

CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
March 22, 2017
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

CALL TO ORDER:

Vice-Chair Weremiuk called the meeting to order at 1:31 pm.

ROLL CALL:

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

Absent This Meeting: Chair Calerdine

Staff Present: Planning Director Fagg, Deputy City Attorney Daudt, Planning Administrative Coordinator Hintz, Senior Civil Engineer Khamphou, Associate Planner Mlaker, Associate Planner Newell, Principal 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, March 16, 2017.

ACCEPTANCE OF THE AGENDA:

Accepted as presented.

PUBLIC COMMENTS:

Vice-Chair Weremiuk opened public comments:

The following persons spoke in opposition of Item 2A (off-site parking lot):

BRAD ZYLSTRA, spoke in opposition of the proposed off-site parking lot for the hotel.

LORRAINE ADAMSKI, spoke in opposition of the proposed off-site parking lot for the hotel and requested denial.

SHERRIE KILMAN, spoke in opposition of the off-site parking lot; noting that the neighborhood is at its saturation with the Arrive Hotel and Draughtsman restaurant.

DAVID SILVER, requested denial of the parking lot because it provides no benefit to the neighborhood.

JOANNE FREEDMAN, spoke in opposition of parking variance; noting concern with the bus stop in front of the proposed parking lot.

There being no further speakers public comments was closed.

1. CONSENT CALENDAR:

Commissioner Hirschbein requested Item 1B pulled for separate discussion.

Commissioner Middleton requested Item 1C pulled for separate discussion.

Commissioner Donenfeld requested Item 1B pulled for separate discussion.

Vice-Chair Weremiuk requested Item 1A pulled for separate discussion.

1A. APPROVAL OF MINUTES: MARCH 8, 2017

Vice-Chair Weremiuk requested further clarification on the action taken for Item 2A.

ACTION: Continue the minutes to April 12, 2017.

Motion: Vice-Chair Weremiuk, seconded by Commissioner Donenfeld and unanimously carried 6-0-1 on a roll call vote.

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

ABSENT: Chair Calerdine

1B. FREEHOLD CAPITAL MANAGEMENT (FCM) LLC, REQUESTING A ONE-YEAR EXTENSION OF TIME FOR PHASE 2 (A PORTION) OF TENTATIVE TRACT MAP 31848, A PREVIOUSLY APPROVED SUBDIVISION FOR THE DEVELOPMENT OF 1,150 RESIDENTIAL UNITS AND AMENITY CENTER LOCATED ALONG THE NORTH SIDE OF SAN RAFAEL ROAD, EAST OF NORTH INDIAN CANYON DRIVE,

SOUTH OF THE WHITEWATER RIVER AND WEST OF SUNRISE WAY (CASE 5.0982-PD 290 / TTM 31848). (ER)

ACTION: Approval of a one-year extension of time to the City Council.

Motion: Commissioner Lowe, seconded by Commissioner Donenfeld and unanimously carried 6-0-1 on a roll call vote.

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

ABSENT: Chair Calderine

1C. TRIO RESTAURANT, FOR AN ART MURAL APPLICATION ON A COMMERCIAL RESTAURANT BUILDING LOCATED AT 707 NORTH PALM CANYON DRIVE. (CASE 17-001 MUR). (GM)

Associate Planner Mlaker provided background information on the approval process for the proposed mural and answered questions from the Commission.

Vice-Chair Weremiuk commented that as a patron of the restaurant she liked the mural instead of a plain wall.

ACTION: Approval with conditions.

Motion: Commissioner Donenfeld, seconded by Commissioner Hudson and unanimously carried 6-0-1 on a roll call vote.

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

ABSENT: Chair Calderine

(Note: This Item returned for Planning Commission review on April 12, 2017 due to an error in the staff report.)

1D. SCOTT COON FOR A MAJOR ARCHITECTURAL APPLICATION PROPOSING A SINGLE FAMILY RESIDENTIAL DWELLING UNIT ON A 10,324 SQUARE FOOT HILLSIDE LOT LOCATED AT 2347 SOUTH BISNAGA ROAD, ZONE R-1-B (CASE 3.2991 MAJ). (KL)

Associate Planner Lyon provided details on the sloping of the lot and addressed questions from the Commission.

ACTION: Approval with conditions.

