

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
September 09, 2015
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

Chair Klatchko called the meeting to order at 1:37 pm.

ROLL CALL:

Present This Meeting: Commissioner Calerdine, Commissioner Donenfeld,
Commissioner Lowe, Commissioner Middleton,
Commissioner Weremiuk and Chair Klatchko

Excused This Meeting: Vice-Chair Roberts

Staff Liaisons: Flinn Fagg, Michael Daudt, Terri Hintz, Savat Khamphou,
Ken Lyon, David Newell and Edward Robertson

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 6:00 pm on Thursday, September 3, 2015.

ACCEPTANCE OF THE AGENDA:

Commissioner Calerdine noted his abstention on the minutes.

PUBLIC COMMENTS:

Chair Klatchko opened public comments and with no appearances coming forward public comments was closed.

1. CONSENT CALENDAR:

Commissioner Weremiuk requested Item 1B pulled from the Consent Calendar for further discussion.

1A. APPROVAL OF MINUTES: AUGUST 10, 2015 JOINT STUDY SESSION MINUTES

1C. ANDREW T. JESSUP REQUESTS FOR THE VACATION OF CAMINO PAROCOLA RIGHT-OF-WAY AT THE END OF FERN CANYON DRIVE (TRACT NO. 2726, MB5/PG90), SECTION 22, T.4.N, R.4.E. (ENGINEERING CASE FILE R 14-26). (FP)

ACTION: Approve Items 1A and 1C as presented.

Motion: Commissioner Lowe, seconded by Commissioner Middleton and unanimously carried 6-0-1 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Donenfeld, Commissioner Lowe, Commissioner Middleton, Commissioner Weremiuk, Chair Klatchko

ABSENT: Vice-Chair Roberts

1B. O2 ARCHITECTURE REQUESTING A MAJOR ARCHITECTURAL APPROVAL ON BEHALF OF HUTKIN FAMILY FOR THE CONSTRUCTION OF AN APPROXIMATELY 5,059-SQUARE FOOT SINGLE-FAMILY RESIDENCE ON AN APPROXIMATELY 24,829-SQUARE FOOT LOT LOCATED AT 3182 BOGERT TRAIL, ZONE R-1-B. (CASE 3.3900-MAJ) (ER).

Commissioner Weremiuk questioned why the 20 feet front yard setback would be allowed.

Staff pointed-out that the aerial map indicates both the easement and hillside encroach are further on this lot than on the adjacent properties and it meets the criteria.

ACTION: Approve the project as recommended by the Architectural Advisory Committee.

Motion: Commissioner Donenfeld, seconded by Commissioner Lowe and unanimously carried 6-0-1 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Donenfeld, Commissioner Lowe, Commissioner Middleton, Commissioner Weremiuk, Chair Klatchko

ABSENT: Vice-Chair Roberts

2. PUBLIC HEARINGS:

2A. PCG-SP VENTURES I, LLC. FOR A MAJOR ARCHITECTURAL AND CONDITIONAL USE PERMIT APPLICATION FOR REDEVELOPMENT OF AN

EXISTING RESORT HOTEL WITH ACCESSORY USES ON A 3.65-ACRE PARCEL LOCATED AT 333 EAST PALM CANYON DRIVE, ZONE R-3, RESORT OVERLAY ZONE (CASE 5.1377 CUP / 3.1155 MAJ). (KL)

Associate Planner Lyon provided an overview of the proposed hotel renovation and explained the capture ratio and shared parking concepts.

The Commission requested clarification and/or commented on:

- What is the methodology used for the parking study?
- Clarification on the parking calculation for the number of employees.
- Details on the open-space in front of the hotel.
- Emergency access gates on Twin Palms.
- Concern that the landscape plan was not included in the packet - staff provided an update on the revised landscape palette.

Chair Klatchko opened the public hearing:

-STAN ASARO, Roy Asaro, Architects, was available for questions from the Commission.

-RICK PATTON, General Manager, Curve Hotel, clarified that there are more parking spaces than 12 and addressed the access gates on Twin Palms and concrete and brick paving.

-STAN ASARO, provided details pertaining to the landscape buffer and walkways.

There being no further comments the public hearing was closed.

