

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
September 12, 2012
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

Chair Donenfeld called the meeting to order at 1:30 p.m.

ROLL CALL:

	Present This Meeting:	Present to Date:	FY: 2012/2013 Absences:
Lyn Calerdine	X	3	0
Philip Klatchko		2	1
Leslie Munger	X	3	0
J.R. Roberts	X	3	0
Kathy Weremiuk	X	3	0
Doug Hudson, Vice Chair	X	3	0
Doug Donenfeld, 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, September 6, 2012.

ACCEPTANCE OF THE AGENDA:

Commissioner Munger noted her abstention on Item 2A and 2C and would not be participating in the discussion and vote.

The agenda was unanimously approved, as amended.

PUBLIC COMMENTS:

Chair Donenfeld opened public comments:

-Paul Onufer, representing Arroyo Vista Partners, LLC, (spoke in reference to Item 2C),

stated the proposed modifications will address security, safety and additional revenue to the homeowners association. He urged the Commission to go take a look at the current temporary road improvements in front of the existing models.

-Michael Osborne, vice president, Palermo Homeowners Association, (spoke in reference to Item 2C), thanked staff for their attention to the infrastructure needs of Palermo Development and reported that the Board of Directors urged the Commission to grant the amendment.

-Harry Courtright, secretary, Palermo Homeowners Association, (commented on Item 2A), spoke about their willingness to live with the temporary road and requested that the the two minor exceptions be granted until the development has been completed and property values go up.

-Jeannette Skoropowski, (spoke in reference to Item 2B), commented on the modifications to the Wells Fargo Bank signage. She explained that the changes will greatly improve the overall esthetics and commented on the wayfinding signs.

-Rick Puckett, (appellant for Item 2A), addressed the relocation of the driveway gates that he built eight years ago and requested the gates to remain in the current location for security purposes.

-Joe Denneth, (spoke in reference to Item 2A), expressed concern with the lack of parking for the industrial park.

-Lucia Thompson requested the Commission consider initiation of a zone text amendment to allow flag poles in residential backyards.

There being no further appearances public comments was closed.

1. CONSENT CALENDAR:

ACTION: To approve Items 1A and 1B, as presented.

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

AYES: Leslie Munger, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson, Lyn Calderine, Kathy Weremiuk

ABSENT: Philip Klatchko

1A. Minutes of July 11 and July 25, 2012.

Approved, as part of the Consent Calendar, as presented.

1B. Case 10.473 DET - A request for a Finding of Conformity to the Palm Springs General Plan for the sale of City-owned property at 4810 Camino Parocela (former City Animal Shelter), Zone M-1, Section 19. (Craig A. Ewing, AICP, Director of Planning Services)

Approved as part of the Consent Calendar, as presented.

2. OTHER BUSINESS:

2A. Case 3.0452 MAA - An appeal by Rick Puckett of Desert Scapes Welding, Inc. of the Planning Director's decision to deny the relocation of driveway gates for 1233 and 1235 South Gene Autry Trail, Zone M-1, Section 19. (Project Planner: David A. Newell, Associate Planner)

Commissioner Munger left the Council Chamber 1:50 p.m.

David Newell, Associate Planner, provided an overview of the project as presented in the staff report dated September 12, 2012.

The Commission commented and/or requested further clarification on:

- The shared parking concept on this site.
- The joint access driveway for all the properties and general use parking for the entire complex.
- The allowed uses for the parking and landscape area.
- The outdoor storage area.

ACTION: To deny the appeal without prejudice.

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

AYES: Leslie Munger, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson, Lyn Calderine, Kathy Weremiuk

ABSENT: Philip Klatchko

Commissioner Munger re-entered the Council Chamber at 1:59 p.m.

2B. Case SP 12-002 Sign Program Amendment - An application by Wells Fargo Bank to amend a previously approved sign program for the Sunrise Square Shopping Center located at 1735 North Sunrise Way, Zone CDN. (Project Planner: Glenn Mlaker, AICP, Assistant Planner)

Glenn Mlaker, Assistant Planner, provided background information as outlined in the staff report dated September 12, 2012.

Vice Chair Hudson suggested the monument sign (close to the building) be individual lettering with the yellow/gold color (no red background) and the Wells Fargo west elevation sign over the ATM Canopy should remain left justified.

The applicant addressed questions from the Commission pertaining to the size, color and location of the monument signs.

Assistant Planner Mlaker clarified that the brown background was never considered and the AAC was comfortable with the red background on the monument sign.

ACTION: To approve the sign program amendment subject to Conditions of Approval, as amended:

- The sign above the ATM canopy, as presented.
- All three monuments signs, as presented, with yellow letters and on a brown background.

Motion: J.R. Roberts, seconded by Lyn Calerdine and unanimously carried 6-0 on a roll call vote.

