

**PLANNING COMMISSION MINUTES**  
**CITY OF PALM SPRINGS, CALIFORNIA**  
September 23, 2020  
3200 East Tahquitz Canyon Way, Palm Springs, California  
(Via Zoom)

**CALL TO ORDER:**

Chair Weremiuk called the meeting to order at 5:32 pm.

**ROLL CALL:**

Present: Ervin, Hirschbein, Lewin, Song, Vice Chair Moruzzi, Chair Weremiuk

Staff Present: Planning Director Fagg, AICP, Deputy Planning Director Newell, Attorney Priest, Administrative Secretary Bruggemans, Associate Planner Kikuchi, 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, September 17, 2020.

**ACCEPTANCE OF THE AGENDA:**

Hirschbein, seconded by Weremiuk to accept the agenda as presented.

**AYES:** ERVIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREMIUK

**PUBLIC COMMENTS:**

TAREEF TALALA, co-owner, Item 3A (former Village Pub), provided details on the changes they've made to re-branding of the restaurant. They would like to cater to the breakfast clientele and explained that there will be no live music only background music similar to other restaurants.

DAVID MARNIER, co-owner, Item 3A (former Village Pub) spoke about the changes they've made to the restaurant since the pandemic. They are requesting amending the hours of operation to 6 am to serve breakfast in the mornings.

**CONSENT CALENDAR:**

**1A. APPROVAL OF MINUTES: JULY 29, 2020**

Hirschbein, seconded by Song to approve the minutes as part of the Consent Agenda.

**AYES:** ERVIN, HIRSCHBEIN, SONG, MORUZZI, WEREMIUK

ABSTAIN: LEWIN

**2. PUBLIC HEARINGS:**

- 2A. REQUEST BY 1466 HOLDINGS, LLC FOR A TWO YEAR EXTENSION OF TIME OF THE ENTITLEMENTS TO REMODEL THE SKYLARK HOTEL AND OPERATE A NEW CAFÉ AND RESTAURANT SPACE AT 1466 NORTH PALM CANYON DRIVE, ZONE C-1 AND R-3 (CASE NOS. 5.1433 CUP, 3.0945 MAA & LUP 18-025) (DN).**

Principal Planner Newell presented an overview on the proposed two-year extension of time.

Chair Weremiuk opened the public hearing (via Zoom):

AMITESH DAMUDAR, applicant, requests reconsideration of a two-year extension of time because it has been a devastating year and will take a long time to recover. He spoke about difficulty in getting financing for a seasonal boutique property in the hospitality industry and noted that they will also need to provide upgrades to the electrical system that includes installation of a transformer.

There being no further speakers the public hearing was closed.

Commissioner Song said with the challenges the applicant has described, she will make a motion to approve a two-year extension of time.

Song, seconded by Hirschbein to approve a two-year extension of time.

AYES: ERVIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREMIUK

- 2B. REQUEST BY RICHARD PANTELE ON BEHALF OF EXITOSO, LLC, FOR A ONE-YEAR EXTENSION OF TIME FOR A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF FIVE INDUSTRIAL BUILDINGS AND A CONDITIONAL USE PERMIT (CUP) TO OPERATE A CANNABIS MANUFACTURING AND CULTIVATION FACILITY WITHIN THE FIVE INDUSTRIAL BUILDINGS TOTALING 35,496-SQUARE FEET LOCATED ON THE EAST SIDE OF RUPERT STREET BETWEEN 19TH AND 20TH AVENUES, ZONE M-2, SECTION 33 (CASE NOS. 3.4051-MAJ & 5.1437 CUP) (ER).**

Principal Planner Robertson presented the proposed one-year extension of time.

Chair Weremiuk opened the public hearing (via Zoom):

RICK PANTELE, applicant, said they have been working diligently on getting this project to fruition. He is requesting a two-year extension of time due to the COVID19 pandemic.

There being no further speakers the public hearing was closed.

Commissioner Lewin thinks they need to be flexible with applicants and made a motion to approve the two-year extension of time.

