

PLANNING COMMISSION RESOLUTION NO. 2917

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 TO OPERATE A NEW 1,900 SQUARE-FOOT BAR USE AT 73-730 EL PASEO, SUITE C

CASE NO. CUP-25-5003

WHEREAS, Geoffrey Architects ("Applicant"), submitted a Conditional Use Permit ("CUP") application to allow a new bar use located at 73-730 El Paseo, Suite C (APN 627-212-014) ("Project"); and

WHEREAS, the Project site is located within the El Paseo Overlay District, the Downtown District (D) zoning district, and is designated Downtown by the Palm Desert General Plan; and

WHEREAS, the proposed Project conforms to the General Plan land use designation of Downtown and development standards listed in the City's Zoning Ordinance for the D zoning district; and

WHEREAS, under Section 21067 of the Public Resources Code, Section 15367 of the State 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, the Project has complied with the requirements of the "2024 Local Guidelines for Implementing the California Environmental Quality Act for the City Palm Desert" Resolution No. 2024-035, in that the Director of Development Services has determined that the Project will not have a foreseeable significant impact on the environment and that the Project is eligible for an exemption pursuant to Article 19, Section 15301 Existing Facilities (Class 1); therefore, no further environmental review is necessary at this time; and

WHEREAS, the Planning Commission of the City of Palm Desert, California, did on the 17<sup>th</sup> day of March 2026, 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 approved a motion to continue the project to a date uncertain to address concerns and additional conditions; and

WHEREAS, the Planning Commission of the City of Palm Desert, California, did on the 5th day of May 2026, 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:

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

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

SECTION 2. Findings on Conditional Use Permit. Under Palm Desert Municipal Code (“PDMC”) Section 25.72.050(F), the Planning Commission must make all of the required findings to approve a CUP. Based upon the whole of the administrative record, the Planning Commission finds that the required findings can be made, as follows:

1. The proposed location of the conditional use is in accord with the objectives of this title and the purpose of the district in which the site is located.

*Project Compliance: Yes. The subject property is located within the Downtown (D) zoning district and the El Paseo Overlay District. The El Paseo Overlay is intended to maintain and enhance El Paseo as a premier, pedestrian-oriented shopping and dining destination that attracts both residents and visitors.*

*Although a bar use is not explicitly listed in the permitted use table for the district, bars/lounges have previously been evaluated and approved through discretionary review processes where they are found to be compatible with restaurant and dining-oriented uses along El Paseo. Through Resolution 2838, the Planning Commission determined that bars/lounges are similar in operational characteristics to restaurants for zoning purposes, subject to discretionary review.*

*The project is proposed as a 1,900-square-foot interior bar/lounge within an existing commercial tenant space. The project reuses an existing retail storefront and maintains the pedestrian-oriented character of the El Paseo frontage. As conditioned, the use supports evening activation of the district while remaining consistent with the Overlay’s intent to create a vibrant, walkable commercial corridor.*

*Therefore, the proposed conditional use is consistent with the objectives of the Zoning Ordinance and the purpose of the district and overlay.*

2. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity.

*Project Compliance: Yes. The project consists of a tenant improvement for a 1,900-square-foot interior bar use. No expansion of the building footprint or exterior intensification of the site is proposed. The project qualifies as a Class 1 (Existing Facilities) CEQA exemption.*

The Applicant’s Statement of Use dated April 7, 2026 indicates:

- Hours of operation from 2:00 PM to 2:00 AM daily
- A transition to music-based entertainment in the evening

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- ~~A small dance area~~No dedicated dance floor
- A dress code after 8:00 PM
- A minimum of two licensed security personnel from 8:00 PM to 2:~~30~~0 AM
- ID verification at both entrances
- Security cameras inside and outside the premises

Conditions of Approval require compliance with:

- ABC Type 48 licensing
- Prohibition of off-sale alcohol
- No outdoor alcohol consumption
- Security during designated hours
- Compliance with PDMC Noise Control (Chapter 9.24)
- Revocation provisions for noncompliance

