

PLANNING COMMISSION  
CITY OF PALM SPRINGS, CALIFORNIA  
Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California

**Minutes of October 23, 2013**

**CALL TO ORDER:**

**ROLL CALL:**

Committee Members Present: Chair Donenfeld, Vice-Chair Hudson, Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts, Commissioner Weremiuk

Committee Members Absent:

Also Present: Director of Planning Services Wheeler, Principal Planner Robertson, Planning Administrative Coordinator Hintz

**REPORT OF POSTING OF AGENDA:** 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 pm on Thursday, October 17, 2013.

**ACCEPTANCE OF THE AGENDA:** Chair Donenfeld announced that Item 2A, Case 5.0977 PD 288 AMND, has been withdrawn from consideration for today's meeting and will be continued to December 11, 2013. The balance of the Agenda was accepted as presented.

**PUBLIC COMMENTS:** None

**1. CONSENT CALENDAR:**

**1A. AEK CAPITAL MANAGEMENT LLC, FOR A MINOR ARCHITECTURAL APPLICATION TO RENOVATE AN EXISTING HOTEL, INCLUDING LEGAL NON-CONFORMING STRUCTURES IN SETBACK AREAS, LOCATED AT 2135 NORTH PALM CANYON DRIVE, ZONED C-1 (CASE 3.0676 MAA).**

**ACTION:** Approve alterations to existing building in setbacks as presented. **Motion Commissioner Weremiuk and seconded by Vice-Chair Hudson and carried by a 7-0 roll call vote.**

**2. PUBLIC HEARINGS:**

**2A. BARISTO GROUP, LLC, FOR A REQUEST TO AMEND THE THIRD AND FINAL PHASE OF A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 288 AND A CONDOMINIUM MAP FOR THE DEVELOPMENT OF THE REMAINING 11 NEW HOMES WITHIN THE PARTIALLY BUILT DISTRICT LOCATED AT LUGO ROAD, ZONE PDD 288. (CASE 5.0977- PD288 AMND).**

Staff reported the applicant requested the project be continued to the meeting of December 11, 2013.

The Commission suggested to the applicant that a comprehensive neighborhood meeting occur prior to the meeting of December 11, 2013 and that the Commission be notified of the neighborhood meeting for this project.

**ACTION:** To continue this Item to the December 11, 2013 Planning Commission Meeting. **Motion Chair Donenfeld, seconded by Commissioner Roberts and carried by a 7-0 roll call vote.**

**2B. CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT REGARDING ESTABLISHING DEFINITIONS FOR HOME SOLAR USE AND INDUSTRIAL SOLAR FIELDS AND ALLOWABLE ZONES AND DESIGN STANDARDS (CASE 5.1304 ZTA).**

Staff requested the project be continued to the meeting of December 11, 2013 due to zoning questions.

**ACTION:** To continue this Item to the December 11, 2013 Planning Commission Meeting. **Motion Chair Donenfeld, seconded by Commissioner Calderine and carried by a 7-0 roll call vote.**

**2C. PRAETOR INVESTMENT LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 333 AND TENTATIVE PARCEL MAP 35236 FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD, ZONE PD 333, SECTION 14. (CASE 5.1132 PD-333 AMND).**

Principal Planner Robertson presented the proposed amendment and provided details on the prior entitlements of the project.

Commissioner Roberts disclosed that he met with several of the adjacent neighbors and walked the property site.

Commissioner Weremiuk disclosed a conversation she had with the applicant Laurie Kibby and declined a site visit with an adjacent neighbor David Powell.

Commissioner Lowe disclosed that he met with adjacent neighbors and walked the site.

Commissioner Calderine disclosed he walked the site with adjacent neighbors.

Vice-Chair Hudson disclosed he walked the site with adjacent neighbors.

Chair Donenfeld disclosed his telephone conversation with an adjacent neighbor, David Powell, and discussed procedural matters.

Commissioner Klatchko asked staff will if the project will come back to the Planning Commission for final development plan approval.

