

CITY OF PALM SPRINGS
PLANNING COMMISSION STUDY SESSION MINUTES
June 10, 2015 / 11:30 AM
Large Conference Room, City Hall
3200 East Tahquitz Canyon Way, Palm Springs, California

CALL TO ORDER:

Vice-Chair Klatchko called the meeting to order at 11:35 am.

ROLL CALL:

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

Absent This Meeting: Commissioner Lowe

Staff Present: Flinn Fagg, AICP, Director of Planning Services

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 5:00 pm on Thursday, June 4, 2015.

PUBLIC COMMENT:

Judy Deertrack, representing ABCD (Advocates for Better Community Development) expressed concern that the proposed small lot ordinance not be processed as a Planned Development, due to the unlimited discretion given under the Planned Development (PD) process and the fact that the PD process is used in place of a variance.

DISCUSSION ITEM:

- 1. REVIEW AND DISCUSSION OF PROPOSED SMALL-LOT SINGLE-FAMILY ZONING DISTRICT STANDARDS.**

Staff provided a PowerPoint presentation on the proposed small-lot zoning district, and detailed the efforts of the Planning Commission Subcommittee in developing the draft ordinance.

The Commission had the following individual comments and questions:

- Commissioner Calerdine stated that current zoning regulations don't address the market demand, and that the purpose of the proposed zoning district is to provide regulations for small-lot development.
- Commissioner Roberts indicated that the proposed zoning district was intended to "take a bite" out of current PD regulations and close existing loopholes. He also stated that the proposal would make zoning work better and create higher quality neighborhoods. Commissioner Roberts suggested that a larger, publicly-noticed meeting should be provided to assist with public outreach on the proposed ordinance.
- Commissioner Weremiuk cited problems with existing small-lot developments, including guest parking issues, the "canyon effect" between units, and unusable side yards. Commissioner Weremiuk noted that the public outreach could include the One PS organization, and the local board of realtors. She also suggested that covered rear porches be excluded from lot coverage calculations.
- Commissioner Middleton stated that she likes the predictability of the proposed regulations and suggested that one large public hearing where all stakeholders could be involved should be considered for the public input process. She commented that the 50% lot coverage allowance was very good, but noted issues with the proposed approval process for small-lot subdivisions.
- Vice Chair Klatchko questioned if the proposed regulations could function as an overlay district instead a rezone application so as to reduce the entitlement timeframe for small-lot developments. He requested an analysis of existing small-lot developments, showing the zoning that was in place prior and how the proposed regulations would impact the developments.
- Commissioner Weremiuk requested that the Toll Brothers development at Escena be included in the list of examples of small-lot development.
- Vice-Chair Klatchko reviewed the open space requirements, and noted a discrepancy in the driveway requirements relative to street width. He also suggested that provisions be made for shorter driveways to allow for flexibility.
- Commissioner Middleton suggested that there should be an incentive for having houses face the external streets as opposed to facing inward. She noted issues with the roof decks citing noise and privacy issues and suggested that they be limited to one-story portions of the residence only or subject to additional restrictions. Commissioner Middleton discussed the impacts of individual pools relating to water conservation measures, and suggested that incentives be provided for a community pool (rather than multiple individual pools).

- Commissioner Weremiuk noted that the proposal didn't address materials, and noted concern with corrugated metal fences. She suggested that standards be proposed for perimeter walls.

Vice-Chair Klatchko allowed for public comment after the Planning Commission discussion. The following public comment was made:

Judy Deertrack, representing ABCD, supported the use of a standard process and regulations for residential development. She suggested that environmental review of the ordinance should begin early in the process so that concerns could be addressed.

Staff answered questions from the Commission and concluded the presentation

ADJOURNMENT:

The Planning Commission adjourned at 12:55 pm to the regular meeting at 1:30 pm, Wednesday, June 10, 2015, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Flinn Fagg, AICP
Director of Planning Services

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
June 10, 2015
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

Vice-Chair Klatchko called the meeting to order at 1:30 pm.

ROLL CALL:

Present This Meeting: Commissioner Calerdine*, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk and Vice-Chair Klatchko

Absent This Meeting: None

Staff Present: Flinn Fagg, Michael Daudt, Terri Hintz, Savat Khamphou, Glenn Mlaker, David Newell and Edward Robertson

Commissioner Calerdine arrived at 1:41 pm.*

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 5:00 pm on Thursday, June 4, 2015.

ACCEPTANCE OF THE AGENDA:

The agenda was accepted, as presented.

PUBLIC COMMENTS:

Vice-Chair Klatchko opened public comments and with no speakers coming forward public comments was closed.

