

**CITY OF PALM DESERT
PLANNING COMMISSION
STAFF REPORT**

MEETING DATE: July 8, 2025

PREPARED BY: Kayleen Aguirre, Assistant Planner

SUBJECT: CONSIDERATION TO APPROVE A CONDITIONAL USE PERMIT (CUP25-0003) FOR THREE OUTDOOR DINING PATIO STRUCTURES AND ADOPT A NOTICE OF EXEMPTION PURSUANT TO CEQA FOR TWO EXISTING COMMERCIAL BUILDINGS LOCATED AT 36901 COOK STREET AND 36891 COOK STREET

RECOMMENDATION:

Adopt Planning Commission Resolution No. 2892 entitled, "A RESOLUTION OF THE PLANNING COMMISSION 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 CONDITIONAL USE PERMIT (CUP) FOR THREE OUTDOOR DINING PATIO STRUCTURES SERVING MULTIPLE RESTAURANTS AT TWO EXISTING MULTITENANT COMMERCIAL BUILDINGS LOCATED AT 36901 COOK STREET AND 36891 COOK STREET"

EXECUTIVE SUMMARY:

Case No.: CUP25-0003

Related Case: Design Review 25-0003

Note: This project was initially presented at the June 3, 2025 Planning Commission meeting. Due to a lack of quorum, the item was continued to June 17, 2025. As a quorum was again not established at that meeting, the item was continued to July 1, 2025.

The project is a request by Prest Vuksic Greenwood Architects ("PVGA" or "Applicant") to construct three (3) individual patio shade structures, totaling 3,394 square feet ("Project"). The proposed structures will be built adjacent to two (2) multi-tenant commercial buildings at 36901 Cook Street and 36891 Cook Street, located on Assessor's Parcel Number ("APN") 694-190-049 and APN 694-190-050. The existing buildings are free-standing, each with an approximate gross floor area of 17,546 square feet and are part of the University Village commercial center at the southwest corner of Gerald Ford Drive and Cook Street.

The Project will replace existing temporary outdoor dining spaces for existing restaurants for permanent dining spaces, addressing current concerns from the Applicant related to noise, safety, lighting, aesthetics, and weather. The Project also includes new locations for exterior business signage and projecting signs within the outdoor dining areas. Palm Desert Municipal Code (PDMC) Section 24.34.100(A) requires a Conditional Use Permit (CUP) for any restaurant use that adds more than 12 seats. The total seating of these permanent outdoor dining areas

has not been determined. The project qualifies for exemption from CEQA under CEQA Guidelines Sections 15301 and 15303, as the use aligns with the zoning ordinance and consists of minor accessory structures.

Staff has reviewed the proposed Project and determined it is consistent with the applicable requirements of the Palm Desert Zoning Ordinance and consistent with the Palm Desert General Plan.

The Architectural Review Commission (ARC) of the City of Palm Desert considered the request and took the following action at its meeting of May 13, 2025:

Following discussion, Motion by Commissioner McAuliffe, second by Commissioner Latkovic, carried 6-0 (Chair Vuksic recused); ARC approved Case No. Design Review (DR) 25-0003, as presented with the following conditions:

1. The Applicant shall provide an updated University Village sign program to clarify the new building frontage sign locations and blade signs, consistent with DR25-0003 drawings. The updated sign program is to be approved by Staff.
2. Piping and conduit, which services the patio structures, shall be concealed.

BACKGROUND:

Project Location:

On September 22, 2005, Parcel Map 31515 was approved by City Council Resolution No. 05-74 establishing the project site, University Village commercial center, which spans approximately 20 acres. As part of the approval, the two (2) existing multi-tenant commercial buildings were designated for retail use and are situated at the northeast corner of the commercial center, each with an approximate gross floor area of 17,546 square feet. The 5.3-acre project site was later approved for subdivision under Tentative Parcel Map (TPM 35741) by the Planning Commission on January 15, 2008, dividing the land into two parcels of approximately 2.76 acres and 2.53 acres for each building.

