



Cathedral City

Legislation Text

File #: 2017-273, Version: 1

Planning Commission

MEETING DATE: 7/19/2017

CASE NO. Conditional Use Permit No. 17-026

APPLICANT: Perez Road Associates, LLC, Randall Kessler

LOCATION: 68845 & 68895 Perez Road (APN: 687-330-012, -013, and -017)

REQUEST: A Conditional Use Permit Application to allow used goods retail stores within an existing commercial and light industrial complex (Perez Plaza) in the I-1 (Light Industrial) Zoning District located at 68845 and 68895 Perez Road.

STAFF PLANNER:

Robert Rodriguez, Planning Manager

RECOMMENDATION:

APPROVE An exemption to the California Environmental Quality Act (CEQA) pursuant to Section No. 15301, Class 1 (Existing Facilities).

APPROVE Conditional Use Permit No. 17-026 subject to the attached Conditions of Approval and based on the findings contained in the staff report.

FINDINGS:

APPROVAL OF AN EXEMPTION TO CEQA based on the finding that the project qualifies as Categorically Exempt under Section No. 15301, Class 1 (Existing Facilities) of the State CEQA Guidelines.

APPROVAL OF CONDITIONAL USE PERMIT NO. 17-026, subject to the attached conditions of approval and based on the following findings:

1. Used goods retail stores, to be located within Perez Plaza addressed at 68845 and 68895 Perez Road and in the I-1 Zoning District, are authorized as a conditional use per the City of Cathedral City Zoning Ordinance, Chapter 9.72;
2. Used goods retail stores within Perez Plaza are desirable for the development of the community, are in harmony with the various elements or objectives of the General Plan, and are not detrimental to existing uses or to uses specifically permitted in the I-1 Zoning District in which the used goods

retail stores are to be located;

3. The site is adequate in size and shape to accommodate used goods retail stores and has specific conditions to ensure that the land use will fit into the existing commercial/industrial center and neighborhood;

4. The site for the proposed used goods retail stores relates properly to Perez Road, which is designed and improved to carry the type and quantity of traffic generated or to be generated by a used goods retail store; and

5. The applicant agrees to comply with any and all of the conditions imposed by the Planning Commission or be subject to a revocation hearing.

BACKGROUND:

The applicant (Randall Kessler representing Perez Road Associates, LLC) submitted a Conditional Use Permit application on May 23, 2017 to allow up to 10 used goods retail stores within the Perez Plaza business park. The Planning Commission will take final action on this matter unless it is appealed to the City Council.

Perez Plaza is located at the east end of Perez Road, near Date Palm Drive, and consists of two (2) multi-tenant buildings. At this time, there are a total of 45 suites within both buildings, with a variety of tenants/uses including retail, service and light industrial.

ANALYSIS:

Perez Plaza is located within the I-1 (Light Industrial) Zoning District, which requires a Conditional Use Permit (CUP) for any business that sells any percentage of non-new goods, wares and/or merchandise directly to the ultimate consumer. This includes retailers of consignment goods, antiques, second-hand stores, used furniture or appliances and pawnbrokers.

A CUP is required to ensure that the business will not contribute to the deterioration of the business, social or economic environment in the area by its usage of displays, signage, the manner in which business is conducted or any other feature of the business that is visible from the exterior of the building.

Typically, each business would be required to obtain a CUP prior to opening their business. A CUP is site/suite specific and is non-transferrable to another suite. Any changes to the operation of the business or expansion of the suite would require an amendment to the CUP and approval by the Planning Commission. The process has been challenging for property owners and tenants of larger centers and business parks with many suites such as Perez Plaza, discouraging businesses from leasing vacant suites, expanding into adjacent suites or moving to larger suites within the same building.

The applicant is requesting a CUP for the business park that would allow up to 10 used goods retail

stores to occupy any suite, without additional approval from the City. This would allow tenants to open their businesses much sooner and accommodate growing and expanding businesses. The tenants would still be required to obtain a City business license, building permits, if necessary, and inspections prior to opening. Establishing a limit on the number of used goods retail stores will prevent the saturation of these stores within the business park.

This concept of a business park-wide CUP was previously approved in 2014 (CUP No. 13-017) for the adjacent business park (Perez Business Park). The business park was approved for up to 10 used goods retail stores spread over seven separate buildings and 143 units. There have been no issues related to these types of stores at this business park. However, the ratio of the used goods stores to other businesses is much lower than the ratio proposed with this request.

The property owner has made a number of improvements to the business park including a recent renovation of the landscaping to a desertstyle palette. The remainder of the site, including parking, appears to be in compliance with current standards. However, individual tenant improvement plans will be reviewed for compliance as they are submitted for building permits.

ENVIRONMENTAL ANALYSIS:

Categorical Exemption under Section No. 15301, Class of the State CEQA Guidelines, which allows tenant improvements in existing buildings to be exempt. Since these uses will occupy existing suites, and there is no outside expansion proposed, this qualifies for a Class No. 1 Exemption.

NOTE: The City of Cathedral City Planning Department is custodian of the documents or other material, which constitute the record of proceedings upon which this decision is based.

PUBLIC NOTIFICATION:

This project and the environmental determination were noticed in accordance with the City Municipal Code and CEQA.

ATTACHMENTS:

Attachment No. 1: Conditions of Approval

Attachment No. 2: Site Plan

Attachment No. 3: Public Hearing Notice