*El Paseo contains a mix of retail, restaurant, and commercial uses. The proposed use is located within an established commercial corridor designed to accommodate pedestrian-oriented commercial activity. As conditioned, the project includes operational controls addressing security, noise, and responsible alcohol service, and does not introduce outdoor amplification or patio service.*

*Accordingly, with the imposition of Conditions of Approval, the use will not be detrimental to the public health, safety, or welfare, nor materially injurious to surrounding properties.*

3. The proposed conditional use will comply with each of the applicable provisions of this title, except for approved variances or adjustments.

*Project Compliance: Yes. The project is a tenant improvement within an existing commercial building and does not propose any modifications to setbacks, building height, floor area, or parking configuration. No variances or development standard adjustments are requested.*

*All signage will be reviewed separately for compliance with PDMC Chapter 25.56 pursuant to the Conditions of Approval.*

*The project remains fully contained within the approved interior tenant space and will obtain all required permits and clearances from Building & Safety, Fire, and Riverside County Health prior to operation.*

*Therefore, the project complies with all applicable provisions of the Palm Desert Municipal Code.*

4. The proposed conditional use complies with the goals, objectives, and policies of the City's General Plan.

*Project Compliance: Yes. The 2016 Palm Desert General Plan envisions Palm Desert as a vibrant, walkable destination supported by a strong tourism and hospitality economy and anchored by an active City Center and commercial corridors.*

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*The General Plan emphasizes supporting tourism and marketing Palm Desert as a year-round destination, enhancing entertainment and cultural amenities, strengthening walkable commercial districts, and creating vibrant centers of activity throughout the community.*

*The following General Plan Land Use goals and policies reflect this vision:*

*Goal 1. Quality Spaces. A beautiful city with a balance of high-quality open spaces and high-quality urban areas.*

*Policy 1.6. Community Amenities. Balance the impacts of new development, density, and urbanization through the provision of a high-level of neighborhood and community amenities and design features.*

*Goal 3. Neighborhoods. Neighborhoods that provide a variety of housing types, densities, designs and mix of uses and services that support healthy and active lifestyles.*

*Policy 3.14. Access to daily activities. Require development patterns such that the majority of residents are within one-half mile walking distance to a variety of neighborhood goods and services, such as supermarkets, restaurants, churches, cafes, dry cleaners, laundromats, farmers markets, banks, hair care, pharmacies and similar uses.*

*Goal 5. Centers. A variety of mixed use, urban centers throughout the city that provide opportunities for shopping, recreation, commerce, employment and arts and culture.*

*Policy 5.1 Downtown. Facilitate the development of the Downtown as a vibrant active downtown that is the civic and cultural heart of the community.*

*The proposed project would operate within an existing commercial tenant space along El Paseo and introduce a bar use that complements the surrounding mix of retail, restaurant, and commercial uses. By activating an existing storefront and drawing patrons to the district during evening hours, the project contributes to the vitality of the City's Downtown commercial corridor and supports the General Plan's goals for vibrant mixed-use centers, walkable districts, and tourism-serving commercial activity.*

*As conditioned, the project includes operational safeguards addressing security, noise, and responsible alcohol service to ensure compatibility with surrounding businesses and the pedestrian environment.*

*Accordingly, the proposed conditional use is consistent with the goals, objectives, and policies of the Palm Desert General Plan.*

SECTION 3. CEQA. The application has complied with the requirements of the "2024 Local Guidelines for Implementing the California Environmental Quality Act for the City Palm

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Desert” Resolution No. 2024-035, in that the Planning Commission finds that the Project is exempt from CEQA pursuant to Section 15301 Existing Facilities (“Class 1”).

