

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
June 24, 2015
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

Commissioner Roberts (Acting Chair) called the meeting to order at 1:36 pm.

ROLL CALL:

Present This Meeting: Commissioner Lowe, Commissioner Middleton,
Commissioner Roberts and Commissioner Weremiuk

Absent This Meeting: Commissioner Calderine and Vice-Chair Klatchko

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

REPORT OF POSTING OF AGENDA: The agenda was posted and 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 18, 2015.

ACCEPTANCE OF THE AGENDA: The agenda was accepted, as presented.

PUBLIC COMMENTS:

Commissioner Roberts opened the public comments portion of the meeting:

ADAM ROSS, spoke in reference to 3A, expressed concern with adequate parking.

JUDY DEERTRACK, spoke in reference to Item 2C, expressed concern that projects are not in compliance with the General Plan.

PAUL CRIPPAN, member of TRENTO, spoke in reference to Item 3B, said he is in favor of the project and happy to see the project is moving forward.

GREG GILMAN, TRENTO Advisory Council, commented in reference to Item 3B, spoke in spoke of support of the new addition to the neighborhood.

BILL POPE, spoke in reference to Item 3B, pointed-out sections of the Tahquitz Master Plan that was approved for this area.

There being no further speakers public comments was closed.

1. CONSENT CALENDAR:

1A. APPROVAL OF MINUTES: JUNE 10, 2015 STUDY SESSION & REGULAR MEETING MINUTES

ACTION: Approve the Planning Commission Minutes of June 10, 2015 Study Session and Regular Meeting Minutes.

Motion: Commissioner Lowe, seconded by Commissioner Middleton and unanimously carried 5-0-2 on a roll call vote.

AYES: Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk

ABSENT: Commissioner Calerdine, Vice-Chair Klatchko

2. PUBLIC HEARINGS:

2A. 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.)

Principal Planner Robertson provided background information on installation of the story poles placed on the site.

Commissioner Roberts opened the public hearing:

DAVID PICK, partner & storage consultant, spoke about the height of the buildings and addressed the story poles on the site; he provided details on the original and revised plans.

LJ Edgcomb, representing Escena New Valley, requested 50 ft. setbacks on both sides and expressed concern with drainage.

THOM GOTTBORG, represents Familian (landowner), commented that the setbacks would not be an issue and pointed-out that residential setbacks are only 10 ft.

DAVID PIKE, offered to add an easement to the retention area if so desired.

There being no further speakers the public hearing was closed.

Commissioner Weremiuk made the following comments:

- Prefers 50 ft. setbacks on both sides - east and south;
- Does not see a hardship to allow the reduced setbacks.

ACTION: To approve with condition that setbacks shall be 50 ft. on both sides (East and South).

Motion: Commissioner Weremiuk, seconded by Commissioner Roberts and MOTION FAILED on a 2-2 roll call vote.

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

Commissioner Middleton noted that she is at a disadvantage because she was not able to see the story poles. She's hearing that the views are acceptable at the 40 and 50 ft. setbacks. She pointed-out that the applicant has gone beyond what was asked and does not want to lose project approval over a 10 ft. difference.

Commissioners Roberts commented that the applicant has went to great lengths to make this work; and noticed how much higher the other buildings are in the neighborhood; he's uncertain about the 10 ft. difference.

ACTION: Approve, subject to conditions as amended:

- 50 feet setbacks along the East;
- 40 feet setbacks along the South.

Motion: Commissioner Middleton, seconded by Commissioner Lowe and carried 3-1-2 on a roll call vote.

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

A recess was taken a 2:25 pm.

The meeting resumed at 2:30 pm.

2B. CITY OF PALM SPRINGS TO AMEND THE DESERT PALISADES SPECIFIC PLAN TO ALLOW RESIDENT ACCESS TO TRAMWAY ROAD AND TO DESIGNATE A +/- 5 ACRE PORTION OF THE PLAN AREA FOR PERMANENT OPEN SPACE, ZONE ESA-SP, PLANNING AREA 4 (CASE 5.1154 SP). (FF)

Planning Director Fagg presented the proposed amendment as outlined in the staff report.

The Commission asked technical questions pertaining to:

- Who owns the parcel of land that will be dedicated to the public?
- Accessible open space for public use;
- Prohibition of construction trucks on Racquet Club Road.

Planning Director Fagg pointed-out that a condition of approval will need to be added to the resolution pertaining to approval of final design subject to San Jacinto Winter Park Authority.

Commissioner Roberts opened the public hearing:

EMILY HEMPHILL, legal representation for Desert Palisades, clarified that this is an approved project and provided details on development for permanent open space.

There being no further speakers the public hearing was closed.

ACTION: To recommend approval to City Council with the added condition of approval pertaining to approval of the final design subject to San Jacinto Winter Park Authority.