**Chair Donenfeld opened the Public Hearing portion of the meeting:**

LAURIE KIBBY, applicant, representing Praetor Investments LLC, and Mark Philp, representing Allen and Philp architects, presented the current project using computer simulations. Ms. Kibby provided an overview of ingress and egress, walkways, view corridors, new restaurant pad, new circulation diagrams, the annex building, parking and sun studies.

DAVID POWELL, resident at Center Court Condominiums, commented on the inaccuracies in the Mitigated Negative Declaration prepared for this project, especially views and noise.

BRIAN CRAIN and wife, who reside at Center Court Condominiums, commented on the blocked views of the mountains.

STEVE HARRIS, resident at Center Court Condominiums, commented on the blocked views of the mountains and loss of sunshine and privacy. He also requested sufficient notice to review documents on proposed projects before they go to the Planning Commission.

AAMER MUMTAZ, president of Center Court HOA, commented that this plan is a massively larger project than the previously approved plan and does not believe the sun studies are accurate. He voiced concerns that the developer did not address the concerns of Center Court in a timely manner.

RANDY BERNARDI, resident of San Tropez Villas, commented on noise coming from outdoor amplified music events and requested that a noise limit of 9 pm Sun. - Thurs. and 10 pm Fri. - Sat. be placed on these events.

ANDY GEORGIU, president of the Palomino Home Owners Association (HOA), a neighborhood adjacent to Center Court, commented on density, scale and size of project and issues associated with the project.

GARY CARLSON, resident at Alejo Vista (adjacent to the northeast corner of the site), commented on the beauty of the hotel and is pleased to see the view of a two-story residential building instead of the five-story previously approved project.

CHARLES ARRAGE, resident at Center Court Condominiums, commented on moving the project toward Calle Alvarado and Amado Road to protect the views of Center Court. He also voiced concerns on parking issues.

JIM BAYNER, resident at the nearby Deauville Complex, commented on the tremendous positive impact the hotel will bring to the community and neighborhood.

RUDOLFO CASTILLO, a resident of Palm Springs, spoke about the favorable economic impact the Dolce Hotel will bring to the City and that it will offer many jobs to the community and indicated that views are not owned by the neighbors.

DAVID DEVEREAUX, resident at Palomino, commented on the scale of the project to the neighborhood and said the whole project should be moved counter-clockwise.

LAURIE KIBBY, applicant, commented that development team met with adjacent neighbors and took their comments seriously and spoke about the reduction in density of the project. She also stated that they met with Center Court and had initiated contact with both Center Court and Alejo Vista. She stated that the design has been modified from the original design of 2007.

**Chair Donenfeld closed the public hearing.**

Commissioner Roberts questioned working with the neighbors during the prior hearings and options for the sun/shade projections. He also voiced concerns about the issue of the views of neighboring residents.

Commissioner Weremiuk commented on the additional parking being in a parking structure and the height of the structure. She also commented on the shadow studies shown during the winter months. When shade affects neighboring property it is already dusk.

Commissioner Calerdine voiced concern regarding parking and the number of spaces available. He also questioned what measures will be done to enforce the outdoor noise ordinance.

Vice-Chair Hudson asked what efforts have been made with landscape, screening or wall strategies on elevated parking on the eastern northern corner to address headlights from shining on the adjacent neighbors.

MARK PHILP, architect, described the plan for a four to four and a half foot wall to reduce headlights shining on neighbors. He also described landscaping options for the outside decks on the hotel.

Commissioner Calerdine spoke in favor of the hotel and design. He commented that we do not preserve views even though the design of the hotel does present a problem. He has a concern with the height of the condominiums on the south side.

Commissioner Roberts commented that it is a good project, however, is concerned with the neighbor's blocked views and height of the hotel. He suggested that moving the hotel away from the neighbors may be helpful.

Commissioner Weremiuk said she likes the hotel but shares the concern regarding the height of the condo building. She stated that reducing the height of the condo building and changing the parking structure does add a burden to the applicant. She does not favor moving the entire building.

Vice-Chair Hudson noted that the project has improved. However, there are many opportunities of compromise such as rotating the hotel building to allow for certain adjustments. He stated the one-story villas in the front of the hotel should be looked at again for a better placement and design. He expressed concern with the height of the northern portion of the condominiums.

