



**PLANNING COMMISSION  
MINUTES  
TUESDAY, JUNE 11, 2019**

**CALL TO ORDER**

A regular meeting of the La Quinta Planning Commission was called to order at 6:37 p.m. by Chairperson McCune.

PRESENT: Commissioners Bettencourt, Caldwell, Currie, Proctor, Quill, Wright and Chairperson McCune

ABSENT: None

STAFF PRESENT: Design and Development Director Danny Castro, Assistant City Attorney Travis Van Ligten, Planning Manager Cheri L. Flores, City Engineer Bryan McKinney, Consulting Planner Nicole Sauviat Criste, Senior Planner Carlos Flores, Commission Secretary Wanda Wise-Latta and Administrative Assistant Mirta Lerma

**PLEDGE OF ALLEGIANCE**

Commissioner Quill led the Planning Commission in the Pledge of Allegiance.

**PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA** - None

**CONFIRMATION OF AGENDA** - confirmed

**ANNOUNCEMENTS, PRESENTATIONS AND WRITTEN COMMUNICATIONS** - None

Chairperson McCune stated he would recuse himself from discussion and vote on Public Hearing Item No. 1 due to a potential conflict of interest stemming from a potential source of income, and asked Vice Chairperson Caldwell to act as presiding officer during consideration of the item.

Planning Commission concurred.

**CONSENT CALENDAR**

1. APPROVAL OF MINUTES DATED MAY 14, 2019

**MOTION** - A motion was made and seconded by Commissioners Proctor/Bettencourt to approve the Consent Calendar as submitted. AYES:

Commissioners Bettencourt, Caldwell, Currie, Proctor, Quill, Wright and Chairperson McCune. NOES: None. ABSENT: None. ABSTAIN: None. Motion passed unanimously.

**BUSINESS SESSION** - None

**STUDY SESSION** - None

**PUBLIC HEARING**

*CHAIRPERSON MCCUNE RECUSED HIMSELF FROM VOTING ON PUBLIC HEARING ITEM NO. 1 DUE TO A POTENTIAL CONFLICT OF INTEREST STEMMING FROM ITEM BEING A POTENTIAL SOURCE OF INCOME AND LEFT THE COUNCIL CHAMBER.*

*VICE CHAIRPERSON CALDWELL ASSUMED THE RESPONSIBILITY OF PRESIDING OFFICER.*

1. ADOPT A RESOLUTION TO APPROVE CONDITIONAL USE PERMIT 2018-0005 AND SITE DEVELOPMENT PERMIT 2018-0004 TO CONSTRUCT 16 APARTMENTS ON 1.3 ACRES. APPLICANT: SOUTH WEST CONCEPTS, INC. FOR NISPERO PROPERTIES, INC. CEQA: EXEMPT FROM ENVIRONMENTAL REVIEW, PURSUANT TO SECTION 15332, IN-FILL DEVELOPMENT. LOCATION: 51-480 DESERT CLUB DRIVE. [RESOLUTION 2019-009]

Consulting Planner Nicole Sauviat Criste presented the staff report, which is on file in the Design and Development Department. She noted that the City Engineer had a comment regarding the central driveway and proposed an addition to the conditions of approval.

City Engineer McKinney stated that because the existing project sits on two separate parcels which split the driveway, staff would like to add a condition whereby the applicant enters into a reciprocal access agreement between the two parcels and that it be recorded against the parcels; or merge the two parcels into one parcel prior to issuance of a building permit.

Ms. Criste responded to Planning Commissioners' inquiries regarding density; the possibility of an onsite resident manager; covered parking; shade trees; noise levels; location of handicapped-parking spaces; and the Village Master Plan. She also noted that the Commission could condition the project to provide covered parking.

VICE CHAIRPERSON CALDWELL OPENED THE PUBLIC HEARING AT 6:55 P.M.

PUBLIC SPEAKER: Stephen R. Nieto, Principal, South West Concepts, Inc., La Quinta, CA – introduced himself and indicated he was available to answer questions from the Planning Commission. He noted that one enclosed garage space is

provided per unit in addition to parking spaces located on the east side of the project.

Commissioner Proctor inquired why the ancillary parking is not covered and if the applicant would be amenable to covering the parking spaces. Mr. Nieto noted covered parking was not required, would be an additional cost, and would be a consideration for the owner of the project.

PUBLIC SPEAKER: Rob Capetz, Rancho Mirage, CA – introduced himself as the project owner and spoke about covered parking versus garage space; felt the garage space was a bigger benefit to the residents versus covered parking; and about the use of trees to provide shading for the parking on the east side of the project.

Commissioner Proctor asked Mr. Capetz about provisions for security to which Mr. Capetz indicated none was planned and that his office is located near the project and they have not had security issues.

Commissioner Quill asked if staff had reviewed the lighting plan and staff affirmed they had.

PUBLIC SPEAKER: William Villegas, La Quinta, CA – spoke in opposition to the Desert Club Apartments project as he did not feel the location was appropriate.

PUBLIC SPEAKER: Eileen Phelan, La Quinta, CA – spoke in opposition to the Desert Club Apartment project due to noise and the impact upon their quality of life.

PUBLIC SPEAKER: Elaine Tadros, La Quinta, CA – spoke in opposition to the Desert Club Apartments project due to its visual impact; noise; location of the project; impact on property values; and crime. She expressed the need to allow for additional time to allow area residents to share their thoughts about the project.