Motion: Commissioner Lowe, seconded by Commissioner Hirschbein and unanimously carried 6-0-1 on a roll call vote.

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

ABSENT: Chair Calerdine

2. PUBLIC HEARINGS:

Commissioner Donenfeld disclosed that he resides in the Old Las Palmas neighborhood and although this project is not located within 500 ft. of his home, for transparency and appropriateness he will recuse himself from this matter. He left the Council Chamber at 2:12 pm.

2A. 1875 NORTH PALM CANYON PARTNERS II, LLC (D/B/A TOVA HOTEL AND BEACH CLUB) REQUESTING A VARIANCE TO CONSTRUCT AN OFF-SITE PARKING LOT APPROXIMATELY 1,340-FEET FROM THE PROPERTY IT IS INTENDED TO SERVE, WHERE THE ZONING CODE WOULD ALLOW A MAXIMUM OF 300 FEET LOCATED AT 1425 NORTH PALM CANYON DRIVE, ZONE C-1/R-2. (Case 6.547 VAR) (GM)

Associate Planner Mlaker presented the proposed hotel requesting a Variance to construct off-site parking.

Vice-Chair Weremiuk opened the public hearing:

TOM VENTURA, Gensler Architects, provided details on the previous hotel (2-star hotel) and the changes necessary to elevate this property to a 4-star hotel. Mr. Ventura described the exterior elevations, valet parking, traffic circulation, bus stop between entry ways, tandem spaces, landscape areas with 5' perimeter wall, full security (foot traffic) and low-10 ft. ambient lighting.

JIM BLASEN, behalf of the Old Las Palmas Neighborhood Organization, said they are in support of the Tova Hotel; however, are in opposition of the off-site parking. He noted concern with increase in traffic and believes there is a much better use for these lots.

STEPHEN MOSES, neighborhood resident, commented that the valet drivers will go through the neighborhood and will not follow the route. He supports the Tova Hotel but is opposed to this parking concept.

STEVEN SIMMS, Casa De Oro, concerned about problems with traffic safety in this area and loud music coming from this hotel to accommodate the comforts of the patrons; spoke in opposition of the proposal.

ROBERT STONE, neighbor resident, commented that 3 of the 4 conditions of the Variance are not met. He likes the hotel proposal and it is beautiful but is in opposition of the parking concept.

CHARLY ASSALY, Prestige Management, CEO, (responded to public testimony) clarified that the traffic route will be followed as shown on the map. He said the current vacant lot attracts homeless people and proposal will benefit all the neighbors, provide jobs and benefit the city.

JANE SWEENEY, La Siesta Villa, commented about the hotel's website that promotes the two swimming pools and questioned the use of the property for day-club use and not the restaurant.

TOM VENTURA, applicant, addressed the driving route that will be implemented. He indicated that the day-use will be for restaurant and spa (one swimming pool only).

There being no further speakers the public hearing was closed.

Comments:

Commissioner Hudson disclosed that he resides in the Old Las Palmas Neighborhood and is not within the 500 ft. of the property. He also attended the AAC meeting when this project was reviewed. Commissioner Hudson noted concern with the additional business component to the project (public use for the pool and bar) and would this be addressed.

Commissioner Hirschbein said he likes the hotel project and would like to see it move forward. He said to allow long term use of a parking lot on a commercial main street is not good urban planning. He thinks the 200 seat restaurant is too large.

Commissioner Middleton concurs with Commissioners Hudson and Hirschbein. She said she cannot support the Variance because there is adequate parking at the hotel for the existing use. She said the developer plans to change the use of the project and does not have adequate space for additional parking and with this she made a motion to deny the Variance.

Commissioner Lowe said he cannot support the off-site proposal because the 200 seat restaurant is inappropriate and is intended for large parties which will be inappropriate for the neighborhood.

Commissioner Hudson said he supports the Tova hotel project but questioned the large size of the restaurant. He lives in the neighborhood and thinks the valet drivers will take a shortcut through the neighborhood.

ACTION: Denial.

Motion: Commissioner Middleton, seconded by Commissioner Hudson and carried 5-0-1 on a roll call vote.

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

Commissioner Donenfeld re-entered the chamber at 3:05 pm.

