

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
March 09, 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 1:30 p.m.

ROLL CALL:

	Present This Meeting:	Present to Date:	FY: 2010 /2011 Absences:
Tracy Conrad	X	12	7
Doug Hudson	X	17	2
Philip Klatchko	X	18	1
Leslie Munger	X	15	4
Doug Donenfeld, Vice Chair	X	19	0
Jon Caffery, Chair	X	18	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 4:00 p.m. on Thursday, March 3, 2011.

ACCEPTANCE OF THE AGENDA:

Chair Caffery noted a business-related conflict of interest on Item 2D and would be abstaining from the discussion and vote.

Commissioner Hudson noted his abstention on Item 2A and also noted a business-related conflict of interest on Item 2D and would be abstaining from the discussion and vote.

Commissioner Munger noted her abstention on Item 1B

PUBLIC COMMENTS:

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

1. CONSENT CALENDAR:

ACTION: To approve, Items 1A, 1B and 1C, as part of the Consent Calendar. **Motion Philip Klatchko, seconded by Doug Hudson and unanimously carried on a roll call vote.**

1A. Minutes of February 16, 2011

Approved, as part of the Consent Calendar.

1B. Case 5.1201 CUP AMND - A resolution of approval for an amendment to a Conditional Use Permit for the Family of Love Church located at 1301 Montalvo Way. (Planner Ken Lyon, Associate Planner)

Approved, as part of the Consent Calendar. (Noting Commissioner Munger's abstention.)

1C. Case 5.1135 / PD 334 Time Extension - A request by SHP III Riverside, LLC, (formally known as Rainbow Vision) for a one-year time extension for a previously approved 184-unit condominium project located at the southwest corner of East Palm Canyon Drive and Matthew Drive, Zone WR-3, Section 30. (Project Planner: Glenn Mlaker, Assistant Planner)

Approved, as part of the Consent Calendar.

2. PUBLIC HEARINGS:

2A. Case 8.253 SI VAR - A request by Zelda's Nightclub for a second main sign on the east elevation of the existing building at the Sun Center located at 611 South Palm Canyon Drive, Zone PD-77, Section 22. (Project Planner: David A. Newell, Associate Planner)

David Newell, Associate Planner, provided background information as outlined in the staff report dated March 9, 2011.

Chair Caffery opened the public hearing:

-Mike McCormick, owner/applicant, spoke about the changes made to the sign and requested approval of the sign.

There being no further appearances the public hearing was closed.

Commissioner Conrad noted that the changes to the redesign were minimal and spoke in opposition of the sign variance.

Chair Caffery suggested adding a provision to allow the sign on a temporary basis until a sign program is in place.

Commissioner Klatchko expressed concern with granting approval for special privileges and thinks this would set precedence with the other businesses in the center.

Vice Chair Donenfeld spoke about the Commission trying to support Zelda's but noted that they have an obligation to adhere to the findings and does not agree with allowing a temporary sign until a sign program is in place.

ACTION: To deny, Case 8.253 Sign Variance. **Motion Philip Klatchko, seconded by Doug Donenfeld and carried 4-1 on a roll call vote.**

AYES: Leslie Munger, Tracy Conrad, Doug Donenfeld, and Philip Klatchko

NOES: Chair Caffery

ABSTAIN: Doug Hudson

Director Ewing reported that the action made by the Planning Commission is subject to appeal to the City Council within 10 working days.

2B. Case 5.1253 CUP / 6.524 VAR - An application by Solar Power Inc. for a Conditional Use Permit for a 4.96 MW Solar Field and a variance application seeking reductions in setbacks for energy uses from 50 feet to 20 feet on 24 acres of a roughly 98 acre parcel between 19th Avenue and 20th Avenue, east of Karen Avenue and West of Indian Canyon Drive, Zone E-I (Energy Industrial) Section 15. (Ken Lyon, Associate Planner)

Ken Lyon, Associate Planner, provided background information as outlined in the staff report dated March 9, 2011.

Chair Caffery opening the public hearing:

-Frances Knight, Solar Power Inc., provided a brief introduction on the solar company and commented on Garnet Wash, the highest and best use of the land area, the reduction in setbacks and the required public art fees.

-Fred Noble, Wintec Energy, (landowner), commented on the benefits of bringing renewable energy to the community. Mr. Noble noted that the applicant has designed the project around the wash and addressed the setbacks.

There being no further appearances the public hearing was closed.

-Frances Knight responded to inquiries from the Commission pertaining to the grubbing on the site, disruption and compaction of the soil.