Commissioner Lowe stated that this is an important project for the future of Palm Springs, especially for the convention center. He also stated that the views of the neighbors will be greatly affected. He really supports a win-win situation.

Chair Donenfeld thinks this is a marvelous project and with the vacant property adjacent to the Convention Center large developments should be expected. He would like to see the project continue with respect to being sensitive to the neighbors.

LAURIE KIBBY, applicant responded to the parking and stated that parking spaces could be eliminated on the north east side of the project. She also responded to the building envelope of the site and is not certain if reconfiguration of the hotel would make a significant impact. A rooftop pool is totally out of their budget and will not be considered. Ms. Kibby stated that the development team worked within the envelope of the approved project.

Vice-Chair Hudson agreed that future development would occur on this site but that all options should be considered, including moving the whole building closer to the street.

Chair Donenfeld stated to the applicant that the commission is not trying to re-design the project but asking that ideas be considered for some other possible alternatives to the current design.

Director Wheeler stated that the City Council has already continued the project and requested that the project be sent back to the Planning Commission for a public hearing. The project has been placed on the November 6, 2013 City Council Meeting.

Commissioner Roberts stated that the Commission does have sensitivity to the applicant and is trying to find solutions. He is requesting that the applicant come back to the Commission with additional ideas to change the design of the building.

**ACTION:** To table the motion to a later date to be determined and to take no action.

**MOTION Commissioner Roberts seconded by Commissioner Hudson**

Chair Donenfeld asked Director Wheeler what direction would be given to the City Council.

Director Wheeler stated that a public hearing is set for the City Council meeting on November 6, 2013. The Council will have all of the information regarding the project available to them including the minutes of this meeting.

Commissioner Calerdine stated that the Council could choose to ignore the recommendations of the Planning Commission. He also requested from staff a master plan for parking at the Convention Center.

**ACTION:** Substitute motion. Commissioner Weremiuk requested to approve the project with conditions. She is requesting the applicant bring to the commission a scenario that shows a reduction in height on the condo buildings and a possible moving of the building slightly forward. She also wants to include in her motion that staff include a parking plan for the Convention Center.

**Motion Commissioner Weremiuk seconded by Commissioner Klatchko.**

Commissioner Klatchko shares Commissioner Weremiuk's desire to move project along with the understanding that the applicant will have the opportunity to present some modifications to the City Council. He would like to continue to a date certain.

Vice-Chair Hudson stated that the Commission should vote to continue to a date certain.

Commissioner Klatchko withdrew his second on the substitute motion.

Commissioner Calerdine seconded Commissioner Weremiuk's motion.

**ACTION:** Approve the proposed amendment, with conditions, as presented. **Motion Commissioner Weremiuk and seconded by Commissioner Calerdine.** With Planning Commission's comment that the applicant is requested to bring to the City Council a reduction in the height of the condominium building and moving the hotel arc forward. **MOTION FAILED on a 3-4-0 roll call vote.**

AYES: Commissioner Calerdine, Commissioner Weremiuk, Chair Donenfeld  
NOES: Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts,  
Vice-Chair Hudson

**ACTION:** To continue to November 13, 2013 to allow the applicant to mitigate some of the concerns discussed at today's meeting. **Motion Commissioner Roberts seconded by Vice-Chair Hudson and carried 6-0-1 on a roll call vote.**

AYES: Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe,  
Commissioner Roberts, Vice-Chair Hudson, Chair Donenfeld

NOES:

ABSTAIN: Commissioner Weremiuk

**2D. PALM SPRINGS LEGENDS LLC, FOR A CONDITIONAL USE PERMIT FOR A COCKTAIL LOUNGE AT 125 EAST TAHQUITZ CANYON WAY. (CASE 5.1305 CUP).**

Principal Planner Robertson presented the proposed project.

Commissioner Weremiuk asked if staff had any concerns with noise spillage onto the street.

Staff responded that noise issues are based on complaints received from concerned citizens and no audio or video speakers are allowed outside.

**Chair Donenfeld opened the public hearing:**

DICK ADAMS, applicant, provided a brief description of the type of cocktail lounge and described it as a lounge of "days gone by" and was available for questions from the Commission.

