

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
January 14, 2009
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

The meeting was called to order at 1:34 p.m.

ROLL CALL:	Present This Meeting:	Present to Date:	Year: FY 2008/2009 Excused Absences:
Larry Hochanadel, Chair	X	20	0
Leo Cohen, Vice Chair	X	19	1
Toni Ringlein		16	4
Jon Caffery	X	18	2
Bill Scott	X	17	3
Tracy Conrad	X	15	5
Doug Donenfeld	X	20	0

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 4:30 p.m. on Friday, January 9, 2009.

ACCEPTANCE OF THE AGENDA:

Commissioner Conrad noted her abstention on the minutes of December 17, 2008 and on Item 4B (Baristo Lofts) due to a potential conflict of interest (she is a board member for the Palm Springs Preservation Foundation) and would not be participating in the discussion and vote. Ms. Conrad requested Item 4B be moved to the end of the agenda.

PUBLIC COMMENTS:

Chair Hochanadel opened the Public Comments:

-Bill Butler, Palm Springs, read a statement on behalf of Palm Springs Modcom in reference to Item 4B (Baristo Lofts) in opposition to the proposed project; and requesting preservation of the Santa Fe building.

-Michael Stern, Palm Springs, spoke in reference to Item 4B (Baristo Lofts) emphasized the distinguishing features of the Santa Fe building and urged preservation of the building.

There being no further appearances, Public Comments was closed.

1. CONSENT CALENDAR:

M/S/C (Scott/Donenfeld, 6-0, 1 absent/Ringlein) To approve, Items 1A and 1B as part of the Consent Calendar.

1A. Minutes of December 3, 2008 and December 17, 2008.

Approved, as part of the Consent Calendar. *(Noting Commissioner Conrad's abstention on the minutes of December 17, 2008.)*

1B. Case 3.2952 MAJ (Privado) - A request by Enterprise California for a one year time extension for a previously approved project consisting of an 81 unit condominium development located at the northeast corner of Amado Road and Avenida Caballeros, Zone R4, Section 14, APN: 508-580-055, -069, -071, -074 and -075. (Project Planner: Glenn Mlaker, Assistant Planner)

Approved, as part of the Consent Calendar.

2. MISCELLANEOUS:

2A. Case SP 08-006 - An application by Best Signs, Inc. on behalf of D.R. West, LLC, for the implementation of a sign program for the Gene Autry Plaza located at the southeast corner of Gene Autry Trail and Ramon Road, Zone W-M-1, Section 20, APN: 680-170-044. (Project Planner: David A. Newell, Associate Planner)

David A. Newell, Associate Planner, provided background information as outlined in the staff report dated January 14, 2009.

The Commission discussed and/or commented on the location of the main and subtenant signs, background color of signs and incorporation of the Lowe's wall sign into the sign program.

M/S/C (Donenfeld/Vice Chair Cohen, 6-0, 1 absent/Ringlein) To approve, subject to Conditions of Approval, as amended:

- Incorporation of the Lowe's wall sign into the sign program.
- A common frame and color shall be used for the blade/projecting signs and incorporated into the sign program.

2B. Case RV 08-004 - A request to appeal the Planning Director's decision approving an application for a recreational vehicle (RV) permit located at 2065 South Tulare Drive, Zone R-1-C, Section 26, APN: 511-102-033. (Project Planner: Glenn Mlaker, Assistant Planner)

Glenn Mlaker, Assistant Planner, provided background information as outlined in the staff report dated January 14, 2009.

The Commission discussed and/or commented on the parking location of the RV and on the 8 foot high ficus trees used for screening of the vehicle.

- Larry and Maureen Specchierla, Palm Springs, appellants, expressed concern that the R.V. is clearly visible from their bedroom window and that there should not be a long wait until the ficus trees grow to conceal the R.V.
- Kammy Vermillion, Palm Springs, applicant, stated that the R.V. has been moved further and is now parked at 39 feet from the back wall. Ms. Vermillion provided details on the landscaping used for the screening the R.V.

M/S/C (Caffery/Scott, 6-0, 1 absent/Ringlein) To uphold decision of the Planning Director, as amended:

- To water and prune the ficus trees on a regular basis to provide adequate growth.
- After one year Code Enforcement shall visit the site and determine if the vegetation adequately screens the R.V. from view. If it is determined that the RV is visible from the adjacent property, additional landscaping may be required.

Director Ewing noted that this decision could be appealed to the City Council by filing an appeal with the City Clerk within 10 days of this action.

3. OTHER BUSINESS:

Architectural Advisory Committee: Appointment of Landscape Architect

A.

Director Ewing provided background information as outlined in the staff report dated January 14, 2009.

Commissioner Caffery noted that he was part of the ad hoc sub-committee that conducted the interviews and concluded that they would recommend Mr. Parker as the Landscape Architect for the AAC position. Mr. Caffery suggested attendance is taken at each meeting and reported back to the Commission on an annual basis.

M/S/C (Donenfeld/Vice Chair Cohen, 6-0, 1 absent/Ringlein) To appoint Rob Parker as a Landscape Architect on the Architectural Advisory Committee.

Staff noted that a record of the AAC's attendance will be provided to the Commission on a semiannual basis.

3B. Resignation of James Cioffi to the Planning Commission Architectural Advisory Committee:

The Commission discussed and/or commented on the merits of a preference for a candidate with a historic preservation background.

-James Cioffi stated that the primary focus of the Architectural Advisory Committee is to advise the Planning Commission on architecture and not on historic preservation.

