

PLANNING COMMISSION MINUTES  
MARCH 10, 2021  
CITY OF PALM SPRINGS, CALIFORNIA  
3200 East Tahquitz Canyon Way, Palm Springs, California  
(Meeting held via Zoom)

**CALL TO ORDER:**

Chair Weremiuk called the meeting to order at 5:31 p.m.

**ROLL CALL:**

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

Absent: None

Staff Present: Development Services Director Fagg, Attorney Priest, Assistant Planning Director Newell, Administrative Coordinator Hintz, Associate Planner Kikuchi, 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 p.m. on Thursday, March 4, 2021.

**ACCEPTANCE OF THE AGENDA:**

Weremiuk, seconded by Hirschbein, to move Item #4A to the Consent Calendar and accept the agenda, as presented.

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

**PUBLIC COMMENTS:**

MARIBEL NUNEZ, Inland Equity Partnership, spoke in reference to Items #5A and #5B; questioned why there has been a delay on the Palm Springs Housing Element. She noted that she has been doing a lot of community engagement for the city of Riverside; they've created a website, interactive map and survey and are into their third workshop of the community input for the Housing Element.

There being no further speakers public comments was closed.

**1. CONSENT CALENDAR:**

- 4A. STUDIO AR&D ARCHITECTS, ON BEHALF OF EDWARD F. FREEMAN OF PINNACLE VIEW, LLC, FOR A MAJOR ARCHITECTURAL APPLICATION TO CONSTRUCT A 4,276-SQUARE-FOOT SINGLE-FAMILY RESIDENCE ON A 20,705-SQUARE-FOOT HILLSIDE PARCEL LOCATED AT 2610 WINTER SUN DRIVE, ZONE ESA-SP PLANNING**

**AREA 4 (DESERT PALISADES SPECIFIC PLAN), SECTION 4 (CASE 3.4206). (NK)**

Hirschbein, seconded by Song to approve Item 4A under the Consent Calendar, as presented.

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

**2. PUBLIC HEARINGS:**

- 2A. EVOLVED ENGINEERING, LLC, ON BEHALF OF THE MORGUE, LLC, FOR A CONDITIONAL USE PERMIT (CUP) TO OPERATE A CANNABIS FACILITY TO INCLUDE TYPE 6 (NON-VOLATILE) MANUFACTURING, CULTIVATION, DISPENSARY, DISTRIBUTION AND A LOUNGE IN A VACANT INDUSTRIAL BUILDING WITHIN AN EXISTING BUSINESS PARK LOCATED AT 1241 SOUTH GENE AUTRY TRAIL, ZONE M-1, SECTION 33 (CASE 5.1492 CUP). (ER)**

Lewin, seconded by Song, to continue to date certain of March 24, 2021.

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

- 2B. CITY OF PALM SPRINGS TO AMEND PORTIONS OF CHAPTER 91.00, CHAPTER 92.00, CHAPTER 93.00, AND CHAPTER 94.00 OF THE PALM SPRINGS ZONING CODE TO ADOPT REVISIONS TO THE ARCHITECTURAL REVIEW PROCESS AND ASSOCIATED ENTITLEMENT PROCESSES (CASE 5.1526 ZTA). (FF)**

Director Fagg provided a presentation on the proposed changes to the zoning code and reviewed the discussion on the topic from the meeting of February 24, 2021.

Chair Weremiuk opened the public hearing; and with no speakers coming forward the public hearing was closed.

Commissioner Song suggested that it may be appropriate for an AAC member to attend the Planning Commission meetings in a liaison capacity, much as the Planning Commission does currently with AAC meetings. She questioned if members of the Planning Commission could attend pre-submittal conferences.

Commissioner Hirschbein clarified the process for approval of sign program waivers; and asked if AAC would be able to make any significant changes to the project once Planning Commission has approved the development permit. Mr. Hirschbein verified the findings that would need to be met for approval of a Development Permit, and whether the Planning Commission had discretion in interpreting the findings.

Vice Chair Moruzzi asked about the timeframe for development of design guidelines, and if modifications to specific plans to incorporate the architectural review changes could begin once the proposed ordinance is adopted.

Chair Weremiuk suggested that the implementation of electronic application submittals should occur at the same time as implementation of the new ordinance. She noted that subcommittees consisting of members of the AAC and Planning Commission are helpful in reviewing model units for new subdivisions and stressed the importance of this practice continuing. Ms. Weremiuk was worried that there was an “open-endedness” with the proposed process unless it’s clear that the Planning Commission is approving the project when the Development Permit application is approved; the role of the AAC should be limited to improving the architectural details of the project. She asked if the Development Permit and Architectural Review application could be one permit. City Attorney Priest responded that it would be difficult to combine the two processes, but an administrative workaround could be developed to simplify the submittal process for applicants.

Commissioner Lewin questioned what would happen if the Planning Commission finds that a project conforms to the Development Permit criteria, but the architecture is substandard. The Commissioners debated the possibility of denying a Development Permit where the architecture of the project is inappropriate.

Commissioner Ervin asked for other examples where the Planning Commission might deny a project based on aesthetics. City Attorney Priest clarified that the role of the AAC was to “fine tune” the details of the project, with the Planning Commission having the authority to approve the project as a whole.