**There being no further appearances, Chair Donenfeld closed the public hearing.**

**ACTION:** Approve the permit with conditions. **Motion Commissioner Weremiuk seconded by Commissioner Lowe and carried 7-0 on a roll call vote.**

**2E. CITY OF PALM SPRINGS PROPOSAL TO AMEND THE PALM SPRINGS ZONING CODE TO ALLOW CHURCH USES IN THE P AND C1AA ZONES AND CHANGE ZONES AND CHURCH USES FROM CONDITIONALLY PERMITTED TO BY-RIGHT IN THE CSC, CSC, C-1, C-2, HC, CM, M1P, M1 AND M2 ZONES; AND TO ALLOW THE INITIATION OF CODE AMENDMENTS BY THE PLANNING DIRECTOR (CASE 5.1306 ZTA).**

**Chair Donenfeld opened the public hearing:**

REVEREND ANDREW GREEN, St. Paul in the Desert Episcopal Church, feels it is important for religious institutions who wish to locate downtown to be able to do so.

REVEREND WILLIAM GODWIN, Peace Christian Fellowship Church, supports the statements by Reverend Green.

THOMAS WEILER, Inland Congregation, feels it is important to be able to locate downtown and in the CDN and C1AA zone by right.

REVEREND KEVIN JOHNSON, Bloom in the Desert Ministries, United Church of Christ, talked of all the work that has gone into this amendment but that it doesn't go far enough.

DAVID SANGER, Our Savior Community Church, concurred with all comments made.

**There being no further appearances, Chair Donenfeld closed the public hearing.**

**ACTION:** Adopt the draft resolution recommending approval to the City Council. **Motion Commissioner Roberts, seconded by Commissioner Calerdine and carried on a 7-0 roll call vote.**

**3. NEW BUSINESS:**

**3A. SOUTH PALM CANYON LLC, FOR A ONE-YEAR TIME EXTENSION FOR A PREVIOUSLY APPROVED MIXED-USE PLANNED DEVELOPMENT CONSISTING OF UP TO 125 CONDOMINIUM UNITS AND APPROXIMATELY 39,000-SQUARE FEET OF RETAIL/COMMERCIAL SPACE ON A 2.67-ACRE SITE LOCATED AT 450-490 SOUTH PALM CANYON DRIVE (CASE 5.1042 PD 311).**

Principal Planner Robertson provided an overview of the proposed time extension.

ROBERT HERSCU, managing partner, provided details on the plans for development on this site. He stated that they are moving forward and trying not to redesign the project.

Commissioner Klatchko noted his abstention on this project due to a possible conflict of interest. He had a prior working relationship with the applicant.

**ACTION:** Approve one-year time extension. **Motion Commissioner Calerdine, seconded by Commissioner Weremiuk and carried 6-0-1 on a roll call vote, with Commissioner Klatchko abstaining.**

**3B. WESSMAN DEVELOPMENT FOR A ONE-YEAR TIME EXTENSION FOR A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT CONSISTING OF A 79 LOT SUBDIVISION ON 42.2-ACRES LOCATED ALONG WEST RACQUET CLUB ROAD AND VISTA GRANDE AVENUE. (CASE 5.0996 PD 294).**

Principal Planner Robertson presented the time extension request.

Commissioner Calerdine noted that he previously worked on the project.

Commissioner Roberts asked the applicant several questions including if the project is funded and if a starting date has been determined.

MICHAEL BRAUN, applicant, stated that there is funding and that they should be ready to start within the next twelve months.

**ACTION:** Approve one-year time extension. **Motion Commissioner Weremiuk, seconded by Commissioner Roberts and carried 7-0 on a roll call vote.**

**3C. INITIATE AN AMENDMENT TO THE PALM SPRINGS ZONING CODE REGARDING PARKING FOR HISTORIC STRUCTURES AND CONCURRENT PROCESSING OF LINKED PROJECTS.**

Director Wheeler presented the request for an initiation for an amendment regarding parking for historic structures and concurrent processing of linked projects. Proposed tenants for designated historic structures would receive a non-monetary incentive to occupy the space.

