

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
Wednesday, September 27, 2017
City Hall, Council Chamber
3200 East Tahquitz Canyon Way, Palm Springs, California

CALL TO ORDER:

Chair Weremiuk called the meeting to order at 1:34 pm.

ROLL CALL:

Present: Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson,
Vice Chair Calerdine, Chair Weremiuk

Excused: Commissioner Lowe, Commissioner Middleton

Staff Present: Planning Director Fagg, Deputy City Attorney Daudt, Director of Engineering
Garcia, Planning Administrative Coordinator Hintz, Assistant Planner Kikuchi,
Associate Planner Lyon, Associate Planner Mlaker

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 5:00 pm on Thursday, September 21, 2017.

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

PUBLIC COMMENTS: None.

1. CONSENT CALENDAR:

1A. APPROVAL OF MINUTES: SEPTEMBER 13, 2017 SPECIAL MEETING

Chair Weremiuk requested a minor change to the minutes.

Motion: Vice Chair Calerdine, seconded by Commissioner Donenfeld to approve, as
amended:

AYES: Commissioner Hudson, Commissioner Hirschbein, Commissioner
Donenfeld, Vice Chair Calerdine, Chair Weremiuk

ABSENT: Commissioner Lowe, Commissioner Middleton

2. PUBLIC HEARINGS:

2A. REQUEST BY DOUG AITKEN WORKSHOP ON BEHALF OF PINNACLE VIEW, FOR APPROVAL OF A LAND USE PERMIT FOR A TEMPORARY ART EXHIBIT ON LOT 22 (WINTER SUN DRIVE) OF THE DESERT PALISADES DEVELOPMENT, ZONE ESA-SP (CASE LUP 17-029). (FF)

Planning Director Fagg provided an update on the changes made from the Commission comments at the Sept. 13, 2017 meeting for the proposed temporary art exhibit.

Chair Weremiuk opened the public hearing:

JENNIFER COX, said that in the last two weeks they met with the neighborhood to further understand and address the issues at hand. Ms. Cox said they created a new proposal that would completely remove the traffic impact and propose to use a shuttle service that would run on Tramway Road. She clarified that the Tramway Authority has given them the initial approval and will follow up with written correspondence when finalized. Ms. Cox explained the trips per day and proposed signage on the roadwork.

TIM O'BAYLEY, Little Tuscany Neighborhood Organization, co-chair, said they have not changed their position after discussing the amended proposal. He said people will do what they want whether there is ticketing service, shuttle bus or signage; he does not think the new proposal will address the issues.

DAVID DRY, spoke in opposition of the project; noting that a new land use permit has not been issued and the previous one does not state the new days/times of service.

DENNIS WOODS, Little Tuscany Neighborhood Organization, co-chair, spoke in opposition of the proposed project; noting that the publicity on the internet is so big and the developer will not be able to control access to the site.

JENNIFER COX, applicant rebuttal, said the issue is that social media comments are posted after the fact and they have asked the media to retract their statement.

The public hearing was closed.

TOM LANCE, representing Pinnacle View, consultant, addressed questions from the Commission. Mr. Lance said they found the majority of people are climbing up over the boulders from Tramview Road or the hiking trail. He explained motion sensitive cameras have been installed to trigger a response from security.

Commissioner Hudson said he appreciates that the developer has worked out a plausible, sensitive solution and this has become a world famous, phenomenal project. However, he feels that it imposes on a residential neighborhood. He thinks the ticketing will help but feels its human nature for people to park on Racquet Club even though there is a sign at the bottom. Mr. Hudson said in the end this art project will have to be disassembled and potentially relocated. He said the original land use permit says there will be no extensions and it's become very clear with all the testimony given. He has his doubts and will vote no.

Commissioner Hirschbein thinks that the shuttle idea will eliminate the problem accessing the site. He would support a limited approval of the process with some re-examination shortly after the approval to see what circumstances have been documented. He thinks parking should be eliminated on Racquet Club. Mr. Hirschbein said he'd like to give the developer an opportunity to manage this in a way that does not impact the community with the new shuttle bus proposal and within a timeframe of one or two months.

