



## **Attendance**

Commissioners Present: Chair Gene Touchet; Vice Chair Doug Diekmann; Commissioners Stan Barnes, Bill Feist and Sonja Marchand.

Commissioners Absent: None

Staff Present: Interim City Planner Joe Richards, Associate Planner Rich Malacoff, and Deputy City Attorney Michael Shirey.

## **Approval of Minutes**

The October 20, 2003 Minutes would be distributed with the November 18, 2004 Planning Commission Packet.

## **New Public Hearing Items**

### **Design Review 04-018, Darrin Tharp, Applicant**

Malacoff presented the staff report stating that this item is before the Commission because of privacy related issues pursuant to Cathedral City Municipal Code Chapter 9.54. Touchet opened the Public Hearing and there were no comments. There was no discussion on the project and a motion was made by Diekmann, seconded by Marchand, which approved Design Review No. 04-018 with a vote of 5-0.

### **Design Review 04-016, Carey Road Investments, Applicant**

Malacoff presented the staff report providing a summary of The Villa Resort's proposed project and an explanation of how staff reached a project parking requirement of 60 parking spaces. In staff's opinion the reduction was based on the duplication of restaurant, hotel, and performance area all being in the same site. Malacoff also informed the Commission that much of the required parking is proposed to be placed off-site on an adjacent lot owned by the applicant, and therefore, he suggests that a Condition of Approval be added to the project requiring the applicant to execute a parking covenant, lot merger, lot line adjustment, or long term lease. Shirey stated that a long term lease could not be executed legally. Malacoff clarified that the applicant had received a Code Enforcement Action on the installation of a Septic Tank and that it was not for any of the planning entitlements.

In regards to the proposed decrease in the parking requirements, Diekmann stated that he does not believe that a parcel merger should be conditioned because of a cloud it



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would create on the title to the property, if the owners want to acquire financing for development of the adjacent lot. Diekmann also said, however, that as proposed, the reduced number of parking spaces is insufficient; and, he also has concerns over Fire Department access and questioned why the project does not have sidewalks or why bathrooms are not being shown on the site plan.

Malacoff said that the project does not have sidewalks because the street is a private street/driveway. Malacoff also said that the Fire Department has reviewed the proposed project and has provided Conditions of Approval to meet its needs. Lastly, he said that bathrooms are a building permit issue and would be addressed during the Plan Check process.

Feist said that King School has access to one of the private driveways and that he has concerns about the parking backing into the private driveway. Malacoff said that King School also has its own access off another driveway so people going to the school would not be accessing the same portion of the private street/driveway as the hotel's patrons.

Feist also said that he thinks that the applicant should dedicate more acreage to parking. He had concerns over whether this project is now or may eventually become designated as a sexually oriented business because of the cabaret shows and that he also has concerns over the existing outdoor PA system that is used at the site for special events. Malacoff responded to Feist's concern and stated that the resort is not clothing-optional and that it would not constitute an adult use under the code. If new uses are introduced and they fell under the definition of "adult uses" then there is a separate process that must be followed according to the Cathedral City Municipal Code. Touchet said that this project is not designated as a sexually oriented business and that he has not heard of any issues regarding the existing PA system being used for special events.

Marchand said that the site plan identifies a septic system; however, Condition 4.33 says that the project must install a sewer system. She asked staff if the project will be on septic or sewer.

Barnes said that he believes providing sufficient parking is the major issue for this project. He said that there are current ordinances in place to take care of "spill over" impacts like noise. Barnes did say, though, that he believes that there are too many issues to support the project as currently designed and that in general, this Commission knows when a project is a "good project." Marchand agreed with Commissioner Barnes that parking is the most important issue.

Richards reiterated that parking is an issue and that some type of parking easement for the adjacent lot would probably be the best method to make sure that parking for the project is maintained.

Commissioner Touchet opened public comment for the public hearing.



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Hugh Gaspar, the architect representing the applicant, agreed with executing some type of parking covenant for the adjacent lot. He also said that the applicant did meet with the Fire Department at the time they renovated the interior of the units and that all of their issues were satisfied. Gaspar also said that the applicant has spent upwards of one million dollars so far on renovations. Gaspar said that the applicant has been in discussions with the neighboring school to install a block wall along their common property line but that no decisions had been made as of yet. Gaspar also informed the Commission that the County Health Department has been involved and approved all the changes. Lastly, Gaspar said that the applicant does have an issue with installing sewer service because the closest sewer line is over 1,000 feet away.