Lewin, seconded by Hirschbein to approve a two-year extension of time.

AYES: ERVIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREMIUK

- 2C. GARNET PROPERTIES 2014, LLC REQUESTING A ONE (1) YEAR EXTENSION OF TIME FOR THE CONSTRUCTION OF A 103,600-SQUARE FOOT CANNABIS OPERATION AND DISPENSARY FACILITY CONSISTING OF FOUR (4) SEPARATE BUILDINGS LOCATED AT 550 W. GARNET ROAD AND THE INTERSTATE 10 OFF-RAMP, ZONE M-1-P, SECTION 23 (CASE 5.1434 CUP AND 3.4068 MAJ) (GM).**

Associate Planner Mlaker presented the proposed one-year extension of time.

Chair Weremiuk opened the public hearing (via Zoom):

MICHAEL FINE, applicant, explained that being located off of the freeway they are dealing with major delays from Caltrans for encroachment permits and Edison to secure necessary power at the site. He is requesting a two-year extension of time.

There being no further speakers the public hearing was closed.

Weremiuk, seconded by Lewin to approve a two-year extension of time.

AYES: ERVIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREMIUK

- 2D. REQUEST BY DESTINATION RAMON, LLC, FOR A CONDITIONAL USE PERMIT AND MAJOR ARCHITECTURAL APPLICATION FOR THE REDEVELOPMENT OF PAD SITE "D" TO INCLUDE THE DEMOLITION OF AN EXISTING BUILDING WITH A LOT SPLIT FOR THE CONSTRUCTION OF TWO (2) QUICK SERVICE RESTAURANTS WITH DRIVE-THROUGHS LOCATED AT 5601 EAST RAMON ROAD, ZONE M-1, SECTION 20 (CASE NOS. 5.1513 CUP & 3.4179 MAJ) (GM).**

Associate Planner Mlaker provided background information and an overview on the proposed project.

Chair Weremiuk opened the public hearing (via Zoom):

STAN ROTHBART, Rothbart Development, property owner, noted that his company is the original developer of Destination Ramon and they've maintained the property since it was built in 2004. He said that there's been a dramatic shift in retail with customers making most of their purchases on-line. Mr. Rothbart described the project site plan, landscaping, AAC modifications, architectural design and building colors.

MARTY WOLF, representing Raising Cane's, presented the proposed site plan and building elevations and discussed the restaurant's operations.

JOHN POLLOCK, Kimley-Horn, project architect, answered questions regarding reducing the number of parking spaces, width of landscaped areas for trees.

ROBERT CURLEY, Cummings, Curley & Associates, landscape architect, provided details on the landscape design.

BRIAN POLIQUIN, PK Architecture, Starbucks, project architect, discussed the building architecture and answered questions from the Commission.

There being no further speakers the public hearing was closed.

Commissioner Song expressed concern with the Starbucks column width for pilasters at the pick-up window.

Commissioner Hirschbein thinks the AAC recommendation to flip the building did not enhance the layout. He would like to see the mature landscaping along street frontages saved.

Commissioner Lewin expressed concern with the site circulation.

Commissioner Ervin noted concern with the security lighting for late night operation of the restaurant. He stated that the existing bus stop is heavily used, and shading should be considered.

Chair Weremiuk thinks the Starbucks north elevation may need greater detail on the building. She spoke in favor of reducing parking on the overall site and supports the Starbucks design and layout.

Commissioner Moruzzi supports all Commission comments.

Song, seconded by Hirschbein to approve the Conditional Use Permit and Major Architectural Application for the Starbucks site, subject to conditions.

1. The Planning Commission supported the site design and architecture of the

Starbucks project with the elimination of six (6) parking spaces on the east side of parking lot and increase the number of trees near the building.