Commissioner Klatchko asked about the parking situation.

Director Wheeler stated she will provide a map with the indicated structures.

**ACTION:** To initiate an amendment regarding parking for historic structures and concurrent processing of linked projects. **Motion Commissioner Lowe and seconded by Chair Donenfeld and carried by a 7-0 roll call vote.**

**PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:**

Commissioner Calderine talked about litigation over environmental documents. He requested a list of and the reasons for those documents.

Commissioner Weremiuk asked about approved construction of projects and if the Commission can be updated on the progression of those projects.

Commissioner Roberts asked about the issue of noticing in the case of Dolce Hotel.

Director Wheeler stated that new procedures are being looked at to remedy the situation of utilization of mailing lists provided by title companies.

Commissioner Klatchko stated that he would not be present for the December 11, 2013 meeting.

Kathy Weremiuk will be out for both meetings in January 2014.

**PLANNING DIRECTOR'S REPORT:**

Director Wheeler provided a recap of the upcoming events including the Planning Department Open House. She asked which Commission members will attend. Chair Donenfeld and Commissioners Weremiuk and Roberts will attend.

She commented on the topics for the next Study Session which is tentatively scheduled for January, 2014.

**ADJOURNMENT:** The Planning Commission adjourned at 5:02 to 1:30 pm, Wednesday, November 13, 2013, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

---

M. Margo Wheeler, AICP  
Director of Planning Services

DRAFT

**SPECIAL MEETING OF THE  
PALM SPRINGS PLANNING COMMISSION  
AND  
HISTORIC SITE PRESERVATION BOARD  
CITY OF PALM SPRINGS, CALIFORNIA  
Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California**

**Minutes of the November 13, 2013 SPECIAL MEETING**

**CALL TO ORDER:** Vice-Chair Hudson called the meeting to order at 11:32 AM.

**PLANNING COMMISSION ROLL CALL:**

Committee Members Present: Vice-Chair Hudson, Commissioner Calderine, Commissioner Lowe, Commissioner Roberts, Commissioner Weremiuk (11:45), Commissioner Klatchko (12:40)  
Committee Members Absent: Chair Donenfeld

**HISTORIC SITE PRESERVATION BOARD ROLL CALL:**

Committee Members Present: Chair De Leeuw, Vice Chair Johns, Williamson, Ploss, Burkett, Hays  
Committee Members Absent:

Also Present: Director of Planning Wheeler

**REPORT OF POSTING OF AGENDA:** Agenda was available for public access at the City Hall bulletin board (west side of Council Chamber) and the Planning Services counter by 6:00 pm on Wednesday, November 6, 2013.

**PUBLIC COMMENTS:** None

**DISCUSSION ITEMS:**

**1. INTRODUCTIONS**

All members introduced themselves, giving a brief summary of their background and tenure in their appointed capacity.

**GENERAL DISCUSSION**

Director Wheeler introduced discussion between the Planning Commission (PC) and the Historic Site Preservation Board (HSPB) members.

HSPB Committee Member Ploss stressed the importance of review by the HSPB.

HSPB Vice-Chair Johns asked about changing the meeting dates to the second Monday of each month to ensure HSPB sees matters before the Architectural Advisory Committee (AAC).

HSPB Committee Member Ploss stated her concern that items go to HSPB last.

PC Commissioner Weremiuk offered the process on the Oasis Tower that recently went to AAC where having HSPB input was crucial to their decision.

PC Vice-Chair Hudson stated that is the way the process should go.

PC Commissioner Roberts stated that his preference would be to have items go to HSPB first, then AAC then PC.

HSPB Committee Member Ploss stated that the Wellwood (Case 5.1032 / HSPB - 3) addition had been to AAC before coming to HSPB; it had gone to everybody before it came to HSPB.

HSPB Chair De Leeuw stated that sometimes input from the AAC prior to the HSPB meeting can be a helpful decision-making tool.

PC Vice-Chair Hudson questioned deliverables and the need to post processes on the website.

HSPB Committee Member Ploss and PC Vice-Chair Hudson suggested the requirement for story poles being in the code.

HSPB Committee Member Burkett requested a guideline sheet for HSPB.

