

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
November 14, 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 pm.

ROLL CALL:

| | Present This Meeting: | Present to Date: | FY: 2012 / 2013 Absences: |
|-------------------------|----------------------------------|-----------------------------|--------------------------------------|
| Lyn Calerdine | X | 8 | 0 |
| Philip Klatchko | X | 7 | 1 |
| Leslie Munger | X | 8 | 0 |
| J.R. Roberts | X | 8 | 0 |
| Kathy Weremuik | X | 8 | 0 |
| Doug Hudson, Vice Chair | X | 8 | 0 |
| Doug Donenfeld, Chair | X | 7 | 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, November 8, 2012.

ACCEPTANCE OF THE AGENDA:

Chair Donenfeld requested Item 3C be heard out of order immediately following Public Comment.

The agenda was unanimously accepted, as amended.

PUBLIC COMMENTS:

Chair Donenfeld opened public comments:

- Brian Diebolt, spoke in reference to Item 2B, Case 5.1285 CUP, requested reconsideration of the tennis court lighting.
- Don Skeoch, applicant, for Item 2B, Case 5.1285 CUP, requested a continuance for the tennis court lighting and consideration to allow for further public testimony.
- Jessica Norte, (resident of Estancias) spoke in reference to Item 2B, Case 5.1285 CUP, commented in opposition of the tennis court lighting.
- Patrica ?, spoke in reference to Item 3A, Case 5.1143 CUP, requested a copy of the staff report for this project.

There being no further appearances public comments was closed.

1. CONSENT CALENDAR:

1A. Minutes of October 10, 2012.

ACTION: To approve, as submitted.

Motion J.R. Roberts, seconded by Philip Klatchko and unanimously carried on a roll call vote.

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

PUBLIC HEARINGS:

(This item was heard out of order.)

Director Ewing provided a summary of the prior actions, background information and a description of the proposed project.

Chair Donenfeld opened the public hearing:

- John Wessman, applicant, provided an overview of the proposed project pertaining to the event center, open space, public access linking to streets and overall building height of hotel.
- Mark Philp, project architect, Allen + Philp Architects, presented a simulation of the proposed project and provided an overview of the site plan, street layout, vehicular and pedestrian access, elevations, architectural materials, retail, restaurant and office uses, elevations, view corridors, architectural materials, hotel and preliminary landscape plan.
- Tangie Abercrombie, commented in opposition of the scale and height for the proposed hotel.
- Renee Brown, spoke in opposition of the height for the proposed hotel.

- Frank Tysen, spoke in opposition of the height and scale for the proposed hotel.
- John Wessman, applicant response, addressed the height of the hotel, open-space and proposed uses for the renovation project.

There being no further appearances the public hearing was continued.

Vice Chair Hudson made the following comments:

- The New Main Street (from Palm Canyon to the new section of Belardo) needs to be widened to open up the view corridor to the mountains from Palm Canyon and provide a view to the museum building.
- Outdoor seating areas for restaurants will be shadowed by the adjacent taller buildings.
- Many elements of the project (restaurants) do not take advantage of the views of the mountains.
- The New Main Street from Palm Canyon to the art museum needs to be widened.
- More extensive pedestrian use for the north side of the New Main Street. Questioned the use of vehicular traffic on Market Street and preferred pedestrian use only.
- Consider connecting parcels located west of Belardo Road to the project (O'Donnell Golf Course).

Commissioner Calderine reemphasized the need for photo simulations of the views primarily from Palm Canyon Drive and concluded that only several views of the mountains would be lost. He encouraged more pedestrian circulation to the interior courtyard space.

Commissioner Roberts said that he visited The Orange County Mix (market concept) and was very impressed; he thought this would work well with downtown village environment and draw a more youthful target market. Mr. Roberts expressed concern with the height of the hotel and would like to see the project weave into the historic fabric of downtown and the restaurant dining turned outward onto Palm Canyon.

Commissioner Weremiuk made the following comments:

- That Belardo Road does not have an entrance especially if it will be built out in the future and will become a city street.
- Concerned with the pool on the rooftop; people in Palm Springs are used to go out on patio for sun.
- The street narrowing and bend in front of the museum that will impact the view.

Commissioner Munger expressed concern with:

- The liability of the water elements on Tahquitz Canyon; issues in downtown Long Beach.
- Parallel parking on Main Street.