1. CONSENT CALENDAR:

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

Motion: Commissioner Roberts, seconded by Commissioner Lowe and unanimously carried 5-0-1 on a roll call vote.

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

ABSENT: Commissioner Calerdine

1A. APPROVAL OF MINUTES: MAY 27, 2015

Approve, as submitted.

1B. DAN RINKENBERGER REQUESTING A MAJOR ARCHITECTURE APPLICATION FOR A REMODEL AND 1,500-SQUARE FOOT ADDITION TO AN EXISTING HILLSIDE HOUSE LOCATED AT 2244 ARABY DRIVE (CASE 3.3851 MAJ). (GM)

Approve, as submitted.

2. PUBLIC HEARINGS:

2A. CONT'D - GERGIS YOUSEF FOR A CONDITIONAL USE PERMIT TO EXPAND THE EXISTING RETAIL SPACE FOR AN EXISTING GAS STATION LOCATED AT 2796 NORTH PALM CANYON DRIVE, ZONE C-1 (CASE 5.0712 CUP). (DN)

Associate Planner Newell provided a recap of the Historic Site Preservation Board's comments and recommendations on the proposed project.

Vice-Chair Klatchko opened the public hearing:

GERGIS YOUSEF, applicant, stated that the building is an eyesore and it needs a lot of work; he requested approval.

STAN POLLAKUSKY, project designer, said the change will not be noticeable from the street and requested helping the owner create a successful business.

GARY JOHNS, said the expansion is not going to improve the entire building and believes there are many benefits from the suggestions made by the HSPB.

JIM CARVAJAL, resides in North Palm Springs, said the gas station is an eyesore and tourists do not care who the architect is. He said the improvement will increase the value of the neighborhood.

GERGIS YOUSEF, applicant, said he cares about the building and would like to improve it.

There being no further speakers the public hearing was closed.

Commissioner Weremiuk verified the applicant's willingness to comply with the HSPB recommendations.

Commissioner Roberts noted the importance of historic resources in the city; but realizes building needs change and spoke in favor of the remodel.

Approve, with the Historic Site Preservation Board recommendations and consider the original paint color for the exterior to the satisfaction of the Planning Director.

ACTION: Approve, subject to the HSPB recommendations and applicant to consider original paint color for the exterior building to the satisfaction of the Planning Director.

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

AYES: Commissioner Calderine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko

2B. CONT'D - GANDO PROPERTIES FOR A MAJOR ARCHITECTURAL APPLICATION TO CONSTRUCT AN APPROXIMATE 103,943 SQUARE FEET OFFICE SPACE, WAREHOUSE AND A SELF-STORAGE FACILITY ON AN APPROXIMATE 4.5-ACRE PARCEL AND A VARIANCE APPLICATION SEEKING FOR THE REDUCTION OF SIDE-YARD SETBACKS LOCATED AT THE SOUTH EAST CORNER OF GENE AUTRY TRAIL AND TACHEVAH DRIVE, ZONE M-1-P (CASE 3.3830 MAJ / 6.542 VAR). (ER) (BUILDING SIZE INCORRECTLY NOTED AS 96,445 SQ. FT.)

A recess was taken @ 1:57 pm.

The meeting reconvened at 2:00 pm.

Principal Planner Robertson summarized the modifications made to the proposed project.

Commissioner Weremiuk provided explanation that she does not have a property or financial conflict of interest and will continue with deliberations on this matter.

Commissioner Calderine requested an update on the hydrology report on the site.

Assistant Director of Public Works Khamphou provided an overview on the hydrology study and concluded that the applicant has exceeded the requirements.

Vice-Chair Klatchko opened the public hearing:

DAVID GANDALFO, applicant, commented that they spent lots of time, money and energy on this project to make it look great from the rear including removal of all of the exterior roll-up doors on Building E (backside facing Escena).

BRUCE FAMILIAN, property owner, spoke about the adjoining property owner's intent to purchase this property to develop it for their own use.

THOM GOTTBURG, representing Mr. Familian, said they worked very hard to make it what it is and noted that this is a great use with no noise problems.

ARIEL VALLI, Valli Architectural Group, was available for questions from the Commission.

DAVID PICK, self-storage consultant, pointed out that setting back two perimeter buildings 40 - 50 feet will provide a sound and visual barrier for the property owners.

There being no further speakers the public hearing was closed.

Commissioner Roberts disclosed that he met with the applicant about the changes made to the project. He agreed this will be a relatively quiet use; however expressed concern with the potential loss of view from the Escena neighborhood. He suggested using story poles to determine if the height will block the view from the Escena neighbors.

