

CITY OF PALM SPRINGS  
PLANNING COMMISSION MINUTES  
March 25, 2015  
Council Chamber, City Hall  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

**CALL TO ORDER:**

Chair Hudson called the meeting to order at 1:30 pm.

**ROLL CALL:**

Present: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko and Chair Hudson

Staff Present: Flinn Fagg, Terri Hintz, Savat Khamphou, Ken Lyon, Glenn Mlaker and David Newell,

\*Commissioner Weremiuk arrived at 1:34 pm.

**REPORT OF POSTING OF AGENDA:**

The agenda was posted 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, March 19, 2015.

**ACCEPTANCE OF THE AGENDA:**

Vice-Chair Hudson reported that Item 3A would be continued to April 8, 2015.

Vice-Chair Klatchko noted his abstention on both sets of minutes due to his absence.

**ACTION:** Accept the agenda, as amended.

**Motion:** Commissioner Roberts, seconded by Commissioner Middleton and unanimously carried on a roll call vote.

**AYES:** Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

**PUBLIC COMMENTS:**

Chair Hudson opened public comments:

The following persons spoke in opposition of Item 2A:

ERIK ROSENOW, Palm Springs Preservation Foundation, president, requested denial of the proposed plan or a continuance for the plan to incorporate the entire Kaptur buildings.

BARBARA MARSHALL, suggested as a public benefit - real space should be dedicated to the art community.

JUDY DEERTRACK, commented that this project should have gone for review to the Historic Preservation Board with an environmental study.

JOANNE HARRIS, requested a plan to include all of the Kaptur buildings.

GARY JOHNS, urged the Commission to demand something unique.

CHRIS MENRAD, Palm Springs Modern Committee, president, said that the Board requested to keep the entire 650 building and integrate it into a much larger project.

ROBERT IMBER, PS Modern Tours, urged the Commission to reconsider something that is appropriate for this city.

RON MARSHALL, suggested that a true compromise is to retain the entire buildings and build the new project behind it.

FRANK TYSEN, expressed concern with the water consumption that will be used to prepare the land.

There being no further speakers public comments was closed.

## **1. CONSENT CALENDAR:**

**ACTION:** Approve Items 1A and 1B as part of the Consent Calendar.

Motion: Commissioner Roberts, seconded by Commissioner Weremiuk and unanimously carried 7-0 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko and Chair Hudson

## **1A. APPROVAL OF MINUTES: MARCH 11, 2015 STUDY SESSION AND REGULAR MEETING MINUTES**

Approved, as submitted. (Vice-Chair Klatchko abstained on the study session and regular minutes.)

**1B. PALM SPRINGS PROMENADE, LLC FOR A PARCEL MAP WAIVER TO SUBDIVIDE ONE LOT INTO TWO PARCELS FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF NORTH PALM CANYON DRIVE AND ANDREAS ROAD, ZONE CBD (CASE NO. TPM 36909). (DN)**

Approved, as submitted.

**1C. BARBARA FOSTER HENDERSON, OWNER REQUESTING A MAJOR ARCHITECTURE APPLICATION FOR THE CONSTRUCTION OF A 4,879-SQUARE FOOT HOUSE ON A HILLSIDE LOT AND AN ADMINISTRATIVE MINOR MODIFICATION REQUESTING AN INCREASE IN BUILDING HEIGHT LOCATED AT 888 LA MIRADA CIRCLE. (CASE 3.3834 MAJ; 7.1455 AMM). (GM)**

Assistant Mlaker described the screen wall structure and noted that no objections were received.

JAMES CIOFFI, Cioffi Architect, said his client has a concern with the Cypress trees and requested a condition to return at staff level to replace them.

ACTION: Approve with conditions as amended:

- Allow the applicant to come back with the change in trees at staff level.