PC Commissioner Weremiuk suggested HSPB use Pasadena and/or Los Angeles California cities for submittal samples.

PC Commissioner Roberts requested that a matrix for building owners be developed to pass along as guideline information to the City building owners.

HSPB Committee Member Ploss stated that the Committee needs "final voters" to go along with the ideas presented.

PC Commissioner Roberts stated that we have to start somewhere.

Director Wheeler concurred with the potential changes that could be made to the website.

PC Commissioner Roberts stated there may be tax benefits also. The website can serve to educate developers.

PC Vice-Chair Hudson requested that staff post a summary of benefits for historic structures on the website.

HSPB Committee Member Ploss mentioned that in Taos, preservation is codified.

## **2. CONSIDERATION OF APPLICATION BY THE CITY OF PALM SPRINGS TO BECOME A CERTIFIED LOCAL GOVERNMENT (CLG) PURSUANT TO THE CALIFORNIA OFFICE OF HISTORIC PRESERVATION AND THE NATIONAL HISTORIC PRESERVATION ACT.**

Staff gave a brief overview of the CLG process and benefits. She indicated that a discussion had been held at the previous HSPB meeting.

PC Commissioner Roberts enthused about the opportunities afforded to CLG's.

All members present were in favor of proceeding with the application.

**ADJOURNMENT:** The Planning Commission adjourned at 1:15 PM to its regularly scheduled meeting at 1:30 pm, Wednesday, November 13, 2013, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

The Historic Site Preservation Board adjourned to its regularly scheduled meeting at 9:00 A.M., Tuesday, December 10, 2013, Large Conference Room, City Hall, 3200 East Tahquitz Canyon Way.

---

M. Margo Wheeler, AICP  
Director of Planning Services

PLANNING COMMISSION  
CITY OF PALM SPRINGS, CALIFORNIA  
Council Chamber, 3200 East Tahquitz Canyon Way, Palm Springs, California

**Minutes of November 13, 2013**

**CALL TO ORDER:**

**ROLL CALL:**

Committee Members Present: Commissioner Donenfeld, Chair, Commissioner Hudson, Vice-Chair, Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts, Commissioner Weremiuk

Committee Members Absent:

Also Present:

Director of Planning Services Wheeler, Planner Robertson, Planning Administrative Coordinator DeGarmo

**REPORT OF POSTING OF AGENDA:** Agenda available for public access at the City Hall exterior bulletin board (west side of Council Chamber) and the Planning Services counter by 4:00 pm on Thursday, November 7, 2013.

**ACCEPTANCE OF THE AGENDA:**

**ACTION:** The Agenda was unanimously accepted as presented.

**PUBLIC COMMENTS:** None

**1. CONSENT CALENDAR:**

**1A. APPROVAL OF MINUTES: OCTOBER 9, 2013 AND OCTOBER 23, 2013 STUDY SESSION MINUTES**

**ACTION:** Approve the minutes as presented. Motion Commissioner Weremiuk, seconded by Vice-Chair Hudson and unanimously carried 7-0.

**2. PUBLIC HEARINGS:**

**A Five-minute at ease was given for the Board members to review new documentation received for Item 2A.**

Distributed:

- 1) Revised Addendum to CEQA document
- 2) Revised Resolution
- 3) Center Court Club HOA PowerPoint presentation
- 4) Letter from Steve Harris, Center Court Club resident

**2A. PRAETOR INVESTMENT LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 333 AND TENTATIVE PARCEL MAP 35236 FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD, ZONE PD 333, SECTION 14. (CASE NO. 5.1132-PD 333AMND).**

Applicant Laurie Kibby summarized the changes made in a discussion with the neighbors of the project.

David Powell, Palm Springs, requested that the applicant lessen the impacts of construction and operation. He is still awaiting comments from Staff.

Aamer Mumtaz, Palm Springs, HOA President for Center Court Club, discussed massing options. He also commented on his frustration at not being involved in the project early on.

Steve Harris, Palm Springs, commented that a project of this magnitude that is adjacent to a residential neighborhood is astonishing. He also commented on the effect the project would have on the neighborhood's views. He is a resident of Center Court Club which is adjacent to the project.