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

AYES: Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk

ABSENT: Commissioner Calerdine, Vice-Chair Klatchko

2C. 750 LOFTS, LLC FOR A MIXED-USE HOTEL DEVELOPMENT ON A 1.13-ACRE PARCEL LOCATED AT 750 NORTH PALM CANYON DRIVE, ZONE C-1/R-3/PDD 104 / RESORT COMBINING ZONE / LAS PALMAS BUSINESS HISTORIC DISTRICT HD-1 (CASE 5.1350 PDD 374 GPA/CUP AND 3.3795 MAJ.) (KL)

Planning Director Fagg provided background information on the project's reconsideration and minor modifications made to the development.

Associate Planner Lyon provided a summary of the project revisions made to the project.

The Commission commented and/or asked questions pertaining to:

- Parking calculations and capture ratio for accessory uses;
- Previous recommendations made by the Historic Site Preservation Board;
- Request for the applicant to address the parking shortage;
- Overall height reduction.

Commissioner Roberts opened the public hearing:

JAMES CIOFFI, project architect, provided details on the modifications made to the project relating to the reduction in height, pedestrian access, drive-lanes and materials. Mr. Cioffi addressed the parking study including use of valet parking, eclectic mix of architecture in the neighborhood and the open-space on roof deck.

FRANK TYSEN, said he would like to work with the developer according to the rules and wants to set precedence doing this.

JUDY DEERTRACK, recommended the feasibility of the project be considered; and emphasized the need for an environmental impact report on this project.

FELIPE CASTANADA, commented that all the single and second story buildings on this block will be affected by the height of this development.

ADAM ROSS, said he is amazed that developers do not follow the rules in reference to height and parking; this project will create more congestion and traffic.

EMILY HEMPHILL, legal representation for the applicant, addressed public testimony regarding the prior approvals of this project (there have been no disapprovals), CEQA guidelines, height and eclectic mix of architecture in the city.

ANDY CARPIAC, commented on the rigorous approval process this project has been through and indicated that the changes include a reduction in height and density and increase in parking spaces.

There being no further speakers the public hearing was closed.

Commissioner Weremiuk made the following comments;

- Liked the reduction in height and density;

- Concern with adequate parking for guests and staff;
- Requested modifications to the treatments on the ground floor and widening of the pedestrian lane;
- Uncomfortable with the 4th story floor and invoking the high-rise ordinance.

Commissioner Lowe made the following comments:

- Parking is a significant problem in this neighborhood and should not punish one applicant; nonetheless, he would like to see that adequate parking will be provided.
- Requested clarification on the use of the 4,000 sq. ft. of open space.

Commissioner Middleton made the following comments:

- Noted that a dilapidated building will be replaced with a much better building;
- Concern that adequate parking is provided;
- Struggling with the window curtains (screening material);
- Glad to see that walkway has been improved;
- Public benefit is weak - cannot find any description of the art walk.

Commissioner Roberts made the following comments:

- Beautiful project - this city has always been a blend of architecture and this project fits in as contemporary architecture;
- Pleased to see the reduction in height;
- Great to see this mixed-use project on Indian Canyon;
- There are major parking problems in this neighborhood but would like to see more parking;
- Appreciates that the 4th floor element is a tower element; however, would like to see a reduction on this floor;
- The project works well in this neighborhood;

ACTION: Continue to a date certain of July 22, 2015.

Motion: Commissioner Roberts, seconded by Commissioner Lowe and unanimously carried 4-0-2 on a roll call vote.

AYES: Commissioner Lowe, Commissioner Middleton, Commissioner Roberts,
Commissioner Weremiuk

ABSENT: Commissioner Calerdine, Vice-Chair Klatchko

**2D. CROWN CASTLE (T-MOBILE WIRELESS) FOR AN AMENDMENT TO A
CONDITIONAL USE PERMIT ELIMINATING THE TERM LIMIT AND THE ADDITION**

OF THREE NEW PANEL ANTENNAS TO AN EXISTING 55 FOOT TALL MONOPOLE LOCATED AT 490 EAST SUNNY DUNES ROAD, ZONE C-M (CASE 5.0719 CUP) (GM)

Assistant Planner Mlaker an overview of the proposed amendment.

Commissioner Roberts opened the public hearing and with no appearances coming forward the public hearing was closed.

ACTION: Approve subject to conditions.

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

AYES: Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk

ABSENT: Commissioner Calerdine, Vice-Chair Klatchko

3. NEW BUSINESS:

3A. STEVE HERMANN, OWNER OF HORIZON HOTEL FOR CONSTRUCTION OF TWENTY-FOUR (24) NEW GUEST UNITS TO EXISTING HOTEL ON A 45,760-SQUARE FOOT VACANT PARCEL LOCATED AT 1050 EAST PALM CANYON DRIVE (CASE 3.0313 MAJ). (GM)

Assistant Planner Mlaker provided an overview of the proposed project.

Commissioner Middleton questioned the type of material to the east of the pool.

STEVE HERMANN, applicant, said they are abiding by the requirements and explained that the patchy area of grass is small and in keeping with the landscape of existing the hotel.

ADAM ROSS, expressed concern with the lack of an occupancy permit for the original part of the hotel.

