

CITY OF PALM SPRINGS  
PLANNING COMMISSION MINUTES  
February 08, 2017  
Council Chamber, City Hall  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

**CALL TO ORDER:**

Chair Calerdine called the meeting to order at 1:35 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: Planning Director Fagg, Deputy City Attorney Daudt, Planning Administrative Coordinator Hintz, Senior Civil Engineer Khamphou, Associate Planner Lyon, Associate Planner Mlaker and Associate Planner Newell

**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, February 2, 2017.

**ACCEPTANCE OF THE AGENDA:**

The Agenda was accepted, as presented.

**PUBLIC COMMENTS:**

Chair Calerdine opened the public comments portion of the meeting:

MC ARVIE CRAWFORD, requested consideration to conduct a traffic study for Indian Canyon Avenue and add a traffic signal light at Rosa Park Road - the developments recently approved in this area will greatly increase traffic.

JAAK JUHKENTALL, Sundial HOA, stated that the Board of Directors voted in support of the Vibe development; noting that it's a much better design.

There being no further comments Public Comments was closed.

**1. CONSENT CALENDAR:**

Commissioner Donenfeld noted his recusal on the minutes due to his absence.

Commissioner Middleton requested a correction on regular meeting minutes, as noted.

Commissioner Hirschbein noted his abstention on the minutes due to his absence.

**1A. APPROVAL OF MINUTES: JANUARY 11, 2017 STUDY SESSION AND REGULAR MEETING MINUTES**

**ACTION:** Approve minutes of the January 11, 2017 Study Session and Regular Meeting Minutes, as amended.

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

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

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

**2. PUBLIC HEARINGS:**

*Item 2A. was moved to the end of the Agenda.*

**2B. SUNLIGHT PEAK LLC. (DBA: "EPIC HOTEL"), FOR A CONDITIONAL USE PERMIT (CASE 5.1404 CUP) TO ALLOW AN EIGHT (8) UNIT BOUTIQUE HOTEL TO CONTAIN KITCHENS LOCATED AT 275 EAST TAMARISK ROAD, ZONE R-3 (GM). (CASE 5.1404 CUP)**

Associate Planner Mlaker provided an overview of the proposed hotel as outlined in the staff report.

Technical Questions:

Vice-Chair Weremiuk commented and/or verified:

- Removal of housing units (vacation rentals and condominium conversion) and tenant protection.
- Recent policy from the City Council regarding the preservation of apartment units.
- Noticing requirements for residents.
- Is State relocation available for low-income residents?
- Accessibility requirements for this project.

Commissioner Hirschbein verified:

- What is the intent of limiting the number of kitchens?

Commissioner Donenfeld verified:

- Fire code requirements.

Chair Calerdine opened the public hearing:

JIM CIOFFI, project architect, confirmed the ADA accessibility of the units. Mr. Cioffi stated that the apartment house is dilapidated (at least of the units are inhabitable) and has issues with drug activity. He clarified the use is a boutique hotel and not a condominium conversion.

There being no further speakers the public hearing was closed.

Commissioner Middleton said the project is very impressive and asked about conformance to the Housing Element of the General Plan. She verified: the number of units that are inhabitable, tenant changes made to the units, and notification of the conversion to the existing tenants.

Vice-Chair Weremiuk thinks the project is beautiful; however, she noted concern about the loss of rental housing and would like to forward to the City Council for review.

**ACTION:** Approve with Conditions; subject to:

1. Provide a sixty (60) day notice of intent to convert apartment complex to hotel for all current tenants.
2. Property owner to provide Tenant Assistance to occupants as stipulated in Section 9.62.020(F) of the Palm Springs Municipal Code.

**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

### 3. UNFINISHED BUSINESS:

**3A. ARMADA REAL ESTATE GROUP, LLC FOR A MAJOR ARCHITECTURAL APPLICATION, AND A FINAL PLANNED DEVELOPMENT DISTRICT APPLICATION FOR "VIBE", A RESIDENTIAL DEVELOPMENT OF 93 MULTI-FAMILY UNITS AND 72 SINGLE FAMILY HOMES ON SMALL LOTS ON A 24-ACRE PARCEL LOCATED AT THE NORTHEAST CORNER OF SOUTH FARRELL DRIVE AND EAST BARISTO ROAD, ZONE PD 232 (CASE 5.1046 PDD 232 AMND, 3.3974 MAJ, TTM 36689 AND TPM 36767). (KL)**

Associate Planner Lyon provided an overview on the revised and proposed final development plans as outlined in the staff report.

Commissioner Middleton noted concern about renting out the casita units out separately from the main home.