AYES: ERVIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREMIUK

Song, seconded by Hirschbein to continue the Conditional Use Permit and Major Architectural Application to a date uncertain for the Cane's site, and to establish a subcommittee to work with the applicant on the site circulation with the following comments:

- Sub-Committee be formed consisting of Members Song, Hirschbein, Chair Weremiuk, and AAC Chair Jakway to meet with applicant and review site plan sketches.
- Mature landscaping along Ramon Road to be preserved.
- Reduce the number of parking spaces.
- Increase outdoor patio area.
- Re-evaluate the circulation around the building for drive-through ordering and exiting and possible vehicle conflicts at entry driveways.

AYES: ERVIN, LEWIN, MORUZZI, WEREMIUK, SONG, HIRSCHBEIN

**3. NEW BUSINESS:**

**3A. TAREEF TALALA OF C.H.I.C, LLC, FOR LAND USE PERMIT AMENDMENT APPROVAL, TO EXTEND THE CURRENT HOURS OF OPERATION AND A SIX (6)-MONTH REVIEW OF LAND USE PERMIT NO. 19-102 AS REQUIRED BY THE PLANNING COMMISSION FOR THE VILLAGE (FORMER VILLAGE PUB) LOCATED AT 266 SOUTH PALM CANYON DRIVE, ZONE CBD, SECTION 15 (CASE NO. LUP 19-102 AMENDMENT). (NK)**

Associate Planner Kikuchi provided background information as outlined in the staff report.

TAREEF TALALA, applicant, responded to questions from the Commission relating to security, ambient music and type of alcohol served in the mornings.

Commissioner Lewin said the community's issue was loud music playing between 6 am to 10 am; he thinks staff's solution to prohibit it as part of the conditions has resolved this issue. He spoke in support of a six month review of the project. He said it's a tough business climate and would like to see them succeed- this is a long-term restaurant and what they are asking for is reasonable.

Commissioner Hirschbein concurs with Commissioner Lewin.

Chair Weremiuk said that given the history of complaints on this site, she would like to see the review period go through the end of the COVID19 pandemic.

Lewin, seconded by Hirschbein to approve the amendment to the Land Use Permit (LUP) subject to conditions, and to review the LUP in six months.

AYES: ERVIN, HIRSCHBEIN, LEWIN, SONG, MORUZZI, WEREMIUK

**4. DISCUSSION:**

**4A. DISCUSSION OF REVISIONS TO THE FOOD DESERT OVERLAY ZONE ORDINANCE (FF).**

Director Fagg provided background information as outlined in the staff memorandum.

Chair Weremiuk thinks the city needs to do more such as provide monetary incentives for a full-service grocery store. She thinks this is something City Council needs to look at.

Commissioner Song suggested imposing a standard of 30% for perishables.

Chair Weremiuk does not think they can impose the same standards imposed on a full-service grocery store. She suggested imposing 50% grocery and 20% perishables.

Commissioner Song clarified that the 30% of perishables should be of shelf space which could be easily calculated in the amount of linear shelving.

Commissioner Lewin credited staff for addressing the first step in creating a food overlay. He thinks a specific plan for a major supermarket/shopping center between Gene Autry Trail and Highway 111 will need to be created by the City Council. The Commission further discussed this topic.

Commissioner Lewin recapped the Commission's consensus:

1. Increase the amount of perishable food display area requirements;
2. Is City Council interested in development of a plan that would encourage a full-service grocery store?
3. Should the College Park Specific Plan overlay be recalled?

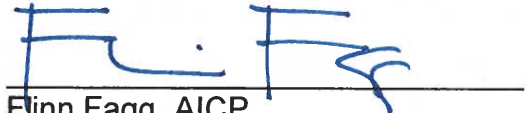
**PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:**

- Status of Tower Market and Ivy projects.
- Public Comment issues.
- Applicants on zoom meetings is preferred.
- Designate written correspondence from one person.
- Length of meetings.

**CITY COUNCIL LIAISON REPORT:** None.

**PLANNING DIRECTOR'S REPORT:** None.

**ADJOURNMENT:** The Planning Commission adjourned at 9:50 pm to 5:30 pm, Wednesday, October 14, 2020, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.



Flinn Fagg, AICP  
Development Services Director

