

**ARCHITECTURAL REVIEW COMMISSION
CITY OF PALM DESERT
REGULAR MEETING MINUTES**

November 12, 2024, 12:30 p.m.

Present: Commissioner James Blakeley, Commissioner Dean Wallace Colvard, Commissioner Nicholas Latkovic, Commissioner Michael McAuliffe, Commissioner Francisco Sanchez, Chair John Vuksic

Absent: Commissioner James McIntosh

Staff Present: Principal Planner Carlos Flores, Principal Planner Nick Melloni, Associate Planner Kenny Taylor

1. CALL TO ORDER

A Regular Meeting of the Architectural Review Commission was called to order by Chair Vuksic on November 12, 2024, at 12:30 p.m. in the Development Services Conference Room, City Hall, located at 73-510 Fred Waring Drive, Palm Desert, California.

2. ROLL CALL

3. NON-AGENDA PUBLIC COMMENT

Chair Vuksic opened and closed the public comment period for Non-Agenda public comment. No public comments were provided.

4. CONSENT CALENDAR

Motion by: Commissioner Latkovic
Seconded by: Commissioner Colvard

The Consent Calendar was approved as presented.

Motion Carried (6 to 0)

4.a APPROVAL OF MINUTES

Motion by: Commissioner Latkovic
Seconded by: Commissioner Colvard

The Architectural Review Commission (ARC) regular meeting minutes of October 22, 2024, were approved as presented.

Motion Carried (6 to 0)

5. CONSENT ITEMS HELD OVER

None

6. ACTION CALENDAR

6.a CONSIDERATION FOR DESIGN REVIEW APPROVAL FOR A PRIVATE SPORTS COURT (PICKLEBALL COURT) IN THE REAR YARD OF A SINGLE-FAMILY RESIDENCE AT 77800 DELAWARE PLACE

Associate Planner, Kenny Taylor, narrated a PowerPoint presentation on the item and responded to Commission inquiries. John Tran, Applicant, was present via Zoom.

Commissioners asked staff for clarification on their review of the pickleball court, specifically questioning if use of the court and noise are within their purview as Commissioners. Commissioners received clarification that site design is the subject of their review, although the code does provide language on noise considerations.

Chair Vuksic opened the public comment period and invited the applicant to speak. John Tran, Applicant, introduced himself and answered questions from the Commission.

Gloria Freiler, spoke in opposition of the project expressing concern for the amount of people that will be living in the house, noting it is a five-bedroom home with an additional six bedrooms located in the add on building which is a lot of noise. She stated she lives in the property which backs up directly to project property. Ms. Freiler stated the project is encroaching onto her property, is over property line, and is built farther out then it should have been. She further added this is not meant to be a commercial property and with the number of bedrooms it can be rented out to a lot of people.

Alfredo Barcia, spoke in opposition of the project stating no one in the community was advised of the noise and lighting associated with this project. Mr. Barcia stated both are pollution to the community. This impacts the neighborhood, and they should have received notification. Mr. Barcia further added these concerns should have been addressed before the project was started because of the impact on the neighborhood.

Gale Bridges, spoke in opposition to the project. She lives directly behind the property and expressed concern for the noise with so many people being on the property, noting the property has a rental permit for up to twenty people. Ms. Bridges stated the noise will not be mitigated by the Ficus hedge and five-foot wall and added that their views have been blocked by the planted Ficus hedge. She also expressed concern for the allowed play time at 7 a.m. in the morning. Ms. Bridges stated they do not have a map that accurately determines the property line, so they cannot determine this project is setback enough because property lines have not been established.

With no other members of the public wishing to comment, Chair Vuksic closed the public comment period. Discussion on the item ensued with Commissioners

providing comments for the project. Commissioners questioned the noise study provided, voicing concerns on the noise study occurring in San Diego and not on site.

Motion by: Chair Vuksic

Seconded by: Commissioner Latkovic

Motion carried to approve Case No. MISC24-0013 subject to the following conditions:

1. Use of the pickleball court at 77800 Delaware Place shall be limited to the hours of 7 a.m. to 7 p.m. Use of the court shall be strictly prohibited between 7 p.m. and 7 a.m.
2. The court shall not be rented or used for commercial purposes and shall be used only by the property owner and guests or tenants of the property owners per Palm Desert Municipal Code Chapter 25.40.070.
3. The applicant shall install a sign in the backyard at a location clearly visible to pickleball players which prohibits excessive noise or loud music during game play.
4. The applicant shall provide permanent irrigation for the hedges located to the north of the sport court.
5. The hedges shall be maintained in perpetuity, or until the sport court is removed.
6. The lighting shall comply with any outdoor lighting requirements in place at the time of application. The design shall consider impacts on adjacent residents and shall incorporate mitigation to screen any outdoor lighting sources.
7. The Applicant shall comply with all mitigation measures and operations identified in the noise study, on file with the Development Services Department.
8. A noise study shall be completed at the site, conducted by staff to observe and record decibel readings for compliance with the Municipal Code.

NOES (1): Commissioner Blakeley

Motion Carried (5 to 1)

6.b CONSIDERATION TO APPROVE AN AMENDMENT TO AN EXISTING COMPREHENSIVE SIGN PROGRAM FOR EL PASEO SQUARE BUILDING G SIGN PROGRAM AT 73495 HIGHWAY 111

Associate Planner, Kenny Taylor, narrated a PowerPoint presentation on the item and responded to Commission inquiries. David Michael, Applicant, was present.

Chair Vuksic opened the public comment period and invited the applicant to speak. David Michael, Applicant, introduced himself and answered questions from the Commission.

With no other members of the public wishing to comment, Chair Vuksic closed the public comment period. Discussion on the item ensued with Commissioners providing comments for the project.

