

CITY OF PALM SPRINGS  
PLANNING COMMISSION MEETING MINUTES  
Wednesday, May 24, 2017  
Palm Springs Convention Center  
Primrose C, 277 N. Avenida Caballeros, Palm Springs, California

**ROLL CALL:** Chair Calerdine called the meeting to order at 1:32 pm.

**PRESENT:** Commissioners Donenfeld, Hirschbein, Lowe, Vice Chair Weremiuk and Chair Calerdine

**EXCUSED:** Commissioners Hudson and Middleton

**STAFF PRESENT:** Planning Director Fagg, Deputy City Attorney Daudt, Planning Administrative Coordinator Hintz, Director of Engineering Garcia, Associate Planner Mlaker, 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 5:00 pm on Thursday, May 18, 2017.

**ACCEPTANCE OF THE AGENDA:**

The agenda was accepted, as presented.

**PUBLIC COMMENTS:**

DAVID POWELL, questioned the notification process and encouraged the city to provide all environmental documents pertaining to projects be available online for the public.

JIM SCHMIDT, project architect, (spoke regarding Item 1) is available for questions from the Commission.

**CONSENT CALENDAR:**

**1A. KIM AND MARK DEMPSTER REQUESTING A MAJOR ARCHITECTURAL REVIEW FOR A NEW 2,287-SQUARE FOOT HOUSE ON A HILLSIDE LOT LOCATED AT 1900 SOUTH CAMINO MONTE, ZONE R-1-B, SECTION 27 (CASE 3.3957). (GM)**

**ACTION:** Approve as presented.

**MOTION:** Commissioner Donenfeld, seconded by Vice Chair Weremiuk, and unanimously carried 5-0-2 on a roll call vote.

**AYES:** Donenfeld, Hirschbein, Lowe, Vice Chair Weremiuk, Chair Calerdine

**ABSENT:** Hudson, Middleton

**2. PUBLIC HEARINGS:**

**2A. SELENE PALM SPRINGS, LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED FINAL PLANNED DEVELOPMENT DISTRICT 333 (PDD 333) AND TENTATIVE TRACT MAP 35236 FOR THE DEVELOPMENT OF A 171-ROOM HOTEL, 34 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD, (CASE NOS. 5.1132-PD 333 AMND & TTM 35236). (ER)**

**RECOMMENDATION:** Recommend adoption of the Mitigated Negative

Chair Calerdine noted a conflict of interest and would not be participating in the discussion or vote. He left the dais at 1:37 pm.

The Commission took a brief recess at 1:40 to review the additional materials received at the dais. The meeting resumed at 1:47 pm.

Principal Planner Robertson provided background information on the prior approval and outlined the proposed significant changes to the site plan, configuration and overall mass compared to the original entitlement.

NICOLE CRISTE, Terra Nova Consulting, was available for questions relating to the Mitigated Negative Declaration. Ms. Criste reported that the Subsequent IS/MND determined that the amended project would not result in any significant environmental impacts that could not be mitigated.

Vice Chair Weremiuk opened the public hearing:

LAURI KIBBY, applicant, described the significant changes made to the previously approved project including a reduction in rooms and residential units, elimination of

above-grade parking, greenhouse building (with meeting and event space) and proposed landscaping the southeast corner of the site.

DARRYL LONG, project architect, provided details on the elimination of the above-ground parking structure and addressed the pedestrian and parking circulation.

DAVID POWELL, expressed concern with the mitigated negative declaration referring to the previous one and about the noise that will come from the driveway adjacent to their perimeter wall.

MIKE STEWART, Center Court resident, spoke in favor of the project - said this hotel is much better than the previously approved project with less density and the applicant has worked very hard with the neighbors

LAURI KIBBY, Selene Palm Springs, LLC, applicant, responded to questions from the Commission.

MARTA FRY, MFLA, project landscape architect, provided details on the proposed landscape and addressed questions from the Commission.

OSWALDO LOPEZ, project architect, provided details on the building architecture and responded to questions from the Commission.

There being no further speakers the public hearing was closed.

Vice-Chair Weremiuk commented that she is always cautious about palm trees because they lack shading; she questioned the distance between the shade trees and if they will provide a canopy on the pedestrian street.

Marta Fry responded that they are following the Section 14 Master Plan by providing double-staggered rows of palm trees and have introduced a shading canopy tree in between with the spacing is 25' and can look at putting them as close as necessary. Ms. Fry said they feel this is important as well and have addressed in all of the streetscape (doubling up of shade trees on both the curbside and property side) to achieve a touching canopy.

Commissioner Donenfeld thinks this project is outstanding and the developer has been very sensitive to the neighbors concerns. He was impressed by the developer's willingness to pay for double-pane windows on neighboring homes adjacent to the perimeter wall. Mr. Donenfeld made a motion of approval.

Commissioner Lowe made a second on the motion and thinks the developer has done a terrific job in terms of working with the neighbors and the final product is phenomenal and believes it will be a boom for the Convention Center and the city.