GEOFF BRIDERALL, landscape architect, provided details on the shading plan.

Commissioner Middleton made a motion to approve the project and congratulated the landscape design on this project and the developer on the decision to close the courtyard and providing a strong aesthetic feature.

Commissioner Calerdine commented that this is one of the best re-use projects for 1960's hotels that have come forward.

Commissioner Weremiuk commented that this project has come a long way and likes that the historic elements have been maintained.

ACTION: Approve, subject to Conditions of Approval.

Motion: Commissioner Middleton, seconded by Commissioner Donenfeld and unanimously carried 6-0-1 on a roll call vote.

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

2B. 383 SOUTH, LLC. FOR A CONDITIONAL USE PERMIT TO ALLOW A MEETING HALL (EVENT SPACE) OF APPROXIMATELY 8,640-SQUARE FEET IN SIZE WITHIN AN EXISTING COMMERCIAL BUILDING LOCATED AT 383 SOUTH PALM CANYON DRIVE, ZONE C-B-D (CASE 5.1383 CUP). (DN)

Associate Planner Newell presented the proposed request to operate an event hall as outlined in the staff report. Mr. Newell reported that the applicant has requested to allow outdoor events on occasions and if the Commission desires a revision to PLN 3 can be made so that entertainment and amplified music shall be limited to the interior of the building unless otherwise approved by the Planning Director.

The Commission requested clarification and/or commented on:

- Is a liquor license required?
- Status of discussion on establishing a standard for limiting the impact of bass levels.
- Monitoring of decibel levels.
- Staff suggested a Land Use Permit could be imposed to allow outdoor events.

Chair Klatchko opened the public hearing:

-MICHAEL GAMBLE, chief operating manager officer, spoke about their plans to use this historic building as an event center in the CBD zone. Mr. Gamble indicated their intent is to be a good neighbor and they are looking forward to the revisions to the Noise Ordinance.

-JIM GROSS, spoke in support of the re-adaptive use of the historic building for an event space in this area.

-CARL ENSER, chief administrative officer, Eisenhower Health Centers, is happy to see this coming but wants to make sure noise is not an issue because they operate a neurology clinic next door.

There being no further appearances the public hearing was closed.

Chair Klatchko said he is very familiar with this building and thinks this is a great re-use of the building.

ACTION: Approve, subject to conditions, as amended:

- Modify PLN 3.: "A land use permit shall be submitted to the Planning Department for any outdoor event at the site and the measurement of decibels may be required to determine conformance with the Noise Ordinance".

Motion: Commissioner Weremiuk, seconded by Commissioner Middleton and unanimously carried 6-0-1 on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Donenfeld, Commissioner Lowe, Commissioner Middleton, Commissioner Weremiuk, Chair Klatchko

ABSENT: Vice-Chair Roberts

2C. DEAD OR ALIVE, LLC. FOR A CONDITIONAL USE PERMIT TO ALLOW A BEER AND WINE LOUNGE OF APPROXIMATELY 980-SQUARE FEET IN SIZE WITHIN AN EXISTING MULTI-TENANT BUILDING LOCATED AT 150 EAST PALM CANYON DRIVE, ZONE C-1 (CASE 5.1381 CUP). (ND)

Associate Planner Newell provided an overview of the proposed beer and wine lounge as outlined in the staff report.

Chair Klatchko opened public comments:

CHRISTINE SOTO, applicant, responded to questions from the Commission and indicated that there will be no access to the rear of the property and is very excited to see all the different projects in South Palm Springs.

There being no further appearances the public hearing was closed.

The Commission commented and/or requested clarification on:

- Will the stone wall be maintained?
- Concern with parking on this corner; however, it's exciting to see this corner starting to develop.
- Caution with the name of the bar due to a pedestrian death near this area.
- The building owner operates the restaurant next door which will draw parking from this use; and all other uses would have parking problems.

ACTION: Approve, subject to conditions.

Motion: Commissioner Weremiuk, seconded by Commissioner Calerdine and unanimously carried 6-0-1 on a roll call vote.