Diekmann asked Gaspar the status of the bathrooms and Gaspar informed him that the bathrooms will meet all building codes.

Gaspar explained how the 60 parking spaces that are referenced in the Staff Report were calculated. He stated that individuals who stay at the hotel also use the restaurant and facilities, so because of this shared use, the parking requirements may be reduced for the project. Touchet, Diekmann, and Feist all said that the reduced parking will not provide enough parking for the project and that they had significant concerns about adjusting the parking.

Malacoff explained that the Code would require the project to provide a total of 114 parking spaces and that the Code gave the Commission the authority to reduce or increase the parking if there are specific reasons. Feist said that he believes that there should be a minimum of 150 parking spaces.

Diekmann asked the applicant what the average occupancy rate for the hotel is and Gaspar responded that the average occupancy rate is approximately 53 percent.

Diekmann asked the applicant what they have spent \$1 million dollars on so far. Reuel Olin introduced himself and said that he and Bob Crenshaw are the new owners of the hotel. Olin said that they have actually spent \$1.475 million on the hotel renovations and most of that capital has been spent on upgrading and renovating the rooms.

Diekmann said that there was recent Code Enforcement action taken on this property. Olin said that the installation of the septic system was done without permits from the City and that issue has now been resolved.

Richards again discussed the parking issue and restated the parking requirements per the Code; discussed the Staff Report parking reductions; and discussed special events at the project. Richards suggested that perhaps the Commission could use a theater parking standard; one space for every room as a daily parking rate; and gravel on a



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portion of the adjacent for temporary special event parking. Marchand questioned what the term “temporary” would mean.

Feist said that he still had concerns over the amount of parking and also had concerns with how special event parking will be monitored.

Malacoff said that the applicant could add 12 more parking spaces to the ends of the proposed parking areas which would bring the total parking to 72 spaces. Feist said that he does not like the parking being designated in front of the hotel. Gaspar said that since the street in front of the project is a private street/driveway, he does not see an issue with designated parking in front of the hotel. Feist agreed that the parking in front of the hotel was acceptable since the street is a private street/driveway.

Alibaba Farzaneh, stated that he supported the project and he thinks that some type of shared parking arrangement with the adjacent lot would be a workable solution and that the developers should be given as much flexibility as possible.

**Touchet closed the public comment for the public hearing.**

There was staff and Commission discussion regarding how much parking to require for the project. The Commission said that there should be 72 paved parking spaces and 70 spaces in a gravel parking lot on the adjacent lot. Malacoff said that this parking requirement could be added as a Condition of Approval for the project.

Feist said that due to noise coming from the project, the project should also be conditioned to install an eight foot high block wall. Shirey said that the Resort Residential District requires the installation of a 6 foot high block wall. He also recommended to the Commission not to condition the installation of an eight foot high block wall because there is no nexus to increase the Code requirement. Malacoff stated that the code would not permit the Commission to raise the height of the wall to eight feet.

Malacoff stated that upon Commission approval, staff will add the following Conditions of Approval to the project:

Condition 4.37. Prior to Occupancy the applicant shall complete a Lot Line Adjustment, Covenant, or Reciprocal parking Agreement to be approved by the Director of Planning and the City Attorney.

Condition 4.38. Prior to occupancy the applicant shall provide a total of 72 improved parking spaces and 70 spaces with a gravel surface for special events.

Condition 4.39. Prior to occupancy the applicant shall provide a 6 foot solid wall with a decorative cap along the rear and side property lines.



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Condition 4.33. Shall be revised as follows:

*The site will bring new sewer mains into the project and connect the site to the new sewers mains to the satisfaction of the City Engineer and the DWA.*

A motion was made by Marchand, seconded by Barnes, which approved Design Review No. 04-016 with a vote of 5-0. subject to the revisions and added Conditions of Approval as indicated above.

**Commissioner Comments**

1. Feist said that in the past the City required that block walls and tile roofs be installed on every project and that he wants to strive for and get back to that kind of quality on projects. Malacoff responded that staff has already began implementing this through requirements and additional code standards.
2. Marchand said that she still likes the historical character of adobe and that adobe should be maintained on projects where applicable.
3. Barnes said that he appreciated the Commission for the type of debate that they had over The Villa Resort project.

Minutes respectfully submitted by,

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Rich Malacoff, AICP  
Associate Planner  
City of Cathedral City  
November 3, 2004