Commissioner Hirschbein agreed that it's a great project but thinks the facade treatment particularly the one on the corner needs more lavishing.

**ACTION:** Recommend approval of the amended project and condominium map to the City Council, subject to added conditions and review by Planning Commission subcommittee:

1. The applicant shall be required to provide adequate height of rear wall/fencing to contain fugitive dust during construction.
2. The applicant shall coordinate with City staff to investigate installing a mid-block pedestrian crossing on Amado Road to fund subject to City approval.

The subcommittee (consisting of Hirschbein, Hudson and Vice-Chair Weremiuk) to review the following:

1. The building façade at the intersection of Amado Road and Calle Alvarado.
2. Lobby path from the intersection of Amado Road and Calle Alvarado.
3. East wall of farm building facing Avenida Caballeros.
4. Design of the landscaping and block wall at the common property line with the Center Court Condominiums.

**Motion:** Commissioner Donenfeld, seconded by Commissioner Lowe and unanimously carried 4-1-2 on a roll call vote.

**AYES:** Donenfeld, Hirschbein, Lowe, Vice Chair Weremiuk

**ABSTAINED:** Chair Calderine

**ABSENT:** Hudson, Middleton

Chair Calderine returned to the dais at 3:17 pm.

A recess was taken at 3:18 pm. The meeting resumed at 3:31 pm

Vice-Chair Weremiuk noted that two Commissioners will need to leave at 5:30 pm and requested Items 2C and 2D moved next on the agenda.

Chair Calderine accepted the amended agenda.

*(This Item was heard out of order.)*

**2C. PHILIP J. PRIETO, OWNER, FOR A MAJOR ARCHITECTURAL APPLICATION; AN ADMINISTRATIVE MINOR MODIFICATION; AND RECOMMENDING TO CITY COUNCIL APPROVAL OF A TENTATIVE**

**TRACT MAP FOR THE CONSTRUCTION OF A THIRTY (30) UNIT CONDOMINIUM PROJECT LOCATED AT THE NORTHWEST CORNER OF BARISTO ROAD AND HERMOSA DRIVE, ZONE HDR, SECTION 14 (CASES 3.4007 MAJ; 7.1519 AMM; 37245 TTM). (GM)**

Associate Planner Mlaker provided an overview on the proposed construction of a thirty (30) unit condominium project as outlined in the staff report.

Chair Calderine opened the public hearing:

JESSICA PEAT, Peat Architecture, principal architect, addressed questions from the Commission pertaining to the landscape buffers, privacy views from balconies, tree shading, paseo seating, solar and building orientation.

TOM NOYA, developer, said he designed private spaces where no one is looking into their yard and created the view corridors to take advantage of the incredible views.

There being no further speakers the public hearing was closed.

Vice Chair Weremiuk said she likes the project and it fits into the Section 14 guidelines.

Commission Donenfeld supports the motion and said that it's a great project and is in-keeping with the neighborhood.

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

1. Add appropriate street furniture (bench seating) located in landscaped area adjacent to Arenas Road.
2. Trees planted adjacent to streets to provide shading of sidewalks.
3. CC&R's to restrict short term rental to no less than thirty (30) days.
4. Residential buildings to be wired for solar installations providing a minimum of 2,000 kilowatts.

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

AYES: Donenfeld, Hirschbein, Lowe, Vice-Chair Weremiuk, Chair Calderine  
ABSENT: Hudson, Middleton

- 2D. NEXUS DEVELOPMENT CORPORATION FOR A PLANNED DEVELOPMENT DISTRICT, A MAJOR ARCHITECTURAL APPLICATION AND TENTATIVE TRACT MAP FOR A TWO PHASE DEVELOPMENT CONSISTING OF (1) REPURPOSING CLASS 1 HISTORIC BUILDINGS ON 3.1-ACRES AT THE NORTHEAST CORNER

**OF NORTH CALLE EL SEGUNDO AND EAST TAHQUITZ CANYON WAY AND (2) FORTY-EIGHT ATTACHED RESIDENTIAL UNITS ON 5.6-ACRES LOCATED AT THE SOUTHEAST CORNER OF NORTH CALLE EL SEGUNDO AND EAST ANDREAS ROAD, ZONE RA AND REO, SECTION 14 (CASE NOS. 5.1399 PD-385, 3.3983 MAJ AND TTM 36876). (DN)**

Associate Planner Newell described the proposed 48-unit attached single-family development as outlined in the staff report.

Chair Calerdine opened the public hearing:

ROB ERES, applicant, stated that they've submitted five renderings and have went through three separate AAC meetings; and respectfully requested an action be taken today. Mr. Eres said all of the previous Planning Commission comments have been addressed to meet the standards including 100% of Tahquitz Plaza retained, building separations, removal of entry gates, street width 28 feet minimum, building heights and removal of the live/work lofts. Mr. Eres said that the public benefit is well over in the minor deviations they are requesting. He pointed out the biggest public benefit is the preservation and restoration of the Class 1 Tahquitz Plaza and a community center that will provide amenities and described the project in full detail.

