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# CITY OF INDIO

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## **A G E N D A**

### **Planning Commission**

### **August 12, 2020**

### **6:00 p.m.**

**Virtual Meeting**

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*Pursuant to Governor Newsom's Executive Order N-29-20, members of the Planning Commission or staff may participate in this meeting via a teleconference. In the interest of maintaining appropriate social distancing, members of the public may participate in the meeting electronically. There will be no in-person public access to the meeting location.*

*Due to the Coronavirus COVID-19, residents are encouraged to view the Planning Commission meeting via [Livestream](#).*

*General public comment or comment on a specific item may be submitted via email to [ebeltran@indio.org](mailto:ebeltran@indio.org). Please identify the item you wish to comment on in your email's subject line followed by "Request to Speak". Alternatively, you may email your name, contact number, and item you wish to comment on, to the email listed above if you wish to provide oral testimony; staff will provide call-in instructions when the request to speak is received. You must submit a request to speak to provide oral testimony.*

*As it relates to the comments on public hearing items, comments will be accepted to the e-mail address identified above during the public hearing until the hearing is closed.*

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- 1. CALL TO ORDER AND ROLL CALL:** Chairperson Gloria Franz  
Vice-Chairperson Jacqueline "Jackie" Lopez  
Commissioner Nicco Alexander Ysiano  
Commissioner Ascencion "Sam" Torres  
Commissioner Eric Ceja
- 2. INTRODUCTION OF STAFF**
- 3. PLEDGE OF ALLEGIANCE**
- 4. STATEMENT FROM THE CITY ATTORNEY**

There have been no directives issued temporarily halting local government processing of land use and development review applications and/or consideration of policy actions including but not limited to General Plan amendments, Zoning Code amendments and new or amended Specific Plans. Therefore, the City of Indio continues to accept and process applications in accordance with state and local requirements.

The City of Indio is following Governor Newsom's Executive Orders N-25-20 and N-29-20 pertaining to the Brown Act. These Executive Orders allow governmental entities to conduct meetings by electronic means and for members of the public to observe the meeting electronically as well provide public comment or public testimony telephonically or otherwise electronically. Accordingly, the City Council and Planning Commission are currently conducting scheduled meetings in a virtual meeting format. The City of Indio has implemented technology solutions that allow members of the public to observe and offer public comment as well as public testimony during public hearings at scheduled Planning Commission meetings. The City is committed to providing public participation opportunities while also complying with requirements for the processing of land use and development review applications and/or consideration of policy actions.

5. **PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:** *[This is the time set aside for public comment. If you wish to speak on an item not on the agenda, please submit your request via email to [ebeltran@indio.org](mailto:ebeltran@indio.org). Please identify in your email's subject line "Request to Speak for non agenda item". Alternatively, you may email your name and contact number, to the email listed above if you wish to provide oral testimony; staff will provide call-in instructions, when the request to speak is received. You must submit a request to speak to provide oral testimony.]*

6. **MINUTES:** None

7. **PUBLIC HEARING ITEMS:**

- 7.1 **AT&T – Indio Jones - Conditional Use Permit 20-03-1058**: A request by Erick Polden on behalf of Vinclum Services LLC, the Applicant, to approve Conditional Use Permit 20-03-1058 authorizing construction of an AT&T owned and operated seventy (70) foot tall mono-palm pole. This approval will authorize a single carrier on the mono-palm pole with associated ground equipment and emergency backup generator housed within a 525 square feet (15 feet by 35 feet) in an eight (8) foot high CMU wall enclosure to be located within a vacant property, subject to the findings and conditions of approval included therein and determining that the project is exempt from the California Environmental Quality Act. (*Gustavo Gomez, Assistant Planner*)

**Recommendation:** Adopt Resolution No. 1946, a resolution of the Planning Commission of the City of Indio, California, approving Conditional Use Permit 20-03-1058 authorizing construction of an AT&T owned and operated seventy (70) foot tall mono-palm pole. This approval shall authorize a single carrier on the mono-palm pole with associated ground equipment and emergency backup generator housed within a 525 square feet (15 feet by 35 feet) in an eight (8) foot high CMU wall enclosure to be located within a vacant property, subject to the findings and conditions of approval included therein and determining that the project is exempt from the California Environmental Quality Act.

- 7.2 **Spine and Sport Physical Therapy- Conditional Use Permit 20-07-1060**: A request by MDRS Spine and Sport, Inc. on behalf of Indio Towne Center, LLC, the Applicant, to consider a Conditional Use Permit 20-07-1060 to allow operation of a medical office for a physical therapy service within the Business Park (BP) zoning district to be located at 42150 Jackson Street, Building E, Suites 102 and 103, within

the Indio Towne Center, Assessor's Parcel Number 692-050-011. (*Rosie Lua, Associate Planner*)

**Recommendation:** Adopt Resolution No. 1947, a resolution of the Planning Commission of the City of Indio, California, approving Conditional Use Permit 20-07-1060 to allow a medical office for a physical therapy service within the Business Park (BP) zoning district to be located at 42150 Jackson Street, Building E, Suites 102 and 103, within the Indio Towne Center, subject to the findings and conditions of approval therein and determining that the proposed use does not require additional environmental review per the California Environmental Quality Act (CEQA).