Table 1 – Adjacent Land Use and Designations

	Existing Uses	General Plan	Zoning
Project Site	Multi-Tenant Retail Buildings with Restaurants and Services Uses	Neighborhood Center	Regional Commercial Center (PC-3)
North	Service Station with Convenience Store	Town Center Neighborhood	Regional Commercial Center (PC-3); Freeway Commercial Overlay Zone (FCOZ)
South	Vacant Land	Neighborhood Center	Regional Commercial Center (PC-3)
East	Vacant Land	Public Facility/ Institutional	Public Institution (P)
West	Multi-Tenant Office Buildings with Medical and Service Uses	Neighborhood Center	Regional Commercial Center (PC-3)

Project Description:

The Project proposes the construction of three (3) individual patio shade structures, totaling 3,394 square feet of gross area, to replace existing outdoor dining areas adjacent to two (2) multi-tenant commercial buildings (see Attachment 3 – Existing Site Photos). The structures will feature multiple overhead shade sails, creating enhanced outdoor patio spaces that will improve weather protection, mitigate noise, and improve the aesthetics for the businesses. The new patios will be built adjacent to two (2) multi-tenant commercial buildings located at 36901 Cook Street and 36891 Cook Street, within the University Village commercial center.

The project does not include interior or exterior modifications to the existing buildings, maintaining the current tenant spaces and site layout. However, the new patio areas will enhance pedestrian accessibility and create a more cohesive outdoor experience for customers, supporting the commercial center's walkability and mixed-use environment.

Site Plan

The project proposes the addition of three (3) new patio structures – identified as north, central, and south – aligned along the northeast periphery of the site. While these structures will extend partially into the parking lot, resulting in the removal of several parking spaces, the site will maintain overall vehicular circulation and access within the existing parking lot which serves the two (2) adjacent commercial buildings. Parking spaces being removed have already been eliminated by current outdoor seating areas (see Attachment 3 – Existing Photos). For a seamless transition between the parking, pedestrian pathways, and built vs. landscaped areas, the design incorporates a combination of new and existing planters, curbs, and paved walkways.

The patio structures are proposed at a maximum height of 17 feet and 3 inches. The north and central patio structures will have a width of 62 feet and 1/2 inch, each accommodating 48 seats. The south patio structure is designed with a width of 42 feet and 5/8 inch, accommodating 28 seats. Figure 2 provides a detailed breakdown of the designated seating arrangements for each restaurant space for layout clarity.

The total gross area of the proposed patio structures is 3,394 square feet, with a net usable area of 2,833 square feet and a landscaped coverage area of 37%. Individual structure areas are as follows:

- North Patio: 1,079 square feet
- Central Patio: 1,079 square feet
- South Patio: 622 square feet