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

3. NEW BUSINESS:

3A. PALM SPRINGS FREEWAY DEVELOPMENT, LLC, REQUESTING FOR A ONE-YEAR EXTENSION OF TIME FOR A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT TO CONSTRUCT A 65-ROOM HOTEL, TWO DRIVE-THRU RESTAURANTS, ASSOCIATED PARKING AND SIGNAGE AT 610 WEST GARNET AVENUE, ZONE M-1-P, SECTION 15; (CASE 5.0856-CUP). (ER)

Principal Planner Robertson provided an overview on the one-year time extension request as outlined in staff report.

Commissioner Donenfeld remembered this project from previous years noting that this applicant he has gone through years of dealing with water agencies and sees there is a light at the end of the tunnel. He supports the time extension for one more year.

Commissioner Calerdine said this is a perfect use for this site and made a motion for approval.

ACTION: Consider a one-year time extension for Conditional Use Permit No. 5.0856-CUP, from August 11, 2015 to August 10, 2016.

Motion: Commissioner Calerdine, seconded by Commissioner Weremiuk and unanimously carried 6-0-1 on a roll call vote.

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

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

The Commission commented and/or requested clarification on:

- Issues with the voting system in the chamber.
- Looking forward to recommendations by the subcommittee for a policy for time extensions.
- Status of Small Lots / PDD's subcommittee discussion.
- Update on major projects in the city.
- A request to amend the Museum Market Plaza Specific Plan will be forthcoming.

PLANNING DIRECTOR'S REPORT:

Director Fagg reminded the Commission that the next Planning Commission meeting would be held on Thursday, September 24th and provided an update on the City Council's concern with a zone text amendment pertaining to carport structures.

ADJOURNMENT:

The Planning Commission adjourned at 3:26 pm to Thursday, September 24, 2015, at 1:30 pm, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Flinn Fagg, AICP
Director of Planning Services

DRAFT

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

CALL TO ORDER:

Chair Klatchko called the meeting to order at 1:31 pm.

ROLL CALL:

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

Absent This Meeting: None

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

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 6:00 pm on Thursday, September 17, 2015.

ACCEPTANCE OF THE AGENDA:

Commissioner Middleton requested Item 1C pulled from Consent Calendar for separate discussion.

Commissioner Weremiuk noted her abstention on minutes of August 12, 2015.

Commissioner Calerdine requested Item 1B pulled from the Consent Calendar for separate discussion.

Director Fagg provided an update on the request that was received to continue Item 2A and recommended the item be heard.

PUBLIC COMMENTS:

Chair Klatchko opened public comments:

-CURT CLINE, requested approval of Item 1B.

-RON BOWDOIN, representing Chill Bar (Item 3B) stated that the sound engineer is available for questions on this matter.

There being no further appearances public comments was closed.

1. CONSENT CALENDAR:

1A. APPROVAL OF MINUTES: AUGUST 12, 2015

ACTION: Approve the Minutes of August 12, 2015.

Motion: Commissioner Calerdine, seconded by Commissioner Lowe and carried 6-0-1 on a roll call vote.

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

ABSTAIN: Commissioner Weremiuk

1B. CURT AND ATSUKO CLINE FOR A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A 1,280-SQUARE FOOT HOUSE ON A MAJOR THOROUGHFARE LOCATED AT 114 WEST SAN MARCO WAY, ZONE R-1-C (CASE 3.3885 MAJ). (GM)

Assistant Planner Mlaker provided an overview on the proposed house as outlined in the staff report.

Commissioner Calerdine requested clarification on the landscaping on the west and north sides.

Commissioner Roberts stated that the house is beautiful and is an excellent use of this small parcel.

ACTION: Approve as submitted with conditions.

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

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

1C. JAVIER MORENO REQUESTING APPROVAL FOR A MAJOR ARCHITECTURAL APPLICATION BY TO CONSTRUCTION OF A 3,427-SQUARE FOOT SINGLE-FAMILY RESIDENCE ON A 19,395-SQUARE FOOT PARCEL ALONG A MAJOR THOROUGHFARE AT 2580 NORTH SUNRISE WAY, ZONE R-1-C (CASE 3.3903-MAJ). (ER)

Commissioner Middleton said this is an excellent use of the property; however, questioned the location of the pool equipment near the property line.

Staff responded that they would work with the applicant to see if the pool equipment could be relocated.

