

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
July 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 1:50 p.m.

ROLL CALL:

	Present This Meeting:	Present to Date:	FY: 2011 / 2012 Absences:
Tracy Conrad	X	2	1
Doug Hudson	X	3	0
Philip Klatchko		0	3
Leslie Munger	X	3	0
J.R. Roberts	X	3	0
Doug Donenfeld, Vice Chair	X	3	0
Jon Caffery, Chair	X	3	0

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, July 21, 2011.

ACCEPTANCE OF THE AGENDA:

Commissioner Roberts requested Item 1D pulled from the Consent Calendar for separate discussion.

Commissioner Hudson noted his abstention on Item 1A, the minutes of June 22, 2011.

Commissioner Conrad noted her abstention on Item 1D due to a property-related conflict of interest.

PUBLIC COMMENTS:

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

1. CONSENT CALENDAR:

ACTION: To approve, Item 1A, 1B and 1C, as part of the Consent Calendar.

Motion Doug Donenfeld, seconded by Leslie Munger and unanimously carried 5-0 on a roll call vote.

AYES: Leslie Munger, Doug Donenfeld, Doug Hudson, Chair Caffery and J.R. Roberts

NOES:

ABSENT: Philip Klatchko

1A. Minutes of June 22, 2011.

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

1B. Case 5.1164 PD 343 (Crosse Pointe) - A request by Crossley Partners LLC, for a one-year time extension for a previously approved Planned Development District (PD 343) a mixed-use development at the northwest corner of Crossley Road and East Sunny Dunes Road. (Project Planner: Glenn Mlaker, ACIP, Assistant Planner)

Approved, as part of the Consent Calendar.

1C. Case 5.0845 PD 262 AMND (Estancia) - A request by Michele McKee and Laura O'Kane for a minor amendment to the Final Development Plans to construct a 3,885-square foot single-family residence, an attached garage and a casita on a 23,958-square foot lot located at 744 Bella Cara Way, Zone R-1-B, Section 35. (Project Planner: David A. Newell, Associate Planner)

Approved, as part of the Consent Calendar.

1D. Case SP 11-003 Sign Program AMND - A request by Donahue Schriber to amend an approved sign program for additional signage on the existing monument signs at the Smoke Tree Village shopping center located at 1775 East Palm Canyon Drive, Zone C-S-C, Section 25. (Project Planner: David A. Newell, Associate Planner)

Commissioner Conrad left the Council Chamber at 1:53 p.m.

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

Commissioners Roberts and Munger expressed a preference to delete condition #2 pertaining to the 2,000 square feet minimum of lease space.

ACTION: To approve, subject to Conditions of Approval, as amended:

-Delete Condition No. 2.

Motion J.R. Roberts, seconded by Leslie Munger and unanimously carried 5-0 on a roll call vote.

AYES: Leslie Munger, Doug Donenfeld, Doug Hudson, Chair Caffery, and J.R. Roberts.

NOES:

ABSENT: Philip Klatchko.

Commissioner Conrad returned to the dais at 1:57 p.m.

2. OTHER BUSINESS:

2A. Case 10.471 DET - A request by Wintec Energy, Ltd, to consider an electric vehicle charging to be a similar use to other permitted uses allowed within the E-I (Energy Industrial) Zone located on the north side of 20th Avenue, midway between SH 62 and Indian Avenue. (Project Planner: Craig A. Ewing, AICP, Director of Planning Services)

Director Ewing provided background information as outlined in the staff report dated July 27, 2011.

Vice Chair Donenfeld requested staff address the safety regulations for this facility. Staff responded that the electric charging station is designed and regulated by South Coast Air Quality Management District (SCAQMD).

ACTION: To approve Case 10.471 Determination.

Motion Tracy Conrad, seconded by J.R. Roberts and unanimously carried 6-0 on a roll call vote.

AYES: Leslie Munger, Tracy Conrad, Doug Donenfeld, Doug Hudson, Chair Caffery and J.R. Roberts

NOES:

ABSENT: Philip Klatchko.

2B. Case 3.1120 MAA APPEAL - An appeal by Sifler & Associates, representing property owner, for the Palm Springs Village Apartments, of the Director's decision to deny a request to construct a new parking area for four (4) parking spaces along East Tahquitz Canyon Way resulting in the removal of mature trees and turf located at 2720 East Tahquitz Canyon Way, Zone R3, Section 13. (Project Planner, Glenn Mlaker, AICP, Assistant Planner)

Glenn Mlaker, Assistant Planner, provided background information as outlined in the staff report dated July 27, 2011.

-Michael Peroni, planning consultant, representing the applicant, provided an overview on the proposed parking area and landscaping improvements to the property. Mr. Peroni stated that it is the applicant's intent is to raise the occupancy and create a safer environment for the tenants.

