

CITY OF PALM SPRINGS  
PLANNING COMMISSION MINUTES  
January 25, 2017  
Council Chamber, City Hall  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

**CALL TO ORDER:**

Chair Calerdine called the meeting at 1:33 pm.

**ROLL CALL:**

Present This Meeting: Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson, Commissioner Lowe, Commissioner Middleton, Vice-Chair Weremiuk and Chair Calerdine

Absent This Meeting: None.

Staff Present: Director of Planning Fagg, Deputy City Attorney Daudt, Planning Administrative Coordinator Hintz, Senior Civil Engineer Khamphou, Associate Planner Newell, Principal Planner 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, January 19, 2017.

**ACCEPTANCE OF THE AGENDA:**

Commissioner Hirschbein requested Item 1A pulled from Consent Calendar for further discussion.

Vice-Chair Weremiuk requested Item 3A moved to the end of the public hearings.

**PUBLIC COMMENTS:**

Chair Calerdine opened the public comments portion of the agenda:

ROXANN PLOSS, spoke in reference to Item 3D, suggested pomegranate trees or other options be considered instead of olive trees as they are highly allergenic.

There being no further comments public comments was closed.

**1. CONSENT CALENDAR:**

**1A. APPROVAL OF A RESOLUTION RELATED TO AN ACTION TAKEN BY THE PLANNING COMMISSION ON JANUARY 11, 2017 FOR A CONDITIONAL USE PERMIT TO ALLOW A 4,492-SQUARE FOOT REAL ESTATE OFFICE ON THE GROUND FLOOR OF THE MULTI-TENANT BUILDING CONSTRUCTED ON BLOCK A OF THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN AT 201 NORTH PALM CANYON DRIVE, ZONE CBD, SECTION 15 (CASE NO. 5.1403 CUP). (DN)**

Commissioner Hirschbein commented that he was absent during the hearing when this item was heard and noted the following reasons for opposition to the project:

1. There is ample space to accommodate this use upstairs on second floor.
2. Foot traffic for real estate office was not verified.
3. Real estate offices are less in demand because people are working out of their homes due to use of e-documents.
4. Developer said he had retailers lined-up to fill the vacant spaces; and questioned the use of real estate.
5. Questioned what type of uses will be allowed given that criteria is foot traffic (i.e. physician office, dentist office or bank). These types of uses would not be allowed in a successful retail environment.

Commissioner Donenfeld stated that he is strongly opposed to real estate use on Palm Canyon Drive.

**ACTION:** Adopt resolution as presented.

**Motion:** Vice-Chair Weremiuk, seconded by Chair Calerdine and carried 5-0-2 on a roll call vote.

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

**ABSTAIN:** Commissioner Donenfeld, Commissioner Hirschbein.

**2. PUBLIC HEARINGS:**

**2B. WLA INVESTMENTS INCORPORATED, REQUESTING FOR A CHANGE OF ZONE FOR AN EXISTING DEVELOPMENT KNOWN AS THE NORTH VILLAGE CENTER LOCATED AT 19345-19465 NORTH INDIAN CANYON DRIVE, ZONE HC, SECTION 15 (CASE 5.1401-ZC). (ER)**

Principal Planner Robertson presented an overview on the proposed Change of Zone as outlined in the staff report.

Commissioner Middleton verified if any comments were received from property owners along 20th Avenue and to the east of the subject property. (None were received.)

Chair Calerdine verified the original zoning and annexation of the property.

Chair Calerdine opened the public hearing:

NOEL RAMOS, leasing property agent, summarized the history of the property and requested approval of the re-zoning so that it will be consistent with the existing industrial uses.

There being no further speakers the public hearing was closed.