Commission Hudson spoke in support of renting out the casita units which could be beneficial for: singles, elderly or on a fixed-income - he prefers the HOA have the option to make this decision. He commented that it was good experience to participate as a part of the subcommittee in reviewing this project and thanked the applicant's for their successful response.

The applicant stated that the sale prices for the homes will be between the low \$400,000 - \$600,000.

**ACTION:** Approve the Final Planned Development and Case 3.3974 with conditions, subject to:

1. The applicant shall include a condition in the project's CC&R's limiting the term for rentals to a 30-day minimum rental period to prevent them from being used on a short-term vacation basis.
2. Maintain the pedestrian gates that lead into the common areas of the development unlocked and open from dawn or on a 24-hour/day basis.

**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 2:39 pm. The meeting resumed at 2:50 pm.

**3B. 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)**

Associate Planner Newell provided background information and an overview of the proposed changes.

Technical Questions:

- A comparison of the 2015 plans and current plans.
- The changes made to the plans - removal of the trees, ground material, removal of shade structures, hardscape and light fixtures.

Director Fagg provided an overview of the discussion (comments and concerns) of the City Council Subcommittee meeting (Mills and Roberts) and the applicant held on February 1st.

Vice-Chair Weremiuk noted concern with the Mesquite tree (split if not pruned on a timely manner) and questioned if an alternate type has been considered.

IVAN ORTIZ, TKD Landscape Architects, responded to questions pertaining to landscaping plan.

Vice-Chair Weremiuk noted concerns about:

- Tree choices.
- Removal of trees.

Commissioner Hudson expressed disappointment with the lack of park benches (seating) and trees. He prefers the original plan and made the following comments:

- The landscaping looks barren -the trees have been removed for cost savings.
- Insufficient benches and seating in the public areas.
- Lack of shading.

Commissioner Middleton commented on:

- The need for more shade structures.
- Mesquite trees can be beautiful in smaller settings.
- Recommends the Palo Verde tree for this type of promenade location (maintenance is required during blooming).

Commissioner Donenfeld noted the importance of the ground-level outdoor experience and agreed that it needs more furnishings and shading; he cannot support this landscape plan.

Commissioner Hirschbein commented on:

- The water feature next to Tahquitz Canyon Way has changed.
- Reinstate the 2nd water feature.
- Removal of trees is not acceptable.
- Likes the palm trees on Tahquitz Canyon.
- Prefers the street pavers versus the colored concrete.

Commissioner Lowe commented that this is supposed to be a model area for downtown and this is not what was promised - the landscape and streetscape have been eliminated.

Chair Calerdine spoke in favor of the Palo Verde trees and expressed concern that the paseo needs to draw people back - it needs better water features and landscaping.

**ACTION:** Deny, and direct the applicant to incorporate the comments made by the Commission.

1. Alternate trees and recommend the Palo Verde.
2. Maintain the trees on Tahquitz Canyon Way.
3. Belardo Road - keep trees and reinstate the water features.
4. Improve shading on the Palm Canyon frontage.
5. Bring back the details of the original plan as much as possible.
6. Placement of bollards is not included in the plans.
7. Add more benches
8. Lack of shading structures.

**Motion:** Vice-Chair Weremiuk, 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

**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)**

Planning Director Fagg provided an overview of the proposed Zone Text Amendment regarding procedures and criteria for extension of time applications.

The Commission requested clarification and/or comments pertaining to:

- Definition of "discretion of the Planning Commission".
- Needs good cause - not "any" but rather "substantial" efforts have been made.
- Set a time limit - i.e. no more than a total of 5 years with the exception of extenuating circumstances.
- Determine "for good cause".
- Time limits.

The public hearing was opened and closed with no speakers coming forward.

Commissioner Lowe said he's looking at it from the applicant standpoint and considers that developers have spent millions of dollars on the approvals to then be uncertain if the entitlement will remain.

Commissioner Middleton commented on:

- Economic viability of the project during the approval period.
- Make the time limits clear that more than 5 years (from the time of the original approval) with extenuating circumstances and community input be allowed.

**ACTION:** Continue to a date certain of February 22, 2017, and direct staff to make changes as directed by the Commission.

**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:**

- Sequence of meeting (Planning Commission By-laws).
- Status of the Downtown Park subcommittee meeting (requested a study session prior to Joint meeting to discuss design).

**PLANNING DIRECTOR'S REPORT:**

Planning Director Fagg reported that a Joint Study Session with the AAC will be scheduled for their next meeting to discuss Fire Station #4.

**ADJOURNMENT:**

The Planning Commission adjourned at 4:20 pm to Wednesday, February 22, 2017, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

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Flinn Fagg, AICP  
Director of Planning Services

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