

City of Palm Desert Staff Report

Meeting Date: May 5, 2026

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Department: Development Services

Subject: Consideration to adopt a Notice of Exemption and approve a Conditional Use Permit to operate a 1,900-square-foot bar at 73-730 El Paseo, Suite C, including revised operational details and conditions following a continued public hearing.

Recommendation

Adopt Planning Commission Resolution No. 2917 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) TO OPERATE A NEW 1,900 SQUARE-FOOT BAR USE AT 73-730 EL PASEO, SUITE C”

Executive Summary

This item returns to the Planning Commission following a continued public hearing held on March 17, 2026. At that meeting, the Commission directed the Applicant to conduct additional community outreach and directed staff to return with revised operational details, updated Conditions of Approval, and further evaluation of key operational and compatibility considerations.

Since that time, the Applicant has conducted a second community engagement meeting and submitted revised materials, including an updated Statement of Use, operational details, and proposed mitigation measures. Staff has incorporated this information into a revised analysis and updated the draft Conditions of Approval to address potential noise, security, site management, and compatibility concerns with the El Paseo environment.

Project Overview

The proposed project consists of the establishment of a 1,900-square-foot bar use within an existing commercial tenant space located at 73-730 El Paseo, Suite C. The project involves interior tenant improvements only and does not include expansion of the building footprint or the addition of outdoor service areas. The use is proposed as an interior-only bar with evening-oriented operations, supported by existing pedestrian access from El Paseo and shared parking facilities to the rear within Presidents Plaza.

Need for Action

The project requires Planning Commission action to determine whether the revised operational plan and Conditions of Approval adequately address concerns raised during the initial public

hearing and whether the proposed bar use can be operated in a manner compatible with the El Paseo Overlay District. This includes consideration of whether the revised storefront presentation and pedestrian interface are compatible with the character and intent of the El Paseo Overlay District.

Background

On March 17, 2026, the Planning Commission held a duly noticed public hearing to consider approval of CUP-25-5003 for a bar use at 73-730 El Paseo.

Following public testimony and Commission deliberation, the item was continued to a date uncertain with the following direction:

- 1) The Applicant was directed to conduct an additional community outreach meeting; and
- 2) Staff was directed to return with revised plans, operational details, and updated Conditions of Approval addressing hours of operation, entertainment, access, noise, security, and site management.

On April 7, 2026, the Applicant conducted a second community engagement meeting with nearby residents, business owners, and stakeholders. Attendance records indicate participation from local residents, business owners, and property stakeholders (Attachment 4).

The Applicant also submitted revised operational materials and responses to community questions, which are summarized below.

Analysis

Updated Statement of Operations and Use

The Applicant has provided a revised Statement of Use (Attachment 1, Exhibit B) clarifying operational characteristics:

- Hours of operation: 2:00 PM to 2:00 AM daily
- No kitchen or food service proposed
- No dedicated dance floor
- Interior-only bar use with no outdoor alcohol service

Daily operations would be conducted as follows:

- 2:00 PM – 9:00 PM:
 - Low-level background music
 - Televised programming
 - No low-frequency amplified sound
 - Doors and acoustic curtains remain open as feasible
- After 9:00 PM:
 - Transition to music video-based entertainment
 - Low-frequency amplified sound as permitted per PDMC
 - Doors and acoustic curtains closed to contain sound except to permit standard ingress and egress

These revisions respond directly to Commission concerns regarding intensity of use and entertainment components.

Noise Mitigation Measures

In response to Commission direction, the Applicant has proposed the following noise mitigation measures, which may include but are not limited to:

- Acoustically rated wall and ceiling finishes
- Acoustic curtains at storefront glazing
- Doors closed beginning at 9:00 PM
- Limited speaker system (three interior speakers, no subwoofers)
- Pre-opening sound testing
- Compliance with PDMC noise limits (65 dBA daytime / 55 dBA nighttime)

Staff has incorporated additional Conditions of Approval requiring:

- Restrictions on low-frequency amplified sound prior to 9:00 PM (Condition 17)
- A pre-opening sound test by a licensed acoustic engineer with City staff present (Condition 19)

These measures are intended to ensure compatibility with nearby commercial uses and adjacent residential areas.