City staff has reviewed the project in accordance with CEQA and recommends that the project is exempt from environmental review pursuant to Section 15301 Existing Facilities (Class 1) of the State CEQA Guidelines. 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 project does not expand the existing building. The project is consistent with the Downtown land use designation for the site, as well as the Downtown zoning designation. Pursuant to Section 15300.2 of the CEQA Guidelines, a Class 1 exception may not be used if the project falls into any exceptions:

1. Location: The project qualifies as a Class 1 exemption, which is not listed as one of the classes under 15300.2 (A). The project is not located on a site where it may have an adverse impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The project site will not impact designated environmental or biological resources as it is not located within a conservation area as identified by the (MSHCP).
2. Cumulative Impact: The project will not have a cumulative impact on the environment. The proposed use does not require any structural changes to the site, which would result in increased square footage or a demand for more resources. The existing parking available in the rear parking lot is sufficient, and no additional parking is necessary.
3. Significant Effect: There are no unusual circumstances identified in relation to the proposed use or project site which would result in a significant impact on the environment. The project site is not located within a flood zone per the latest FEMA Flood Zone Maps. The project site is not located within a High Fire Severity Zone as shown in Figure 8.5 of the General Plan. The project site is not identified within an Alquist-Priolo Fault Zone per the latest maps on file with the California Department of Conservation.
4. Scenic Highways: The project site is not located within proximity of any officially designated state Scenic Highway.
5. Hazardous Waste Site: The project site has not been identified as a hazardous waste site per maps and databases provided by the California Department of Toxic Substances Control (DTSC).
6. Historical Resources: The project site does not contain any structure or title that would designate it as a historical resource. Therefore, the project will not cause a substantial adverse change in the significance of a historical resource.

SECTION 4. Project Approval. The Planning Commission hereby ~~recommends approval of~~approves CUP-25-5003, subject to the Conditions of Approval in Exhibit A and Statement of Use in Exhibit B unless otherwise modified by Exhibit A.

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SECTION 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at the City's office at 73510 Fred Waring Drive, Palm Desert, CA 92260. Rosie Lua, the Secretary to the Palm Desert Planning Commission, is the custodian of the record of proceedings.

SECTION 6. Execution of Resolution. The Chairperson of the Planning Commission signs this Resolution, and the Secretary to the Commission shall attest and certify to the passage and adoption thereof.

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

1. That the above recitations are true and correct and constitute the findings for approval of the Planning Commission in this case.
2. That the Planning Commission does hereby approve Case No. CUP-25-5003, pursuant to the conditions of approval in Exhibit A and the statement of use in Exhibit B.

ADOPTED ON ~~March-May 5+7~~, 2026.

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LINDSAY HOLT  
CHAIRPERSON

ATTEST:

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ROSIE LUA  
SECRETARY

I, Rosie Lua, Secretary of the City of Palm Desert Planning Commission, hereby certify that Resolution No. 2917 is a full, true, and correct copy, and was duly adopted at a regular meeting of the Planning Commission of the City of Palm Desert on ~~March-May 5+7~~, 2026, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
- RECUSED:

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on ~~March~~ May \_\_\_\_, 2026.