-Fernando Silva, representing the applicant, provided information on the landscaping plan; noting that more trees would be planted on the property.

Commissioners Conrad, Roberts and Donenfeld spoke in opposition to curb cuts on Tahquitz Canyon Way. Commissioner Roberts suggested hiring a full-time security guard on the premises to alleviate the problems with crime.

ACTION: To uphold the Director's decision.

Motion J.R. Roberts, seconded by Doug Donenfeld and unanimously carried 6-0 on a roll call vote.

AYES: Leslie Munger, Tracy Conrad, Doug Donenfeld, Doug Hudson, Chair Caffery, and J.R. Roberts.

NOES:

ABSENT: Philip Klatchko

Director Ewing reported that the Planning Commission's action is subject to appeal within 10 working days.

3. PUBLIC HEARINGS:

3A. Case 5.1267 CUP (Crave Restaurant) - A request by Davy Aker, DBA Modern-Works, LLC, for a Conditional Use Permit to allow beer, wine and dessert bar (Type 42 ABC License) at 390 North Palm Canyon Drive, Zone C-B-D, Section 15. (Project Planner: David Newell, Associate Planner)

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

Chair Caffery opened the public hearing:

-Davy Aker, co-owner, provided an overview on the proposed dessert bar and requested approval of the project.

There being no further appearances the public hearing was closed.

ACTION: To approve, subject to Conditions of Approval.

Motion Tracy Conrad, seconded by Leslie Munger and unanimously carried 6-0 on a roll call vote.

AYES: Leslie Munger, Tracy Conrad, Doug Donenfeld, Doug Hudson, Chair Caffery and J.R. Roberts

NOES:

ABSENT: Philip Klatchko.

3B. Case 5.1270 ZTA - An application by the City of Palm Springs to amend the Palm Springs Zoning Code to allow rotating barber pole signs. (Project Planner: Craig A. Ewing, AICP, Director of Planning Services)

Director Ewing provided background information as outlined in the staff report dated July 27, 2011.

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

ACTION: To recommend approval to the City Council, as amended:

-Section 3. Section 93.20.09.B4.f shall be added as follows:

“Barber pole not to exceed four (4) feet in height, eighteen (18) inches in width and eighteen (18) in depth (projection from wall) may be allowed for any licensed barber business.”

Motion J.R. Roberts, seconded by Leslie Munger and unanimously carried 6-0 on a roll call vote.

AYES: Leslie Munger, Tracy Conrad, Doug Donenfeld, Doug Hudson, Chair Caffery and J.R. Roberts

NOES:

ABSENT: Philip Klatchko.

3C. Case 5.1235 ZTA - An application by the City of Palm Springs to amend the Palm Springs Zoning Code to allow canopies and carports in front yard areas and street side yards. (Project Planner: Craig A. Ewing, AICP, Director of Planning Services)

Director Ewing provided background information as outlined in the staff report dated July 27, 2011.

Chair Caffery opened the public hearing:

-John Acosta, architect and homeowner, expressed concern with the lot size requirement of 7,500 square feet and explained that many lots are smaller and need the shading. He requested the maximum total area of the canopy / carport be reduced to the proportion of the lot size.

There being no further appearances the public hearing was closed.

The Commission discussed and/or commented on allowing consideration of smaller lots on a case-by-case basis and eliminating the minimum square footage.

Commissioner Roberts suggested using the consent calendar for future canopy/carport applications. Director Ewing explained that while this amendment addresses the zoning problem, the bigger problem for existing non-permitted carports will be meeting the California Building codes.

ACTION: To approve Case 5.1235 ZTA and recommend approval to the City Council, as amended:

-To delete Condition #2, "The subject lot shall have a minimum area of 7,500 square feet".

Motion Doug Donenfeld, seconded by Chair Caffery and carried 5-1 on a roll call vote.

AYES: Leslie Munger, Doug Donenfeld, Doug Hudson, Chair Caffery, and J.R. Roberts.
NOES: Tracy Conrad
ABSENT: Philip Klatchko

PLANNING COMMISSION COMMENTS:

Commissioner Munger noted that she would not be present for the August 10th meeting. She thanked Chair Caffery for his great work as Chair of the Planning Commission and bid him farewell on his new journey.

PLANNING DIRECTOR'S REPORT:

Director Ewing reported that the Commission would be meeting on August 10th. The Architectural Advisory Committee and Historic Site Preservation Board would be meeting as regularly scheduled for the month of August. The City Council will be dark for the month of August.

ADJOURNMENT:

There being no further comments the Planning Commission adjourned to 3:23 p.m. to 1:30 p.m. on Wednesday, August 10, 2011, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Craig A. Ewing, AICP
Director of Planning Services