

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: March 14, 2024

PREPARED BY: Carlos Flores, AICP, Principal Planner

REQUEST: INTRODUCTION OF AN ORDINANCE TO ADOPT A NOTICE OF EXEMPTION UNDER CEQA AND APPROVE CHANGE OF ZONE 24-0001 TO CHANGE ZONING DESIGNATION OF THE PROPERTIES LOCATED AT 73600 ALESSANDRO DRIVE FROM DOWNTOWN EDGE TRANSITION OVERLAY (DE-O) TO DOWNTOWN EDGE (DE)

RECOMMENDATION:

Introduction of an Ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, ADOPTING A NOTICE OF EXEMPTION PURSUANT TO THE STATE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING A CHANGE OF ZONE FROM DE-O TO DE FOR THE PROPERTIES LOCATED AT 73600 ALESSANDRO DRIVE (ASSESSOR’S PARCEL NUMBERS 627-153-018, AND 627-153-019).”

BACKGROUND/ANALYSIS:

The project is a request by Linda C. Biggi (Applicant) to change the zoning designation of a property located at 73600 Alessandro Drive (Assessor’s Parcel Number 627-153-018, and 627-153-019) from Downtown Edge Transition Overlay (DE-O) to Downtown Edge (DE). The two parcels total 1.46 acres and are developed with an existing 24,566.7-square-foot commercial building and associated parking lot. The general intent of the zoning change is to enable the property owner to lease the building to additional land uses that are not currently allowed by the DE-O designation.

Background

In March 2014, the Planning Commission approved Resolution No. 2619 for Conditional Use Permit 13-358 for “Venus de Fido”, a spa for pets and their owners, providing services including spa, esthetician, massage, gym, retail, and café uses. At the time of approval, the zoning of the site was Residential Multifamily (R-3).

On November 10, 2016, the Palm Desert City Council adopted Ordinance 1313, which adopted the Highway 111 Development Code, and applied the DE-O to the site. This resulted in land use restrictions which prohibited certain uses such as personal services, massage, gym, retail and restaurant uses. The uses within the building could continue operating provided the CUP remain in continuous use. In 2020, the existing Venus de Fido use ceased operating, and the CUP is no longer in continuous use. The building is occupied by independent tenants and businesses including estheticians, massage technicians, and personal services.

Project Analysis:

The proposed Change of Zone will not result in non-conformities for the existing land uses within the building and will not result in non-conformities to development standards for the parcel. The

requested zoning designation is consistent with the General Plan Land Use Designation for the site, City Center/Downtown District. Additionally, the change is consistent with requirements of Senate Bill 330 regarding “downzoning” or modifying housing density. A detailed analysis of this is provided in the Planning Commission Staff Report Dated February 20, 2024, provided as Attachment #3 of this report.

Legal Review:

This report has been reviewed by the City Attorney’s office.

Appointed Body Recommendation:

At its February 20, 2024, regular meeting, the Planning Commission unanimously adopted Resolution No. 2855 (Attachment #2) recommending that the City Council adopt a notice of exemption in accordance with CEQA and approving the change of zone request.

Public Notification:

Public noticing was completed for the March 14, 2024, City Council meeting per the requirements of PDMC Section 25.60.060 and Government Code Sections 65090 to 65094. A public hearing notice was published a minimum of ten (10) days before the hearing date in *The Desert Sun* newspaper. Notices were mailed to all property owners within 300 feet of the project site. No comments have been received as of the date of this report.

Environment Review:

Pursuant to CEQA and the State CEQA Guidelines, the project was found to be exempt from further environmental review per Section 15061(b)(3) (General Rule exemption). The project enacts the general plan in accordance with the zoning ordinance by changing the designation of the site to DE. The project site is an existing approved commercial building. No significant impacts on the environment are anticipated.

FINANCIAL IMPACT:

There is no financial impact as a result of this request.

ATTACHMENTS:

1. Ordinance
2. Planning Commission Resolution No. 2855
3. Planning Commission Staff Report – February 20, 2024
4. Notice of Exemption
5. Change of Zone Exhibit
6. Public Hearing Notice