PUBLIC SPEAKER: Tadros Tadros, La Quinta, CA – spoke in opposition to the Desert Club Apartments project due to the proposed building height; noise; traffic; parking along Desert Club Drive; loss of privacy; and obstruction of their view.

Vice Chairperson Caldwell noted that prior to the start of the meeting, correspondence in opposition to the Desert Club Apartments project had been received from Martina Wetmore and had been distributed to the Planning Commission.

**VICE CHAIRPERSON CALDWELL CLOSED THE PUBLIC HEARING AT 7:09 P.M.**

At the request of Commissioner Quill, Consulting Planner Criste provided background information regarding the City's General Plan; the Village Commercial Zone, and the Village Master Plan.

Staff responded to Commissioners' inquiries regarding window locations on the proposed apartment buildings; and height of buildings located to the west of the proposed project along Desert Club Drive indicating they are two-story.

VICE CHAIRPERSON CALDWELL RE-OPENED THE PUBLIC HEARING AT 7:20 P.M.

PUBLIC SPEAKER: Rob Capetz, Rancho Mirage, CA – in response to Commissioners' inquiries, he noted he did not own the property to the north of the project site; clarified the location of his office near Calle Amigo and Desert Club Drive; and commented on garage space and covered parking.

Staff addressed Commissioners' inquiries regarding condominium construction; and short-term vacation rental.

PUBLIC SPEAKER: Rob Capetz, Rancho Mirage, CA - stated that lease agreements would not allow for subleasing of an apartment. He also noted that prior to the building of Arnold Palmer's restaurant, a building had been located on the Arnold Palmer site.

PUBLIC SPEAKER: William Villegas, La Quinta, CA – stated that there are single-story homes to the west the project site and noted that the original Village area did not include apartments.

PUBLIC SPEAKER: Tadros Tadros, La Quinta, CA – spoke about the construction of the Arnold Palmer's restaurant; and single-story homes versus two-story homes.

PUBLIC SPEAKER: William Villegas, La Quinta, CA – noted that prior to the building of Arnold Palmer's restaurant, a home had been located on the Arnold Palmer restaurant site.

VICE CHAIRPERSON CALDWELL CLOSED THE PUBLIC HEARING AT 7:30 P.M.

MOTION: A motion was made and seconded by Commissioners Quill/Bettencourt finding the project exempt from CEQA pursuant to Section 15332, Infill Development; and to adopt Planning Commission Resolution 2019-009 approving Conditional Use Permit 2018-0005 and Site Development Permit 2018-0004 to construct 16 apartments on 1.3 acres subject as submitted and adding the following revisions to the Conditions of Approval:

*Amendment to Condition of Approval No. 9 of Conditional Use Permit 2018-0005 and Site Development Permit 2018-0004 to read, "Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements. In addition to the foregoing, in light of the fact that the proposed development consists of two parcels that share a*

*common driveway, the applicant shall be required to assure the common use of the driveway through any of the following actions: the preparation and recordation of a reciprocal access easement agreement benefitting both parcels of the development, a document evidencing the merger of the two parcels, or otherwise demonstrating that both parcels will have the right to use the common driveway in perpetuity as determined by the City Engineer or his properly designated representative."*

*Amendment to Condition of Approval No. 25 of Conditional Use Permit 2018-0005 and Site Development Permit 2018-0004 adding sub part G under the Parking and Access Points heading to read, "All exterior parking spaces will be covered in a manner reviewed and approved by the City Engineer or his properly designated representative."*

AYES: Commissioners Bettencourt, Caldwell, Currie, Proctor, Quill, and Wright.  
NOES: None. ABSENT: Chairperson McCune. ABSTAIN: None. Motion passed.

*CHAIRPERSON MCCUNE RE-ASSUMED HIS CAPACITY OF PRESIDING OFFICER FOR THE REMAINDER OF THE MEETING.*

Commissioner Bettencourt shared his appreciation to those who participated in the discussion.

**REPORTS AND INFORMATIONAL ITEMS** – None

**COMMISSIONERS' ITEMS**

Commissioner Bettencourt noted that Commissioner Quill had shared an article from the San Diego Tribune regarding 5G cell facilities.

Commissioners Wright and Quill thanked the Planning Commission and staff for their efforts over the years and extended their best wishes to the Planning Commission and Staff.

On behalf of the Planning Commission, Chairperson McCune thanked Commissioners Quill and Wright for their leadership, expertise and guidance during their tenure on the Planning Commission.

Commissioner Proctor thanked Commission Secretary Wise-Latta for providing information regarding the status of the La Quinta Cove entry sign in the roundabout at Eisenhower Drive and Calle Sinaloa.

**STAFF ITEM**

1. HOME DEPOT CONDITIONAL USE PERMIT UPDATE

Senior Planner Flores presented the report that is on file in the Design and Development Department. Mr. Flores stated that Home Depot is in compliance and

noted that the parking lot has been resurfaced and restriped. Staff will continue to monitor the Conditional Use Permit for compliance.

**ADJOURNMENT**

There being no further business, it was moved and seconded by Commissioners Caldwell/Bettencourt to adjourn this meeting at 7:50 p.m. Motion passed unanimously.

Respectfully submitted,

WANDA WISE-LATTA, Commission Secretary  
City of La Quinta, California