Figure 1 – Site Plan

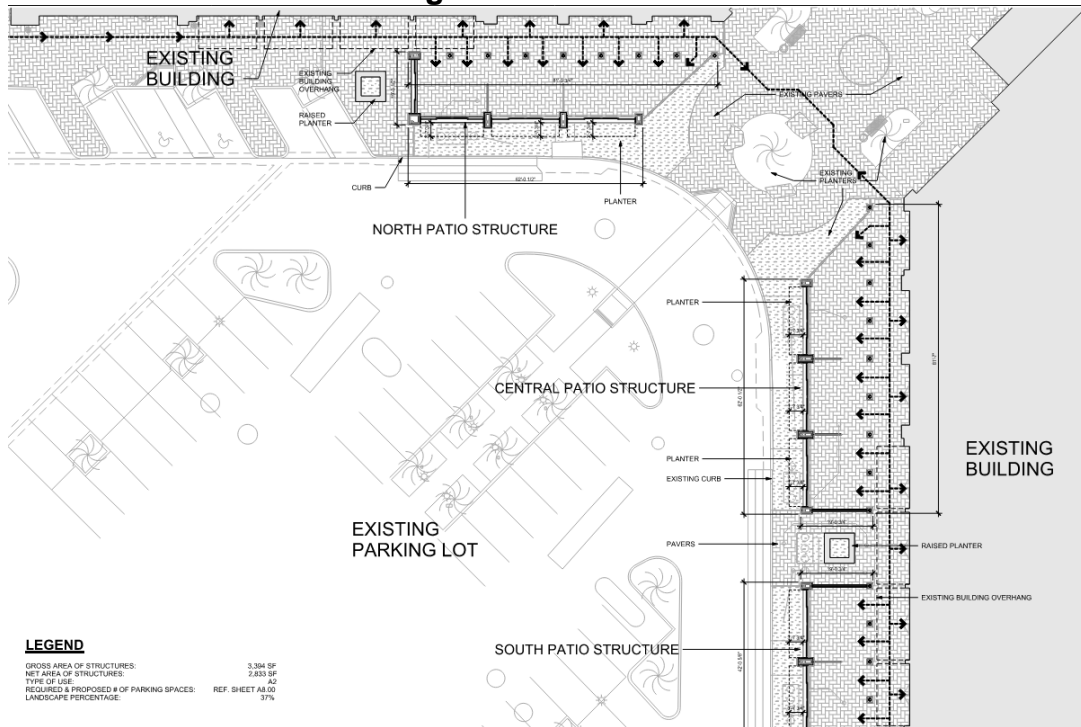


Figure 2 – Seating Plan



Architecture

Key architectural features are incorporated for functionality, aesthetics, and integration with the existing commercial buildings. Metal partition screens will seamlessly separate designated restaurant spaces, providing privacy while maintaining openness for the dining area. Each space will integrate ceiling fans and lighting, and windows facing the parking lot will mitigate noise and weather impacts while maintaining visibility. Columns will designate individual restaurant spaces, while railings along the open perimeters of the structures will enhance safety and define their boundaries.

The frontages of the patio structures will feature columns with stacked stone finishes to match the existing design of the buildings. Plaster walls will be painted in “Wishful White” and “Cocoa Powder”, aligning with the site’s established color palette. Metal awnings, finished in “Bark”, will provide additional shading and visual cohesion. Overhead canopies in various shades, including gray, tan, orange, and green, will contribute to the visually engaging experience for pedestrians and customers. For lighting, black wall sconces will be mounted on columns along the structures’ frontages, maintaining consistency with the lighting elements of the existing commercial buildings.