2B. 1875 NORTH PALM CANYON PARTNERS II, LLC, DBA - TOVA HOTEL AND BEACH CLUB FOR A CONDITIONAL USE PERMIT FOR A FULL SERVICE SPA; AND A 200-SEAT RESTAURANT/LOBBY BAR; AND A MAJOR ARCHITECTURAL APPLICATION FOR EXTERIOR BUILDING RENOVATIONS AND CONSTRUCTION OF A 15,000-SQUARE FOOT RESTAURANT BUILDING TO AN EXISTING HOTEL (FORMERLY THE GARDEN VISTA HOTEL) LOCATED AT 1875 NORTH PALM CANYON DRIVE (CASE 5.1382 CUP / 3.0157 MAA). (GM)

The Commission deliberated if this project should be heard given that the off-site parking was denied and the plans for the hotel need to be modified.

ACTION: Continue to a date uncertain.

Motion: Vice-Chair Weremiuk, seconded by Commissioner Donenfeld and unanimously carried 6-0-1 on a roll call vote.

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

A recess was taken at 3:12 pm. The meeting resumed at 3:25 pm.

3C. 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" LOCATED AT 1501 SOUTH BELARDO ROAD, ZONE PD-365, SECTION 22 (CASE 5.1310 PD-365 AMEND). (DN)

Staff reported that the applicant requested this Item be continued to the April 26, 2017 meeting.

ACTION: Continue to a date certain of April 26, 2017.

Motion: Commissioner Donenfeld, seconded by Commissioner Lowe and unanimously carried 6-0-1 on a roll call vote.

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

ABSENT: Chair Calerdine

Item 4A. was taken out of order.

4. NEW BUSINESS:

4A. JMN SERVICES FOR A MAJOR ARCHITECTURAL APPLICATION TO CONSTRUCT AN OFFICE, WAREHOUSE, AND RETAIL GARDEN CENTER ON A 1.37-ACRE PARCEL LOCATED AT 710 RESEARCH DRIVE (CASE 3.3999 MAJ). (KL)

Associate Planner Lyon provided an overview on the proposed office, warehouse and retail garden center as outlined in the staff report.

Comments:

Commissioner Donenfeld said that it's a refined, beautiful project particularly for this type of use.

Commissioners Middleton and Hudson spoke in favor of the proposed project.

Commissioner Lowe said that he attended the AAC meeting when this project was reviewed and saw the details. He thinks it's an incredibly creative project and made a motion for approval.

ACTION: Approval subject to conditions.

Motion: Commissioner Lowe, seconded by Commissioner Hudson and unanimously carried 6-0-1 on a roll call vote.

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

ABSENT: Chair Calerdine

3. UNFINISHED BUSINESS:

3A. FAR WEST INDUSTRIES, INC. FOR A REVISED FINAL PLANNED DEVELOPMENT DISTRICT APPLICATION FOR "ICON" (FORMERLY "ALVARADO AT THE ART COLONY", A PROPOSED GATED DEVELOPMENT OF 46, TWO-STORY DETACHED CONDOMINIUM DWELLING UNITS ON A 5.23-ACRE SITE LOCATED AT THE SOUTHWEST CORNER OF NORTH PALM CANYON DRIVE AND ALVARADO ROAD (CASE 5.1340 / PDD 370) / 3.3742 MAJ). (KL)

ACTION: Continue to a date certain of April 12, 2017.

Motion: Commissioner Donenfeld, seconded by Commissioner Lowe and unanimously carried 6-0-1 on a roll call vote.

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

ABSENT: Chair Calerdine

3D. 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)

Planning Director Fagg reported that a study session was held this morning to review this project and no formal action was taken.

Associate Planner Newell provided details on the proposed modifications to the landscape and hardscape plans as outlined in the staff report.

Vice-Chair Weremiuk opened the public hearing:

MICHAEL JOHNSTON, suggested the chairs for the public canopy structure have lighting and misters, the long concrete walking spaces include tall planters, tree planters in restaurants (natural shade), in-ground planter to separate public and restaurant uses and hopes the Hyatt will add a green wall that ends the paseo.

There being no further speakers the public hearing was closed.

Planning Director Fagg summarized the comments from the City Council subcommittee meeting held on March 8, 2017.

Commissioner Hudson thinks there are further improvements that can be made.

