

RESOLUTION NO. 2025-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESEERT, CALIFORNIA APPROVING A CHANGE OF ZONE FROM PLANNED RESIDENTIAL TO OFFICE PROFESSIONAL FOR A 2.21 ACRE PROPERTY ON THE NORTHWEST CORNER OF FRED WARING DRIVE AND FAIRHAVEN AVENUE AND MAKING A FINDING OF EXEMPTION UNDER CEQA. (ASSESSOR'S PARCEL NUMBER 640-040-016)

CASE NOS. CZ24-0002

WHEREAS, Dignity Investment Group ("Applicant"), submitted a request to change the general plan land use designation and zoning designation of a 2.21-acre parcel located at the northwest corner of Fred Waring Drive and Fairhaven Avenue from Small Town Neighborhood to Neighborhood Center and Planned Residential – 7 units per acre to Office Professional, respectively; and

WHEREAS, the Project site has a land use designation of Small Town Neighborhood in the Palm Desert General Plan adopted on November 10, 2016, and a zoning designation of Planned Residential – 7 units per acre (PR-7); and

WHEREAS, the Project Site has been developed with existing improvements which generally consist of a single unoccupied building previously occupied by a church, related parking lot and landscaping, and is adequately served by existing public utilities and services; and

WHEREAS, the proposed Change of Zone would not create any nonconforming uses or structures on site; and

WHEREAS, the proposed Change of Zone would allow the site to remain suitable for residential uses at a maximum density of 15 units per acre; and

WHEREAS, the proposed Change of Zone would make the land use consistent with the adjacent property to the west and allow the site to continue existing vehicular connectivity to said project site; and

WHEREAS, under Section 21067 of the Public Resources Code, Section 15367 of the State California Environmental Quality Act (CEQA) Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) and the City of Palm Desert's ("City's") Local CEQA Guidelines, the City is the lead agency for the Project; and

WHEREAS, pursuant to the requirements of the CEQA, the State Guidelines for Implementation of CEQA (State CEQA Guidelines), and the City of Palm Desert CEQA Implementation Requirements, the City of Palm Desert Development Services Department has determined that the Project will not have a significant impact on the environment and that the Project is categorically exempt under Article 19, Section 15301

Existing Facilities (Class 1) of the CEQA Guidelines; therefore, no further environmental review is necessary; and

WHEREAS, the Planning Commission of the City of Palm Desert, California, did on the 20th day of May 2025, hold a duly noticed public hearing to consider the request by the Applicant for approval of the above-noted Project request and adopted Planning Commission Resolution 2891 recommending the City Council approve of said Project; and

WHEREAS, the City Council of the City of Palm Desert, California, did on the 26th day of June 2025, hold a duly noticed public hearing to consider the request by the Applicant for approval of the above-noted Project request; and

WHEREAS, at the said public hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons desiring to be heard, the Planning Commission did find the following facts and reasons, which are outlined in the staff report, exist to justify approval of said request:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Palm Desert, California, as follows:

SECTION 1. Recitals. The City Council hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution.

SECTION 2. General Plan Consistency.

There is a substantial public benefit to be derived from such Change of Zone and the proposed amendment furthers the goals of the General Plan.

The Project is in the public's interest as it will maintain the character of Fred Waring Drive by creating consistency in land use designation on the north side of Fred Waring, west of Fairhaven Drive. The project site has existed for decades as the site of a church with a parking lot that connects to an existing medical office park directly to the west. The proposed Change of Zone allows the site to establish non-residential uses that serve the needs of the neighborhood, meanwhile retaining its ability to have residential uses. The intent of Neighborhood Center is to provide a concentration of commercial businesses and civic amenities within walking and biking distances of neighborhoods, and the location off Fred Waring where this project site is located is ideal for this designation and uses based off its proximity to surrounding residential and a major thoroughfare (Fred Waring).

SECTION 3. CEQA Determination. The City Council finds that the Project is exempt from CEQA per Section 15301 of the CEQA Guidelines as the Project is a Class 1 Exemption for "Existing Facilities" development. Class 1 applies to projects involving the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical

features involving negligible or no expansion of existing or former use. The proposed project change of land use would impact existing facilities and allow for their operation with additional uses. Additionally, the Project does not qualify for any of the exceptions pursuant to Article 19 of the CEQA Guidelines Section 15300.2 for “Exceptions.”

SECTION 4. Change of Zone. The City Council approves the Change of Zone presented, as depicted in Exhibit “A.”

SECTION 5. Based upon the foregoing findings and facts incorporated herein, the City Council hereby approves CZ24-0002.

ADOPTED ON _____.

JAN C. HARNIK
MAYOR

ATTEST:

ANTHONY J. MEJIA
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2025-__ is a full, true, and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on_____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on _____, 2025.

ANTHONY J. MEJIA
CITY CLERK