

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
March 24, 2010
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

Vice Chair Caffery called the meeting to order at 1:30 p.m.

ROLL CALL:

	Present This Meeting:	Present to Date:	FY: 2009/2010 Absences:
Tracy Conrad	X	10	6
Doug Donenfeld	X	16	0
Doug Hudson	X	13	1
Leslie Munger	X	10	4
Bill Scott	X	15	1
Jon Caffery, Vice Chair	X	13	3
Leo Cohen, Chair		14	2

*Commissioner Conrad arrived at 1:31 p.m.

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 Thursday, March 18, 2010.

ACCEPTANCE OF THE AGENDA:

Commissioners Scott and Hudson noted their abstention on the minutes of February 10, 2010. Due to a lack of quorum the February 10, 2010 minutes were pulled from the agenda.

PUBLIC COMMENTS:

Vice Chair Caffery opened public comments; and with no appearances coming forward public comments was closed.

1. CONSENT CALENDAR:

M/S/C (Bill Scott/Doug Donenfeld, 6-0, 1 absent/Chair Cohen) To approve, Item 1A (minutes of February 24, 2010) and Item 1B, as part of the Consent Calendar.

1A. Minutes of February 10, 2010 and February 24, 2010.

The minutes of February 10, 2010 were pulled from the agenda due to a lack of quorum.

The Minutes of February 24, 2010 were approved as a part of the Consent Calendar.

1B. Case Eng. R-09-020 - A request by William Wickwire, owner of the property located at 333 East Valmonte Del Norte, for the vacation of the excess street right-of-way adjacent to his property. (Project Engineer: Marcus L. Fuller, Assistant Director of Public Works)

Approved, as a part of the Consent Calendar.

2. PUBLIC HEARINGS:

2A. Case 5.1082 AMND - PD 321 / TTM 34162 AMND (Delano) - A request by Nexus Development (O & M, LLC) to amend a previously approved Planned Development District and Tentative Tract Map, changing the density and uses from 84 residential condominium units to 53 detached and attached single family residential units on an approximately 8.5 acre parcel at the southeast corner of Avenida Caballeros and Alejo Road; Zone, RGA (8), Section 14 (IL). (Project Planner: Ken Lyon, Associate Planner)

Ken Lyon, Associate Planner, provided background information as outlined in the staff report dated March 24, 2010.

Vice Chair Caffery opened the public hearing:

-Rob Eres, Nexus Development, explained that due to the downturn of the economy the condominium units with higher density are not feasible. Mr. Eres provided details on the changes made to the project including the reduction in density, elimination of the sidewalks, elongated driveways, the access road and the landscape median.

There being no further appearances the public hearing was closed.

Commissioner Conrad commented that given the surrounding property the lower density is fine.

Vice Chair Caffery stated his opposition to the project; because of the uninteresting site plan, narrow streets, no sidewalks, reduced density and the "gated development".

Commissioner Scott commented that although he does not like gated communities, the developments across the street both have gates. He expressed concern with the narrow streets and parking for emergency vehicles; he spoke in favor of the density and architecture.

Commissioner Hudson noted a preference for more sensitive treatment towards the wall and gates, a better public benefit especially on the corner of Alejo & Caballeros and expressed a concern with the inadequate guest and service parking.

M/S/C (Doug Donenfeld/Leslie Munger, 4-2/Vice Chair Caffery/ Doug Hudson), 1 absent/Chair Cohen) That the Planning Commission certify the previously adopted Mitigated Negative Declaration; approve Case 5.1082 AMND PD 321 and recommend approval of the amended PD and TTM to the City Council, as amended:

- PLN 3. Flat Roof Requirements: Delete the off-white color and strikeout the sentence, "Bright white should be avoided where possible."
- PLN 6. Add the verbiage ". . . visible from *public* adjacent streets . . ."
- ADM 20: *"The applicant shall submit to the Director of Planning for his approval, the design of the perimeter wall for the subject project for conformance with Section 14 Specific Plan, Section 7.2.5; "Fences/Walls" on page 7-11, "No wall or fence visible from a street shall extend more than 25 feet horizontally without a visual break created by an articulation and/or architectural detailing in the wall plan facing the street. Include benches and public art on the street-side of the exterior perimeter wall."*
- ENG. 18 - Condition deleted.
- ENG. 19 - Condition deleted.
- ENG. 28 - Revised ". . . within **90 days** of approval . . ."
- ENG. 29 - Revised ". . . within **90 days** of approval . . ."

2B. Case 5.0749 CUP AMND (Space120 formerly Alternate Route) - A review of an amendment to a previously approved Conditional Use Permit for a cocktail lounge located at 120 South Palm Canyon Drive, Zone CBD, Section 15. (Project Planner: David A. Newell, Associate Planner)

David A. Newell, Associate Planner, provided background information as outlined in the staff report dated March 24, 2010.

Vice Chair Caffery opened the public hearing:

-Frank Tysen, Palm Springs, chairman of the Historic Tennis Club Organization, explained that noise coming from Palm Canyon bounces off the mountain and emphasized that unprotected noise should not be allowed.

-Craig Blau, owner, The Chase Hotel, explained that he has not had any noise problems; he spoke in favor of continuing the existing requirements that trigger a Planning Commission review.

-Jay Bednar, representing the applicant, provided details pertaining to the speakers and the decibel readings; he requested continued operation of the establishment and is in full agreement with the requirements.

There being no further comments the public hearing was closed.

Commissioner Caffery advised the applicant about the decibel reader noting that noise level coming from the 2nd story is twice as loud because it bounces off of the walls.

M/S/C (Tracy Conrad/Bill Scott, 6-0, 1 absent/Chair Cohen) To allow continued operation with the existing conditions of approval and including Planning Commission review in one year.

PLANNING COMMISSION COMMENTS:

Commissioner Scott asked staff to comment regarding the public testimony on providing adequate notification to the neighborhoods. Director Ewing responded that all neighborhood associations receive all agendas and notices of new applications that have been filed.

PLANNING DIRECTOR'S REPORT:

Director Ewing informed the Commission that the cost of notification is incurred by the City on CUP reviews since the review is imposed by the Planning Commission. The City Council Joint Meeting with the Planning Commission and Architectural Advisory Committee is scheduled for April 7, 2010, as well as, the Planning Commission Study Session earlier in the day. The City Council will meet for a joint meeting with the Tribal Council tonight at the airport.

ADJOURNMENT:

There being no further comments the Planning Commission adjourned at 2:56 p.m. to its study session on Wednesday, April 7, 2010, at 2:00 p.m., City Hall, Large Conference Room, 3200 East Tahquitz Canyon Way.

Craig A. Ewing, AICP
Director of Planning Services

DRAFT