Commissioner Hirschbein suggested:

- Parking bays or parallel parking be dedicated to bike racks;
- Include a second water feature in the appropriate location;
- Additional information on concrete pavers and bollards;
- Provide a complete inventory on the hardscape furniture (lounge seating, benches etc.)
- Would like to see the shade structures gazebo structure with wood instead of the sail cloth structure
- Provide additional public seating areas.

Commissioner Lowe noted concern with the how much real public space there will be and not have to wait until the plans are submitted for the restaurants. He thinks minimum standards should be set for the public and open-space.

Commissioner Middleton noted concern about the intrusion of the outdoor restaurant onto the public space (sidewalk of Block C along Palm Canyon) and on the northwest corner (Block C). She finds that the crosswalks on Museum Way very problematic.

Commissioner Donenfeld commented about the difficulty in making decisions when the public/open space has not been determined. He prefers having a study session format to review this project.

Commissioner Hudson reiterated the importance of having an inventory of the hardscape furniture and placement.

Commissioner Middleton would prefer to see this project come back to a study session with revised plans.

Commissioner Hudson said he is not satisfied with the amount of shade and quality of landscaping for this project. He agreed drinking fountains are needed, kiosks for information etc. He would like to see this project succeed but is not convinced that that people will be drawn to these paseos.

Vice-Chair Weremiuk recapped the Commissions concerns:

- Revise the pedestrian crossing on Museum Way to match the November 2015 approval.

- Provide an inventory (quantity, type) of all furniture (fixed and movable) and provide a plan that details all furniture placements.
- Provide details for the water feature located on the Paseo.
- Provide a second water feature in the project.
- Provide dimensions of the plaza at the SW corner of Museum Way/N. Palm Canyon.
- Provide details of the treatment and drainage for the decomposed granite treatment used in public seating areas.
- Finalize details of the planter at the NW corner of Tahquitz Canyon/N. Palm Canyon.
- Provide sample of the colored concrete used in the parking bays and a justification for not using pavers (City Engineer).
- Show the location of bike racks throughout the project, and identify how many bikes may be stored (parked) at each rack.
- Provide construction details/materials and placement for each shade structure on N. Palm Canyon.
- Provide public seating along the Belardo Road frontage and on Block B (include in inventory plan discussed above).
- Provide details/materials for all movable planters that are anticipated as part of the development.
- Provide details of the misting system, and identify where misters will be used throughout the project.
- Justify why no shade trees have been provided on Museum Way.
- Provide a minimum of one drinking fountain on each block (provide details/spec sheet).
- Provide more public seating on Block A and Block B.
- Show the tentative placement of bollards on Museum Way.
- Provide a shading plan for the entire development.
- Clearly show the differentiation of public seating vs. private seating.
- Provide dedication for public seating areas (so they can't later be changed to private seating areas).
- Show all lighting locations, placement, type of fixture.
- Show where direction signage, wayfinding signage, directional kiosks will be placed.
- Establish standards for use of planters and greenery in the private outdoor seating areas or adjacent to storefronts.
- Provide project visuals and illustrations with proposed amenities and lighting.
- Consider art in public spaces and possibly in shade structure design.

TOM DOZCI, TKD Associates, landscape architect, explained that all these details had been previously submitted and had received approval. He said since so much time has passed it would be a good idea to bring them back. Mr. Doczi addressed questions from the Commission.

Staff discussed visiting the downtown to give them the opportunity to visit what is in progress and see what is in place.

ACTION: Continue to a date uncertain to allow the applicant to address the Commissions concerns.

Motion: Vice-Chair Weremiuk, seconded by Commissioner Lowe and unanimously carried 6-0-1 on a roll call vote.

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

ABSENT: Chair Calerdine

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

Vice-Chair Weremiuk requested an update on the Vacation Rental Ordinance reviewed by City Council.

Commissioner Middleton left 4:59 pm for the remainder of the meeting.

PLANNING DIRECTOR'S REPORT:

Planning Director Fagg reported that the new attendance list for the Architectural Advisory Committee will be forthcoming.

ADJOURNMENT:

The Planning Commission adjourned at 5:00 pm to 1:30 pm, Wednesday, April 12, 2017, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.


Flinn Fagg, AICP
Director of Planning Services