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ROSIE LUA  
SECRETARY

DRAFT

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**EXHIBIT A**

**CONDITIONS OF APPROVAL  
CASE NO. CUP-25-5003**

**PLANNING DIVISION:**

1. The development of the property shall conform substantially with the approved exhibits contained in CUP-25-5003 on file in the Development Services Department, except as modified by the following conditions.
2. The Applicant agrees that in the event of any administrative, legal, or equitable action instituted by a third party challenging the validity of any of the procedures leading to the adoption of these Project Approvals for the Project, or the Project Approvals themselves, the developer and City each shall have the right, in their sole discretion, to elect whether or not to defend such action. The Applicant, at its sole expense, shall defend, indemnify, and hold harmless the City (including its agents, officers, and employees) from any such action, claim, or proceeding with counsel chosen by the City, subject to the Applicant's approval of counsel, which shall not be unreasonably denied, and at the Applicant's sole expense. If the City is aware of such an action or proceeding, it shall promptly notify the Applicant and cooperate in the defense. The Applicant upon such notification shall deposit with the City sufficient funds in the judgment of the City Finance Director to cover the expense of defending such action without any offset or claim against said deposit to assure that the City expends no City funds. If both Parties elect to defend, the Parties hereby agree to affirmatively cooperate in defending said action and to execute a joint defense and confidentiality agreement in order to share and protect the information under the joint defense privilege recognized under applicable law. As part of the cooperation in defending an action, City and Applicant shall coordinate their defense in order to make the most efficient use of legal counsel and to share and protect information. The Applicant and City shall each have sole discretion to terminate its defense at any time. The City shall not settle any third-party litigation of Project approvals without the Applicant's consent, which consent shall not be unreasonably withheld, conditioned, or delayed unless the Applicant materially breaches this indemnification requirement.
3. The development of the property described herein shall be subject to the restrictions and limitations set forth herein, which are in addition to the approved development standards listed in the PDMC and state and federal statutes now in force or which hereafter may be in force.
4. This approval authorizes the operation of a Type 48 alcohol sales license, subject to approval from California Department of Alcohol and Beverage Control, within the 1,900-square-foot commercial tenant space located at 73-730 El Paseo.
5. Failure to comply with any of these conditions will result in the revocation of this permit subject to PDMC 25.72.050.
6. The applicant/owner must notify the City of Palm Desert Development Services Department if it intends to transfer this Conditional Use Permit to new applicant/owners. The City reserves the right to review any new applicant/owners to confirm compliance with this Conditional Use Permit. If a new applicant/owner is determined to not adhere to this Conditional Use Permit, the Conditional Use Permit may be revoked.

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7. The approved CUP may only be modified with City approval under PDMC Chapter 25.72.050.
8. Within thirty (30) days of the receipt of the signed Conditions of Approval, the Applicant shall execute a written acknowledgment to the Director of Development Services stating acceptance of and compliance with all the Conditions of Approval of Resolution No. 2917 and that the plans submitted comply with the Conditions of Approval. No modifications shall be made to said plans without written approval from the appropriate decision-making body.
9. The approved use shall commence within two (2) years from the date of final approval unless an extension of time is granted; otherwise, said approval shall become null, void, and of no effect whatsoever.
10. Prior to the issuance of a building permit for the construction of any use or structure contemplated by this approval, the Applicant shall first obtain permits and or clearance from the following agencies:

Fire Marshall  
City of Palm Desert Building and Safety Division  
Riverside County Health

Evidence of said permit or clearance from the above agencies shall be presented to the Building & Safety Division at the time of issuance of a building permit for the use contemplated herewith.

11. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
12. No alcohol consumption shall occur outside the approved interior premises.
13. Interior and exterior signage shall be reviewed and approved by the Department of Development Services and shall conform to the City's Sign Ordinance Chapter 25.56.
14. The Applicant must maintain a minimum horizontal clearance of 48 inches along the entire pathway fronting the tenant space for accessibility purposes.
15. The Applicant shall comply with PDMC Chapter 9.24 (Noise Control). Amplified sound shall not exceed the maximum permissible noise levels at the property line, as measured in accordance with the Municipal Code. Any music or any noise from the establishment or patrons shall be kept at a level that will not cause a disturbance of the peace, disorderly conduct, or any other California Penal Code offenses.
16. Exterior doors and windows shall remain closed during hours of amplified music, except for normal ingress and egress.
- ~~16.~~17. The use of low-frequency amplified music prior to 9:00 p.m. is prohibited.
18. If the establishment is found to be in violation of the City's Noise Ordinance on three (3) or more separate occasions within any twelve (12) month period, as documented by Code Compliance or law enforcement, the Director of Development Services may require the Applicant to implement additional noise mitigation measures or initiate a review of this

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Conditional Use Permit, including possible modification or revocation, pursuant to the Palm Desert Municipal Code.

