

PLANNING COMMISSION CITY OF PALM DESERT, CALIFORNIA

MINUTES

Tuesday, July 18, 2023



6:00 p.m.
Regular Meeting

This meeting was conducted by teleconference, and there was in-person public access to the meeting location.

1. CALL TO ORDER

A Regular Meeting of the Planning Commission was called to order by Chair DeLuna on Tuesday, July 18, 2023, at 6:00 p.m.

2. ROLL CALL

Present: Commissioners John Greenwood, Ron Gregory, Vice-Chair Joseph Pradetto, and Chair Nancy DeLuna.

Absent: Commissioner Holt.

Staff

Present: Ryan Guiboa, City Attorney; Richard D. Cannone, Director of Development Services; Nick Melloni, Principal Planner; Carlos Flores, Senior Planner, Anna Dan, Associate Planner I, Eric Ceja, Director of Economic Development, and Monica O'Reilly, Executive Administrative Assistant.

3. PLEDGE OF ALLEGIANCE

Vice-Chair Pradetto led the Pledge of Allegiance.

4. NON-AGENDA PUBLIC COMMENT:

None.

5. CONSENT CALENDAR:

The staff report(s) and Zoom video of the meeting are available on the City's website. Click on the following link to access: <https://www.palmdesert.gov/our-city/committees-and-commissions/commission-information>.

A. APPROVAL OF MINUTES

RECOMMENDATION: Approve the Planning Commission Study Session minutes of June 20, 2023.

RECOMMENDATION: Approve the Planning Commission Meeting minutes of June 20, 2023.

MOTION BY COMMISSIONER GREENWOOD, SECOND BY VICE-CHAIR PRADETTO, CARRIED 4-0 (HOLT ABSENT), to approve the Planning Commission Study Session and Regular Meeting minutes of June 20, 2023.

CONSENT ITEMS HELD OVER:

None.

6. ACTION CALENDAR

None.

7. PUBLIC HEARINGS

The staff report(s) and Zoom video of the meeting are available on the City's website. Click on the following link to access: <https://www.palmdesert.gov/our-city/committees-and-commissions/commission-information>.

A. CONSIDERATION OF A REQUEST TO APPROVE A ONE-YEAR TIME EXTENSION FOR TENTATIVE PARCEL MAP 37234 TO SUBDIVIDE A 32-ACRE AREA INTO FOUR (4) PARCELS AT THE SOUTHEAST CORNER OF MONTEREY AVENUE AND DICK KELLY DRIVE

Principal Planner Melloni narrated a PowerPoint presentation on this item.

Chair DeLuna opened the Public Hearing.

Chris Chambers, the representative for the property owner, stated that the extension is due to having a buyer for the two residential parcels under contract. The buyer is preparing to submit a Precise Plan application.

There being no others desiring to speak, the Public Hearing was closed.

MOTION BY COMMISSIONER GREGORY, SECOND BY COMMISSIONER GREENWOOD, CARRIED 4-0 (HOLT ABSENT), approving Planning Commission Resolution No. 2835:

1. Granting the extension of time to extend the project approval until September 12, 2024.

B. CONSIDERATION TO ADOPT A NOTICE OF EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND APPROVAL OF A CONDITIONAL USE PERMIT AND PRECISE PLAN TO DEVELOP A 3,539-SQUARE-FOOT, SINGLE-STORY BUILDING WITHIN THE PALM DESERT CIVIC CENTER CAMPUS LOCATED AT THE NORTHEAST CORNER OF SAN PABLO AVENUE AND FRED WARING DRIVE (ASSESSOR'S PARCEL NUMBER 622-250-014)

Commissioner Greenwood interjected he is with Prest Vuksic Greenwood Architects (PVG Architects), who are the Applicant and architects for this project, and recused himself from this item.

Senior Planner Flores presented the staff report and responded to the Planning Commission's questions regarding public events and parking for events.

Chair DeLuna opened the Public Hearing.

Nicole Williams, PVG Architects, noted that she had a presentation; however, it is a repeat of the presentation given by Mr. Flores.

There being no others desiring to speak, the Public Hearing was closed.

MOTION BY VICE-CHAIR PRADETTO, SECOND BY COMMISSIONER GREGORY, CARRIED 3-0 (HOLT ABSENT AND GREENWOOD RECUSED), approving Planning Commission Resolution No. 2836:

1. Adopting a Notice of Exemption for a Class 32 Categorical Exemption in accordance with CEQA Guidelines Section 15332 as an Infill development.
2. Approving Conditional Use Permit (CUP) 23-0001 and Precise Plan (PP) 23-0001 for a 3,539-square-foot, single-story building located at the northeast corner of San Pablo Avenue and Fred Waring Drive (Assessor's Parcel Number 622-250-014).

Commissioner Greenwood returned to the meeting at 6:21 p.m.