Motion: Commissioner Lowe, seconded by Commissioner Weremiuk and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko and Chair Hudson

## **2. PUBLIC HEARINGS:**

**2A. O & M HR, LLC. (NEXUS DEVELOPMENT CORP.) FOR THE DEMOLITION OF AN EXISTING DEVELOPMENT AND PARKING AREA TO CONSTRUCT "ABERDEEN"; A MIXED-USE PROJECT CONSISTING OF (74) ATTACHED AND DETACHED RESIDENTIAL DWELLINGS, (17) LIVE-WORK UNITS AND APPROXIMATELY 1,568-SQUARE FEET OF RETAIL ON 8.05-ACRES LOCATED AT THE NORTHEAST CORNER OF TAHQUITZ CANYON WAY AND CALLE EL SEGUNDO, ZONE REO AND CU (CASE NOS. 5.1361 PD-375, 3.3820 MAJ AND TTM 36876). (DN)**

Associate Planner Newell noted that the description of the project in the agenda has changed and provided an overview of the modifications made to the proposed development.

Technical Questions:

The Commission questioned and/or commented on the following items:

1. Public testimony regarding consideration of the buildings as a historic resource.
2. Parking in the front of the live/work units.
3. Does ordinance allow for Historic designation of buildings? What is the process?
4. Points of access on the east/west street to the live/work units on Palm Canyon?
5. Distance between the buildings.
6. Internal street width requirements.
7. Modification of Calle Alvarado extension.
8. Installation of a traffic signal for two-way access.
9. Setbacks and building height for the townhouses and live/work units

Commissioner Calerdine commented that it would not be fair to the developer to put in all the traffic signals. He suggested the possibility of restricting the access to right turn in / right turn out.

ROB ERES, Nexus Development, applicant, stated that they tried to accommodate as many of the Commission comments as possible. Mr. Eres described the modifications made to the development including incorporating the entire western building into the project. He provided details relating to the setbacks, parking count, pre-wired for solar, Calle Alvarado street width and the public benefit for the community. Mr. Eres requested Condition PSP. 1 be removed in reference to the internal streets and requested an action be taken today.

Commissioner Calerdine noted that the first issue that needs to be addressed is the historic preservation of the building and his first inclination is to deny the project to get a decision from the City Council. He has questions regarding the parking for the live/work units; however, he likes the project and thinks the density is a good idea.

Commissioner Roberts disclosed that he met with the applicant on several occasions. He applauds the applicant's willingness to keep one of the Kaptur buildings given their financial viability.

Commissioner Weremiuk a motion for denial.

Commission comments were made:

Vice-Chair Hudson stated that this project is very problematic and not just because of the Kaptur buildings (retention versus demotion). He continues to have problems with

gated communities for high-end townhomes that are private courts. This is a very central location in the city and these projects need to be more porous and welcoming. The parking has been handled better because of the driveways and is a more realistic scenario. The streetscape has one unit type around three sides of the project because of the change that has been made to retain one of the Kaptur buildings and the meandering sidewalk along Andreas was lost. Chair Hudson said the live/work spaces are so close to the sidewalk and noted the specific standards for Section 14. He said they may work on North Palm Canyon but does not think this will be a vibrant artist colony. There are a lot of missed opportunities to treat the Tahquitz frontage in a much more realistic manner. He said these the two buildings are a pair with a breezeway in the middle and recommended to Council to retain at least 50% - one of the buildings. He encouraged Council to demand more diversity in terms of housing types and affordability.

Commissioner Lowe said he agreed with many of the comments and appreciates that 1/4 of the Kaptur building will be preserved. He said preserving 50% of the historic buildings is essential in retaining the original architecture of the project. He commented that Tahquitz is a not a walking street but rather a driving street for the live/work units.

Vice-Chair Klatchko said he has many other concerns such as losing the landscaping on Andreas and perspective drawings were just received today. He noted on the west elevation next to the residential there is only a wall and virtually no landscaping. He said Alvarado Street as a two-way access and inclusion of the Kaptur buildings are significant public benefits. He indicated that the applicant has tried to address the issues.