Commissioner Middleton concurred with the use of story poles to see what view what will be impacted; pointing out the roof lines and where the walls began. She expressed appreciation to the applicant for taking more steps than normally seen.

Commissioner Calerdine and Vice-Chair Klatchco spoke in favor of the project but will go with forward with the majority if they feel it's necessary to put up the story poles.

ACTION: Continue to a date certain of June 24, 2015 with direction to the applicant to:

Provide a minimum of six (6) story poles at the following locations on the site:

- The two (2) highest points on the corners of Building E;
- The two (2) highest points on the corners of Building C;
- The two (2) highest points on Building D.
- Coordinate story poles for a 48 hour period.

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

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

2C. CONT'D - NEW CHURCH II, LLC FOR A GENERAL PLAN AMENDMENT, PLANNED DEVELOPMENT DISTRICT, CONDITIONAL USE PERMIT AND ARCHITECTURAL REVIEW APPLICATIONS TO RENOVATE EXISTING HISTORIC STRUCTURES AND CONSTRUCT A BANQUET SPACE AND THREE-STORY HOTEL TO OPERATE A 93-ROOM HOTEL WITH RESTAURANT AND ACCESSORY COMMERCIAL USES ON 3.1-ACRES LOCATED AT THE NORTHWEST CORNER OF BARISTO ROAD AND BELARDO ROAD, ZONE R-3 (CASE 5.1345 GPA, PD-372, CUP AND 3.0678 MAJ). (DN)

ACTION: Table the project indefinitely with direction to prepare an Environmental Impact Report (EIR).

Motion: Commissioner Weremiuk, 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

2D. CONT'D - JONATHAN WASSER ON BEHALF OF PLAZA INDIAN AVENUE INC. FOR A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW AMPLIFIED ENTERTAINMENT, ADD A DANCE FLOOR AND MODIFY THE HOURS OF OPERATION FOR AN EXISTING COCKTAIL LOUNGE (CHILL BAR) LOCATED AT 212 AND 216 SOUTH INDIAN CANYON DRIVE, ZONED LSC BY SECTION 14 SPECIFIC PLAN (CASE 5.1320 CUP). (DN)

City Attorney Michael Daudt addressed legal correspondence received regarding the incorrect applicant name and noted the correct name as: JayDubya Entertainment, LLC.

Associate Planner Newell summarized the proposed changes to a Conditional Use Permit as outlined in the staff memorandum.

The Commission had the following technical questions:

- Condition relating to "bass levels at reasonable levels";

- Monitor sound level and impose a required review;
- Differentiating noise readings from the adjacent property.

Vice-Chair Klatchko opened the public hearing:

RON BOWDON, applicant, asked that the same opportunity be given as neighbor to the west to have amplified music and requested the doors on Arenas to remain open for certain hours.

TODD DAVIDSON, building contractor, explained the details of the proposed soundboard to mitigate the noise levels (seal top and bottom).

MICHAEL MCCOURTNEY and JIM OSTERBERGER, Spurline, expressed concern with the bass sound causing vibration from the adjacent bar.

MELVIN FRANZ, adjacent bar owner, Score, spoke in favor of the proposed project.

There being no further speakers the public hearing was closed.

Commissioner Lowe noted the difficulty of obtaining decibel readings because of the 3 bars and traffic in this location.

Commissioner Calerdine suggested taking a decibel reading early in the morning (low level of noises) to see the measurement.

MICHAEL MCCOURTNEY is requesting an uncoupled soundproof wall placed on the two sides that adjoin Chill Bar with a minimum STC of 70.

TODD DAVIDSON, building contractor, addressed the significant costs associated with building another wall from floor to ceiling including insulation and dry-wall.

RON BOWDON, applicant, said they are not willing to add another wall and explained building layout noting there is a buffer space between the bars.

Commissioner Calerdine noted that professional firms specialize in noise studies.

ACTION: Approve, subject to conditions, as amended:

- Planning Commission review in 3 months;
- The applicant (Chill Bar) and adjacent bar (Spurline) work together to mitigate noise;
- Dance floor hours limited to Friday - Saturday from 10 pm to 2 am;
- Doors on Arenas Road will be allowed to remain open until 10 pm.

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

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

2E. CONT'D - CITY OF PALM SPRINGS FOR A REQUEST TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) 92.09.01 AND 92.09.02 TO ALLOW TATTOO PARLORS AND BODY PIERCING STUDIOS IN THE C-B-D (CENTRAL BUSINESS DISTRICT) ZONE UPON APPROVAL OF A CONDITIONAL USE PERMIT (CASE 5.1373 ZTA). (FF)

Planning Director Fagg provided a summary of the Planning Commission subcommittee recommendations.