**ACTION:** Recommend approval of the Zone Change to the City Council.

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

AYES: Chair Calerdine, Vice-Chair Weremiuk, Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson, Commissioner Lowe, Commissioner Middleton

### 3. NEW BUSINESS:

**3A. PALM SPRINGS PROMENADE, LLC FOR AN AMENDMENT TO THE APPROVED LANDSCAPE AND HARDSCAPE PLANS FOR DEVELOPMENT PROJECTS WITHIN THE DOWNTOWN PALM SPRINGS SPECIFIC PLAN LOCATED GENERALLY AT THE NORTHWEST CORNER OF PALM CANYON DRIVE AND TAHQUITZ CANYON WAY, ZONE CBD (CASE NOS. 5.1290 PD-361, 3.3605 MAJ, 3.3606 MAJ, 3.3607 MAJ, 3.3785 MAJ, 3.3908 MAJ AND 3.3948 MAJ). (DN)**

Staff requested a continuance on this Item to allow it return to the subcommittee for review of the landscape/hardscape.

**ACTION:** Continue to a date uncertain.

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

AYES: Chair Calerdine, Vice-Chair Weremiuk, Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson, Commissioner Lowe, Commissioner Middleton

**3B. DAKOTA PS, LLC REQUESTING AN AMENDMENT TO AN APPROVED PLANNED DEVELOPMENT DISTRICT TO ELIMINATE ONE UNIT AND INSTALL A**

**TRAILHEAD AT THE SOUTH END OF THE 6.37-ACRE DEVELOPMENT KNOWN AS "DAKOTA" AND LOCATED AT 1501 SOUTH BELARDO ROAD, ZONE PD-365, SECTION 22 (CASE 5.1310 PD-365 AMEND). (DN)**

Associate Planner Newell presented an overview on the request for a modification of the Final Development Plans as outlined in the staff report.

The Commission requested clarification and/or commented on:

- Is the dedication of open-space in place?
- Park in-lieu of payment of Quimby fees.
- Southeast entrance to site.
- Is there a liability to the property that connects to the trail?

Commissioner Hirschbein commented that he would like to see enhancements made to the area adjacent to Belardo Road.

Vice-Chair Weremiuk noted that a fence could be put up very easily at the end of the trail if the adjacent parcel owner wanted to keep people. She would like to see enhancements made to the flatter areas.

Commissioner Hudson thinks it would be a mistake to construct a trail that leads to a privately-owned parcel. He would like to see benches, water station and a simple shade structure along the bike path.

**ACTION:** Continue to a date uncertain to allow the applicant to modify the landscape plan as follows:

1. The rear wall shall be moved back 5 feet to allow for additional landscape (with AAC's comments).
2. The trailhead shall be partially developed that includes park area (similar to original park structure) with shade structure, landscaping and water station.

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

**AYES:** Chair Calerdine, Vice-Chair Weremiuk, Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson, Commissioner Lowe, Commissioner Middleton

A recess was taken at 2:25 pm. The meeting resumed at 2:35 pm.

**3C. FREEHOLD COMMUNITIES, LLC, REQUESTING APPROVAL OF FINAL DEVELOPMENT PLANS FOR AN AMENITY CENTER / CLUBHOUSE FOR**

**MIRALON; A RESIDENTIAL DEVELOPMENT LOCATED ALONG THE NORTH SIDE OF SAN RAFAEL DRIVE, EAST OF NORTH INDIAN CANYON DRIVE, SOUTH OF THE WHITEWATER RIVER AND WEST OF SUNRISE WAY, ZONE PDD 290, SECTION 35 (CASE 5.0982-PD 290 / TTM 31848). (ER)**

Principal Planner Robertson provided an overview of the final development plans as outlined in the staff report.

BRAD SCHUKHART, addressed the meeting space and provided details on the site plan for the amenity center using the PowerPoint presentation and responded to questions from the Commission.

TIM SMALLWOOD, Robert Hidey Architects, provided details on the architectural features, elevations, design and type of materials. He was available for questions from the Commission.

MARK LINNEY, landscape architect, provided an overview on the planting plan, pool deck (elevation, cross section, cabanas) viewing area, bocce courts, dog park and shade structures.

Commissioner Hudson said the project is more sophisticated than what he had expected from some of the other images. He thinks it is a consistent, integrated well-thought out solution to a mundane building from classic French gardens to the floor plans and elevations and details. He suggested the following:

- Shade structures seem to be uniform in height - encouraged mixing-up the height for the pool cabanas.
- Detailing is impressive and successful.
- Elements with lattice work are great and encouraged looking at the other opportunities for dog park entry portals.

