

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
March 23, 2011
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

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

ROLL CALL:

	Present This Meeting:	Present to Date:	FY: 2010 / 2011 Absences:
Tracy Conrad	X	13	7
Doug Hudson	X	18	2
Philip Klatchko	X	19	1
Leslie Munger	X	16	4
Doug Donenfeld, Vice Chair	X	20	0
Jon Caffery, Chair	X	19	1

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 4:30 p.m. on Thursday, March 17, 2011.

ACCEPTANCE OF THE AGENDA:

Director Ewing requested Item 2B, the Desert Fashion Plaza Revitalization, to be moved up to the first item of business after the Consent Calendar.

Commissioner Conrad noted a business-related conflict of interest with Item 2B and stated she would not be participating in the discussion.

PUBLIC COMMENTS:

Chair Caffery opened public comments:

-Gary Johns, Palm Springs, spoke in reference to the improvements made to the historic building on South Palm Canyon and Arenas Road and questioned why the architectural review process was not done for all the changes that were made.
-Ron Marshall, PS Preservation Foundation, expressed disappointment with the inclusion of the Town & County in the development agreement for the Desert Fashion Plaza and questioned if this enhances the historic resources of the city.

There being no further appearances public comments was closed.

1. CONSENT CALENDAR:

Commissioner Klatchko requested Item 1C pulled from the Consent Calendar for separate discussion.

ACTION: To approve, Item 1B as part of the Consent Calendar. **Motion Doug Donenfeld, seconded by Leslie Munger and unanimously carried on a roll call vote.**

1A. Minutes of March 9, 2011 will be provided at the next Planning Commission meeting of April 13, 2011.

No minutes were submitted.

1B. Case 3.3108 MAJ - A request by David Gandolfo partner of Indian Oasis Self Storage, for a one-year time extension for a previously approved 108,000 square foot storage facility located at 900 San Luis Rey Drive, Zone M-1, Section 20. (Project Planner: Glenn Mlaker Assistant Planner)

Approved, as part of the Consent Calendar.

1C. Case SP 11-002 - A request by Cathy Reno Brovillet for an amendment to a previously approved sign program to change a design requirement for the property located at 382-396 North Palm Canyon Drive, Zone CBD, Section 15. (Project Planner; David A. Newell, Associate Planner)

David Newell, Associate Planner, provided background information as outlined in the staff report dated March 23, 2011.

Director Ewing noted that the approved colors of the sign program are darker and suggested that the yellow background color could be approved on a temporary basis only.

ACTION: To approve the blade sign (with yellow background) on a temporary basis until June 1, 2011.

-Any future blade sign must comply with the four colors specified in the approved sign program.

Motion Tracy Conrad, seconded by Philip Klatchko and unanimously carried on a roll call vote.

2. OTHER BUSINESS:

2B. Desert Fashion Plaza Revitalization - Orientation to Development Agreement

Commissioner Conrad left the dais at 1:50 p.m.

Douglas Holland, City Attorney, provided an overview on the inception and implementation of development agreements on a State and local government level. Mr. Holland reported that development agreements allow developers to negotiate the land use regulations that will be applicable to their respective project. Mr. Holland noted that development agreements are a legislative item such as zone text amendments or general plan amendments and the public is very much involved in the outcome. Mr. Holland outlined the benefits and mandatory terms associated with development agreements.

The Commission asked questions regarding the limitations of land use in the development agreement and the approved specific plan for the existing Desert Fashion Plaza and Town & Country properties.

Commissioner Conrad returned to the dais at 2:12 p.m.

2A. Case 5.1050 PD 312 An application by Studio M Salon & Spa for an amendment to Planned Development District 312 to allow a salon and spa use within PD 312 at the Smoke Tree Commons shopping center located at 2465 East Palm Canyon Drive, Suite 1025, Zone C-S-C, Section 25. (Project Planner: David A. Newell, Associate Planner)

Commissioner Conrad noted a property-related conflict of interest and would not be participating in the discussion and vote. Ms. Conrad left the Council Chamber at 2:13 p.m.

David A. Newell, Associate Planner, provided background information as outlined in the staff report dated March 23, 2011.

ACTION: To approve, subject to Conditions of Approval. **Motion Doug Donenfeld, seconded by Leslie Munger and unanimously carried on a roll call vote.**

Commissioner Conrad returned to the Council Chamber at 2:18 p.m.

3. PUBLIC HEARINGS:

3A. Case 5.1212 CZ TPM 36073; An application by Noble & Company for a Change of Zone from Energy Industrial (E-I) to Manufacturing (M-2) and a Tentative Parcel Map (TPM 36073) to subdivide an approximately 98 acre parcel into 3 parcels.

Ken Lyon, Associated Planner, provided background information as outlined in the staff report dated March 23, 2011.

Chair Caffery opened the public hearing:

-Fritz Noble, spoke on behalf of the applicant, provided details on the project's vision for the frontage of subject property. Mr. Noble requested a revision to engineering condition #12 be changed from 8 feet to 5 feet to be the same as the other sidewalks.

There being no further appearances the public hearing was closed.

ACTION: To adopt the Mitigated Negative Declaration (MND) and recommend approval of the project to the City Council, subject to the attached Conditions of Approval, as amended:

-Revise Engineering Condition #12 to reflect construction of sidewalk to be 5 feet wide.
Motion Tracy Conrad, seconded by Doug Hudson and unanimously carried on a roll call vote.

3B. Case 5.1222 ZTA and 5.1225 ZTA - Zoning Ordinance Amendments of Section 93.13.00.A of the Palm Springs Zoning Code relating to the definition of "hillside area" and Section 91.00.10 relating to the definition of "building height". (Project Planner: Craig A. Ewing, AICP, Director of Planning Services)

Director Ewing provided background information as outlined in the staff report as dated March 23, 2011.

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

The Commission discussed granting additional height of a maximum of 30 feet to allow a hillside house to follow the topography of the hill and no single elevation to exceed this height. Commissioner Conrad requested further review of the height ordinance to avoid a 30 foot house.

The Commission and staff discussed the current definition of the building height on hillside lots and continuing further discussion to establish hillside design guidelines.

Commissioner Hudson suggested the elements of retaining walls be addressed in the review process.

Director Ewing provided a recap of the items to be addressed establishment of hillside design guidelines:

1. Stepping of the buildings
2. Retaining walls
3. Pylons
4. Downward landscaping

Commissioner Klatchko spoke in favor of establishing a minimum elevation for hillside lots and suggested the following wording, "to accommodate steep vertical changes in elevation by stepping or other means as more particularly set forth in the design standards".

The Commission gave direction to staff to bring back examples of design guidelines for hillside lots in similar communities.

ACTION: To continue to the meeting of April 6, 2011, with direction to staff to bring back "hillside development" for further discussion. **Motion Philip Klatchko, seconded by Leslie Munger and unanimously carried on a roll call vote.**

PLANNING COMMISSION COMMENTS:

Commissioner Munger noted that she would be absent for the meeting of April 6, 2011.

PLANNING DIRECTOR'S REPORT:

Director Ewing reported that an appeal was filed for the recently approved solar facility based on the payment of public art fees. The Commission will be notified when a draft development agreement is produced for the Desert Fashion Plaza and provided an update on the process of a CUP revocation pertaining to an upcoming project.

ADJOURNMENT:

There being no further comments the Planning Commission adjourned 3:21 p.m. to Wednesday, April 6, 2011, in the Large Conference Room at City Hall, 3200 E. Tahquitz Canyon Way.

Craig A. Ewing, AICP
Director of Planning Services

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