- The historical setting is not emphasized in the project.

Commissioner Klatchko requested a depiction of the streetscape on Andreas and Palm Canyon Drive and its connection to the project.

The Commission requested submittal of new materials for further review of the project, as indicated:

- Modeling of the project within the larger downtown area (update the last sheet of today's handout with more accurate building volumes),
- Photo-simulations of the proposed project from the east side of N. Palm Canyon Drive,
- The agreement regarding the interim use of Block D for a public event venue,
- Design options for the 'billboard' space on the hotel's elevation tower (east elevation),
- Sightline studies for views, comparing the existing condition with proposed project,
- The structural configuration of the underground parking,
- Sun / shadow studies for the open space areas (Blocks B and C),
- Anticipate vehicular traffic movement patterns (see Public Works for assistance).

ACTION: To continue the public hearing to the meeting of November 28, 2012.

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

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

2. OTHER BUSINESS:

2A. Discussion of Tour of Desert Water Agency Facilities

The Commission displayed interest in a tour of the DWA facilities. Staff would look into scheduling a tour after the holidays.

2B. Case 5.1285 CUP - A resolution of denial for the installation of tennis court lighting, and the approval of Case 3.3594 SFR for the construction of a new 6,283-square foot single family residence within the Estancias Development at 3181 Las Brisas Way, Zone R-1-B, Section 35. (Project Planner: Glenn Mlaker, AICP, Assistant Planner)

Glenn Mlaker, Assistant Planner, provided background information as outlined in the staff memorandum dated November 14, 2012.

Vice Chair Hudson and Chair Donenfeld noted their abstention on this item.

Commissioners Calerdine and Klatchko noted their willingness to reconsider the lighting for the tennis court with added conditions.

Commissioner Weremiuk recalled the reason for the denial was not only due to the night lighting and noise but also because there are no provisions for tennis courts in this development.

Commissioner Calerdine stated that he is opposed to the motion because he thinks that it is an unreasonable restriction on the use of this property and believes that setting a timeframe on the lighting would address many of the concerns.

ACTION: To adopt a denial resolution for Case 5.1285 CUP, and approved Case 3.3594 SFR subject to the Conditions of Approval.

Motion Kathy Weremiuk, seconded by Leslie Munger and carried 3-2 on a roll call vote.

AYES: Leslie Munger, J.R. Roberts, Kathy Weremiuk

NOES: Philip Klatchko, Lyn Calerdine

ABSTAIN: Chair Donenfeld, and Vice Chair Hudson.

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

A recess was taken at 3:59 pm.

The meeting resumed at 4:06 pm.

PUBLIC HEARINGS (cont'd):

3A. Case 5.1143 CUP - A request by Brook Anthony Ortiz for approval of a conditional use permit to operate a cocktail lounge at 188 South Indian Canyon Drive, Zone RA Section 14. (Ken Lyon, Associate Planner)

Glenn Mlaker, Assistant Planner, provided background information as outlined in the staff report dated November 14, 2012.

Chair Donenfeld opened the public hearing:

-Brook Ortiz, applicant, provided an overview on the proposed cocktail lounge and was available to answer questions from the Commission.

There being no further appearances the public hearing was closed.

Commissioner Munger asked if music would be played in the patio area. Mr. Ortiz responded that there would be no music played in the patio.

ACTION: To approve Case 5.1143 CUP to operate a cocktail lounge at 188 South Indian Canyon Drive, subject to Conditions of Approval.

Motion J.R. Roberts, seconded by Chair Donenfeld and unanimously carried on a roll call vote.

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

3B. Case 5.1277 CUP - An application by Whitewater Solar Farm 1, LLC., for a Conditional Use Permit and a request for 7.75 acres of "Take" under the guidelines of the Coachella Valley Multiple Species Conservation Plan, to develop a 3 Megawatt solar energy production facility on roughly 12 acres of a 108-acre parcel located at 58641 Tipton Road, Zone 0-5 (Open Space) and W (Watercourse). (Ken Lyon, Associate Planner)

Edward Robertson, Principal Planner, provided a review of the proposed project as outlined in the staff report.