- 7.3 Demo Unlimited Equipment Storage Facility – Conditional Use Permit 19-12-1054 and Design Review 19-12-467:** A request by Demo Unlimited, Inc. to consider Conditional Use Permit 19-12-1054 to allow development of a parcel of less than 15 acres for an outdoor equipment storage facility within the Industrial Park (IP) Zoning District and Design Review 19-12-467 to allow the construction of an outdoor equipment storage facility including the site plan, circulation, and landscaping on an approximately 1.86 acre site, generally located at the south side of Avenue 45, east of Commerce Street, and west of Van Buren street. (*Rosie Lua, Associate Planner*)

**Recommendation:**

1. Adopt Resolution No. 1934, a resolution of the Planning Commission of the City of Indio, California, approving Conditional Use Permit 19-12-1054 to allow development of a parcel of less than fifteen acres for an outdoor Equipment Storage Facility within the Industrial Park (IP) Zoning District generally located at the south side of Avenue 45, east of Commerce Street, and west of Van Buren street (Assessor's Parcel Number 611-391-041); and,
2. Adopt Resolution No. 1935, a resolution of the Planning Commission of the City of Indio, California conditionally approving Design Review 19-12-467 to allow the construction of an outdoor Equipment Storage Facility including the site plan, circulation and landscaping on an approximately 1.86 acre site, generally located at the south side of Avenue 45, east of Commerce Street, and west of Van Buren street (Assessor's Parcel Number 611-391-041), subject to the findings and conditions of approval therein and determining that the project is exempt from the California Environmental Quality Act.

- 7.4 Dutch Bros. Coffee Shop:** The Applicant, Sage Las Palmas Indio, LLC, has applied for the following entitlements:

- Environmental Assessment 20-07-551: to evaluation of the potential impacts for this Project in accordance with California Environmental Quality Act (CEQA) and the State CEQA Guidelines and Pursuant to the State CEQA Guidelines Section 15063, an Initial Study has been prepared to analyze the environmental

impacts of the project. The Initial Study concluded that no substantial adverse impacts were found that could not be mitigated to a level less than significant. Therefore, in accordance with CEQA, a Mitigated Negative Declaration (MND) has been prepared for the Project to be adopted by the Planning Commission.

- Conditional Use Permit 20-02-1057: to allow a drive through coffee shop (“Dutch Bros Coffee Shop”) within the Community Commercial (CC) zone district
- Design Review 20-02-470: to approve the architecture, site plan, circulation, parking, and landscaping of a new 850 square foot drive through coffee shop with walk up window and covered outdoor waiting area (“Dutch Bros Coffee Shop”). (*Leila Namvar, Senior Planner*)

**Recommendation:**

1. Adopt Resolution No. 1948, a resolution of the Planning Commission of the City of Indio, California, conditionally approving Conditional Use Permit 20-02-1057 to allow a drive through coffee shop with walk up window and covered outdoor waiting area (“Dutch Bros Coffee Shop”) within the Community Commercial (CC) zone district, subject to the findings and conditions of approval therein; and,
2. Adopt Resolution No. 1949, a resolution of the Planning Commission of the City of Indio, California conditionally approving Design Review 20-02-470 for the architecture, site plan, circulation, parking, and landscaping of a new 850 square foot drive through coffee shop with walk up window and covered outdoor waiting area (“Dutch Bros Coffee Shop”), subject to the findings and conditions of approval therein.
3. Adopt Resolution No. 1950, a resolution of the Planning Commission of the City of Indio, California adopting the Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the operation of an approximately 850 square foot drive-through coffee shop with walk up window and covered outdoor waiting area located on an approximately one acre parcel to be located within an existing shopping center on the northwest side of the intersection of Highway 111 and Las Palmas Road (APN: 616-050-003).

- 7.5** Zone Text Amendment 20-07-76: A City-initiated zone text amendment amending in its entirety the subchapter entitled “Accessory Dwelling Units” of Chapter 159 (Zoning Regulations) of Title XV (Land Usage) of the Indio Municipal Code to conform to recent State law introducing new requirements for accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) and finding that the zone text amendment is exempt from the California Environmental Quality Act (CEQA). (*Leila Namvar, Senior Planner*)

**Recommendation:** Adopt Resolution No. 1951, a resolution of the Planning Commission of the City of Indio, California, recommending to the City Council

adoption of Zone Text Amendment 20-07-76 amending in its entirety the subchapter entitled "Accessory Dwelling Units" of Chapter 159 (Zoning Regulations) of Title XV (Land Usage) of the Indio Municipal Code to conform to recent State law introducing new requirements for accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) and finding that the zone text amendment is exempt from the California Environmental Quality Act (CEQA).

8. **ACTION ITEMS:** None
9. **STUDY SESSION ITEMS:** None
10. **STAFF ITEMS** *[Staff to provide informational reports and updates on status or issues for prior considered projects, policy development efforts, and other matters of interest to the Commission. These reports are not intended for discussion, but Commission members may ask questions on one or more reported items.]*
11. **COMMISSIONER COMMENTS**
12. **ADJOURNMENT**

**Next Planning Commission Meeting:**

Virtual Meeting of August 26, 2020 at 6:00 p.m.

**PUBLIC NOTICE**

*Agenda packets are available on the City's website at [www.indio.org](http://www.indio.org) and at the public counter in City Hall at 100 Civic Center Mall, Indio, California. Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection at the front counter of the lobby of the City Hall Administration Building at 100 Civic Center Mall, Indio, during normal City business hours and during the meeting. Se habla Español.*

*The Indio City Council Chamber is accessible to person or people with disabilities; if special equipment is needed for the hearing impaired, please call the City Clerk's office. Persons with disabilities can receive this agenda in an alternative format and should call the City Clerk's office at (760) 391-4000. Notification 48 hours prior to a meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102.35.104 ADA Title 11).*

**DECLARATION OF POSTING**

*I, Evelyn Beltran, of the City of Indio, do hereby declare that the foregoing agenda for the Planning Commission meeting of August 12, 2020 was posted on the outside entry to the Council Chambers located at 150 Civic Center Mall, Indio, CA, on August 7, 2020.*



**EVELYN BELTRAN, ADMINISTRATIVE SECRETARY  
COMMUNITY DEVELOPMENT DEPARTMENT**