Security and Operations

The Applicant has expanded security and operational commitments:

- Minimum of two (2) licensed security personnel from 8:00 PM to 2:30 AM
- Security stationed at:
 - El Paseo frontage
 - Presidents Plaza rear access
- Prohibition of outdoor congregation after 1:45 AM

Staff has strengthened Conditions of Approval to require:

- Continued security presence through closing (Condition 22)
- Enforcement of loitering restrictions (Condition 23)
- Implementation of a formal queueing plan (Condition 30)

Site Management and Maintenance

The Applicant has clarified site maintenance procedures:

- Nightly cleaning of sidewalks and surrounding areas within 30 minutes of closing
- Monitoring of exterior conditions during operations
- Designated smoking area located approximately 70 feet from buildings
- Use of existing Presidents Plaza trash facilities

Staff has revised Conditions of Approval to:

- Require ongoing maintenance of surrounding areas associated with the business (Conditions 24-26)

Access and Circulation

The Applicant has confirmed dual access points:

- Primary access from El Paseo
- Secondary access from Presidents Plaza

Parking is provided via:

- On-street El Paseo parking
- Shared Presidents Plaza parking areas

Staff has evaluated queuing, circulation and access as shown in the site plan (Sheet A1.0) and floor plan (Sheet A2.0) included in Attachment 3. Staff has verified that, as proposed, there will be no obstruction of pedestrian pathways at either the front or rear entrances.

Storefront Design and Pedestrian Interface

In response to Planning Commission direction, the Applicant has submitted a revised storefront concept for the El Paseo frontage (Attachment 3, Sheet A5.1). The proposed design maintains the existing building framework while incorporating updated glazing, entry treatments, and signage elements intended to support a pedestrian-oriented commercial environment.

Key storefront elements include:

- Maintenance of the existing storefront framework
- Introduction of updated glazing and entry treatments
- Integration of signage within the storefront composition (subject to separate design review permit)
- No projection into the public right-of-way
- No obstruction of pedestrian circulation

Operational characteristics related to the storefront include:

- Daytime operations:
 - Transparent glazing to maintain visual connection to the interior
 - Active, pedestrian-oriented frontage
- Evening operations:
 - Doors closed after 9:00 p.m. for noise control
 - Interior-focused activity and controlled lighting

Staff analysis:

- The proposed storefront maintains transparency and pedestrian engagement along El Paseo

- The design does not introduce elements that would disrupt the established streetscape
- Operational measures support compatibility with surrounding uses, particularly with respect to noise containment

Staff finding:

- As conditioned, the storefront design and pedestrian interface are consistent with the intent of the El Paseo Overlay District and maintain compatibility with the existing commercial environment.

Community Outreach and Feedback

The second community meeting provided an opportunity for additional public input.

Key concerns raised included:

- Noise impacts and enforcement
- Patron behavior and vehicle noise
- Ongoing management and oversight
- Comparisons to other bar uses in the area

Responses provided by the Applicant and staff emphasized:

- Enforcement through Code Compliance and Sheriff's Department
- Consistent application of City noise standards
- Revocation authority for noncompliance

Conditions of Approval

In response to Planning Commission direction, staff has revised the Conditions of Approval to address:

- Noise mitigation - frequency restrictions (Condition 17), acoustic review and sound testing (Condition 19)
- Security – staffing (Condition 22), loitering restrictions (Condition 23) and queueing (Condition 30),
- Site management – cleaning maintenance responsibilities (Conditions 24-26)
- Surveillance - interior camera coverage and operational requirements (Condition 35)
- Prohibition of open flames (Condition 41)

These revisions are included in Exhibit A of Attachment 1.

In addition, storefront design and signage compatibility with the pedestrian-oriented character of El Paseo, including maintenance of transparency, appropriate lighting, and unobstructed pedestrian circulation (Attachment 3, Sheet A5.1).

Conclusion

The revised operational plan and Conditions of Approval respond directly to the Planning Commission's March 17, 2026 direction.

As conditioned, the project:

- Maintains an interior-focused operation
- Incorporates enhanced noise and security controls
- Provides operational safeguards to ensure compatibility with surrounding uses

Legal Review

This report has been reviewed by the City Attorney's Office.

Environmental Review

The project is exempt from CEQA pursuant to Section 15301 (Existing Facilities), as it involves the operation of an existing commercial tenant space with no expansion of the building footprint.

Financial Impact

The proposed action has no direct fiscal impact to the City.

Public Notification

Public noticing for the Planning Commission hearing was conducted in accordance with Palm Desert Municipal Code requirements. Notice of the public hearing was published in the Desert Sun newspaper at least ten (10) days prior to the hearing date. Notices were mailed to property owners within 500 feet of the project site and a notice was posted at the project site.

Public comments received since the March 17th meeting are included in Attachment 6.

Attachments

1. Resolution No. 2917 (Updated)
2. Resolution No. 2917 (Tracked Changes)
3. Project Plans (Revised)
4. Community Engagement Materials (Agenda, Attendance, Q&A)
5. Public Notice
6. Public Comment