

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
June 23, 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 1:32 p.m.

ROLL CALL:

	Present This Meeting:	Present to Date:	FY: 2009/2010 Absences:
Tracy Conrad	X	14	9
Doug Donenfeld	X	23	0
Doug Hudson	X	20	1
Leslie Munger	X	16	5
Bill Scott	X	21	2
Jon Caffery, Vice Chair	X	18	5
Leo Cohen, Chair	X	21	2

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, June 17, 2010.

ACCEPTANCE OF THE AGENDA:

Commissioner Donenfeld requested Item 1B removed from the Consent Calendar for separate discussion.

Commissioner Munger noted her abstention on Item 1B since she was not present when this project was originally presented.

M/S/C (Doug Donenfeld/Tracy Conrad, 6-0, 1 abstained/Leslie Munger) To accept the agenda, as amended.

PUBLIC COMMENTS:

Chair Cohen opened public comments:

-Joy Meredith, president, MainStreet, spoke in reference to Item 2, requested a longer term for the downtown portable open signs.

-Emily Hemphill, legal representation for the applicant, (Item 1B), stated that the Commission had valid concerns on the project and requested an opportunity for the project team to address these issues to the Commission.

-Frank Tysen, spoke in reference to Item 2C, commented on the beauty of the hillside in this area and urged the Commission to go very slow with the proposed development.

There being no further appearances public comments was closed.

1. CONSENT CALENDAR:

M/S/C (Bill Scott/Vice Chair Caffery, 7-0) To approve Items 1A and 1C, as part of the Consent Calendar.

1A. Minutes of May 26, 2010

Approved, as part of the Consent Calendar. Abstained: Commissioner Conrad

1B. Case 5.1237 GPA / PD 357 (Legacy Palm Springs) - A resolution of denial for an assisted living facility with subterranean off-street parking on an approximately 1.43-acre site located at 1000 North Palm Canyon Drive, Section 10, Zone C-1/R3. (Project Planner: Ken Lyon, Associate Planner)

Ken Lyon, Associate Planner, provided background information as outlined in the staff report. Mr. Lyon stated that the applicant is requesting the Commission to reconsider the project.

Commissioner Donenfeld explained that the nature of the facility was not the issue but rather density, height, retail frontage and parking. He encouraged the applicant to bring back the project.

M/S/C (Doug Donenfeld/Vice Chair Caffery, 6-0, 1 abstained/Leslie Munger) To table the resolution and maintain the application open for resubmittal.

- 1C. Case 5.0421 PD 185 AMND - A request by Desert Regional Hospital for a new 291 space parking lot (Parking Lot "G") with solar carports, landscaping and fencing located at 388 Mel Avenue, Zone R-3, Section 11. (Project Planner: Glenn Mlaker, AICP, Assistant Planner)**

Approved, as part of the Consent Calendar.

2. PUBLIC HEARINGS:

- 2A. Case 5.1238 SNC / 5.1244 SNC / 5.1245 SNC - A request by the Palm Springs Unified School District to change three street names: Chase Place, Field View & Foster Vista to District Center Drive. (Project Planner: David A. Newell, Associate Planner)**

David A. Newell, Associate Planner, provided background information as outlined in the staff report dated June 23, 2010.

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

M/S/C (Bill Scott/Vice Chair Caffery, 7-0) To recommend approval to the City Council.

- 2B. Case 5.1241 CUP / 6.521 VAR - An application by Travis Companies, Inc., on behalf of Von's (A Safeway Company) for a Conditional Use Permit to construct a gasoline service station with a reduced setback requirement to residential zoned property within the Rimrock Plaza located at 4701 East Palm Canyon Drive, Zone W-C-D-N, Section 30. (Project Planner: David A. Newell, Associate Planner)**

David A. Newell, Associate Planner, provided background information as outlined in the staff report dated June 23, 2010.

Chair Cohen opened the public hearing:

-Brian Braatan, vice president real estate for Von's, explained that this project was returned to the AAC numerous times and each time reasonable changes were made to the project. Mr. Braatan provided details on the physical and financial aspects of the project.

(Public Hearing continued)

- Karl Huy, Travis Companies on behalf of Vons, provided details pertaining to the proposed structure, architecture, landscaping and the revisions made to the project.
- Charles Miller, expressed concern with the pad size and accessibility to Highway 111; read a statement from an adjacent resident.
- Nancy Bentinck, adjacent neighbor, spoke in opposition of the project and questioned the validity of the Von's petition.
- Helen Hyde, adjacent neighbor, expressed concern with traffic congestion, lights and fumes that will come from the gas station.
- Barbara Hasson, adjacent neighbor, spoke in favor of the project; stated that she does not have a problem with traffic noise and noted that this is a commercially zoned parcel.
- Lance Caldwell, adjacent neighbor, commented that the proximity of the gas station to the homes would cause additional traffic congestion; requested denial of the project.
- John Terrace, adjacent neighbor, expressed concern with traffic safety in this area.
- Brian Braatan, applicant (rebuttal), addressed the comprehensive traffic analysis conducted in this area and noted a decrease in property values if the shopping center is vacated; he requested support of the project.

There being no further appearances public comments was closed.

The Commission requested the applicant provide further clarification on the hours of operation, fueling deliveries, screen wall/landscape berming and lighting.

Marcus Fuller, Assistant Director of Public Works, addressed the traffic circulation for this site.

Vice Chair Caffery noted a preference for the redirection of the traffic flow and the architecture to emulate the original shopping center.

