

CITY OF PALM SPRINGS  
PLANNING COMMISSION MINUTES  
January 13, 2010  
Council Chamber, City Hall  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

**CALL TO ORDER:**

Chair Cohen called the meeting to order at 1: 34 p.m.

<b>ROLL CALL:</b>	<b>Present This Meeting:</b>	<b>Present to Date:</b>	<b>FY: 2009/2010 Absence:</b>
Tracy Conrad		6	4
Doug Donenfeld	X	10	0
Doug Hudson	X	8	0
Leslie Munger	X	5	3
Bill Scott	X	10	0
Jon Caffery, Vice Chair	X	8	2
Leo Cohen, Chair	X	10	0

**REPORT OF POSTING OF AGENDA:**

The agenda was available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 4:00 p.m. on January 7, 2010.

**ACCEPTANCE OF THE AGENDA:**

The agenda was accepted, as presented.

**PUBLIC COMMENTS: (Three minutes allowed per speaker.)**

Chair Cohen opened public comments; no appearances coming forward public comments was closed.

**1. CONSENT CALENDAR:**

Commissioner Munger noted her abstention on the minutes of October 7, 2009 and November 12, 2009; and requested Item 1C pulled from the Consent Calendar for further discussion.

M/S/C (Bill Scott/Doug Donenfeld, 6-0, 1 absent/Tracy Conrad) To approve, Items 1A and 1B, as part of the Consent Calendar.

**1A. Minutes of October 7, 2009, November 12, 2009 and December 9, 2009.**

Approved, as part of the Consent Calendar. (Noting, Commissioner Munger's abstention on the minutes of October 7, 2009 and November 12, 2009.)

**1B. Case 3.2952 MAJ (Privado) - A request by Enterprise California for a one-year time extension for a previously approved project consisting of an 81 unit condominium development located on the northeast corner of Amado Road and Avenida Caballeros, Zone R-4, Section 14, APN 508-580-055, -069, -071, -074, -075. (Project Planner: Glenn Mlaker, Assistant Planner)**

Approved, as part of the Consent Calendar.

**1C. Case 3.3399 MAJ - A request by Dan Wainright of America's Tire to construct a 6,947 square foot retail store for the sale and installation of tires at 4817 East Ramon Road, Zone W-M-1, Section 19, APN: 680-101-003, -005, -023. (Project Planner: David A. Newell, Associate Planner)**

David Newell, Associate Planner, provided background information as outlined in the staff report dated January 13, 2010.

-Daniel Wainright, Senior Vice President, America's Tire Company, (responding to questions from the Commission) provided details pertaining to the overhang and the store front window display.

M/S/C (Bill Scott/Doug Hudson, 6-0, 1 absent/Tracy Conrad) To approve, subject to Conditions of Approval.

**2. OTHER BUSINESS:**

**2A. Case SI 09-092 Sign - A request by Del Taco LLC to install a freeway sign on an existing pylon sign located at 6600 North Indian Canyon Drive (Chevron), Zone H-C, Section 23, APN: 669-091-018. (Project Planner: David A. Newell, Associate Planner)**

David Newell, Associate Planner, provided background information as outlined in the staff report dated January 13, 2010.

M/S/C (Bill Scott/Doug Donenfeld, 6-0, 1 absent/Tracy Conrad) To approve, subject to Conditions of Approval.

**3. PUBLIC HEARINGS:**

**3A. Case 5.1215 GPA - Update of the Housing Element of the General Plan (Project Planner: Craig A. Ewing, ACIP, Planning Director)**

Nicole Criste, Consulting Planner, provided background information as outlined in the staff report dated January 13, 2010.

Commissioner Scott noted that all cities are required to allow a homeless shelter by-right in at least one zone and questioned which year this is due. Ms. Criste responded in the year 2010.

Chair Cohen opened the public hearing; no appearances coming forward the public hearing was closed.

M/S/C (Bill Scott/Doug Donenfeld, 6-0, 1 absent/Tracy Conrad) To recommend the City Council adopt the Negative Declaration and draft resolution and approve the Housing Element of the General Plan.

**3B. Case 5.1218 ZTA - A Zoning Ordinance Text Amendment, proposing revisions in Section 93.22 "Medical Cannabis Collective/Cooperatives" of the Palm Springs Zoning Ordinance, as requested by the City Council.**

Ken Lyon, Associate Planner, provided background history as outlined in the staff report dated January 13, 2010.

Chair Cohen opened the public hearing; no appearances coming forward the public hearing was closed.

M/S/C (Doug Donenfeld/Leslie Munger, 6-0, 1 absent/Tracy Conrad) To adopt the draft resolution and recommend approval of the proposed Zone Text Amendment to Section 93.22. "Medical Cannabis Collective/Cooperatives" to the City Council.

**4. STUDY SESSION:**

**4A. Establishment of an Amnesty / Abatement Program for Non-Permitted Canopy Structures.**

Director Ewing provided background information as outlined in the staff report dated January 13, 2010.

The Commission discussed and/or commented on the enforcement of existing rules, modification of the zoning code and the importance of the meeting all health & safety requirements.

Chair Cohen opened public comments:

-Ronald Siegel, Palm Springs, explained that there are many reasons people put up canopy structures on their properties and suggested the widest possible guidelines for the amnesty program.

-Kevin Towner, Chair, PSNIC, spoke in favor of all existing canopy structures requiring a permit and a review to determine the safety of the structure. Mr. Towner explained that he will be attending his first meeting with the neighborhood tomorrow and will report back to the Commission.

Commissioner Scott expressed concern regarding with the high costs associated with the applications and suggested keeping the fees low so that people can afford them.

Commissioner Donenfeld noted a preference for option #2 which includes the amnesty program.

-John Acosta, architect, supports the proposal to grant the amnesty program only if there are less than two covered parking spaces on the property.

Vice Chair Caffery suggested a combination of options #2 and #3 and suggested further review of the design guidelines.

Commissioner Munger suggested including a phase-out period to allow time for the property owners to modify the structures.

The Commission gave direction to staff to craft an outline of all the issues discussed at this meeting and bring them back for Commission review.

**PLANNING COMMISSION COMMENTS:**

Commissioner Donenfeld questioned parked trucks used for advertising purposes. Director Ewing explained the Vehicle Ordinance that prohibits parked trucks used for the purpose of advertising and advised the Commission to notify Code Enforcement or staff.

Commissioner Munger reminded staff to follow-up on the sign located on the northwest corner of Mesquite Road and San Luis Rey.

Chair Cohen reported a problem with the timing of the traffic signal on Palm Canyon and Ramon Road.

Vice Chair Caffery reported illegal behavior at an acupuncture business offering massage and suggested closer review with these types of businesses.

Commissioner Scott said he's been working with Code Enforcement and complimented them on their organization and expedient service.

**PLANNING DIRECTOR'S REPORT:**

Director Ewing reported the City Council will meet tonight to discuss the mid-year budget.

**ADJOURNMENT:**

There being no further comments the Planning Commission adjourned at 3:15 p.m. to a regular meeting on Wednesday, January 27, 2010, at 1:30 p.m., City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

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Craig A. Ewing, AICP  
Director of Planning Services