JORDAN FIFE, director of development, Steve Hermann Hotels, responded there are no issues with the occupancy permit and they are awaiting health permits for the restaurant.

Commissioner Roberts spoke in favor of the addition to the historic building; and does not have a problem with the small patch of grass for this size of a property.

Commissioner Weremiuk asked the applicant if he's willing to consider using a soaker system instead of sprinklers for the new grass area.

Commissioner Roberts advised the applicant if he finds that this system is outrageously expensive to come back and talk to staff.

ACTION: Approve subject to conditions with the condition that the lawn area be watered with a soaker system versus a sprinkler system.

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

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

3B. DAVIDSON CAMERON 226, LLC, REQUESTING A ONE-YEAR TIME EXTENSION FOR A PREVIOUSLY APPROVED MIXED-USE DEVELOPMENT CONSISTING OF 80 ATTACHED TOWNHOMES, 22 LIVE-WORK UNITS AND 15,000-SQUARE FEET OF RETAIL LOCATED AT 850 SOUTH PALM CANYON DRIVE (CASE 5.1056 / PDD 314). (ER)

Principal Planner Robertson provided an overview of the proposed project noting that new ownership has acquired the land. Mr. Robertson explained that this project predates the Tahquitz Creek Trail Master Plan and the guidelines do not apply.

Commissioner Middleton disclosed that in 2013 and 2014 this project came up for time extensions and during that time she was Chair of the Tahquitz River Neighborhood Association but not a member of the Planning Commission. During this time, she wrote three letters in reference to the extensions. She forwarded a copy to the City Attorney and he concluded there was no conflict and assured her participation in this matter is appropriate.

Commissioner Robertson questioned the applicant's willingness to review the Tahquitz Creek Master Plan and possibly work with a subcommittee to see if they can come closely match the north side.

TIM O'GRADY, Davidson Communities, verified that there are no requirements of the project to meet the guidelines of the Tahquitz Creek Master Plan. He assured the Commission that he has provided outreach to the neighborhood and Mr. Post's concerns have been heard.

Commissioners Lowe and Middleton spoke in favor of the applicant's willingness to consider incorporating the Tahquitz Creek Master Plan.

Commissioner Weremiuk thanked the applicant for starting development in this area and for his willingness to meet with a subcommittee consisting of: Middleton and Roberts. She would like to include two neighborhood representatives to meet with staff to go over what alignments could be done.

ACTION: Grant a one-year extension for the project to commence development, subject to conditions. Members appointed to subcommittee are: Roberts and Middleton.

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

AYES: Commissioner Lowe, Commissioner Middleton, Commissioner Roberts,
Commissioner Weremiuk

ABSENT: Commissioner Calderine, Vice-Chair Klatchko

3.C. GEOFF MCINTOSH TO RENOVATE AN EXISTING BUILDING FOR DEVELOPMENT OF A 182-SEAT RESTAURANT LOCATED AT 250 EAST PALM CANYON DRIVE, ZONE C-1 / RESORT COMBINING ZONE (CASE 3.3850 MAA). (KL)

Associate Planner Lyon presented the proposed project as outlined in the staff report.

JEFF MCINTOSH, applicant, was available for questions from the Commission.

The Commission spoke in favor of the project and commended the applicant.

ACTION: Approve subject to conditions.

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

AYES: Commissioner Lowe, Commissioner Middleton, Commissioner Roberts,
Commissioner Weremiuk

ABSENT: Commissioner Calderine, Vice-Chair Klatchko

3D. APPOINT EVENT CENTER SUBCOMMITTEE (BLOCK E OF THE DOWNTOWN REVITALIZATION PLAN)

Commissioner Roberts noted that there is a current subcommittee that is working on the Downtown project and would like to appoint the same members to this subcommittee.

The subcommittee members are: Roberts and Weremiuk and Middleton as an alternate.

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

Commissioner Middleton spoke about time extensions coming forward 6 - 8 years after the original approval. She questioned if there should be limit on the number of times a project can be extended.

Commissioner Roberts said this is a good topic for a full Commission to review; noting that most of these projects are left from a collapsed economy.

Director Fagg responded that the City Attorney would be asked to review the State requirements for time extensions.

PLANNING DIRECTOR'S REPORT:

Director Fagg reported a joint study session with the AAC would be forthcoming to discuss water conservation, turf replacement and building repaints. He proposed several dates and the Commission discussed their availability.

Commissioner Lowe noted he would not be in attendance for the July 8th and preferred August 12th.

Planning Director Fagg suggested Aug. 10th prior to the AAC meeting (about 1:30 pm).

Commissioner Roberts said he would like to have the next Downtown Project subcommittee meeting relatively soon after the Event Center meeting scheduled for July 9th.

Director Fagg provided an update on the Small Lot Subcommittee meeting held earlier today.

ADJOURNMENT:

The Planning Commission adjourned at 5:11 pm to Wednesday, July 8, 2015, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Flinn Fagg, AICP
Director of Planning Services