AYES: Leslie Munger, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson, Lyn Calerdine, Kathy Weremiuk
ABSENT: Philip Klatchko

2C. Case 5.1029 PD 315 - A request by Arroyo Vista Partners, LLC, for minor amendments to the previously approved Palermo Mixed Use Development located at the northeast corner of Indian Canyon Drive and San Rafael Drive, Zone PDD 315, Section 35. (Project Planner: Edward Robertson, Principal Planner)

Commissioner Munger left the Council Chamber at 2:19 p.m.

Edward Robertson, Principal Planner, provided background information as outlined in the staff report dated September 12, 2012.

- Paul Onufer, Arroyo Vista Partners, LLC, provided details of the proposed modifications.

The Commission requested clarification and/or commented on:

- Proposed materials for the wall and fencing.
- Temporary street conditions in front of the model homes.
- Security for chain link fencing.
- Street requirements for permanent and temporary streets.

Commissioner Roberts suggested wrought iron fencing for the temporary construction area with a screening material and landscaping.

Commissioner Weremiuk expressed concern with the unfinished streets but was in favor with wrought iron or masonry fencing.

ACTION: To approve amendment with the following exceptions:

- Direct the applicant to return in two weeks and revise the landscape and fencing plan.
- To allow the temporary road to remain in front of the six-unit model in place until the remainder of the development is completed.

Motion J.R. Roberts, no second. Motion failed.

ACTION: To continue to the meeting of September 26, 2012, and direct the applicant to:

- To prepare fencing and landscape plans for final review.
- To work with Public Works staff to come up with an acceptable solution to the road improvements adjacent to the completed six-unit model homes.

Motion Lyn Calerdine, seconded by Kathy Weremiuk and unanimously carried 5-0 on a roll call vote.

AYES: Leslie Munger, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson, Lyn Calerdine, Kathy Weremiuk

ABSENT: Philip Klatchko

3. PUBLIC HEARING:

3A. Case 5.1279 CUP - A request by Fury Investments (Zelda's Nightclub) for a Conditional Use Permit to operate a nightclub use within the Sun Center located at 611 South Palm Canyon Drive, Zone PD 77, Section 22. (Project Planner: David A. Newell, Associate Planner)

Commissioner Munger re-entered the Council Chamber at 2:54 p.m.

David A. Newell, Associate Planner, provided background information as outlined in the staff report dated September 12, 2012.

Commissioner Weremiuk expressed concern with a conditional use permit that allows alcohol to be served without a time limit.

Director Ewing spoke about the Commission's option to impose a review period for the conditional use permit.

-Melissa Desmarais, PSPD, reported that five noise complaints have been received over the past year and has found that the applicant is cooperative in addressing the complaints. She explained that Zelda's staff is helpful in cleaning up the parking lot on a daily basis.

A recess was taken at 3:07 p.m. The meeting resumed at 3:13 p.m.

-Melissa Desmarais, Police Officer, and PSPD, provided further details pertaining to other types of calls that have generated service calls to the nightclub.

Chair Donenfeld opened the public hearing:

-Mike McCormick, owner of Zelda's, spoke about his efforts in working with the Police Department to correct the safety and security concerns at the nightclub. He addressed the occupancy limits, installation of video surveillance cameras, and enhancement of noise and security mitigation measures. He requested the hours of operation be extended to allow seven days a week for special events.

There being no further appearances public hearing was closed.

The Commission commented and/or requested additional pertaining to:

- The term limits on the conditional use permit.
- The applicant's request for an extension on the hours of operation.
- Removal of the exterior speaker.
- Establishing a review period for the conditional use permit.

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

- PLN 2. Hours of operation shall not exceed from 6:00 p.m. to 2:00 a.m, seven days a week.
- The applicant shall remove and eliminate all speakers from the outdoor patio area.
- The Planning Commission shall review a status update on the CUP one year from the date of approval to determine compliance with the conditions of approval.

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

AYES: Leslie Munger, J.R. Roberts, Chair Donenfeld, Vice Chair Hudson, Lyn Calerdine, Kathy Weremiuk
ABSENT: Philip Klatchko

PLANNING COMMISSION COMMENTS:

The Commission provided the following comments and/or requests:

- A possible study session to consider a zone text amendment for flag poles in rear yards.
- An update on the joint meeting with the Tribal Planning Commission.
- An update on the language to regulate 6 beds or less for assisted living facilities.
- A request to hold a study session to review the parcel map that has been submitted for the Desert Fashion Plaza.

PLANNING DIRECTOR'S REPORT:

Direction Ewing referenced Ms. Thompson's request to consider a zone text amendment to allow flag poles in rear yards. He provided an update on the Planning items scheduled for the Commission's review in October.

ADJOURNMENT:

There being no further comments the Planning Commission adjourned at 3:52 p.m. to Wednesday, September 26, 2012, at 1:30 p.m. at City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Craig A. Ewing, AICP
Director of Planning Services