Commissioner Middleton requested the guest house not be used as a short term rental, separate from the full home.

Commissioner Weremiuk suggested imposing a requirement that pool equipment be located five feet from the property line.

ACTION: Approve as recommended by the AAC with additional conditions:

1. Pool equipment to be located at least 5 feet from any property line.
2. Guest house shall not be rented as a short term rental separate from the main home per the requirements of PSZC section.

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

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

2. PUBLIC HEARING:

2A. A REQUEST TO CONSIDER AN APPLICATION BY PETITION FROM THE LAWRENCE AND MARGUERITE STREET RESIDENTS TO CHANGE THE NAME OF 34TH AVENUE TO SHORE BRIDGE LANE BETWEEN CROSSLEY ROAD EAST TO MARGUERITE STREET (CASE 5.1375 SNC). (FF) (Continued from August 12, 2015 meeting)

Director Fagg provided background information on the proposed street name change and noted that the Lawrence Crossley neighborhood is requesting to continue the item

to October 2016. He also noted the meeting that had taken place between representatives of Tahquitz Creek Villas HOA and Lawrence Crossley Neighborhood Organization.

The Commission commented and/or requested clarification on:

- The status of the Vibrante development.
- Initiation of this application that began the process.
- Public testimony taken at the July 8th Planning Commission meeting.
- The Vibrante development will include 5 - 7 houses that face on 34th Avenue.
- No current properties that have street addresses on 34th Avenue.

ACTION: Table.

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

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

3. NEW BUSINESS:

3A. DAVID ENDRES / DEBBIE REICHLING FOR A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A 4,170-SQUARE FOOT HOUSE ON A HILLSIDE LOT AND AN ADMINISTRATIVE MINOR MODIFICATION REQUESTING AN INCREASE IN BUILDING HEIGHT LOCATED AT 2355 NORTH MILO DRIVE, ZONE R-1-C (CASE 3.2938 MAJ & 7.1456 AMM). (GM)

Assistant Planner Mlaker provided background information on the proposed hillside lot as outlined in the staff report.

JAMES CIOFFI, architect, indicated they met with the neighbors and addressed issues relating to the height of the house. He spoke about the elevation, setbacks and height; noting that the house is stepped-down into the hill and pointed-out the views (pictures) from the adjacent neighbors.

The Commission asked technical questions pertaining to:

- The height of the adjacent property to the left.
- Are story poles placed on the site?

Commissioner Calerdine commented that the height of the adjacent house appears to be very close to the height of this house; and noted that this is the best use of land because of the slope.

Commissioner Lowe made a Motion to approve as submitted and motion was seconded by Commissioner Calerdine. Further discussion occurred.

Commissioner Roberts said the house is beautiful but in hillside developments views are very important. He said he is not convinced that this house will not have an effect on the parcel above it and would like to see a story pole on the center section of the house that rises up to ensure that no significant impact will be made.

Commissioner Weremiuk said she would like to see a story pole or the height brought down two feet.

Chair Klatchko questioned if staff has heard from the owner of the undeveloped lot that is most affected. He said that they are the ones most affected and since they do not have a problem he is less concerned.

Commissioner Calerdine recalled that Tuscany Heights had a significant impact to the views on Milo Drive (houses to the west). He encourages the use of these types of split-level houses on hillsides because of the cutting and filling to the site; he is happy with the design.

Commissioner Lowe said that because it is only a 3 ft. wide section (the architectural feature) that is 24 ft. and not the entire house he does not have a concern. He is agreeable to placing story poles on this section and ***withdrew his motion.***

Commissioner Middleton said that although she admires the architecture; she has a concern with number of the properties that appear to violate the height limit and does not want to set precedence.

The Commission discussed that no one is guaranteed a view and the question is to what degree it would affect someone's view.

ACTION: Continue to October 14, 2015, to allow the applicant to place story poles on the four corners of the 22 ft. section.

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

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

3B. A REPORT ON THE CONDITIONAL USE PERMIT ISSUED TO JAYDUBYA ENTERTAINMENT, LLC FOR A COCKTAIL LOUNGE WITH INDOOR AMPLIFIED MUSIC AT 212 AND 216 S. INDIAN CANYON DRIVE, ZONE LSC BY SECTION 14 SPECIFIC PLAN (CASE 5.1320 CUP). (DN)

Associate Planner Newell provided an update as outlined in the staff report.