Commissioner Middleton said this has been a difficult project and thanked the applicant for being very responsive to what was asked of them. She still has concerns with the viability of the live/work units on Tahquitz Canyon. She said she appreciates more sidewalk space on Tahquitz Canyon and thinks the integration of the remaining Kaptur building is very esthetically pleasing. She spoke in support of the project.

Commissioner Roberts expressed concern about sending mixed messages to the applicant. He said the Commission did not specify which building was to be retained. And in regards to Calle Alvarado, a big area of parking space behind the live/work was created. He can't say if the live/work will be a success - and many conditions could be placed so that it will not be used as storage space. He feels strongly that the applicant has come a long way and made significant changes and sacrifices for this project.

Commissioner Calerdine said there is no real analysis on the historic significance of the buildings. He does not have a concern with the density and the separation of the buildings. He likes the urban style. However, he does not think the parking layout will function for the live/work units.

**ACTION:** Deny the project based on the following:

- The project does not conform to the development standards of the Section 14 Specific Plan;
- The project does not conform to the development standards of the City's High-Rise Building regulations, and general concerns about building heights in excess of 35 feet;
- Scale of residential buildings with respect to separation and height;
- Concerns regarding the design, parking, setbacks and viability of the live/work space on Tahquitz Canyon Way;
- Inadequacy of the perimeter landscaping;
- Failure to address concerns noted by the Planning Commission at the February 25, 2015 meeting, including but not limited to increased building separation, increased street widths, and unencumbered pedestrian access; and
- Further analysis needed on the historical value of existing Kaptur buildings, and preference to retain two of the four existing buildings.

Motion: Commissioner Weremiuk, seconded by Commissioner Calderine and carried 4-3-0 on a roll call vote.

AYES: Commissioner Calderine, Commissioner Lowe, Commissioner Weremiuk, Chair Hudson

NOES: Commissioner Middleton, Commissioner Roberts, Vice-Chair Klatchko

**2B. CITY OF PALM SPRINGS TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) SECTIONS 93.20.07 AND 93.20.08 REGARDING REAL ESTATE AND OTHER TEMPORARY SIGNS (CASE 5.1338 ZTA). (FF)**

Director Fagg provided an overview on the proposed zone text amendment relative to real estate signs.

The Commission discussed and/or commented on the following items:

1. The original approval was for real estate signs only.
2. Prior discussion on signs is allowed in the public right-a-way.
3. Realtor's concerns for sign coverage.
4. Staff to review Planning Commission video on previous action.

Chair Hudson opened the public hearing and with no speakers coming forward the public hearing was closed.

Vice-Chair Klatchko said that if signs will be allowed in the public right-a-way (not only if it doesn't block the traffic) much more consideration should be given. This has been a problematic issue in the CBD district and suggested further review of the language by the City Attorney.

Commissioner Roberts expressed concern with allowing signs in the public right-a-way (medians) which would create safety issues and enforcement problems.

Commissioner Calerdine said signs should be excluded from any median or within 50 - 100 feet of an intersection or over any part of the sidewalk. However, allowing them in large setback areas that cause no safety issues would be allowed.

**ACTION:** Continue to a date uncertain and refer to the City Attorney for review.

**Motion:** Commissioner Weremiuk, seconded by Commissioner Calerdine and unanimously carried on a roll call vote.

**AYES:** Commissioner Calerdine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

### **3. UNFINISHED BUSINESS:**

#### **3A. CONT'D - A MAJOR ARCHITECTURAL APPLICATION BY DENLAR LLC FOR A SINGLE-FAMILY RESIDENCE ON A HILLSIDE LOT LOCATED AT 2110 NORTH LEONARD, ZONE R-1-B (CASE 3.3817 MAJ). (KL)**

Table to the next meeting.

**PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:** None.

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

Director Fagg provided an update on the PPD subcommittee.

#### **ADJOURNMENT:**

The Planning Commission adjourned at 3:32 pm to Wednesday, April 8, 2015, at 1:30 pm, at the City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

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Flinn Fagg, AICP  
Director of Planning Services