Commissioner Donenfeld said he thinks there is no trust between the applicant and the neighborhood because of misuse of the land use permit. He agrees with public testimony that people are going to find a way up on Racquet Club and climb the boulders to see the site, particularly on Modernism week. This will be one of their focal points which will be detrimental to the neighborhood. He said the original land use permit was intended to be for a certain length of time and should be upheld and disassembled at the end of a six month period. He noted that the action that was previously made was subject to the neighborhood's approval.

Vice Chair Calerdine commented that the proposal indicates the only access will be from Tramway Road and he does not see a traffic problem with people legitimately accessing the site. However, the issue is people illegitimately trying to access the site. He noted that many amenities have been added within the Desert Palisades such as hiking trails and a series of architectural houses and thinks these are on-going issues that need to be figured out. He suggested posting a city hall complaint line for people to call if there are problems with the public accessing the site illegitimately. He thinks 6 months more is a good trade off for a major piece of art. He supports it.

Chair Weremiuk said the conditions the applicant has come up with are the ones she asked for but she did not consider the nuisance it attracts. She is thinking about the neighborhood's point of view and feels it will be a nuisance whether or not there is a shuttle bus.

Commissioner Donenfeld made a motion to deny the application. He said the criteria for the land use permit has not been properly met. He believes there is a negative impact of this proposed use on the neighborhood and will be incompatible with adjacent properties in the community due to the unlawful use of Racquet Club Road.

Motion: Commissioner Donenfeld, seconded by Commissioner Hudson to deny.

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

2B. ST. BARISTO HOA, FOR AN AMENDMENT TO PLANNED DEVELOPMENT DISTRICT (PD 288) TO INSTALL ONE SET OF ACCESS CONTROL GATES TO THE EXISTING ST. BARISTO CONDOMINIUM COMPLEX LOCATED AT THE NORTHEAST CORNER OF BARISTO ROAD AND LUGO ROAD WITH A MASTER ADDRESS OF 284 WEST CAHUILLA ROAD (CASE 5.0977 PD 288). (GM)

Associate Planner Mlaker presented the proposed project to install the access gate as outlined in the staff report.

Chair Weremiuk opened the public hearing:

STEVE HUFFMAN, St. Baristo Homeowners Association, president, spoke about issues with parking spaces and traffic on all three sides. He said they have added security cameras and increased nightly security patrol in an effort to control crime because of their downtown location.

NANCY SPEAR, St. Baristo Condo Association, manager, said the demographics have changed in the city and it should be reflected in the General Plan. She commented that these are private streets and none of the homeowners abutting Baristo anticipated the amount of trespassing they would have in their community. She provided an overview of the crime reports that have occurred in the neighborhood.

STEVE HUFFMAN, said they have very few delivery trucks coming in and there are only 4 - 5 full time residents.

Vice Chair Calerdine confirmed with Public Works staff that this is not a significant safety hazard.

Commissioner Donenfeld said he feels for the community and is opposed to gates on a general matter but this is pretty much a driveway. He would be concerned if they were cutting off a line of a street or isolating a neighborhood from another neighborhood but this is a very special circumstance and he is in favor of allowing the gates.

Commissioner Hudson concurred with Commissioner Donenfeld.

Chair Weremiuk said that driving through it felt more like a driveway rather than a through street.

Vice Chair Calerdine included the finding that the gate will not affect the street grid in the area.

Motion: Vice Chair Calerdine, seconded by Commissioner Donenfeld to approve.

AYES: Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson, Vice Chair Calerdine, Chair Weremiuk

ABSENT: Commissioner Lowe, Commissioner Middleton

A recess was taken at 2.46 pm. The meeting resumed at 3:00 pm.