Chair Donenfeld opened the public hearing:

-David Allen, manager, Whitewater Solar Farm, LLC, indicated that they worked closely with staff and is in agreement with the conditions. Mr. Allen addressed questions from the Commission pertaining to the actual location and existing vegetation on the site, flood zone, maintenance, proportion of Take acreage, and fencing material.

ACTION: To adopt the draft Mitigated Negative Declaration (MND), approve Case 5.1277 CUP, subject to Conditions of Approval and recommend to the City Council to allocate 7.75 acres of Take to this project from the Whitewater River Conservation Area, as amended:

-To recommend to the City Council:

- To establish a priority for allocation of Take.
- Establish a uniform policy regarding the requirements Mitigated Take.
- And allow a small open area at the base of the fencing to allow small animals to go through.

Motion Philip Klatchko, seconded by Lyn Calerdine and unanimously carried on a roll call vote.

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

PLANNING COMMISSION COMMENTS:

Vice Chair Hudson commented that he would not be able to attend next week's AAC meeting. Commissioner Weremiuk offered to cover the meeting.

Commissioner Roberts requested code enforcement follow-up on the signage (adjacent to the monument sign) at the corner of Sunrise Way and Vista Chino.

PLANNING DIRECTOR'S REPORT:

Principal Planner Robertson reported the next City Council meeting is scheduled for November 28, 2012.

ADJOURNMENT:

There being no further comments the Planning Commission adjourned at 4:54 pm to 1:30 p.m., Wednesday, November 28, 2012, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Craig A. Ewing, AICP
Director of Planning Services

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
November 28, 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 1:31 pm.

ROLL CALL:

| | Present This Meeting: | Present to Date: | FY: 2012 / 2013 Absences: |
|-------------------|----------------------------------|-----------------------------|--------------------------------------|
| Lyn Calerdine | X | 9 | 0 |
| Philip Klatchko | X | 8 | 1 |
| Leslie Munger | X | 9 | 0 |
| J.R. Roberts | X | 9 | 0 |
| Kathy Weremiuk | X | 9 | 0 |
| Vice Chair Hudson | X | 9 | 0 |
| Doug Donenfeld | X | 8 | 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 6:00 p.m. on Tuesday, November 20, 2012.

ACCEPTANCE OF THE AGENDA:

The Commission unanimously accepted the agenda, as presented.

PUBLIC COMMENTS:

Chair Donenfeld opened public comments:

-Joe Funky, questioned the two hour parking limit in downtown and suggested using of parking meters to allow people more time without having to move their vehicle.

There being no further appearances public comments was closed.

ACCEPTANCE OF THE AGENDA:

The Commission unanimously accepted the agenda.

Commissioner Roberts arrived at 1:34 pm.

1. PUBLIC HEARING:

- 1A. Case 5.1290-PD361 - Applications by Wessman Development for a Tentative Parcel Map (TPM 36446) to subdivide a property of approximately 13.57 acres into 13 parcels for development and 4 lots for public infrastructure and Planned Development District (5.1290-PD361) for a hotel in excess of 60 feet in height as allowed under the provisions of Museum Market Plaza Specific Plan; Major Architectural applications (3.3605-MAJ, 3.3606-MAJ & 3.3607-MAJ) for Blocks A, b/b-1 and c/c-1 of the site. The site is located at the northwest corner of West Tahquitz Canyon Way and North Palm Canyon Drive. Zone Museum Market Plaza Specific Plan, Section 15. (Craig A. Ewing)**

Director Ewing provided background information and presented the proposed renovation plans. He summarized the Architectural Advisory's Committee comments made during their third review of the project.

Chair Donenfeld opened the Public Hearing:

- Harold Meyerman, Chairman of the Board of Trustees, Palm Springs Art Museum, spoke in support of the project.
- Mindy Reed, spoke in support of the project.
- Michael Kassinger, spoke in support of the project.
- Andrew Starke, President, Palm Springs Chamber of Commerce, spoke in support of the project.
- Dave Baron, Vice-Chair, Palm Springs International Film Festival, spoke in support of the project.
- Robert Moon, Chair, Measure J Committee, spoke in support of the project.
- Leo Cohen, spoke in support of the project.
- Jerry Keller, spoke in support of the project.
- Joy Meredith, president, Main Street Palm Springs, spoke in support of the project.
- Tricia Jurovic, spoke in opposition of the project.
- Jacqueline Danos, spoke in support of the project.
- Tom Adamo, spoke in support of the project.
- Aftab Dada, General Manager, Hilton Palm Springs, spoke in support of the project.
- Nick Gronkowski, General Manger, Marquis Villas, spoke in support of the project.
- Steve Nash, Director, Palm Springs Art Museum, spoke in support of the project.
- Tee Jones, spoke in support of the project.
- Kristen Bloomer, spoke in support of the project.

