



**PLANNING COMMISSION  
MINUTES  
TUESDAY, FEBRUARY 25, 2014**

**CALL TO ORDER**

A regular meeting of the La Quinta Planning Commission was called to order at 7:02 p.m. by Chairperson Barrows.

PRESENT: Commissioners Blum, Weber, Wilkinson, Vice Chair Wright, and Chairperson Barrows

ABSENT: None

STAFF PRESENT: Community Development Director Les Johnson, Planning Manager David Sawyer, Attorney Peter Howard with Rutan and Tucker, LLP., Associate Planner Jay Wu, and Secretary Monika Radeva

Commissioner Blum led the Commission in the Pledge of Allegiance.

**PUBLIC COMMENT**

Public Speaker: Thomas Allen Worthy, former Palm Springs resident, CA – introduced himself and referenced an article published in *The Desert Sun* on February 19, 2014 titled “Critics Blast Loitering Solution” in regards to a new law passed in the City of Palm Springs prohibiting loitering which in his opinion has a negative impact on the homeless population in the city. He stated that he hopes that the City of La Quinta does not follow in the same footsteps regarding the issue of homeless individuals.

Commissioner Wilkinson joined the meeting at 7:05 p.m.

**CONFIRMATION OF AGENDA** - Confirmed

**APPROVAL OF MINUTES**

Motion – A motion was made and seconded by Commissioners Wright/Blum to approve the Planning Commission Minutes of January 28, 2014 as submitted with the following addition:

Commissioner Wilkinson asked for the following comments to be included to Director’s Items No. 1 on page 3:

*Commissioner Wilkinson suggested establishing an end date to the proposed increased assessment district fees which will be reflective of the infrastructure improvements and savings to be realized from the conversion of turf into desertscape. Thus, identifying a more reasonable amount that would cover the estimated costs for maintenance and upkeep, but would not result in a surplus for the City. He mentioned that the proposed increase to the fees could be lessened if the identified improvements and conversions are phased out and completed over a longer period of time. He noted that a few residents have expressed concerns to him that once the fees are raised then even if no longer needed in the future they will remain at the same amount.*

*Public Works Director Jonasson explained the City's established yearly review and audit process for all assessment districts and stated that a few years ago the City Council had in fact reduced the yearly assessment rate to the current amount of \$35.60 because there was a surplus of funds at the time.*

Motion passed unanimously.

## **PUBLIC HEARINGS**

1. Conditional Use Permit 2013-155 submitted by Leah and Patrick Swarthout for the establishment of Bella Cristia Bed and Breakfast Inn in an existing 2,100 square-foot, three-bedroom, three-bathroom, and three-car garage single-family residence. Location: within the Desert Club Estates (78-705 Avenida Torres).

Additional letters of support and opposition received after the distribution of the staff report were provided to the Commission before the Planning Commission meeting was called to order.

Associate Planner Jay Wu presented the staff report, a copy of which is on file in the Community Development Department.

Chairperson Barrows declared the PUBLIC HEARING OPEN at 7:20 p.m.

Public Speaker: Mr. Brian S. Harnik, Esq., Attorney with Roemer & Harnik, LLP. and a representative of the applicant, Indian Wells, CA – introduced himself and gave a brief description of the project. He addressed some of the concerns identified in the letters opposing the proposal, including the use of the pool, the number of rooms available for rent, the maximum number of guests, the total square-footage of the residence, the potential fiscal impacts to the surrounding

property values, and the findings stated in the staff report, and answered the Commission's questions.

Public Speaker: Mr. Patrick Swarthout, Applicant, La Quinta, CA – introduced himself and answered the Commission's questions in regards to the floor plan of the residence.

Public Speaker: Mr. John Melvin, General Counsel with JCM Farming, Inc., owner of the adjacent property, La Quinta, CA – introduced himself, noted that he has submitted three opposing letters to the proposal dated February 18, February 24, and February 25, 2014, asked the Commission to deny the project and answered the Commission's questions.

Public Speaker: Mrs. Kay Wolf, La Quinta resident, CA – introduced herself, spoke favorably of the proposed project and said that she and her late husband had run a successful bed and breakfast in the La Quinta Cove for many, many years. She noted that a private bed and breakfast is far less disturbing to the neighboring residences than vacation rentals in which cases the owner(s) are absent and typically the renters are likely to engage in loud parties.

Public Speaker: Mr. Ronald Villa, La Quinta resident, CA – introduced himself and spoke in favor of the proposal. He asked if the La Quinta code identified a limitation to the number of bed and breakfast uses that can be approved within a certain area. Staff replied that although the code has a 300 feet limitation, since the use requires the approval of a Conditional Use Permit application, the Planning Commission would have the opportunity to review each application on a case-by-case basis and determine whether or not there might be an overconcentration of the same use within the proposed area.

General discussion followed regarding the very limited historical interest for bed and breakfast uses within the La Quinta community.

Chairperson Barrows declared the PUBLIC HEARING CLOSED at 7:58 p.m.

Motion – A motion was made and seconded by Commissioners Blum/Wright to adopt Resolution 2014-004 approving Conditional Use Permit 2013-155 as submitted with staff's recommendations. AYES: Commissioners Blum, Wilkinson, Vice Chair Wright, and Chairperson Barrows. NOES: Commission Weber. ABSENT: None. ABSTAIN: None.

**BUSINESS SESSION** – None

**CORRESPONDENCE AND WRITTEN MATERIAL** – None

**COMMISSIONER ITEMS**

1. Report on City Council meetings of February 4 and 8, 2014.
2. Reminder that the joint meeting between the City Council and the City's Boards and Commissions has been re-scheduled to Wednesday, February 26, 2014 at 5:30 p.m. at the La Quinta Library.

**DIRECTOR'S ITEMS** – None

**ADJOURNMENT**

There being no further business, it was moved and seconded by Commissioners Blum/Wilkinson to adjourn this meeting at 8:04 p.m. Motion passed unanimously.

Respectfully submitted,



MONIKA RADEVA, Secretary  
City of La Quinta, California