- 2C. ARMADA REAL ESTATE GROUP, LLC, OWNER, REQUESTING A ONE-YEAR TIME EXTENSION ON THE FINAL PDD FOR "VIBE", A GATED PLANNED DEVELOPMENT DISTRICT COMPRISED OF 72 SINGLE FAMILY UNITS, 93 MULTI-FAMILY UNITS, PRIVATE STREETS, AND LANDSCAPED COMMON AREAS ON A 24-ACRE PARCEL LOCATED AT THE NORTHEAST CORNER OF SOUTH FARRELL DRIVE AND EAST BARISTO ROAD, ZONE PDD 232 (CASE 5.1046 PDD 232 AMND / 3.3974 MAJ / TTM 36689). (KL)**

Associate Planner Lyon provided an overview on the proposed one-year time extension.

Chair Weremiuk opened the public hearing:

LESLIE LOCKEN, The Rilmington Group, developer and project manager, said they are in various stages of their submittals with the engineering and landscape plans. Ms. Locken said the owner is committed to this project and looks to developing this project and bringing it to fruition.

JAAK KUHKENTAAL, Sundial HOA, resident and president of Board of Directors, said they have been working cooperatively with the developer. He said Sundial HOA supports this development and they believe it will enhance their neighborhood.

LESLIE LOCKEN, addressed questions by the Commission pertaining to financing and grading plans.

Motion: Vice Chair Calerdine, seconded by Chair Weremiuk to approve.

AYES: Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson, Vice Chair Calerdine, Chair Weremiuk

ABSENT: Commissioner Lowe, Commissioner Middleton

3. NEW BUSINESS:

3A. REQUEST BY BEST SIGNS, INC., ON BEHALF OF HUNTINGTON GARDENS, LLC., FOR AN AMENDMENT TO AN EXISTING SIGN PROGRAM FOR THE SUNRISE CENTER, A MULTI-TENANT SHOPPING CENTER, LOCATED AT 100-186 SOUTH SUNRISE WAY, ZONE PD (CASE SP 17-007). (NK)

Assistant Planner Kikuchi presented the proposed sign program amendment as outlined in the staff report.

Commissioner Hirschbein said he is opposed to putting a sign on the brise-soleil (metal screen) - it's a very beautiful architectural feature of the building. He said all of the tenant signs face out directly to the street and does not feel it's necessary to add more identity. If there was a courtyard similar to Ralph's shopping center where some of the stores don't face Sunrise Way the monument signs would solve this problem but this only adds more signage. He said he's okay with the slightly bigger signs and likes the shape of the boxes because they mimic the architecture (could make bigger but keep the shape).

Commissioner Hudson said the individual tenant signs that hang from the soffit respond to the architecture whereas the new signage almost goes into a different direction. Mr. Hudson agrees that the major monument sign is redundant. He thinks the whole complex would be more successful with a sensitive aesthetic treatment on the signage.

Commissioner Hirschbein made a motion to deny the proposed sign program amendment based on the project does not meet the following Findings: #1. Signage does not complement the architecture of the building; . . . #2. There are no physical characteristics of the property that will not give adequate visibility to the signage; . . . and #3. The proposed signage will not be compatible with the design of the property . . .

Motion: Commissioner Hirschbein, seconded by Commissioner Hudson to deny.

AYES: Commissioner Donenfeld, Commissioner Hirschbein, Commissioner Hudson, Vice Chair Calerdine, Chair Weremiuk

ABSENT: Commissioner Lowe, Commissioner Middleton

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

- Update on the Small Lot/PDD recommendations.

PLANNING DIRECTOR'S REPORT:

- 6 month review on Recovery Innovations (behavioral health center) and suggestion to review in 6 months.
- The proposed ordinance for Adult Use Cannabis land use regulations and Miralon multi-family complex will be discussion on the study session agenda.

ADJOURNMENT: The Planning Commission adjourned at 3:52 pm to Wednesday, October 11, 2017, City Hall, Large Conference, preceded by a Study Session at 10:30 am, 3400 East Tahquitz Canyon Way, Palm Springs.



Flinn Fagg, AICP
Director of Planning Services