There being no further speakers the public hearing was closed.

Commissioner Hirschbein thanked the applicant for preserving the Tahquitz Plaza historic buildings.

Vice-Chair Weremiuk commented that she previously voted against this project and her concern at that time was that this project was residential in between two hotels in a commercial designated area. Ms. Weremiuk does not think it is appropriate for housing in this area and thinks the area should be commercial. She made a motion and supports staff's recommendation of denial.

Commissioner Donenfeld concurred with Vice-Chair Weremiuk and thinks this project is too dense and not appropriate for this commercial site.

**ACTION:** Deny.

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

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

**ABSENT:** Hudson, Middleton

Planning Director Fagg reported that the applicant may appeal the Planning Commission action within 10 days.

**2B. SUMMIT LAND PARTNERS, LLC, ON BEHALF OF EHOF CANYON VIEW, REQUEST FOR A GENERAL PLAN AMENDMENT, A PRELIMINARY PLANNED DEVELOPMENT DISTRICT APPLICATION, A MAJOR ARCHITECTURAL APPLICATION, AND A VESTING TENTATIVE TRACT MAP FOR AN 80-LOT SINGLE-FAMILY SUBDIVISION ON A 13.25 ACRE PARCEL AT THE SOUTHWEST CORNER OF EAST PALM CANYON DRIVE AND MATTHEW DRIVE, ZONE R-3 (CASE 5.1384 – PD 381/VTTM 36969). (FF)**

Planning Director Fagg described the changes and provided an overview of the proposed project as outlined in the staff report. Mr. Fagg reported that the proposed project is in compliance with the General Plan in terms of density and use; he described a public dog park and sculpture garden as part of the public benefit.

Chair Calderine opened the public hearing:

TIM UNGER, Summit Land Partners, principal, said their complete team is available for questions from the Commission. Mr. Unger described the vehicular turning (motor court), paving treatments and trash pick-up areas. He spoke about the 2nd story massing, setbacks, driveway lengths, community open space, pedestrian access to the dog park (double-gates), pedestrian accessibility (not advisable because adjacent to flood control channel), building architecture; and noted that rear-yard gates cannot be put on the perimeter homes because of the flood channel.

ROB BERNHEIMER, applicant team, spoke about the issues of the gates; noting that this site is adjacent to the flood control channel, affordable housing and Von's shopping center and they believe this project is appropriate to have gates given its unique location.

There being no further speakers the public hearing was closed.

Vice Chair Weremiuk commented while making the motion that unless they find a reason to have gates their default position is not to have them and they don't want a gated city.

Commissioner Hirschbein said he will be voting in opposition of the project. He said when it originally came before them (at the AAC meetings) he was opposed to it. One of the things was having the concrete drainage channels as a part of a residential development. Mr. Hirschbein does not think the way the units are distributed throughout the site will provide an amenity that is very attractive. He thinks this model creates this problem and it is not enough to make it work.

Commissioner Donenfeld concurred with Commissioner Hirschbein; noting that he appreciates what the applicant has done with the changes to the project. However, he does not feel it is right for Palm Springs because 1.) the motor courts are not appropriate for Palm Springs 2.) a canyon effect from the 2nd story units and 3.) it has a confusing, incoherent sense to him. Mr. Donenfeld said if this was a spectacular project he could understand amending the general plan and zoning but this project does not justify it.

NICOLE CRISTE, Terra Nova Consulting, addressed the project meeting the Fish & Wild Life mitigation measures.

**ACTION:** Approve the project with staff's recommendations subject to:

- No gates.
- Pedestrian connectivity.
- Undergrounding of utilities.
- Inclusion of the median.
- A minimum of 15 feet of separation between the second floor of a building to and adjacent first floor of a building.
- A touching canopy of trees surrounding the project allowing walkability.
- Solar requirement.
- Limitation of a minimum 30-day rental included in the CC&R's.

**MOTION:** Vice Chair Weremiuk, seconded by Chair Calerdine, and fails 2-3-2 (Hudson and Middleton absent) on a roll call vote.

**AYES:** Vice Chair Weremiuk, Chair Calerdine

**NOES:** Donenfeld, Hirschbein, Lowe

**ABSENT:** Hudson, Middleton

Planning Director Fagg reported that based on the Planning Commission's action a resolution will be brought to their next meeting reflecting their decision. Mr. Fagg explained with denial of the project it will not move forward to City Council; however the applicant has the right to appeal this action to the City Council.

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

**PLANNING DIRECTOR'S REPORT:**

Planning Director Fagg provided an update on the Architectural Advisory Committee vacancies.



Mr. Fagg reminded the Commission the next meeting will be held at the Palm Springs Airport.

**ADJOURNMENT:**

The Planning Commission adjourned at 5:56 pm to 1:30 pm, Wednesday, June 14, 2017, *Palm Springs International Airport, Airport Conference Room, 3400 E. Tahquitz Canyon Way, Palm Springs, California.*



Flinn Fagg, AICP  
Director of Planning Services