Figure 3 – Patio Structure Elevations

Central Patio

South Patio



North Patio

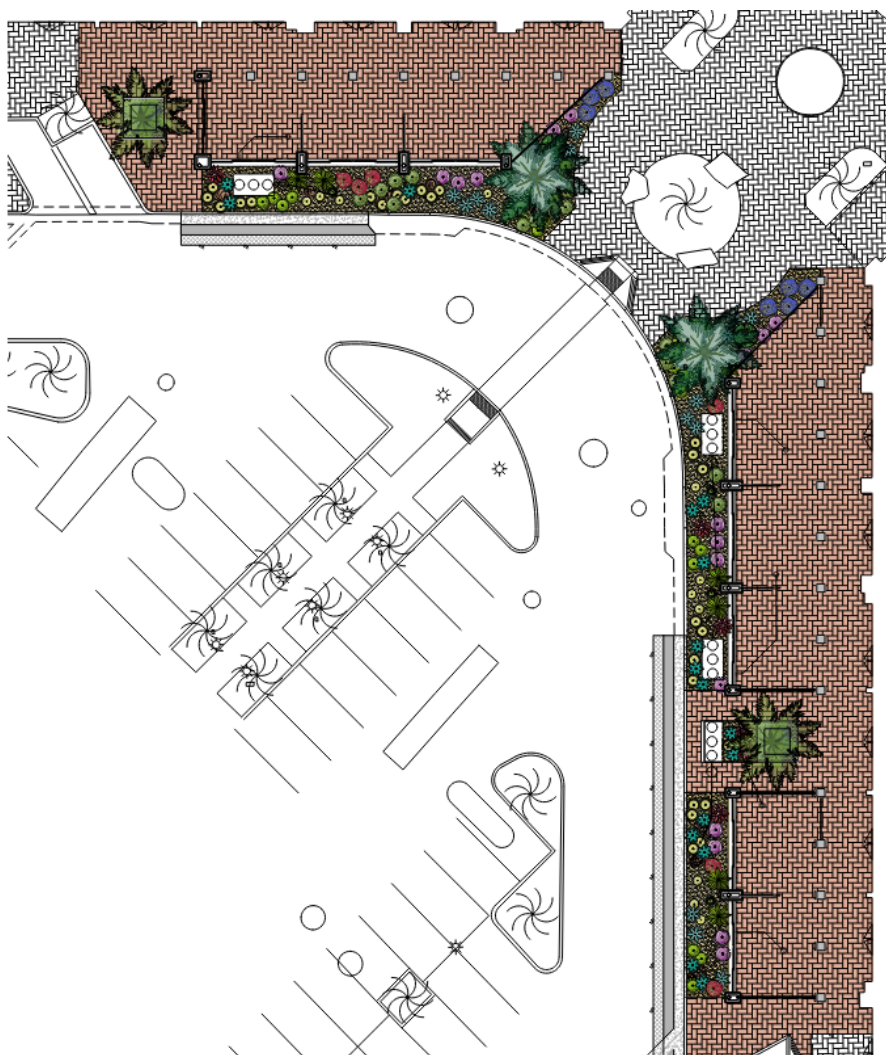


Landscaping

Outdoor areas for these open-air structures are designed to promote pedestrian activity and improved outdoor usability, featuring raised planters, brick pavers, and integrated landscaping elements that harmonize with the existing site design. To ensure a seamless transition between the built and landscaped areas, the Project will utilize a combination of new and existing planters, curbs, and paved walkways. The overall site will maintain a landscape coverage of 37 percent, reinforcing the project's commitment to a visually cohesive and pedestrian-friendly environment.

Further details, including the plant list and hardscape specifications, are provided in the attached plan set (Attachment 2).

Figure 4 – Landscaping Plan



ANALYSIS:

General Plan, Land Use, and Zoning:

The project site is designated Neighborhood Center per the General Plan Land Use Element. This designation is intended “to provide a concentration of commercial business and civic amenities within walking and biking distances of neighborhoods.” (Page 52, General Plan). It accommodates a variety of land uses, including service-oriented uses on ground floors. The proposed use aligns with this designation as part of a compact and walkable mixed-use environment, serving as a transition between neighborhoods and other districts.

The project is allowable within the Regional Commercial Center (PC-3) zoning designation, consistent with the General Plan land use designation. While restaurant uses require a Conditional Use Permit (CUP) per PDMC Section 25.16.030, Table 25.16-1, the expansion of existing outdoor seating beyond a 12-seat capacity also requires approval of a CUP per PDMC Section 25.34.100(A). The Palm Desert Planning Commission may grant a CUP in accordance with PDMC 25.72.050, subject to findings.

Parking:

The project complies with the required parking standards. The use must provide parking at a rate of eight (8) spaces per 1,000 square feet of gross floor area. With a 3,394-square-foot gross area, the proposed patio structures will require 27 on-site parking spaces.

The existing site contains 284 parking spaces, and the project will demolish five (5) spaces, resulting in 279 total proposed spaces. Given the 35,092 square feet of total building area, the current parking requirement for the existing businesses is 280 parking spaces (8 spaces per 1,000 square feet). However, since several personal service businesses within the buildings require only 4 spaces per 1,000 square feet, the proposed outdoor dining space may utilize the existing parking.

The parking study is included in the attached plan set (Attachment 2). The Planning Commission will consider the revised parking ratio upon consideration of the CUP.

Signage:

The project includes new locations for exterior business signage, ensuring tenant visibility and compatibility with the proposed patio structures. Additionally, blade signs will be introduced within the outdoor dining areas, providing directional guidance and replacing the existing exterior identification signs so that restaurant businesses have only a single building-mounted wall sign for the parking lot frontage – in line with PDMC requirement listed in Table 25.56-2: Signs Allowed in Commercial and Industrial Zoning Districts.

The Applicant will provide an updated University Village sign program to clarify the new building frontage sign locations and blade signs, consistent with DR25-0003 renderings in the attached plan set. Staff is recommending the updated sign program be approved by Staff.

Environment Assessment/Environmental Review:

Environmental Assessment can be found in draft Resolution No. 2892 (Attachment 1).

Findings of Approval

Findings of Approval can be found in draft Resolution No. 2892 (Attachment 1).

PUBLIC NOTIFICATION:

Public noticing was conducted for this Planning Commission meeting per the requirements of Palm Desert Municipal Code (PDMC). A public hearing notice was published a minimum of 10 days before the hearing date on Friday, May 23, 2025, in The Desert Sun newspaper. Notices were mailed to all property owners within 300 feet of the project site. No comments have been received to date.

ATTACHMENTS:

1. Resolution No. 2892
2. Plan Set
3. Existing Site Photos
4. Public Hearing Notice
5. ARC Notice of Action