Motion by: Chair Vuksic

Seconded by: Commissioner Latkovic

Motion carried to approve Case No. SARC24-0014 subject to the following conditions:

1. Sign B and C are reduced in size and sign B shall be studied in terms of replacement over the windows to satisfaction of staff.
2. Sign D be reduced so the logo is no higher than the adjacent windows and the sign is repositioned to be centered to the window horizontally and centered between window and edge of building.
3. Signs shall be on rheostats to be dimmed to staff's satisfaction.
4. Vinyl wording shall only be applied to the main entry doors and not all windows.

Motion Carried (6 to 0)

6.c CONSIDERATION TO APPROVE A DESIGN REVIEW FOR A NEW ROVE ELECTRIC VEHICLE STATION WITH A 4,500 SQUARE FOOT MARKET WITHIN THE MONTEREY CROSSINGS SPECIFIC PLAN

Principal Planner, Carlos Flores, narrated a PowerPoint presentation on the item and responded to Commission inquiries. Max Levenstein, Applicant Representation, was present via Zoom.

Chair Vuksic opened the public comment period and invited the applicant to speak. Max Levenstein with Rove Charging, Applicant Representative, introduced himself and answered questions from the Commission.

With no other members of the public wishing to comment, Chair Vuksic closed the public comment period. Discussion on the item ensued with Commissioners providing comments for the project.

Motion by: Chair Vuksic

Seconded by: Commissioner McAuliffe

Motion carried to continue Case No. DR24-0006 with the following comments:

1. Revisit parapets; create four sided elements out of the two towers proposed on the north and south ends of the buildings and increase height of towers by one foot to screen rooftop equipment more effectively.

2. Consider making parking canopies horizontal instead of angled to better match the building architecture.
3. Paint colors should be consistent on all exhibits.
4. The proposed "Bulbine" plant should be substituted for a plant that is better suited for this environment.
5. Consider an alternative for the proposed Palo Verde trees such as a Chilean Mesquite or hardier tree to withstand high winds experienced in this area.

Motion Carried (6 to 0)

6.d CONSIDERATION TO APPROVE A DESIGN REVIEW FOR A NEW 950 SQUARE FOOT DRIVE THROUGH COFFEE SHOP WITHIN THE MONTEREY CROSSINGS SPECIFIC PLAN

Chair Vuksic advised the Commission he needed to excuse himself due to a conflicting obligation and left the meeting at 3:22 p.m. Commissioner McAuliffe acted as Chair for the remainder of the meeting.

Principal Planner, Carlos Flores, narrated a PowerPoint presentation on the item and responded to Commission inquiries. Brianna Uy, Project Planner with Barghausen Consultants Engineering, Civil Engineer firm working with Dutch Bros, and Nicole Stitzel, Landscape Architect, were present via Zoom.

Commissioner McAuliffe opened the public comment period and invited the applicant to speak. Brianna Uy, Project Planner with Barghausen Consultants Engineering, Civil Engineer firm working with Dutch Bros, and Nicole Stitzel, Landscape Architect, answered questions from the Commission.

With no other members of the public wishing to comment, Commission McAuliffe closed the public comment period. Discussion on the item ensued with Commissioners providing comments for the project.

Motion by: Commissioner Latkovic

Seconded by: Commissioner Sanchez

Motion carried to approve Case No. DR24-0007 with the following conditions:

1. Provide an alternative plant species to the proposed Purple Fountain grass which is better suited to the project area.
2. Provide an alternative tree species to the proposed Palo Verde trees which can withstand high winds in this area.
3. Install landscape edging in all proposed DG areas that are adjacent to another DG area.
4. Landscaping shall not be installed on trellis elements.

5. Use 2" X 8" to increase furrou areas on elevations 2 and 4, as shown on sheet A6.1.
6. All equipment shall be screened from public view.
7. Drive-through queue shall be screened to the best extent possible from Dinah Shore drive, with the combination of a masonry wall and landscaping.
8. The Applicant shall comply with all conditions of approval provided by the City's Land Development Division.

Motion Carried (5 to 0)

7. REPORTS & REMARKS

7.a ARCHITECTURAL REVIEW COMMISSIONERS

Upon inquiry, Principal Planner Flores reported that the housing project, Highpointe Communities, has submitted an application for rough grading and has also completed a Final Parcel Map for the site.

In response to inquiry, Principal Planner Melloni advised the construction activity near the intersection of Portola and Dinah Shore Drive is related to the expansion of a retention basin for a private development.

7.b CITY STAFF

Principal Planner Flores advised Commissioners there will be an in person AB1234 Ethics training they can attend in January 2025. An email will be sent to Commissioners with the details for the training.

Principal Planner Melloni reported they are conducting final interviews, wrapping up outreach for the Unified Code Development project. A report including these comments should be completed in February.

Principal Planner Flores reported an update to the City's ADU policy will go before City Council for consideration at their next meeting on Thursday, November 14th. Consideration for an update to public noticing for public hearings will be presented to the City Council during their Study Session on this date as well.

Upon inquiry, Principal Planner Melloni shared that a report of the City's current housing unit numbers in compliance with the Regional Housing Needs Allocation (RHNA) is documented and submitted to the State annually in April. He offered to email this report to any commissioner who would like to review it.

In response to inquiry, Principal Planner Flores confirmed the regular meeting for ARC scheduled for November 26, 2024, will be canceled.

7.c ATTENDANCE REPORT

The attendance report was provided with the agenda materials. The Commission took no action on this matter.

8. ADJOURNMENT

The Architectural Review Commission adjourned at 3:53 p.m.

Respectfully submitted,

Melinda Gonzalez, Executive Administrative Assistant
Recording Secretary

ATTEST:

Carlos Flores, Principal Planner
Secretary

APPROVED BY ARC: __/__/2024