

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
April 27, 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	15	8
Doug Hudson	X	21	2
Philip Klatchko	X	22	1
Leslie Munger	X	18	5
Doug Donenfeld, Vice Chair	X	22	1
Jon Caffery, Chair	X	22	1

*Commissioner Conrad arrived at 1:34 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, April 21, 2011.

ACCEPTANCE OF THE AGENDA:

Commissioner Klatchko requested Item 1B pulled from the Consent Calendar for separate discussion and noted his abstention on the minutes of February 23, 2011. Commissioner Hudson noted his abstention on the minutes of February 9, 2011.

PUBLIC COMMENTS:

Chair Caffery opened public comments:

-Joy Meredith, Crystal Fantasy, spoke in reference to Item 2A, spoke about fortune telling services provided at her store and defended freedom of speech,

- Jessica Blanchard, Cathedral City, expressed concern with toxic dust produced from a concrete recycling plant on North Indian Avenue.
- John Tymon, Palm Springs, spoke in opposition to Item 3B, Case 8.254 sign variance.
- Norman Freedberg, Palm Springs, spoke in reference to Item 2A, stated that he has been doing body piercing in the downtown area for 15 years with no problems.

There being no further appearances public comments was closed.

1. CONSENT CALENDAR:

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

1A. Minutes of February 9, 2011, February 23, 2011, March 9, 2011 and March 23, 2011.

Approved, as part of the Consent Calendar. (Noting Commissioner Hudson's abstention on the minutes of February 9, 2011 and Commissioner Klatchko's abstention on the minutes of February 23, 2011.)

1C. A request for approval to replace an existing 131-foot tall meteorological tower with a new 197-foot tall tower at the same location.

Approved, as part of the Consent Calendar.

1B. 5.1132 / PD 333 Time Extension - A request by the City of Palm Springs for a one-year time extension for a previously approved mixed-use development consisting of a 200-room Mondrian Hotel and a 50-unit condominium project located at the northeast corner of Amado Road and Calle Alvarado Zone PD 333, Section 14. (Project Planner: Edward Robertson, Principal Planner)

Edward Robertson, Principal Planner, provided background information as outlined in the staff report dated April 27, 2011.

Director Ewing responded to questions from the Commission pertaining to the landowner and developer for this parcel and time extension limits.

ACTION: To approve the time extension request from April 22, 2011, to April 21, 2012, subject to the attached revised conditions of approval. **Motion Tracy Conrad, seconded by Doug Hudson and unanimously carried on a roll call vote.**

2. OTHER BUSINESS:

2A. Initiation of a Zone Text Amendment (ZTA) to add certain uses to the list of permitted uses in the CBD. (Project Planner: Ken Lyon, Associate Planner)

Ken Lyon, Associate Planner, provided background information as outlined in the staff report dated April 27, 2011.

Commissioner Hudson spoke in support of the initiation of a zone text amendment, as presented, with the inclusion of tattooing.

Commissioner Conrad suggested further review on setting a limit on the amount of establishments providing these types of services in the city.

ACTION: To approve, the initiation of Zone Text Amendment (ZTA) to add-certain permitted uses to the CBD zone, as follows:

- Body piercing
- Tobacco Sales
- Fortune Telling
- Tattoos

Motion Doug Hudson, seconded by Doug Donenfeld and unanimously carried on a roll call vote.

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 Newell, Associate Planner, provided background information as outlined in the staff report dated April 27, 2011.

Commissioner Conrad recalled that great consideration was given to all the details of this project when it was originally approved and spoke in favor of initiating the revocation of the conditional use permit.

Commissioner Munger expressed concern with the ambient noise after 6 p.m. and requested a member from the police station be present when this project comes back to the Commission to address their questions.

ACTION: To initiate a public hearing to consider revocation or modification of the Conditional Use Permit. **Motion Tracy Conrad, seconded by Doug Donenfeld and unanimously carried on a roll call vote.**

3. PUBLIC HEARINGS:

3A. Case 5.1249 / PDD 358 - A planned development district application from Palm Springs Treatment Centers, LLC, (Michael's House) requesting to revise the methodology for calculating density for an assisted living facility and to seek approval of that use at an existing facility at 430 Cahuilla Road; Zone R-3, Section 15. (Planner: Ken Lyon, Associate Planner)

Ken Lyon, Associate Planner, provided background information as outlined in the staff report dated April 27, 2011.