Richard Clifford, Palm Springs, has been a visitor to Palm Springs since 1938, and a resident since 2002. He supports the project design and feels that it will help to bring more business to the Convention Center and Palm Springs.

Jeff Pickles, Palm Springs, has lived here for 10 years and commented that the project will tie in downtown Palm Springs to the Convention Center. He thinks that it is a great project.

Kristin Bloomer, Palm Springs, commented that the project brings more hotel rooms next to the Convention Center which will bring more business to Palm Springs. She stated that it is a great project.

Robert Moon, Vista Las Palmas, commented that he is impressed with the project. He stated that the revised plan is half of the height allowed, has underground parking, condos and hotel. He also stated that it is a real mixed-use project, an advantage to the vast majority of citizens. The location of the project is appropriate, near the Convention Center.

Bob Helbling, Palm Springs, commented that the hotel has been planned for 8 years on this site and should be no surprise to anybody. He stated that he is surprised and pleased that the developer is still behind the project with financing available even with the recession that has delayed the project. He is ready for the project to begin.

Jim Boehner, Palm Springs, a resident of the Deauville which is just West of the project, supports the change in the project. He stated that it sends the message that Palm Springs is moving forward. Approval of this project sends the message to other developers that Palm Springs is ready to work with developers.

Joy Brown Meredith, Palm Springs, is a business owner in downtown Palm Springs. She commented that she supports the project and stated that lots of changes and concessions have been made. She also stated that the project is architecturally unusual and is glad that the developer is still interested in Palm Springs.

Michael Steward, Palm Springs, Vice President of the Palomino homeowners' association. He had information since 2007 regarding the project and he believes it will be an asset to his condominium project and Center Court Club also. It is a much better project that originally presented and much better than other options.

Roman Whittaker, Palm Desert, attorney and former President of the Palm Springs Chamber of Commerce, commented that his wife owned a couple of businesses downtown until 2003. He stated that Palm Springs missed the boat on increasing growth and vitality of its marketplace in the past and that Palm Springs should take advantage of this opportunity.

Ms. Kibby thanked all for their comments. She stated that going forward she intends to be a good neighbor. She commented that within the scope of the approved project they have complied or reduced the impact.

Commissioner Calderine stated that the change in the curve is impressive, a positive change. He is still uncomfortable with the condos on Avenida Caballeros and Amado. He questioned the location of the parking structure.

Ms. Kibby explained that the parking structure is at grade and not elevated at all and that the building is 90 feet back from neighboring property line.

J.R. Raymond, Director of Community and Economic Development for the City of Palm Springs spoke on replacing the existing parking lot for the Convention Center. He stated that the City owns 9.6 acres on the other side of Avenida Caballeros and that it is part of an Indian lease which incorporates the Convention Center and the Renaissance Hotel. In September 2007 the City purchased the sublease from a private developer who had proposed a 10 story project, which was never built. This area can be used for a parking lot for the Convention Center.

Commissioner Klatchko asked a question regarding the sale and lease of the parking area. The developer is to put aside funds to be used for additional Convention Center parking as a part of the approved project.

Director Raymond confirmed that it is the intent of the City to use those funds to create parking for the Convention Center.

Commissioner Weremiuk asked how the shadow study changed due to the changes in the project.

Ms. Kibby explained that there is very little impact except in the dead of winter. After 3:00 PM there is more shadow, but only for a short while as the sun soon goes behind the mountains and everything is dark.

Commissioner Roberts stated that the shadow study looks better, and appreciates the changes. He asked Ms. Kibby if she has reviewed the documents handed out in today's meeting.

Ms. Kibby stated that she reviewed comments of the homeowners' association but removing rooms from the hotel building and moving them is cost prohibitive. She stated that the changes made to the project have helped the impact on the courtyard at Center Court Club condominiums.

Commissioner Roberts questioned lessening the back of house sounds from air conditioning and kitchen venting.

Mark Phillips, co-applicant, commented that the main dock has been moved to the corner providing less impact. Many of the operations have been moved underground and that all vehicular traffic is off grade. The entrance on Caballeros is for emergencies only and will have a gate. The air conditioning cooling towers and boilers are stacked on the second floor roof and have sound-deafening walls around them. The kitchen venting is also released through the roof and away from the neighbors.