M/S/C (Caffery/-1, -) To accept with regret the resignation of James Cioffi to the Architectural Advisory Committee for the term ending December 2010; and 2) Direct the City Clerk to post a Notice of Vacancy. **(MOTION FAILED - DUE TO A LACK OF SECOND)**

M/S/C (Donenfeld/Conrad, 4-2/Caffery/ Chair Hochanadel), 1 absent/Ringlein) 1) To accept with regret the resignation of James Cioffi to the Architectural Advisory Committee for the term ending December 2010; and 2) Direct the City Clerk to post a Notice of Vacancy with a preference for a historic preservation background.

4. PUBLIC HEARINGS:

4A. Case 5.1190 CUP / 6.509 VAR (Palm Springs Batch Plant) - A request by Elsinore Ready Mix Company for a Conditional Use Permit to allow the installation and operation of a portable concrete batch plant on approximately 5.29-acres and a Variance request to exceed the thirty foot height maximum permitted in the E-1 zone. The site is located at the southwest corner of Dillon Road and Karen Avenue, Zone E-I, Section 10, APN 668-280-015: (Project Planner: David A. Newell, Associate Planner)

David A. Newell, Associate Planner, provided background information as outlined in the staff report dated January 14, 2009.

Chair Hochanadel opened the Public Hearing:

-Brad Adams, North Palm Springs, representing several wind/energy property owners, stated that the applicant has agreed to make several changes to address their concerns in reference to debris blowing onto their property.

-James Bennett, applicant, stated they met with their neighbor and have agreed to make some changes. Mr. Bennett explained that the majority of dust coming into the site the dust will be reduced.

There being no further appearances, the Public Hearing was closed.

M/S/C (Conrad/Vice Chair Cohen, 6-0, 1 absent/Ringlein) To adopt the Mitigated Negative Declaration and approve the Conditional Use Permit (Case 5.1190-CUP) and Variance (Case 6.509 VAR), subject to the Conditions of Approval.

4B. Case 5.1137 PD 335/TTM 35230/3.328 MAJ - Moved to the end of the agenda.

4C. Case 3.3215 MAJ - An application by Sean Callow of Vista Chino Self-Storage, LLC, to construct a recreational vehicle self-storage facility on approximately 9.17-acres located at 3900 East Vista Chino Road, Zone M-1/IL, Section 16, APN: 677-040-030. (Project Planner: Ken Lyon, Associate Planner)

Ken Lyon, Associate Planner, provided background information as outlined in the staff report dated January 14, 2009.

Chair Hochanadel opened the Public Hearing:

-James Cioffi, representing the applicant, addressed questions from the Commission with respect to the types of clientele and the associated amenities for the storage facility.

There being no further appearances, the Public Hearing was closed.

M/S/C (Conrad/Donenfeld, 6-0, 1 absent/Ringlein) To adopt the draft Mitigated Negative Declaration and approve Case 3.3215 MAJ, subject to Conditions of Approval, as amended:

-The off-site and street front improvements will be required as part of construction in Phase 1.

Commissioner Conrad left the Council Chamber at 3:05 p.m.

A recess was taken at 3:07 p.m. The meeting resumed at 3:19 p.m.

4B. Case 5.1137 PD 335 / TTM 35230 / 3.3028 MAJ (Baristo Lofts) - A request by Wessman Holdings, LLC, to construct a four-story mixed use development consisting of first-floor commercial/retail, 19 residential condominium units, adaptive re-use of the existing building for the retail/restaurant use and a Tentative Tract Map located at 300 South Palm Canyon Drive, Zone CBD, Section 15, APN: 513-204-005. (Project Planner: Ken Lyon, Associate Planner)

Ken Lyon, Associate Planner, provided background information as outlined in the staff report dated January 14, 2009.

Chair Hochanadel opened the Public Hearing:

- Charles Bennett, Palm Springs, spoke in favor of the project and requested approval.
- Cindy Heitzman, San Francisco, representing the California Preservation Foundation, stated that several issues were not addressed in the mitigated negative declaration (MND) and believes that it is not sufficient.
- Barbara Marshall, Palm Springs, read a letter from Smith Architectural Studio, requesting the proposed project not encroach on the Santa Fe building.
- Gary Johns, Palm Springs, urged denial of the proposed project.
- Ron Marshall, Palm Springs, spoke in favor of historic preservation for the Santa Fe building.
- James Cioffi, representing the applicant, addressed the open space, floor plan and parking. Mr. Cioffi commented that a balance must be found between adaptive use, preservation and development.

There being no further appearances, the Public Hearing was closed.

Commissioner Scott expressed concern with the distance between the existing building and the new building, and stated that he could not support this project.

The Commission commented and/or discussed the separation between the buildings, the balconies and the wall to wall distance.

Commissioner Caffery commented that he is not opposed to the balconies and felt that the 16 feet distance between the buildings is adequate.

M/S/C (Donenfeld/Caffery, 4-1/Scott), 1 absent/Ringlein, 1 abstained/ Conrad) To adopt the draft Mitigated Negative Declaration (MND), approve Case 5.1137 PD 335 and Case 3.3028 MAJ; and recommend approval of Tentative Tract Map 35230 to the City Council, as amended:

- That the Public Benefit includes significant sustainability components and features to be integrated into the design and construction of the project.
- Recommend to the City Council the designation of the existing building as a Class 1 historic site.

Director Ewing reported that the Planning Commission's action may be appealed to the City Council.

PLANNING COMMISSION COMMENTS:

No comments were reported.

PLANNING DIRECTOR'S REPORT:

Director Ewing reported that the City Council will hold a hearing on the Museum Market Specific Plan at tonight's meeting.

Commissioner Cohen requested further discussion on cell towers.

ADJOURNMENT:

The Planning Commission adjourned at 4:40 p.m. to Wednesday, January 28, 2009.

Craig A. Ewing, AICP
Director of Planning Services