrial parks.

4. *That the subject use will not cause substantial injury to the values of property in the zone within which it is proposed to be located.*

The proposed use will be located within an existing building, and will maintain the appearance of a professional research park. The operational schedule will be compatible with other commonly permitted businesses in the M-1-P zone. As noted above, the impacts will be minimal and will not injure the values of property within the M-1-P zoning district.

THE PLANNING COMMISSION RESOLVES:

SECTION 1. 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.

SECTION 2. Based upon the foregoing, the Planning Commission hereby approves Case No. 10.481 DET.

ADOPTED this 14th day of April, 2021.

AYES:

NOES:

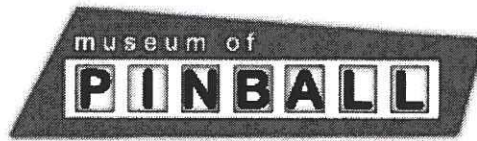
ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Development Services Director



Mr. Flinn Fagg,

2/15/2021

Thank you for taking our zoom meeting last month to discuss the future home of the Museum Of Pinball at 750 N. Gene Autry Trail, formally the Desert Sun Building. We would like to submit a request for the planning commission to make a determination on our proposed use as a museum. All business will be conducted within the walls of the museum and we believe shall have no impact as noted below section 94.01.00.

B. Similar Uses Permitted by Commission Determination.

The commission may, by resolution of record, permit any other uses which it may determine to be similar to those listed above, in conformity with the intent and purpose of this zone, and not more obnoxious or detrimental to the public health, safety, and welfare, or to other uses permitted in this zone, as provided in Section 94.01.00.

The proposed following use: Museum Of Pinball - An immersive Museum dedicated to the preservation of pinball machines with support through daily admission, tours and fundraising.

- The proposed hours: Monday- Sunday 11AM-8PM
- The museum will have over 60 volunteers / staff

Thank you,

Johnathon Weeks
Museum Of Pinball

10.481 NOD
RECEIVED
FEB 16 2021
PLANNING SERVICES
DEPARTMENT