ACTION: To approve Case 5.1253 CUP, subject to Conditions of Approval; and direct staff to bring back a resolution of approval for Case 6.524 Variance. **Motion Doug Donenfeld, seconded by Tracy Conrad and unanimously carried on a roll call vote.**

Commissioner Munger suggested the Energy/Industrial zone be placed as a discussion item for an upcoming study session.

2C. Case 5.1248 CUP - A request by Border Valley Trucking Inc., for a Conditional Use Permit (CUP) for a Liquefied Natural Gas (LNG) Fueling Facility on a 0.94 acre site located at 670 West Garnet Avenue, Zone M-1-P, Section 15. (Ken Lyon, Associate Planner)

Ken Lyon, Associate Planner, provided background information as outlined in the staff report dated March 9, 2011.

Chair Caffery opened the public hearing:

-Greg Braun, Border Valley Trading, provided details on their goal to build the liquefied natural gas (LNG) fuel service facility.
-Marvin Roos, MSA Consulting, was available to address any technical questions from the Commission.

There being no further appearances the public hearing was closed.

Commissioner Conrad requested the applicant address the safety precautions for the tanks due to the proximity to the freeway. Bob Cole addressed the Commissions concerns pertaining to temperature and composition of liquid natural gas.

ACTION: To adopt the Mitigated Negative Declaration and approve Case 5.1248 CUP, subject to Conditions of Approval, as amended:

-The two vertical storage tanks shall be painted in a tan or light blue, as approved by the Planning Department. **Motion Tracy Conrad, seconded by Leslie Munger and unanimously carried on a roll call vote.**

Staff reported that this action may be appealed to the City Council within 10 working days.

Chair Caffery recused himself from Item 2D and excused himself from the remainder of the meeting. He called for a short recess and left the Council Chamber at 3:11 p.m. Commissioner Hudson also recused himself from Item 2D and excused himself from the remainder of the meeting. He left the Council Chamber at 3:11 p.m.

The meeting resumed at 3:21 p.m.

Vice Chair Donenfeld assumed Chairmanship.

- 2D. Case 5.1232 Specific Plan / General Plan Amendment / Change of Zone - A request by the City of Palm Springs for approval of the draft College Park Specific Plan and associated General Plan Amendment and Change of Zone as part of an area-wide planning effort to refine land uses in proximity to the future College of the Desert (COD) West Valley Campus (WVC) located west of Indian Canyon Drive, east of Highway 111/North Palm Canyon Drive, south of the Chino Creek/Whitewater River Flood Control Levee. (Project Planner: Craig A. Ewing, AICP, Director of Planning Services)**

John Criste, Terra Nova Planning, reminded the Commission that an information meeting on this project was held in late January 2011. Mr. Criste provided information on the location, planning areas, individual residential neighborhoods, land use designations, existing levee, landscape plan and circulation plan.

Vice Chair Donenfeld questioned the input received from the public meetings held in the surrounding neighborhoods. Cathy Van Horn, Community & Economic Development, noted that the majority of neighborhood feedback was in reference to the college development and the solar power facility.

Vice Chair Donenfeld opened the public hearing:

-Dr. Edwin Deas, Vice President of Business Affairs, College of the Desert, spoke in support project and expressed a concern with the language in the specific plan and the development agreement associated with the extension and elimination of Sunrise Way Parkway.

No further appearances coming forward the public hearing was closed.

ACTION: To certify the Final EIR, approve the Statement of Overriding Consideration and Mitigation Monitoring Program and Adopt the College Park Specific Plan, General Plan Amendment and Change of Zone, Case 5.1232, subject to the Conditions of Approval, as amended:

-Deletion of the extension/elimination of Sunrise Parkway in the College Park Specific Plan. **Motion Philip Klatchko, seconded by Tracy Conrad and unanimously carried 4-0 on a roll call vote.**

AYES: Leslie Munger, Tracy Conrad, Doug Donenfeld, and Philip Klatchko

NOES:

ABSTAIN: Doug Hudson and Chair Caffery

PLANNING COMMISSION COMMENTS:

No comments.

PLANNING DIRECTOR'S REPORT:

Principal Planner Robertson provided a brief report on the AAC meeting of March 7, 2011.

ADJOURNMENT:

There being no further comments the Planning Commission adjourned at 4:24 p.m. to Wednesday, March 23, 2011, at 1:30 p.m., City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Craig A. Ewing, AICP
Director of Planning Services