Chair Caffery opened the public hearing:

-Dr. Krista Gilbert, CEO for Michael's House, provided further information on the types of services offered by the residential treatment facility. Dr. Gilbert outlined the secondary economic benefits to the City.

-James Cioffi, project architect, stated that the proposed use is compatible with its surroundings and provided details on the neighborhood outreach meeting that was held.

-Sheryl Hamlin, Palm Springs, expressed concern with the staff report lacking information on the serious medical disorders associated with this type of facility and the level of security for the in-house patients.

-Dave Johnston, Palm Springs, (adjacent property owner) spoke in favor of the project. He indicated that he has never had any problems with this treatment facility.

-Marshall Roath, chair, Historic Tennis Club Neighborhood Association, expressed concern the safety of the neighborhood and noise from the group activities.

-Jim Cross, Palm Springs, commented that many patients may be more like family members, not drug addicts.

-Dr. Gilbert, representing the applicant, addressed the type of rehabilitation services provided at the treatment center.

There being no further appearances the public hearing was closed.

Commissioner Conrad expressed concern with the complaint letters received and suggested a two week continuance to appropriately address the concerns of the neighborhood.

Vice Chair Donenfeld noted that since the recovery center has been at this location for over twenty years better communication is needed between the applicant and the neighborhood.

ACTION: To continue to the meeting of May 11, 2011, to allow the applicant to adequately address the concerns of the neighborhood. **Motion Tracy Conrad, seconded by Doug Hudson and failed 3-3 on a roll call vote. MOTION FAILED.**

AYES: Tracy Conrad, Doug Donenfeld, and Doug Hudson.

NOES: Leslie Munger, Philip Klatchko, and Chair Caffery.

ACTION: To approve Case 5.1249 / PDD 358 and recommend approval to the City Council, subject to Conditions of Approval, as amended:

-Patients are to exit and enter via the Belardo Road entry gate as opposed to the Cahuilla Road entry gate.

-Eliminate any group activity in the western patio of the facility.

-The clients shall be driven to the nearby hiking trail. **Motion Chair Caffery, seconded by Leslie Munger and carried 4-2 on a roll call vote.**

AYES: Leslie Munger, Doug Donenfeld, Philip Klatchko, and Chair Caffery.

NOES: Tracy Conrad, and Doug Hudson.

Director Ewing reported this is a recommendation to the City Council and a public hearing will be scheduled for this item.

3B. Case 8.254 SI VAR - An application by Jerry Keller for a sign variance to install two main signs that exceed the maximum permitted letter height and sign area for the property located at 200 South 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 April 27, 2011.

Chair Caffery opened the public hearing:

-David Christian, project architect, provided details on the proposed signage in comparison to the scale of the building.

There being no further appearances the public hearing was closed.

Commissioner Conrad appreciated the wide space between the lettering and spoke in favor of the signage.

Vice Chair Donenfeld and Commissioner Munger noted appreciation for the improvements made to the building and spoke in favor of the proposed signage.

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

PLANNING COMMISSION COMMENTS:

Commissioner Munger reported that she would not be in attendance for the meeting of May 11, 2011.

Commissioner Klatchko requested an update on the 7 Eleven project on Vista Chino and Indian Canyon Way. Staff reported that this project went before the City Council and the PCN was not approved.

PLANNING DIRECTOR'S REPORT:

Director Ewing reported the City Council adopted the College of the Desert Specific Plan and a grand opening sign will be installed on the site on May 4th.

Director Ewing reported that he would not be in attendance for the meeting of May 11, 2011.

ADJOURNMENT:

There being no further comments the Planning Commission adjourned at 3:05 p.m. to 1:30 p.m. on Wednesday, May 11, 2011 City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Craig A. Ewing, AICP
Director of Planning Services