Vice-Chair Klatchko opened the public hearing:

SEAN WOOD, suggested permitting the use in the "Uptown Art District" or within a retail frontage with tattooing in the rear.

JOY BROWN-MEREDITH, MainStreet Palm Springs, president, commented that downtown is in a fragile state with all the construction going on.

CHRIS BERKSHIRE, said he owns a tattoo business in Los Angeles and gets lots of business from Palm Springs and requested allowing tattoo parlors in downtown.

There being no further speakers the public hearing was closed.

Commissioner Middleton, as a part of the subcommittee, said they were very sensitive to the need to expand the number of permitted tattoo parlors; however they wanted to do so in a measured manner before allowing it in the C-B-D area.

Commissioner Weremiuk thanked the subcommittee for their work and supports it. She pointed out that the Backstreet Art District is a significant expansion that would allow the use at the busiest shopping centers in the city (Ramon Road and Gene Autry Trail). She would like to see how this works out and revisit it in a couple of years.

Commissioners Roberts and Calerdine expressed sensitivity towards the major construction in downtown and suggested different locations that could be very successful such as: the Sunny Dunes corridor and Section 14 area.

ACTION: Approval of the recommendations of the Planning Commission subcommittee.
Motion

Commissioner Weremiuk, 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

2F. CITY OF PALM SPRINGS FOR AN AMENDMENT TO THE PALM SPRINGS ZONING CODE (PSZC) CHAPTER 93.20 AND SECTION 92.15.01 TO ALLOW PORTABLE OPEN SIGNS AND OUTDOOR DISPLAYS IN THE SUNNY DUNES COMMERCIAL DISTRICT C-M (COMMERCIAL MANUFACTURING) ZONE (CASE 5.1372 ZTA). (FF)

Planning Director Fagg provided an overview of the proposed zone text amendment as outlined in the staff report.

Vice-Chair Klatchko opened the public hearing:

JOY BROWN-MEREDITH, said many of these businesses on Sunny Dunes lack visibility of signage and spoke in favor.

There being no further speakers the public hearing was closed.

ACTION: To recommend approval to the City Council.

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

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

3. UNFINISHED BUSINESS:

3A. A PROPOSED RESOLUTION OF INTENTION TO CHANGE THE NAME OF CROSSLEY ROAD TO LAWRENCE CROSSLEY ROAD AND TO ESTABLISH THE DATE OF THE PUBLIC HEARING FOR THE PLANNING COMMISSION MEETING OF JULY 8, 2015 (CASE 5.1376 SNC). (FF)

Planning Director Fagg presented the proposed street name change to consider renaming Crossley Road and Golf Club Drive to Lawrence Crossley Road.

ACTION: Adopt a Resolution of Intention to change the name of Crossley Road to Lawrence Crossley Road and establish a Public Hearing date.

Motion: Commissioner Roberts, seconded by Commissioner Lowe.

Commissioner Roberts verified that this motion does not include Golf Club Drive; that it's about the residential community and does not put want to put a hardship on the business community.

Planning Director Fagg verified that the resolution does include Golf Club Drive.

The Commission discussed the impact of the street name change to Golf Club Drive and deliberated.

COMMISSIONER ROBERTS WITHDREW HIS MOTION.

Commissioner Calerdine requested that broader language be included in the public hearing notice to allow an opportunity to get the Golf Club homeowners comments.

Commissioner Middleton said she would like to see this name change to Lawrence Crossley. However, she expressed concern that opposition would be stirred up on the southern side of the road since no feedback has been received from them.

Commissioner Calerdine suggested providing outreach to the two major condominium complexes on Golf Club Drive.

ACTION: Approve the resolution of intention to change the name of Crossley Road and Golf Club Drive to Lawrence Crossley Road and establish a public hearing date.

Motion: Commissioner Weremiuk, seconded by Commissioner Middleton and carried 4-2-0 on a roll call vote.

AYES: Commissioner Lowe, Commissioner Middleton, Commissioner Weremiuk, Vice-Chair Klatchko

NOES: Commissioner Calerdine, Commissioner Roberts

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

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

1. Request by the Planning Commission for a long-term Senior Planner position was submitted to City Council for consideration;
2. Turf removal and monopole co-location review by the AAC;
3. Update on the Downtown project landscape subcommittee review;
4. Developer update for the progress of the Downtown project.

PLANNING DIRECTOR'S REPORT:

Planning Director Fagg indicated one more Subcommittee meeting would be held to discuss the Small Lots.

ADJOURNMENT:

The Planning Commission adjourned at 4:10 pm to Wednesday, June 24, 2015, at 1:30 pm, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Flinn Fagg, AICP
Director of Planning Services

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