

**CITY OF PALM SPRINGS
PLANNING COMMISSION MINUTES
April 12, 2017
Council Chamber, City Hall
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262**

CALL TO ORDER:

Chair Calderine called the meeting to order at 1:30 pm.

ROLL CALL:

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

Absent This Meeting: None.

Staff Present: Director of Planning Services Fagg, Deputy City Attorney Daudt, Planning Administrative Coordinator Hintz, Engineering Associate Minjares, Associate Planner Lyon, Associate Planner Mlaker, 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, April 6, 2017.

ACCEPTANCE OF THE AGENDA:

Commissioner Donenfeld suggested moving Item 2B. Ad Hoc PDD Recommendations to the end of the Agenda. The Commission discussed the structure of hearing this Item and agreed to give members of the Ad Hoc Committee more time to comment on this Item.

PUBLIC COMMENTS:

Chair Calderine opened public comments:

FRANK TYSEN, complemented the Planning Director for his work in overseeing the Ad Hoc PDD project and thanked the Committee for their work on this complicated subject.

DEBBIE ALEXANDER, Peabody's Cafe, applicant, is available for questions from the Commission.

JUDY DEERTRACK, commented that the PDD Ad Hoc Committee and Planning Director did outstanding work. She spoke about the importance of the Commission's responsibility to review projects on evidence heard during the hearing and not from outside influence.

ROBERT STONE, said the recommendations by the PDD Ad Hoc Committee were very well thought-out and requested consideration by the Commission.

There being no further speakers public comments was closed.

1. CONSENT CALENDAR:

1A. APPROVAL OF MINUTES: MARCH 8, 2017, MARCH 15, 2017, AND MARCH 22, 2017 STUDY SESSION MINUTES

Chair Calerdine noted his abstention on the minutes of March 22, 2017 due to his absence.

ACTION: Approve minutes of March 8, 2017, March 15, 2017 and March 22, 2017 Study Session Minutes as presented. (Noting Chair Calerdine's abstention on the minutes of March 22, 2017.)

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

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

2. PUBLIC HEARINGS:

2A. REQUEST TO AMEND AND CLARIFY THE CONDITIONS OF APPROVAL FOR THE CONDITIONAL USE PERMIT THAT WAS ISSUED TO PEABODY'S CAFÉ AND BAR LOCATED AT 134 S. PALM CANYON DRIVE (CASE 5.0721 CUP AMND). (KL)

Planning Director Fagg provided background information on the proposed LUP for Peabody's Cafe.

Commissioner Donenfeld asked if any outdoor seats are being removed. (No.)

Chair Calerdine opened the public hearing:

DEBBIE ALEXANDER, verified that no portable open-signs are located in the City's right-of-way.

There being no further speakers the public hearing was closed.

ACTION: Approval.

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

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

2B. REQUEST FOR REVIEW OF THE RECOMMENDATIONS OF THE AD HOC PDD (PLANNED DEVELOPMENT DISTRICT) COMMITTEE REGARDING MODIFICATIONS TO THE PLANNED DEVELOPMENT DISTRICT PROCESS. (FF)

Planning Director Fagg provided background information on the recommendations given by the Ad Hoc PDD (Planned Development District) Committee as outlined in the staff report.

Chair Calerdine invited the members of the Ad Hoc PDD committee to come forward for comments:

MARVIN ROOS, provided background details on the inception of the PDD ordinance. He spoke about two areas that have not always been implemented: the open-space requirements of the underlying zone; and the development match the setbacks and parkway to the adjacent parcels.

SCOTT BIGBY, commented that his fellow committee members were some of the best informed and focused people he has worked with. He said the extensive recommendations will make a substantial improvement to the Planning process and benefit the citizens of Palm Springs.

MICHAEL JOHNSTON, said this group was very helpful and suggested this type of committee be used for the update of the General Plan. He spoke about the importance that branding for the city be unique and special with this 10 year plan.

FRANK TYSEN, expressed concern with that every project is a PDD and the developer benefits. He noted issues with density, setbacks, and spoke about the height and setbacks and the importance of preserving the character of the city.

JUDY DEERTRACK, said the PDD process is a re-zone that benefits the developer and the problem is that this is done incrementally over time and it changes the zone plan that implements the General Plan for the city.

There being no further speakers the public hearing was closed.

Comments:

Commissioner Middleton noted there are 65 recommendations to review and requested the time be allotted in a study session.

Vice-Chair Weremiuk said as a member of the Committee the other thing they looked at was the process in terms what they need to consider a PDD.

ACTION: Continue and direct staff to schedule a study session to discuss in further detail.

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

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

3. UNFINISHED BUSINESS:

3A. 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 details on the review of this Item by Public Arts Commission; and that the action of the Public Arts Commission was incorrectly stated in the previous staff report dated March 22, 2017.

ANN SHEFFER, Public Arts Commission, chair, spoke about several murals coming for their review after the fact - being painted and not going through the permitting process. She spoke about the importance that applicants go through the permit process before it is installed and not after the fact.