Weremiuk, seconded by Lewin to recommend approval of the draft ordinance to the City Council with the following changes and corrections:

1. Remove the criteria relative to massing from the Architectural Review findings;
2. Correct the review process table to list the Planning Commission as having review authority over mobile home parks, and noting that multifamily development is subject to AAC review;
3. Clarify that the Planning Commission is approving the project and granting the entitlement under the Development Permit;
4. Allow for Planning Commission to have final approval on Tentative Map applications;
5. Recommend that the electronic application implementation process closely follow the implementation of the new ordinance; and
6. Allow liaisons between AAC and Planning Commission meetings.

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

**3. UNFINISHED BUSINESS: None**

**4. NEW BUSINESS: None**

**5. DISCUSSION:**

Assistant Director of Planning Newell suggested considering the two following items, concurrently.

**5A. HOUSING OPPORTUNITIES.**

**5B. 2007 GENERAL PLAN LIMITED UPDATE.**

Assistant Director of Planning Newell narrated a PowerPoint presentation with an update on the 2007 General Plan limited update.

Discussion followed regarding the City's achievements in terms of meeting RHNA numbers and counting previous entitlements, the possibility of working with student architects to develop an implementation plan including looking at areas of the City that could be rezoned to higher densities.

Commissioner Lewin spoke about the General Plan update process; and noted there is a housing crisis in the city. Mr. Lewin discussed the cost of renting and buying and addressed working families that can barely pay utilities, month after month. He spoke about the need to advise City Council to hire a Zoning Consultant or an Urban Planning firm to identify the best areas where 2,000 dwellings could be added and to determine the best housing mixes in the city. He added the private sector can solve the problem if the City does the right zoning.

Commissioner Hirschbein spoke about short-term vacation rentals driving housing prices in the city. He suggested implementing an affordable housing requirement for subdivisions or condominium projects and discussed the need to try to disperse affordable housing projects throughout the community.

Commissioner Ervin agreed with the need to hire someone specifically to guide the Planning Commission in the right direction, relative to this matter and discussed the College Specific Plan in terms of including affordable housing.

Commissioner Song spoke about having pre-preparation meetings with developers to determine what would motivate them to build increased-density housing projects and talked about setting examples/models of what could be done on City-owned sites to encourage private developers to build high density projects.

Chair Weremiuk reported the RHNA numbers do not require the City to build that number of housing but identify where such housing could be built, through zoning. She added that Councilmember Garner asked the City Attorney for an inclusionary housing ordinance.

Vice Chair Moruzzi referenced Section 14 and asked about the Tribe's commitment to the sixth cycle.

Assistant Director of Planning Newell reported some of the sites targeted for rezoning are in Section 14 and noted the Tribe has no concerns as long as they are not restricted to build what is allowed in Section 14 land.

Planning Director Fagg reported the Tribe is not subject to RHNA housing numbers and added that staff has met with the Tribe to identify and make provisions for housing in Section 14.

Discussion followed regarding future plans for affordable housing in the city, the possibility of rezoning areas for higher density housing, creating incentives for low-income housing, going beyond compliance to become visionary and the need to define the scope prior to hiring a consultant.

Director Fagg reported the State is rigid as far as where RHNA housing can be built; and discussed other ways to achieve housing goals. He thinks what Commissioner Lewin is suggesting would be a companion effort to the Housing Element and commented on getting public input both ways. Additionally, he addressed the possibility of engaging students in identifying housing opportunities.

Commissioner Lewin agreed it is a parallel process and caution should be taken to not cannibalize on either process.

Chair Weremiuk suggested appointing a subcommittee to work on the item and return to the Commission for further consideration. Commissioners Lewin and Ervin as well as Vice Chair Moruzzi offered to serve on the subcommittee and will return in two months to the Commission for further consideration.

Chair Weremiuk opened public comments.

MARIBEL NUNEZ, suggested the consultant could play a role in helping with the RHNA numbers and come up with creative ways to rethink affordable housing, rezoning and mixed uses. Ms. Nunez discussed developing an interactive map to help identify housing opportunities and inform and engage the community in the process.

There being no further comments public comments was closed.

Discussion followed regarding touching base with the various community groups and conducting outreach to housing developers.

Discussion only; no action was taken.

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

- In reply to Commissioner Hirschbein's question, Director Fagg provided a brief update on the fulfillment center and their community outreach efforts and addressed the Line 41 project.
- Commissioner Hirschbein suggested considering ADUs as part of the Housing Element process and meeting RHNA numbers.

- Discussion followed on ADU's, status of the Orchid Tree and the water park, the Parker expansion, projects that have been impacted by COVID-19 and the Downtown Park.

**PLANNING DIRECTOR'S REPORT:**

- Director Fagg called for community volunteers to work with Planning to maintain and update information on the City's project list. Vice Chair Moruzzi volunteered to help.

**ADJOURNMENT:**

The Planning Commission adjourned at 8:26 p.m. to 5:30 p.m., Wednesday, March 24, 2021, City Hall, 3200 East Tahquitz Canyon Way.



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David Newell, AICP  
Assistant Director of Planning