~~17-19.~~ Prior to the issuance of a Certificate of Occupancy, the applicant shall conduct a pre-opening sound test by a licensed acoustic engineer with at least one member of City Planning staff present.

~~18-20.~~ The Applicant shall comply with all rules and regulations of the California Department of Alcoholic Beverage Control pertaining to the sale and consumption of alcohol.

~~19-21.~~ The Applicant shall take reasonable measures to prevent loitering on the premises and shall actively discourage loitering immediately adjacent to the premises associated with the operation of the business.

22. The Applicant shall provide a minimum of two (2) licensed security guards, compliant with California Bureau of Security and Investigative Services (BSIS) requirements, on duty from ~~89:00~~ p.m. to ~~2:300~~ a.m. Guards shall not be employees serving in dual roles (e.g., bartender/security).

23. Outdoor congregation at the front and rear entrances after 1:45 a.m. shall be prohibited.

24. The Applicant shall provide and maintain a portable cigarette waste receptacle within a designated outdoor smoking area in Presidents Plaza, located a minimum of seventy (70) feet from any building. The receptacle shall be removed, cleaned, and stored within the Applicant's leased premises at the close of each business day.

~~20.~~

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~~24-25.~~ The Applicant shall ~~clean-maintain~~ all publicly accessible areas, including but not limited to street sidewalks, landscape areas, parking within 100 feet of the primary entrance in a clean and litter-free condition, to the extent such areas are publicly accessible and reasonably associated with the operation of the business. Cleaning shall occur as needed before, during, and after business hours to ensure ongoing compliance.

~~22-26.~~ The Applicant is responsible for the immediate sanitary removal of bodily waste from patrons of the subject bar use. The Applicant shall maintain an active service agreement with a professional biohazard and hazardous materials cleanup company capable of responding within two (2) hours of request for the sanitary removal of any human waste or bodily fluids occurring on the premises or within areas under the control of the business. Documentation of such agreement shall be provided to the Planning Division prior to issuance of a business permit.

~~23-27.~~ The bar use shall operate only during the operational hours from 2:00 p.m. to 2:00 a.m. After-hours use of the facility shall not be permitted, other than for routine clean-up maintenance, and deliveries.

~~24-28.~~ At least 30 days prior to any event outside the primary bar use, the Applicant must submit a Temporary Use Permit (TUP) application to the Planning Division for review and approval.

29. Prior to issuance of a Business License, the Applicant shall submit an Operational Management Plan to the Director of Development Services outlining security protocols, staff

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training, patron queuing procedures, trash management, and noise control measures. The establishment shall operate in substantial conformance with the approved plan.

~~30.~~ Outdoor queuing shall be conducted in substantial conformance with the queuing plan presented to and approved by the Planning Commission, as reflected in the approved project plans. Any deviation from the approved queuing plan shall require review and approval by the Development Services Department.

~~25.~~

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~~26-31.~~ Any live entertainment including the presence of a live DJ shall require an approved Entertainment Site Plan pursuant to the requirements of PDMC Section 5.100.030.

~~27-32.~~ Any improvements or modifications required by the City of Palm Desert, Riverside County Department of Environmental Health, or other applicable regulatory agency as a result of the establishment or operation of the approved bar use shall be the sole responsibility of the property owner. This includes, but is not limited to, required improvements to shared facilities serving the site, such as the Presidents Plaza trash enclosure. Any such improvements, including the application of an epoxy coating to the trash enclosure floor as required by Riverside County Department of Environmental Health, shall be completed at the sole expense of the property owner/applicant and subject to review and approval by the City of Palm Desert Public Works Department.

~~28-33.~~ The Applicant shall return to the Planning Commission after six (6) months, twelve (12) months, and twenty four (24) months of operation to report on compliance with this Conditional Use Permit. After 24 months of operation, it is up to the discretion of the Planning Commission on any future reports.

### CODE ENFORCEMENT:

~~29-34.~~ The Applicant shall provide city staff copies of RBS Certification for all servers and managers prior to operation.

