

PLANNING COMMISSION MINUTES  
CITY OF PALM SPRINGS, CALIFORNIA  
July 8, 2020  
3200 East Tahquitz Canyon Way, Palm Springs, California

**ALL TO ORDER:**

Chair Weremiuk called the meeting to order at 5:30 pm.

**ROLL CALL:**

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

Absent: Donenfeld

Staff Present: Development Services Director Fagg, AICP, Attorney Priest, Administrative Secretary Bruggemans, Engineering Associate Minjares, Associate Planner Lyon

**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, July 2, 2020.

**ACCEPTANCE OF THE AGENDA:**

Hirschbein, seconded by Lewin to accept the Agenda as amended. (Item #2A was has been withdrawn by the applicant.)

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

ABSENT: DONENFELD

**PUBLIC COMMENTS:** None.

**1. CONSENT CALENDAR:**

**1A. APPROVAL OF MINUTES: JUNE 10, 2020**

Hirschbein, seconded by Lewin, to approve the minutes as presented.

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

ABSENT: DONENFELD

**2. PUBLIC HEARINGS:**

**2A. NEW CHURCH II, LLC FOR A TIME EXTENSION OF THE ENTITLEMENTS TO RENOVATE THE EXISTING HISTORIC COMMUNITY CHURCH AND**

**ORCHID TREE INN FOR ADAPTIVE RE-USE, AND DEMOLISH PORTIONS OF THE SITE FOR THE CONSTRUCTION AND OPERATION OF A HOTEL WITH ACCESSORY SPA, RESTAURANT AND MEETING SPACE ON A 3.1-ACRE SITE LOCATED AT 222 SOUTH CAHUILLA ROAD, ZONE R-3, SECTION 15 (CASE 5.1345 CUP, HSPB 23, HSPB 72 & 3.0678 MAJ). (DN)**  
*(Continued from the meeting of May 13, 2020.)*

(APPLICATION WITHDRAWN BY THE APPLICANT)

- 2.B. KINGS GARDEN, LLC REQUESTING A VARIANCE TO (1) OMIT PARKING LOT LANDSCAPING AND SHADE REQUIREMENTS AND (2) APPROVE A SECURITY FENCE INSTALLED IN THE WRONG LOCATION, AT THE KINGS GARDEN CORPORATE CENTER, A CANNABIS-RELATED USE LOCATED AT 19533 MCLANE ROAD, ZONE M-2 (CASE 6.558 VAR). (KL)**

Associate Planner Lyon presented the proposed project as outlined in the staff report.

Chair Weremiuk opened the public comment:

GARY LA SALLE, applicant, said they are one of largest cannabis cultivators in the State and security is their main objective. He spoke about issues they have with trespassing and vandalism due to the adjacent homeless facility. He agreed to improve the site by adding landscape to the frontage area; however, he noted that shade trees are almost impossible to survive in this area due to the high winds.

There being no further speakers the public hearing was closed.

Commissioner Hirschbein said that he's willing to accept the staff report and Variance for the security fence.

Chair Weremiuk concurred with Commission Hirschbein regarding the fencing.

Commissioner Ervin noted that other neighboring business have shade structures and thinks they should be able to provide shade, as well.

Commissioner Hirschbein said he finds it troublesome that the applicant removed all the vegetation and thinks its okay.

Commissioner Lewin pointed-out that the City has worked hard at establishing development standards. He thinks this business owner needs to uphold the rules so that they are a benefit to the neighboring businesses and not a blight. He added that if the applicant does not want to add trees they could put in carports, per the approved landscape plan.

Vice Chair Moruzzi noted concern that immature trees might be planted and would take years for trees to mature. He thinks it would be helpful to specify what type of trees should be put in or refer to the AAC for further review.

Weremiuk, seconded by Moruzzi, to approve the Variance for the security fence, but deny the Variance from parking lot landscaping requirements, with added conditions:

1. Landscape Plan: The applicant shall be required to submit a plan for review and approval by the Architectural Advisory Committee that conforms to the City's requirements for 50% shading.
2. The Architectural Advisory Committee shall also review proposed tree specimens to ensure they are adequate in terms of installation size.

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

\*Note: Staff will review the proposed landscape plan with representatives of the Palm Springs Police Dept. and the applicant to address the applicant's security concerns while conforming to Code.

**3. UNFINISHED BUSINESS: NONE**

**4. NEW BUSINESS: NONE**

**5. DISCUSSION:**

**5A. DISCUSSION OF MODIFICATIONS TO THE ARCHITECTURAL REVIEW PROCESS. (FF)**

Director Fagg provided background information on the architectural review process. He said staff is recommending that the Planning Commission appoint a subcommittee to study the issue and provide direction.

Commissioner Hirschbein does not think changing the order of review will reduce the number of meetings. It's more about the quality of the application rather than the order of the AAC meetings. He noted concern that changing the process would significantly limit the scope of the AAC's review and the input of design professionals.

Commissioner Song suggested considering defining the size of projects as a basis for review. The smaller projects could go through AAC review first followed by Planning Commission review. Larger projects should go through Planning Commission review first followed by the AAC review.

Chair Weremiuk said she worked in a city that had Planning Commission review first followed with their comments by the design review board. She said it worked very well and noted that the Planning Commission retains the right to handle the appeals.

Commissioner Lewin suggested applications that require Variances go to Planning Commission review first. The other types of cases could go through the AAC review process first. He questioned the idea of splitting the decision making process and thinks they should think it through carefully because there will be more consequences.

The Planning Commission appointed Chair Weremiuk and Commissioner Song to the subcommittee to study the subject matter and provide direction to staff.

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

- Application process for homeless facility.
- Delayed construction for residential projects.
- Status of New Church (Item that was pulled from the Agenda).
- Upcoming projects.

**CITY COUNCIL LIAISON REPORT:** None.

**PLANNING DIRECTOR'S REPORT:**

- Study Session for July 29<sup>th</sup> for General Plan Update.
- Department re-organization for Development Services.
- Month of August will be dark.

**ADJOURNMENT:** The Planning Commission adjourned at 7:04 pm to a study session at 5:30 pm, Wednesday, July 29, 2020.

  
Flinn Fagg, AICP  
Development Services Director