Public Hearing (con'td):

- Kelly McLean, spoke in support of the project.
- Adam Gilbert, spoke in support of the project.
- Hunger Hough, spoke in support of the project.
- Eric Morcus, spoke in support of the project.
- Paula Auburn, spoke in support of the project; however, suggested more consideration be given to the architecture, landscape and lighting to soften the look.
- Jessie Rhodes, spoke in support of the project.
- John Tymon, suggested lowering the height of the hotel and extending it evenly along the property.
- Joe Funky, spoke in support of the project.
- Gary Johns, requested consideration of the AAC's recommendation for more time on the architecture and design of the hotel.
- Robert Imber, requested further review of the open-space, courtyard, traffic and pedestrian circulation.
- Tim Urkins, expressed concern with the height of the hotel.
- Jacques Caussin, requested an architecturally significant rendering of the hotel.
- Frank Tysen, spoke in opposition of the project.
- Harold, Matzner, Chairman, Palm Springs International Film Festival, spoke in support of the project.
- Pamela Laverty, spoke in opposition to the project design.
- Laura Walsh, spoke in support of the project.
- John Wessman, applicant, addressed public testimony and stated that the hardscape (sidewalk and paving) and landscape plans have not been submitted; and once this occurs it will soften the project.
- Mark Philp, project architect, Allen + Philp Architects, presented photo simulations of the project and provided an overview of the renovation plans and changes made to the Downtown Palm Springs project. Mr. Philp and Mr. Wessman addressed questions from the Commission.

Chair Donenfeld re-opened the public hearing on the project changes presented by the development team:

- Robert Imber, suggested adding more mass and height adjacent to the Hyatt hotel to allow greater pedestrian fluidity and encouraged further refinement of project.
- Gary Johns, spoke in opposition of the changes made to the hotel rooftop and suggested lowering the height and making the hotel larger to allow more rooftop.
- Pamela Laverty, spoke in opposition to the mass and density of the hotel.

There being no further comments the public hearing was closed.

A recess was taken at 4:49 pm.

The meeting resumed at 5:02 pm.

Vice Chair Hudson stated that he is in favor of the project and made the following comments:

- Little controversy about project size, demolition of existing buildings, parking or traffic levels.
- Concern is with the height of hotel; provide other options for distribution of rooms on the site.
- Likes roof-top amenity.
- Reservation about project architecture and shift of open space on Block B to event space near museum.
- Some controversy about need for more pedestrian space; too much outdoor space given to restaurant dining / too little area for civic plaza / town square.
- It is not necessary to preserve village environment but use modern architecture to create a strong, iconographic skyline.
- Desert climate needs to be taken into account of building design i.e. sun shading and include more sustainable elements in project.
- Building's height and mass needs to be justified by a great piece of architecture; needs to be much stronger.

Commissioner Munger expressed the following comments:

- Concerned with building massing and not so concerned with height.
- Building articulation, open space and sustainable elements need attention.
- Concerned with noise and transfer of noise from the rooftop.

Commissioner Klatchko made the following comments:

- Likes layout of parcel map: streets and pedestrian circulation.
- Concerned that public area is now limited to a specific period of time.
- Consideration of building pad of B-1 as future open space area.
- No problem with the height as long as it looks right; an architectural destination.
- The project must work economically, and the hotel brand is an important part of the economic success to the project.
- Developer has shown willingness to work with City on changes/improvements.
- Encouraged the Commission to establish conditions for future review to move the project forward with a positive recommendation.

Commissioner Roberts made the following comments:

- He was impressed that there were significant public comments in support of the project, despite lack of strong media coverage. Some supportive comments

include: Move it forward, let it be tall, time to replace the mall; agrees with these views.

