

CITY OF PALM SPRINGS  
 PLANNING COMMISSION MINUTES  
 December 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 1:32 pm.

**ROLL CALL:**

	<b>Present This Meeting:</b>	<b>Present to Date:</b>	<b>FY: 2012 / 2013 Absences:</b>
Lyn Calerdine	X	11	0
Philip Klatchko	X	10	1
Leslie Munger	X	11	0
J.R. Roberts	X	11	0
Kathy Weremuik	X	11	0
Doug Hudson, Vice Chair	X	11	0
Doug Donenfeld, Chair	X	10	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, December 6, 2012.

**ACCEPTANCE OF THE AGENDA:**

The Commission unanimously accepted staff's request to continue Public Hearing Item 2A, Case 5.1289 CUP to January 9, 2013. The agenda was accepted, as amended.

**PUBLIC COMMENTS:**

Chair Donenfeld opened the Public Comments portion of the meeting:

*(The following persons spoke in reference to Item 1A.)*

- Bob Russano, resides across the street, spoke in opposition of the project and questioned the hotel use for this property.
- Eric McLaughlin, one of the property owners for Intervention 911, provided an overview on the use of sober living facilities and suggested drafting of a new ordinance for this type of use.
- James Miller, spoke in support of the sober living facility.
- Chelsea Edwards, spoke support of the sober living facility.
- David Mosier, spoke of in support of the sober living facility.
- Nathan Kuemmerle, spoke in support of the sober living facility.
- Rusty Pies, spoke in support of the sober living facilities and expressed gratitude for the assistance he's received.
- John Falcone, spoke in support of the sober living facility in his neighborhood.
- Jacob Smith, spoke in support of the project.
- Patrick G., spoke in support of the project.
- Dr. Krista Gilbert, Michael's House, explained the difference between a treatment center and a sober living facility and expressed her support for the sober living facility.
- Linda Futheru, neighbor, clarified that this property is a drug/alcohol intervention center and not a hotel.
- Tom Elefson, hotel owner across the street, requested that the beauty of the neighborhood be maintained and consideration for the hundreds of residents who will be affected.
- Michael Holdaway, spoke in support of the project.
- Jim Cioffi, project architect, suggested drafting an ordinance to classify the sober living facilities.
- Ken Seeley, applicant, provided an overview on the criteria for sober living facilities; and suggested an ordinance be established to define the standards for this use.
- David Baron, legal counsel to the applicant, re-emphasized the need to create a classification to define sober living facilities.
- Stephen Richards, spoke in support of the sober living facility.

There being no further appearances public comments was closed.

## **1. OTHER BUSINESS.**

- 1A. Case 5.1282 and 5.1283 APPEAL - An appeal by Intervention 911 of a determination by the Planning Director regarding the uses occurring at 1425 Via Soledad and 1590 East Palm Canyon Drive, Zones R-2 and R-3, (Resort Combining Zone). (Project Planner: Ken Lyon, RA, Associate Planner)**

Chair Donenfeld disclosed that he had a discussion on two occasions with Mr. Baron pertaining to procedural matters.

Commissioner Munger clarified that she does not have a conflict of interest and will be participating in this matter.

Ken Lyon, Associate Planner, provided background information as outlined in the staff report dated December 12, 2012.

Commissioner Weremuik commented that she is uncomfortable with the assisted living facility definition and it does not meet a hotel use. She expressed concern with the lack of parking for the facility and encouraged the City to provide a classification for this type of use.

**ACTION:** To uphold the Planning Director's decision

**Motion Kathy Weremiuk, seconded by Chair Donenfeld**

The Commission discussed the need to find a category that is appropriate for this type of facility and further review to consider subjecting this use as a conditional use permit.

Commissioner Klatchko suggested a continuance for further review and requested input from the City Attorney.

**Commissioner Weremiuk withdrew her motion. Chair Donenfeld withdrew his second.**

**ACTION:** To continue to 4 to 6 weeks and direct staff to work with the applicant on issues relating to zoning and building requirements; and direct staff to provide further investigation on the changes made on-site, as indicated by the applicant.

**Motion Chair Donenfeld, 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 Calderine, Kathy Weremiuk

## **2. PUBLIC HEARINGS:**

**2A. Case 5.1289 CUP - An application by the Copa Room Inc. for a Conditional Use Permit for a new cocktail lounge and nightclub in a renovated 6,000-square foot existing building including building repaint; new landscaping, and revisions to the parking lot located at 244 East Amado Road, Zone REO, Section 14 Master Plan. (Project Planner: Glenn Mlaker, AICP, Assistant Planner)**

This item was unanimously continued to the meeting of January 9, 2013.

**2B. Case 6.527 VAR - A request by Paul Hryn, owner for a Variance request to consider a reduction of the required side yard setback of five (5) feet to three (3) feet for the construction of a new one-car garage on the south side of an existing house on a non-conforming lot located at 1948 South Barona Road, Zone R-1-B, Section 25. (Project Planner: Glenn Mlaker, AICP, Assistant Planner)**

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

Commissioner Calderine clarified that he does not have a conflict of interest and suggested improvement could be done on the notification process to the neighborhoods.

Commissioner Weremuik disclosed her discussion with the property owner.

Chair Donenfeld opened the public hearing.

-Jim Cioffi, thanked the staff for their work on the non-conforming property and was available for questions from the Commission.

There being no further appearances the public hearing was closed.

**ACTION: To approve Case 6.527 Variance for a reduced side yard set-back of three (3) feet. Motion Kathy Weremiuk, seconded by Vice Chair Hudson and unanimously carried on a roll call vote.**

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

#### **PLANNING COMMISSION COMMENTS:**

Commissioner Calderine commented on the appreciation letters received from the public in reference to the Commission's review of the Palm Springs Downtown project.

Commissioner Roberts questioned the glitches in the voting system. Staff responded.

**PLANNING DIRECTOR'S REPORT:**

Director Ewing reported that the Palm Springs Downtown project will come before the City Council next week and the Commission's comments will be forwarded to them and provided details on the review process.

Principal Planner Robertson reported that five (5) vacancies for the Architectural Advisory Committee were recently posted. Mr. Robertson provided an update on upcoming time extension requests that will come before the Commission that will include more detailed information.

Commissioner Munger noted that she would not be in attendance for the meeting of January 23rd. Commissioner Weremuik commented that she would be out of town for the month of January.

**ADJOURNMENT:**

There being no further comments the Planning Commission adjourned at 3:13 pm to Wednesday, January 9, 2013, City Hall Council Chamber, 3200 East Tahquitz Canyon Way.

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Craig A. Ewing, AICP  
Director of Planning Services