Commissioner Klatchko asked staff if they were satisfied that the new "S" configuration is consistent with the submitted plan and that no further study is needed.

Planner Robertson confirmed that everything is in order and is satisfied that no further study is needed on this project.

Commissioner Klatchko is sympathetic to those at Center Court Club that indicated that they have been surprised but for 7 years there has been an approved project. They need to be thankful that they did not build the previously approved project.

**ACTION:** Approve the amendment to the PDD and parcel map and the amended addendum. **Motion Commissioner Calerdine, seconded by Commissioner Weremiuk and carried 7-0 on a roll call vote.** Also, a comment was made to continue to work on the northerly condos.

5-minute recess allowed to clear the Council Chamber of those leaving after the vote on Item 2A.

**2B. APPLICATION BY THE CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT FOR LAND USE PERMIT NOTIFICATION AND CONCURRENT CASE PROCESSING. (CASE 5.1312 ZTA)**

Margo Wheeler, AICP, Director of Planning Services, addressed questions from Commissioner Calerdine regarding discretionary versus non-discretionary projects and the separation of projects and Commissioner Klatchko regarding the timing of notices regarding a project are sent out and the limit as to when comments can be made by the public.

Chair Donenfeld opened the floor to public comment. As there was none, he closed public comment and moved on to the motion.

**ACTION:** Approve the Zone Text Amendment (CASE 5.1312 ZTA) as presented. **Motion Commissioner Roberts and seconded by Commissioner Weremiuk and carried 7-0 on a roll call vote.**

3. **UNFINISHED BUSINESS:**  
**NONE**

4. **NEW BUSINESS:**

**4A. MICHAEL KING, OWNER FOR A MAJOR ARCHITECTURAL REVIEW OF A NEW 4,537-SQUARE FOOT CUSTOM HOUSE ON A HILLSIDE LOT TO INCLUDE AN ADMINISTRATIVE MINOR MODIFICATION REQUESTING AN INCREASE IN BUILDING HEIGHT AT 2355 MILO DRIVE. (CASE NO. 3.2938 MAJ, & 7.1402 AMM)**

Planner Robertson described the project processing and recommended the approval of the project.

Commissioner Roberts had questions regarding a noticing concern to the residence behind the project.

Planner Robertson confirmed that notice had been given and that there was no response from the neighbor.

Commissioner Calerdine had questions regarding the sewer connection to the City line.

Engineering Assistant for the City of Palm Springs Felipe Primera responded that there is a cost prohibitive cap on the installation of a sewer line and that the previous home discussed at a prior meeting may have met that cap.

Applicant Michael King discussed his project. He stated that all neighbors have been sent notices and that he has one estimate for the sewer but is waiting to get another estimate.

**ACTION:** Approve the project as presented. **Motion Commissioner Calderine and seconded by Commissioner Lowe and carried 7-0 on a roll call vote.**

A member of the audience asked to speak.

**ACTION:** To reconsider motion discussion. **Motion Commissioner Roberts and seconded by Commissioner Weremiuk and carried by acclamation.**

A neighboring property owner asked about whether or not a sewer will be installed as no sewer line is on the plan.

Engineering Assistant Primera explained that either a sewer or septic tank must be installed as a part of the conditions of approval. One or the other will be installed depending on the cost of the sewer line.

**ACTION:** Re-instating the motion as above. **Motion Commissioner Calderine and seconded by Commissioner Lowe and carried 7-0 on a roll call vote.**

#### **PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:**

Commissioner Klatchko questioned whether or not the notice the gentleman had was an error in the language of the letter.

Director Wheeler confirmed that it was an error and will be corrected for any future mailings.

#### **PLANNING DIRECTOR'S REPORT:**

There will be no meeting on November 27, 2013 and that the next workshop will not be until next year.

**ADJOURNMENT:** At 3:25 PM the Planning Commission adjourned to 1:30 pm, Wednesday, December 11, 2013, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

---

M. Margo Wheeler, AICP  
Director of Planning Services