Commissioner Middleton suggested extending the wind break to the homes on the cul-de-sac and spoke in favor of the architecture.

Commissioner Donenfeld concurred with Commissioners Hudson and Middleton; however, he asked if safety issues were considered for children playing near the lake. (A fence will surround the lake.)

Vice-Chair Weremiuk made the following comments:

- Dog park should be large enough for big dogs and provide plenty of shading.
- Include dimensions in future plans.

**ACTION:** Final PDD plans are in substantial conformance with the Preliminary PDD standards and approve as submitted.

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

**AYES:** Chair Calerdine, Vice-Chair Weremiuk, Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson, Commissioner Lowe, Commissioner Middleton

**3D. FREEHOLD COMMUNITIES, LLC, REQUESTING APPROVAL OF OPEN SPACE PLANTING AND IRRIGATION LAKES PLANS FOR A PREVIOUSLY-APPROVED PRELIMINARY PLANNED DEVELOPMENT DISTRICT PROJECT CONSISTING OF 1,150 RESIDENTIAL UNITS AND AN AMENITY CENTER / CLUBHOUSE, LOCATED ALONG THE NORTH SIDE OF SAN RAFAEL DRIVE, EAST OF NORTH INDIAN CANYON DRIVE, SOUTH OF THE WHITEWATER RIVER AND WEST OF SUNRISE WAY, (CASE 5.0982-PDD 290). (ER)**

Principal Planner Robertson summarized the changes made to the project.

BRAD SCHUKHART, Freehold Communities, provided details on the irrigation lakes and maintenance of landscape materials.

BLAINE CARIAN, Desert Fresh, farmer, evaluated different water-saving crops and (citrus, grapes and dates) and concluded that olive trees require minimal harvesting and have no insect problems.

TOM CURRY, Temecula Olive Oil Company, commented that the demand for olive oil cannot meet the use. He indicated that the olive trees use minimal water, require minimal maintenance and have a very short flowering period (less water increases the oil content).

Commissioner Middleton reiterated the problems with rodents and why olive trees are preferable.

Vice-Chair Weremiuk said extensive testimony was heard on all possible fruit trees and concluded that olive trees were the best suitable; she agreed with keeping the lake as reserve water supply to ensure the trees are maintained.

**ACTION:** Approve with conditions subject to:

1. With a preference for Olive trees that produce higher oil content.

**Motion:** Vice-Chair Weremiuk, seconded by Commissioner Middleton and unanimously carried on a roll call vote.

AYES: Chair Calerdine, Vice-Chair Weremiuk, Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson, Commissioner Lowe, Commissioner Middleton

A recess was taken at 3:41 pm. The meeting resumed at 3:49 pm.

*(Moved to the end of the agenda.)*

**2A. CONT'D - CITY OF PALM SPRINGS FOR A ZONE TEXT AMENDMENT RELATING TO THE CRITERIA AND PROCEDURES FOR THE REVIEW OF EXTENSION OF TIME APPLICATIONS (CASE 5.1405 ZTA). (FF)**

**ACTION:** Continue to a date certain of February 8, 2017.

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

AYES: Chair Calerdine, Vice-Chair Weremiuk, Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson, Commissioner Lowe, Commissioner Middleton

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

**PLANNING DIRECTOR'S REPORT:**

Planning Director Fagg provided an update on the following items:

- Review of Canyon View revised site plan.
- Study Session to discuss Extension of Time regulations.
- Upcoming Joint Planning Commission with AAC Meeting to discuss the rehabilitation of fire station #4.
- Status of City Council joint meeting with Planning Commission.
- CEQA ordinance for draft small lot ordinance.
- City Council meeting to discuss the Downtown Park.
- Draft EIR and Vision Agua Caliente Master Plan for former Spa Hotel and Casino.

**ADJOURNMENT:**

The Planning Commission adjourned at 4:01 pm to Wednesday, February 8, 2017, at 1:30 pm, City Hall, Council Chamber, preceded by a Study Session at 11:00 am, City Hall, Large Conference Room, 3200 East Tahquitz Canyon Way, Palm Springs.

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Flinn Fagg, AICP  
Director of Planning Services