C. CONSIDERATION OF A RECOMMENDATION TO THE CITY COUNCIL TO ADOPT A NOTICE OF EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVAL OF CHANGE OF ZONE 23-0001 TO CHANGE THE ZONING DESIGNATION OF PARCEL 1 OF PARCEL MAP NO. 36614, LOCATED APPROXIMATELY 500 FEET FROM THE NORTHWEST CORNER OF HIGHWAY 111 AND FRED WARING DRIVE FROM RESORT COMMERCIAL CENTER (PC-4) TO DISTRICT COMMERCIAL CENTER (PC-2)

Principal Planner Melloni presented the staff report.

Commissioner Gregory commented that the Change of Zone would benefit the development.

Chair DeLuna opened the Public Hearing.

Adam Gilbert, the applicant, stated that the Change of Zone would help get tenants into the building and answered questions from the Planning Commission.

There being no others desiring to speak, the Public Hearing was closed.

MOTION BY COMMISSIONER GREENWOOD, SECOND BY COMMISSIONER GREGORY, CARRIED 4-0 (HOLT ABSENT), approving Planning Commission Resolution No. 2837:

1. Recommending that the City Council adopt a Notice of Exemption pursuant to the General Rule Exemption under Section 15061(b)(3) "General Rule."
2. Recommending that the City Council approve Case No. CZ23-0001 for a Change of Zone for Parcel 1 of Parcel Map No. 36614 from the PC-4 to PC-2 zoning designation.

D. CONSIDERATION TO ADOPT A NOTICE OF EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND A USE DETERMINATION (UD) THAT A BAR/LOUNGE IS SIMILAR TO OTHER USES PERMITTED IN THE DISTRICT PLANNED COMMERCIAL (PC-2) ZONING DISTRICT AND MAY BE ALLOWED, SUBJECT TO AN ADMINISTRATIVE USE PERMIT AT 72221 HIGHWAY 111, SUITE 110

Associate Planner Dan narrated a PowerPoint presentation on this item. Staff responded to questions from the Planning Commission regarding the Administrative Use Permit (AUP)/Conditional Use Permit (CUP) process for a bar and lounge and other bars and lounges previously approved through a CUP application.

There was a discussion between the Planning Commission, the City Attorney, and City staff regarding a policy on a UD and AUP process.

Chair DeLuna opened the Public Hearing.

Adam Gilbert, the property owner at 72221 Highway 111, noted that the operator for Adults Only (bar/lounge) is available via Zoom to answer any questions. He mentioned that Adults Only is an existing brand with a location in Los Angeles and is considered a high-end bar.

There being no others desiring to speak, the Public Hearing was closed.

Vice-Chair Pradetto requested changing the Planning Commission resolution to clarify AUPs related to bars and lounges are to be considered by the Commission for approval.

City staff proposed the following changes to Resolution No. 2838:

1. *Whereas, Palm Desert Municipal Code 25.64.040 establishes that the Zoning Administrator may refer to an Administrative Use Permit to the Planning Commission for review and approval.*
2. *Whereas, at said public hearing, the Planning Commission expressed that Bars/Lounges shall be referred to the Planning Commission for such consideration.*
3. *Section 2. Findings on Use Determination. Adding to Section 2, “. . . subject to an Administrative Use Permit referred to the Planning Commission.”*

MOTION BY VICE-CHAIR PRADETTO, SECOND BY COMMISSIONER GREENWOOD, CARRIED 4-0 (HOLT ABSENT), approving Planning Commission Resolution No. 2838:

1. Adopting a Notice of Exemption, pursuant to the General Rule Exemption under Section 15061(b)(3), “General Rule.”
2. Approving Case No. UD23-0001 to deem a Bar/Lounge use as an administratively allowed use within the District Planned Commercial (PC-2) zoning designation.

8. INFORMATIONAL REPORTS & COMMENTS

A. SUMMARY OF CITY COUNCIL ACTIONS

Director Cannone reported that the City Council requested City staff look at the 111 Development Code and provide an assessment of the code. The Council had previously discussed the code in 2019 related to a concern with building heights.

B. COMMITTEE MEETING UPDATES

1. Cultural Arts Committee
None.
2. Parks and Recreation Commission
None.

C. PLANNING COMMISSIONERS

None.

D. CITY STAFF

Principal Planner Melloni reported that City staff intends to hold a second community meeting on the Objective Design Standards for residential and multifamily development on August 7, 2023, at the Palm Desert iHub. There will be a special session with the Planning Commission on August 8. Additionally, staff requested proposals to amend the University Neighborhood Specific Plan.

Commissioner Greenwood requested that staff email the dates for the meetings on the Objective Design Standards and various events to the Planning Commission.

E. ATTENDANCE REPORT

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

9. ADJOURNMENT

The Planning Commission adjourned the meeting at 7:03 p.m.

Respectfully submitted,

Monica O'Reilly, Executive Administrative Assistant
Recording Secretary

ATTEST:

Richard D. Cannone, AICP, Director of Development Services
Secretary

APPROVED BY THE PLANNING COMMISSION: 08/01/2023