- Comments that were not heard from the public were: the building design: exceptional, distinctive, unique, great, good, beautiful, interesting or imaginative.
- Financial viability is important, but our architecture makes us unique in the world. This design will not leave a memorable impression.
- We have received too much information in a short time; slow it down a little bit to get it done right.
- Requested an analysis of parking needs for the project and future development, including the museum.
- Open space is lacking, except for the corner at Tahquitz and Palm Canyon, not sufficient for the site.
- Market Street may be a missed opportunity if left as a street during the day. Use the B-1 building pad space for a piazza.
- Pedestrian circulation is a bit of a maze. On-street parking is a concern; Andreas and "New Main" could be pedestrian –use only.

Commissioner Calderine expressed the following comments.

- The map's street system is good and it drives the density and height of the project.
- The density and height are also acceptable; can support the project map and the PD for the hotel height.
- More consideration of the individual buildings will be needed.
- Would like to see great architecture, but there seems to be nit-picking. Some revisions from the AAC's review were not improvements. Wants to see an appropriate process for further design review.

Commissioner Weremiuk made the following comments:

- Likes that New Main was straightened out in front of the museum.
- Shares concern with lack of sufficient open space. Hotel courtyard is too much given over to restaurant seating.
- The tenured time-line on the event space is a concern; it cannot be considered the open space in the project.
- Block A is good; however, Block B may need more open space.
- Since lowering the height doesn't appear likely, the architecture becomes more important; we need architecture that gets people excited. Can support the existing architecture, if other items are addressed.

Chair Donenfeld expressed the following comments:

- Sees project as a downtown; the village is gone and it's time to move forward. We have legacy neighborhoods and districts in town, but downtown is an urban landscape for shopping, dining and tourism. It's not a museum for an

- international reputation nor is it a village green; it's a place people will want to go to shop for something more significant than a T-shirt.
- The existing buildings downtown are not great architecture. The project's proposed materials, massing, placement, light, density, interconnectivity are all good things; it's good, solid architecture.
- We need to provide a place for people to have fun: younger people, tourists and residents who feel neglected because there was nothing for them downtown.
- Public testimony given today indicates that people are tired of delays and urged the Commission to move forward. Several suggestions by the Commission could delay the project a year.

Director Ewing noted that in addition to the required engineering conditions that would be imposed on the project staff will address the concerns from the Commission.

ACTION: To direct staff to prepare a draft resolution for Tentative Tract Map 36446 and bring back to the Commission for final review on December 5, 2012.

Motion Lyn Calerdine, seconded by Chair Donenfeld and unanimously carried on a roll call vote.

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

ACTION: To direct staff to prepare a draft resolution including incorporating the Architectural Advisory Committee's comments for Block A and bring back to the Commission for final review on December 5, 2012.

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

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

ACTION: To direct staff to prepare a draft resolution for Block including the deletion of the Building on site B-1, and bring back to the Commission for final review on December 5, 2012.

Motion Kathy Weremiuk, seconded by Leslie Munger and carried 5-2 on a roll call vote.

AYES: Leslie Munger, Philip Klatchko, Chair Donenfeld, Lyn Calerdine, Kathy Weremiuk

NOES: J.R. Roberts, Vice Chair Hudson

ACTION: To direct staff to prepare a draft resolution for Block C and return for the Commission's final review on December 5, 2012.

Motion Lyn Calerdine, seconded by Leslie Munger and carried 5-2 on a roll call vote.

AYES: Leslie Munger, Philip Klatchko, Chair Donenfeld, Lyn Calerdine, Kathy Weremiuk

NOES: J.R. Roberts, Vice Chair Hudson

ACTION: To direct staff to prepare a draft resolution for Block C-1 with staff's recommendations and return to the Commission's final review on December 5, 2012.

Motion Lyn Calerdine, seconded by Leslie Munger and carried 4-3 on a roll call vote.

AYES: Leslie Munger, Philip Klatchko, Chair Donenfeld, Lyn Calerdine

NOES: J.R. Roberts, Vice Chair Hudson, Kathy Weremiuk

2. DISCUSSION ITEM: Time Extension Requests - New formats and requirements for the extensions of previously approved projects.

This item was continued to a later date.

PLANNING COMMISSION COMMENTS:

No comments.

PLANNING DIRECTOR'S REPORT:

No comments.

ADJOURNMENT:

There being no further comments the Planning Commission adjourn at 6:29 pm to Wednesday, December 5, 2012, at 1:30 pm, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Craig A. Ewing, AICP
Director of Planning Services