~~30-35.~~ The Applicant shall install and maintain a digital security camera system that continuously monitors and records ~~activity-all interior and exterior activities including but not limited to at~~ all public entrances and exits, and the exterior frontage immediately adjacent to the premises. Cameras shall operate twenty-four (24) hours per day, seven (7) days per week, and shall maintain a minimum of one hundred twenty (120) concurrent hours of digitally recorded footage. Cameras shall include a battery backup feature in the event power is lost. Recordings shall be retained in good working order and provided to the City's Code Compliance Division or the Riverside County Sheriff's Department within twenty-four (24) hours of request. The Applicant shall submit a site plan identifying camera locations within the building interiors and exteriors prior to issuance of a Business License. Any modification to camera placement shall require written approval.

~~34-36.~~ The City shall have up to date contact information, including phone number and e-mail, for the on-site manager on duty at all times.

### FIRE

~~32-37.~~ Egress path is being reduced in the north dining/drinking area. Shall maintain a clear path of egress to both exits.

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~~33-38.~~ Occupant loads to be calculated by use for each area at time of architectural submittal.

~~34-39.~~ Hood fire suppression system will be required if any cooking is to take place. No cooking proposed or approved at this time. Fire alarm will be required to monitor the hood suppression system if one is installed.

~~40.~~ CO2 monitoring may be required, this requirement will be based on the quantity of material used. This will be based on the amount and type of soda gas being used.

~~35-41.~~ The use of open flames inside the bar shall be prohibited.

### ENVIRONMENTAL HEALTH

~~36-42.~~ Equipment B12 dishwasher and B14 back bar refrigerator must have 6-inch round metal legs or lockable casters. They can't sit directly on the floor.

~~37-43.~~ A 6-inch tall, stainless-steel splashguard is required on both sides of the hand sink and both dump sinks.

~~38-44.~~ Eliminate conflicting cove base information on the plans. Sheet A7.1 shows rubber base for the BOH. Sheet A 9.0 shows a continuous troweled epoxy floor and base. \*\*Rubber base is not an approved finish. See guide.\*\* Sheet A8.1 shows Daltile Cove base in the restrooms. Sheet A9.0 shows troweled epoxy. \*\*The approved Daltile model numbers for cove base is S3419T or S3619T.

~~39-45.~~ Clarify flooring for the bar and storage room. Schedule shows FL-1 for restrooms but not for the rest of the facility.

~~40-46.~~ Clarify the cove base material on the employee side of the bar. Cove base cannot be painted. See guide for details.

~~41-47.~~ Provide an approved air curtain on the delivery door to this facility. The air curtain must span the width of the door, be microswitch activated, no "high/low" control knob, and produce a minimum of 1600 FPM at a height of 3ft above the floor level.

~~42-48.~~ Show the location of the outside trash dumpster enclosure. The interior walls and floor to the trash enclosure must be smooth and painted with an epoxy sealer for cleaning purposes.

~~43-49.~~ Backup dry storage shelving must be a minimum of 18-inches deep. A minimum of 16 linear ft (minimum of 3 tiers high) or 48 tier ft (every shelf is counted) is required.

~~44-50.~~ Light above the bar prep area must be shatter resistant.

~~45-51.~~ The proposed hybrid (heat pump) water heater Rheem HPLD50-2RH (40 gph @ 60 degree rise) is undersized for this floor plan (minimum needed is 72gph @ 60 degree rise). Provide a water heater that produces a minimum of 72gph @ 60 degree rise, or the plans must be stamped by a licensed Mechanical or Plumbing Engineer.

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46-52. The dump sinks, drain boards, ice bins, soda gun holster must drain to an approved floor sink that is within 15ft of the equipment drain opening.

47-53. Provide a grease interceptor waiver or sizing approval from Coachella Valley Water District prior to the final inspection.

