



City of La Quinta

TO: The Honorable Mayor and Members of the City Council

FROM: Les Johnson, Community Development Director

DATE: November 4, 2014

SUBJECT: DEPARTMENT REPORT – MUNICIPAL CODE AMENDMENT
ADDRESSING AGRICULTURAL AND TRADE SCHOOL USES

During the October 21, 2014, City Council meeting, Council Member Franklin discussed a recent inquiry from a property owner desiring to farm his vacant property located in south La Quinta. The subject property is located in the Low Density Residential zoning district, which requires a conditional use permit for the proposed agricultural use. Councilmembers requested staff bring this matter back for further consideration.

Since the October 21 meeting, staff was approached by Mr. Michael Shovlin regarding the relocation of Milan Institute to the One Eleven La Quinta Shopping Center from its current location near Dune Palms and Highway 111. The Milan Institute is a vocational school, which requires a conditional use permit ("CUP"). Mr. Shovlin and a representative from Milan Institute have recently provided correspondence requesting an administrative review process versus having to obtain a conditional use permit.

Based upon the aforementioned, staff reviewed the list of residential and non-residential permitted uses as currently provided for in the Municipal Code. As previously noted, both land uses are listed as requiring issuance of a conditional use permit prior to operation. Another development review process identified is a minor use permit. The definitions provided for these two permits are as follows:

- CUP – Uses requiring a CUP have moderate to significant potential for adverse impacts on surrounding properties, residents or businesses (for example, kennels or animal shelters).

- Minor Use Permits (MUP) – Uses requiring an MUP have low to moderate potential for adverse impacts on surrounding properties, residents or businesses. In most cases, such uses are accessory to a main or principal use on the property.

CUPs are reviewed by the Planning Commission in conjunction with a public hearing, while MUPs are processed administratively by the Community Development Director. Both processes require certain findings to be made and allow for conditions to be established relevant to mitigation of impact of the proposed land use. The processing time for a CUP is typically 90-120 days, while an MUP varies from one week to one month. The processing fee for a CUP varies between \$1,994 and \$4,025, while the MUP processing fee is \$200.

Based upon review of the two identified land uses and the municipal code provisions, consideration should be given to amend the municipal code and identify both land uses as requiring a MUP versus CUP. Therefore, staff will be commencing the text amendment process immediately and anticipates the item being brought before the Planning Commission in December 2014 and City Council in January 2015.

Attachment: 1. Letters from Mr. Shovlin and Milan Institute

ATTACHMENT 1

111 La Quinta Shopping Center

October 28, 2014

Mr. Les Johnson
Community Development Director
City of La Quinta
78495 Calle Tampico
La Quinta, CA 92253

RE: Milan Institute

Dear Les,

Please be advised that I'm currently in lease negotiations with the Milan Institute of Cosmetology to relocate to 78-900 Highway 111 within my 111 La Quinta Shopping Center. Their proposed space will be 8,500 square feet, located between the existing Kohl's and the soon to open Hobby Lobby store. I'm working diligently with the owner, his Chief Financial Officer and General Contractor to have them open in this new location next month. They have made it clear that time is of the essence for the relocation of their school, currently housed at 47-120 Dune Palm Road in La Quinta, CA.

Their current lease expires December 1st and their "hold over" terms are not favorable. They have even indicated that they might be forced to close rather than endure an extended period of operation at their current address.

I believe the process of reviewing and changing the land use in the 111 La Quinta Shopping Center from a conditional use permit to a minor use permit would help greatly and could speed up the process if it could be reviewed in an administrative application process versus a public hearing before the Planning Commission.

I feel the Milan Institute will be an excellent addition to the existing tenant mix at 111 La Quinta Shopping Center.

Anything the City can do to help make their relocation a smooth and speedy one will be greatly appreciated.

Thanking you in advance,



Michael J. Shovlin, Owner

71084 Tamarisk Lane, Rancho Mirage, CA 92270
Phone: 760-413-1997 email: m.shovlin@verizon.net

RECEIVED

OCT 28 2014

CITY OF LA QUINTA
PLANNING DEPARTMENT



Corporate Office
1720 West Walnut Avenue
Visalia, CA 93277
(559) 735-3818
Fax: (559) 733-4553

City of La Quinta – Planning Commission
78-4945 Calle Tampico
La Quinta, CA 92253

**RE: CUP Address Change Request
47120 Dune Palms Road to 78-900 Highway 111**

October 27, 2014

To Whom It May Concern;

Milan Institute of Cosmetology would like to request approval of changing the address of location of the Conditional Use Application currently on file from our existing location of 47120 Dune Palms Road, La Quinta, CA 92253 to our new prospective location of 78-900 Highway 111, La Quinta, CA 92253 to avoid potential hardship on our business and maintain continuity for our La Quinta employees and students.

Milan Institute of Cosmetology is a private postsecondary educational institution which provides certificate programs for occupation in the cosmetology and allied health industries. We have been in business since 1985 and serving the Coachella Valley since 2002, specifically in La Quinta since 2009.

As a school dedicated to providing education in various career fields, we also work with local agencies to help better our local communities through multiple charitable fund raising activities. Milan Institute proudly works hand-in-hand with local community organizations, including but not limited to the Workforce Investment Act offices, Vocational Rehabilitation offices, and Veterans' Affairs offices. Our La Quinta location employs more than 25 local persons and has a campus population of approximately 150 students.

We are not able to extend our existing lease and must move forward with an alternative location as soon as possible. Going through the entire 120 day Conditional Use Application process for our new location in La Quinta will create a severe impact on our ability to operate and may result in us leaving the city entirely.

Please use your best judgment for the benefit of your employed and student constituents. We thank you in advance for any consideration you may provide to our request.

Best regards,

A handwritten signature in blue ink, appearing to read "SR", is written over a horizontal line.

Shahrooz Roohparvar, MBA
Chief Financial Officer

Direct: (559) 738-7777
SRoohparvar@MilanInstitute.edu

RECEIVED

OCT 28 2014

CITY OF LA QUINTA
PLANNING DEPARTMENT