Comments:

Commissioner Middleton complemented the director and staff on the error that was corrected and handled efficiently.

Vice-Chair Weremiuk commented that she does not want to change the position the Commission took but would rather allow creativity and spontaneity - and work with the Public Arts Commission in finding a way to shorten the process and make it easier.

Commissioner Lowe said this mural seemed to be designed for a specific event and suggested adding a requirement "for a specific period of time" such as temporary installation rather than a permanent installation (such as the Coachella Fest etc.).

Commissioner Hudson concurred with Commissioner Lowe - and the criteria for the murals need to be looked at more closely and tighten up (logos on art murals).

Commissioner Hirschbein concurred that further review is needed and spoke in favor of the art mural.

ACTION: Recommend approval to the City Council.

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

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

Vice-Chair Weremiuk recommended staff look into the process for possibly shortening the approval process. She stated the most important part of the process is to work with the Public Arts Commission.

A recess was taken at 2:49 pm. The meeting resumed at 3:02 pm.

3B. FAR WEST INDUSTRIES, FOR APPROVAL OF A REVISED FINAL PLANNED DEVELOPMENT DISTRICT IN LIEU OF A CHANGE OF ZONE FOR DEVELOPMENT OF A GATED COMMUNITY OF 46, TWO-STORY, DETACHED RESIDENTIAL UNITS ON A 5.23 ACRE PARCEL AT THE SOUTHEAST CORNER OF NORTH PALM CANYON DRIVE AND ALVARADO ROAD (CASE 5.1340 PDD 370 CUP, 3.3742 MAJ, TTM 36725). (KL)

Associate Planner Lyon provided details on the changes made to the project as outlined in the staff report.

Commissioner Hudson said as a part of the subcommittee reviewing this project - it was a tough process but with the shifting of the units along Palm Canyon and the elevation and colors changes he feels this is a good project now and will do well in terms of viability.

GEORGE ALVAREZ, Far West Industries, stated that the models will be on the Palm Canyon frontage for viewing and landscape for common areas will be included in the CC&R's.

Commissioner Hirschbein concurred with Commissioner Hudson - and noted that they reviewed items within the limited scope items.

ACTION: Approve with Conditions recommended by the Subcommittee.

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

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

4. NEW BUSINESS:

4A. FREEHOLD COMMUNITIES, LLC, REQUESTING APPROVAL OF FINAL DEVELOPMENT PLANS FOR PHASE 1 LANDSCAPING AT THE MIRALON 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 on the final development plans for Phase 1 of the landscaping and open-space planting as outlined in the staff report.

BRAD SCHUKHART and MARK LINNEY, Freehold Communities, provided further description of the landscape plan pertaining to: access to open-space, temporary fences, phasing of improvements, amenity center, installation of the grove, olive orchards (trees will be 1 1/2 - 2 ft. in height), repair of wet utilities (underground facilities), filling lakes/pumps and desert plantings. Mr. Schukhart said they are working on a plan for the walkway along the northern side of the multi-family parcel (underlying zoning governs the use of the land) and suggested a decomposed granite trail for temporary purpose.

Commissioner Hudson noted concern with using decomposed granite especially after rain is not a good pathway. He understands not spending lots of money on a temporary sidewalk but suggested asphalt for a solid pathway.

ACTION: Approve subject to:

- The temporary sidewalk shall be asphalt material.

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

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

4B. PARKER PALM SPRINGS II, LLC FOR AN APPEAL OF THE PLANNING DIRECTOR'S DECISION TO DENY A MINOR ARCHITECTURAL APPLICATION FOR A MOBILE KITCHEN FACILITY AT THE PARKER PALM SPRINGS HOTEL, LOCATED AT 4200 EAST PALM CANYON DRIVE, ZONE R-3/PD-58 (CASE 3.2451 MAA - APPEAL). (FF)

Planning Director Fagg noted that since the applicant is not present and this item is an appeal - he requested this be continued to the next meeting.

Vice-Chair Weremiuk requested when this project comes back she would like to see alternate findings for the Planning Commission to approve if they choose.

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

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

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

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

- Request for list of criteria of outdoor public items (hardscape) for the Downtown project for restaurants that come before the Commission for review.
- Commissioners Donenfeld and Hudson said they will not be available to attend the Downtown Project site visit.

- Update on the Cameron development.
- Status of the proposed solar mandate ordinance on 4/26/17
- Status of draft small lot subdivision ordinance.

PLANNING DIRECTOR'S REPORT:

- The Commission Ad Hoc PDD Study Session will be scheduled for the next meeting on April 26, 2017 at 10 am.
- Proposed changes to the Sign Ordinance.
- April 23rd HSPB Preservation Symposium.

ADJOURNMENT:

The Planning Commission adjourned at 4:14 pm to a Special Meeting on Thursday, April 13, 2017, at 3:30 pm (site tour of the Palm Springs Downtown Renovation - Downtown Palm Springs Specific Plan on the corner of Tahquitz Canyon Way and Palm Canyon, Palm Springs.



Finn Fagg, AICP
Director of Planning Services