The Commission requested clarification and/or commented on:

- The Apparent STC (Sound Transmission Class): the higher number means less sound permeating the wall (a better number).
- DL Acoustic was hired by the applicant for assessment.
- Status of standards for measuring bass levels.
- Has Spurline (adjacent neighbor) contacted staff?

TODD DAVIDSON, Mirage Developers, contract developer, stated that supplemental report was submitted to staff consisting of the materials used for the sound attenuated wall and the acoustic engineer found that their wall was greater than the required criteria.

DAVID LUBMAN, DL Acoustics, Certified Acoustical Consultant, stated that the rating was STC 50 rating and the required is 60. He stated that the weakness is not in the bass and the real problem is in higher frequencies. He indicated that it could be a path going through the ducts which could be fixed inexpensively and bring it very close to compliance.

JIM OSTERBERGER, Spurline, said the situation has gotten somewhat better but there is still some bass coming through; he requested another review in 3 months.

RON BOWDOIN, requested to come back in less than 3 months for review to allow them continue to operate and make the investment decisions they need to make.

ACTION: To continue to a date certain of November 12, 2015, to allow the sound engineer to file the report and the applicant to continue the work to mitigate the noise issue.

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

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

3C. A & J PALMAS LTD. PARTNERSHIP TO ESTABLISH A SIGN PROGRAM FOR THE EXISTING MULTI-TENANT BUILDING LOCATED AT 555 S. PALM CANYON DRIVE, ZONE C-1 / PD-82 (CASE SP 15-002). (DN)

Commissioner Middleton noted a business-related conflict of interest and would not be participating in the discussion and vote. She left the Council Chamber at 2:55 pm.

Commissioner Lowe confirmed with the City Attorney that he does not have a conflict of interest.

Associate Planner Newell provided an overview on the proposed sign program as outlined in the staff report.

Commissioner Roberts said that most people would drive to the back of the building and it made sense to have individual names of the businesses on the rear door.

ACTION: To return for review of a monument sign to allow tenant visibility on Palm Canyon and only allow signage for the end-unit tenants and in the rear, as recommended by the AAC.

Vice-Chair Roberts made a Motion and it was seconded by Commissioner Donenfeld. Discussion occurred.

LARRY DEITZ, Signs by Tomorrow, said that they agree not to have logos on the front only simple font and does not think a monument sign would be practical. He indicated that the main entrances are in the rear and visibility is limited in the front of the building.

Commissioner Roberts noted concern with sign cluttering on Palm Canyon and the messiness of old lettering and expressed a preference for a monument sign.

Commissioner Donenfeld suggested signage on the lower fascia as an alternative to the monument sign which would be less expensive.

Commissioner Roberts concurred with the options as recommended by the AAC and further discussion occurred.

Commissioner Roberts changed his Motion, as follows:

ACTION: Approve, subject to conditions including the three (3) conditions recommended by the AAC:

1. Limit Palm Canyon signage to lower fascia (dark colored beam), or return with monument sign for Palm Canyon signage.

2. Two end cap tenants are limited to three signs conforming to specs. (maximum 14" letter height along the south side and the north, east and west signs are limited to the brown fascia to 8" in height.)

Motion: Vice-Chair Roberts, seconded by Commissioner Donenfeld and carried 6-0-1 on a roll call vote.

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

Commissioner Middleton re-entered the Council Chamber at 3:22 pm.

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

The Commission requested clarification and/or commented on:

- Status of new hotel for the downtown project.
- The Museum Market Plaza Specific Plan update will be held at a study session on October 14th.
- Subcommittee updates.
- 3D models requested for projects.
- City land sales and reclaimed property.
- One Palm Springs will be hosting a candidate forum on water issues.

PLANNING DIRECTOR'S REPORT:

No comments.

ADJOURNMENT:

The Planning Commission adjourned at 3:29 pm to Wednesday, October 14, 2015, at 1:30 pm City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

Flinn Fagg, AICP
Director of Planning Services