**END OF CONDITIONS OF APPROVAL**

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### EXHIBIT B Statement of Use

April 7, 2026

Dear City of Palm Desert Planning Staff and Planning Commissioners,

My name is Patrick Masur, and I am submitting this letter to present my Statement of Use for ROCK'N AVENUE, a new upscale bar and nightlife venue that will be located at 73730 El Paseo in Palm Desert. This establishment is designed to complement the vibrant and sophisticated atmosphere of El Paseo, while offering a unique entertainment option for both residents and visitors.

ROCK'N AVENUE will operate seven days a week from 2:00 PM to 2:00 AM. During Happy Hour, between 2:00 PM to 7:00 PM, the bar will feature televised sports and entertainment programming without low-frequency amplified music, creating a relaxed lounge environment. At 9:00 PM, the space will transition into a livelier setting featuring music from the 60s, 70s, 80s, 90s, and early 2000s, along with their original music videos displayed on TVs throughout the venue, while catering to guests who appreciate timeless classics and a nostalgic atmosphere. There will be no dedicated dance floor. Food will not be prepared on site, served, or permitted to be consumed unless the applicant adheres to Riverside County Fire Department and Department of Environmental Health requirements.

The establishment will maintain an intimate, upscale ambiance. The overall design of ROCK'N AVENUE blends modern luxury with vintage rock elements, featuring quality furnishings, ambient lighting, and tasteful décor consistent with the elegance of the El Paseo Downtown District. Storefront glazing will include acoustic curtains that remain open during the day to enhance visibility into the space and highlight the interior design and entertainment features. Beginning at 9:00 PM, when music levels increase, the acoustic curtains will be drawn closed and storefront doors closed so they function as acoustically designed. The storefront doors will remain visually transparent so evening passersby can still experience glimpses of the interior lighting and featured music videos while walking along El Paseo.

To maintain the venue's upscale character, a dress code will be implemented after 8:00 PM. A minimum of two (2) licensed security personnel will be on site daily from 8:00 PM to 2:30 AM. Security operations will include ID verification at both the El Paseo and Presidents Plaza entrances, adherence to a queuing plan, and security cameras installed throughout the premises, both inside and outside, with access provided to City Code Compliance as conditioned. Staff will ensure that all public areas outside each entrance remain free of loitering and queuing by 1:45 AM and are cleaned within 30 minutes after closing. Open flames will not be permitted on the premises. A dedicated smoking area will be located 70 feet from the nearest building within Presidents Plaza and will be attended to and cleaned at closing. I will personally ensure nightly inspection and maintenance of this area.

ROCK'N AVENUE will comply fully with all applicable City ordinances and California Department of Alcoholic Beverage Control regulations. We are committed to maintaining responsible service practices and will adhere to all health, fire, and safety standards. Guests may access the venue from both El Paseo and Presidents Plaza and are expected to park either along El Paseo or within the Presidents Plaza parking area. There will typically be two to four employees working any given night, in addition to two security personnel. Interior wall and ceiling finishes have been specified with acoustical ratings intended to dampen sound transmission, and a pre-opening sound test will be conducted to confirm compliance with City-required noise limits.

Our goal is to enhance the daytime and nightlife options available on El Paseo, attract afternoon and evening visitors to the area, and contribute to the local economy by creating new employment opportunities for bartenders, service staff, and security personnel. We also intend to work closely with nearby hotels and local businesses to support tourism and provide guests with a sophisticated, memorable experience on El Paseo.

ROCK'N AVENUE is designed to be a positive and responsible addition to the El Paseo Downtown District, offering great music, quality service, and an inviting environment that supports both the community and the City's vision for growth and diversity in entertainment.

Thank you for considering my proposal. I look forward to working with the City of Palm Desert to make ROCK'N AVENUE a successful and respected part of the El Paseo community. Please don't hesitate to contact me if you have any questions or would like additional information about our operations or security plan. Additional information is available at [www.RocknAvenue.com](http://www.RocknAvenue.com).

Sincerely,



Patrick Masur

Owner, ROCK'N AVENUE