Commissioner Donenfeld spoke in support of the project noting that this is a commercial zone and the applicant has given great concern to the residential community.

Commissioner Scott expressed concern with the architecture and reduced setbacks.

M/S/C (Doug Donenfeld/Leslie Munger, 2-5/Chair Cohen/ Tracy Conrad/ Bill Scott/ Vice Chair Caffery/ Doug Hudson) To approve Case 5.1241 CUP and 6.521 VAR, subject to the Conditions of Approval, as follows:

- Revision of Planning Condition #4 - To delete the verbiage "off-white" and "bright white should be avoided where possible". PROJECT IS DENIED.

Director Ewing reported that the project is denied and is subject to appeal to the City Council within 10 working days.

A recess was taken at 2:56 p.m. The meeting resumed at 3:05 p.m.

2C. Case 5.1154 SP / TTM 35540 (Desert Palisades) - A request by Pinnacle View, LLC, for approval of a Specific Plan, Tentative Tract Map and Change of Zone for a subdivision of approximately 117-acres for 110 home sites, open space, private roads, public trails and a DWA dual tank reservoir located at the western end of Racquet Club, near Tram Way, Planning Area 4 of the ESA-SP Zone (Chino Cone). (Project Planner: Ken Lyon, Associate Planner)

Ken Lyon, Associate Planner, provided background information as outlined in the staff report dated June 23, 2010. He introduced Michelle Witherspoon from MSA Consulting, as the environmental consultant for the project.

-Michelle Witherspoon, MSA Consulting, director of environmental services, provided regulatory history and background information on the environmental review process.

Chair Cohen opened the public hearing:

-Marvin Roos, MSA Consulting, provided details pertaining to the design process, site, drainage courses, open-space, boulder berms, project entry and the public benefits for the project.

-Gladys Krenek, on behalf of Friends Palm Springs Mountains, spoke in opposition of the project; noting concern with the inadequacy of the environmental impact report.

-Bob Marra, project team, addressed the public outreach provided for the project and the feasibility of the development.

-Jono Hildner, Save our Mountains, chair, urged the Commission to take their time in reviewing the project; and suggested more public outreach is given to the community.

-J.R. Roberts, adjacent neighbor, expressed concern with the hydrology and flooding on this site and dust control.

-Julian DeLatore, representing MSA Consulting, addressed the flood control measures for the site and the retention basins for the individual homes.

-Steve Sobotta, Fomotor Engineering, representing Richard Kluszczynski, owner of the adjacent 5-acre vacant property; expressed concern with protection of the recorded easement.

-Tamara Stevens, representing Palm Springs Economic Development Corporation (PSEDC), spoke in favor of the proposed project; noting a density of less than one unit per acre, no on-site rock crushing and the extensive network of public trails.

-Jeff Welshans, Palm Springs, spoke in opposition of the project; requested protection of the alluvial fan and a moratorium on all hillside development in the city.

(Public Hearing continued)

-Ed Freeman, Pinnacle View LLC, property owner/developer, provided background information on the subject property; noting their agreement with the Chino Cone ordinance.

-Emily Hemphill, representing the applicant/rebuttal, addressed DWA's reservoir tanks, posting of bonds and the dust and easement concerns.

There being no further appearances public comments was closed.

Commissioners Donenfeld, Scott and Conrad expressed a preference for Planning Commission review on the construction of each individual house.

The Commission requested clarification on flood control measures, height for non-hillside properties, boulder berms, the fiscal impact to the city and construction limit.

Commissioner Munger expressed concern with motor homes and commercial vehicle parking, carports and tennis courts on the development.

Vice Chair Caffery expressed concern with homes towering above other homes and blocking the view of Chino Cone.

M/S/C (Bill Scott/Doug Hudson, 7-0) To continue to the meeting of July 28, 2010; and direct staff:

-To respond to questions and issues raised by the Planning Commission.

Vice Chair Caffery left for the remainder of the meeting at 5:03 p.m.

2D. Case 5.1202-A - An amendment to the Palm Springs Zoning Code to extend the term for portable "open" signs in Commercial Zones. (Project Planner: Craig A. Ewing, AICP)

Director Ewing provided background information as outlined in the staff report dated June 23, 2010.

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

M/S/C (Doug Donenfeld/Leslie Munger, 6-0, 1 absent/Vice Chair Caffery) To approve draft resolution and recommend approval of a two year extension to the City Council.

3. PLANNING COMMISSION COMMENTS:

3A. Discussion of Vacation Schedule

The Commission discussed their vacation schedule and conducting meetings during the month of August. Staff concluded that the Commission would plan on going dark for the month of August depending on the outcome of the Desert Palisades Specific Plan.

Commissioner Hudson apologized for not attending the AAC meetings during the month of June and offered to cover another month.

Commissioner Scott noted that it was Chair Cohen's last meeting and expressed gratitude for his leadership to the Commission and service to the City.

PLANNING DIRECTOR'S REPORT:

Director Ewing provided an update on the appointments and re-appointments to the HSPB and Planning Commission.

Director Ewing provided an update on the upcoming items to the City Council meeting.

Director Ewing reported that the July 7th study session would consist of discussion on the non-permitted canopy and carport structures and the terms for the Architectural Advisory Committee.

ADJOURNMENT:

There being no further comments the Planning Commission adjourned at 5:27 p.m. to Wednesday, July 7, 2010, City Hall, Large Conference Room, 3200 East Tahquitz Canyon Way.

Craig A. Ewing, AICP
Director of Planning Services