



# Cathedral City

## Legislation Text

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File #: 2018-101, Version: 1

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### *Planning Commission*

**MEETING DATE:** 4/4/2018

**CASE NO.** Conditional Use Permit No. 18-005

**APPLICANT:** A.M.P. Sports Lounge, Antonio Lopez III

**LOCATION:** 68718 East Palm Drive, Suite 201 (APN: 687-473-009)

**REQUEST:** A Conditional Use Permit Application for the establishment of a bar/lounge in conjunction with a new California Department of Alcohol Beverage Control (ABC) Type 48 (On-Sale General Public Premises) license, within an existing multi-tenant commercial center (Pickfair Promenade) in the MXC (Mixed Use Commercial) Zoning District located at 68718 East Palm Canyon Drive, Suite 201.

**STAFF PLANNER:**

Brenda Ramirez, Associate Planner

**RECOMMENDATION:**

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

**APPROVE** Conditional Use Permit No. 18-005 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 Categorical Exempt under Section No. 15301, Class No. 1 (Existing Facilities) of the State CEQA Guidelines.

**APPROVAL OF CONDITIONAL USE PERMIT NO. 18-005**, subject to the attached conditions of approval and based on the following findings:

1. The bar/lounge with an ABC License, Type 48 (On-Sale General Public Premises), which is located at 68718 East Palm Canyon Drive in the MXC Zoning District, is authorized as a conditional use pursuant to the City of Cathedral City Zoning Ordinance, Chapter 9.31;
2. The bar/lounge is desirable development for the community, and is located in the pedestrian and

entertainment oriented section of Downtown, is in harmony with the various elements or objectives of the General Plan, and is not detrimental to existing uses or to uses specifically permitted in the MXC Zoning District;

3. The site is adequate in size and shape to accommodate the bar/lounge and has been reviewed and specific conditions have been added to ensure that the land use is compatible with the existing or permitted future uses in the neighborhood; and

4. The site for the proposed bar/lounge relates properly to East Palm Canyon Drive, which is designed and improved to carry the type and quantity of traffic generated or to be generated by the bar/lounge. Additionally, the City Engineer has reviewed the proposed project and determined that there will be no negative impacts to existing traffic conditions and streets; 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 (Antonio Lopez III, representing A.M.P. Sports Lounge) submitted a Conditional Use Permit (CUP) application on February 12, 2018 for the establishment of a sports bar/lounge in conjunction with a California Department of Alcohol Beverage Control (ABC) Type 48 (On-Sale General Public Premises) license, within the existing Pickfair Promenade multi-tenant commercial center. The proposed use is compatible with the surrounding businesses which includes restaurants, an existing bar, and a beauty salon. The project site is located on the northwest corner of East Palm Canyon Drive and Monty Hall Drive.

The applicant is not proposing any exterior changes to the building; therefore, staff has determined that a review by the Architectural Review Committee (ARC) is not required. Staff has reviewed the project and made minor comments, which have been addressed by the applicant. The Planning Commission will take final action on this matter unless it is appealed to the City Council.

#### **ANALYSIS:**

The proposed project (bar/lounge) is located within the MXC Zoning District, and the Downtown area, which requires that any bar must obtain a CUP. The purpose and intent of the MXC District is to provide a wide range of entertainment and shopping facilities. A bar or nightclub, including establishments that provide entertainment and those serving alcoholic beverages not ancillary to food service, are required to obtain a Conditional Use Permit (CUP).

The proposed bar will be located within Suite No. 201 of the multi-tenant commercial center. The majority of suites in the center are currently vacant. However, other tenants include the Pollo Doky's and Trilussa restaurants. Parking for the center is located on the north side of site. General Public parking is also available on the street within the Downtown area, parking stalls along East Palm Canyon Drive, and in the City's parking structure.

The applicant is proposing to be located within Suite No. 201, which is approximately 1,504 square feet. The proposed bar/lounge will include a bar area with fixed seating, fixed seating along the walls, a storage area, a walk-in freezer, restrooms and an open area for entertainment such as karaoke and a billiard table. At this time, the applicant will not have any live dancing; however, at such time he decides to have live dancing, a separate City Dance Permit will need to be obtained. The applicant proposes no new construction on the exterior of the building; therefore, there is no conflict with the zoning standards for setbacks, building height, landscaping percentage, or total number of parking spaces.

The applicant is proposing to operate seven days a week. The hours of operation for the bar/lounge will be Sunday through Saturday from 12:00 p.m. to 2:00 a.m. Additionally, ABC prohibits the serving of alcohol after 2:00 a.m. Staff has no objection to the proposed hours of operation.

As a matter of information, the applicant has applied for an ABC license. Due to the number of existing licenses in the area, any new license requires a Public Convenience or Necessity (PCN) approval by the City. The City Manager and the Police Department have tentatively approved the PCN for this establishment pending the approval of the Conditional Use Permit.

The Police Department has reviewed the project and has no objections to issuing the CUP for this establishment, provided they comply with the conditions of approval imposed by the Planning Commission and ABC, and provided the Planning Commission makes the appropriate findings.

#### **ENVIRONMENTAL ANALYSIS:**

This project is Categorical Exempt under Section No. 15301, (Class No. 1, Existing Facilities) of the State CEQA Guidelines, which allows the establishment of a bar/lounge within an existing multi-tenant commercial center to be exempt. Since the site is less than five acres, surrounded by urban development, has access to utilities, and no outside expansion is proposed, this project 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 (see Attachment 4).

#### **ATTACHMENTS:**

Attachment 1: Conditions of Approval  
Attachment 2: Site Plan  
Attachment 3: Floor Plan  
Attachment 4: Public Hearing Notice