

CITY OF PALM SPRINGS  
PLANNING COMMISSION MINUTES  
October 14, 2009  
Council Chamber, City Hall  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

**CALL TO ORDER:**

The meeting was called to order at 1:35 p.m.

<b>ROLL CALL:</b>	<b>Present This Meeting:</b>	<b>Present to Date:</b>	<b>FY: 2009 / 2010 Absence:</b>
Tracy Conrad	X	4	2
Doug Donenfeld	X	6	0
Doug Hudson	X	4	0
Leslie Munger	X	2	2
Bill Scott	X	6	0
Jon Caffery, Vice Chair	X	5	1
Leo Cohen, Chair	X	6	0

**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 4:00 p.m. on Thursday, October 8, 2009.

**ACCEPTANCE OF THE AGENDA:**

The agenda was accepted, as presented.

**PUBLIC COMMENTS:**

Chair Cohen opened Public Comments:

-Charles Bennett, Palm Springs, expressed concern with the John Wessman vacant building on Baristo Road and the abandonment of his other developments throughout the city.

There being no further appearances public comments was closed.

**1. CONSENT CALENDAR:**

M/S/C (Bill Scott/Doug Donenfeld, 7-0) To approve Items 1A, 1B and 1C, as part of the Consent Agenda. (Noting Commissioner Munger's abstention on the minutes of September 9, 2009.)

**1A. Minutes of September 9, 2009 and September 23, 2009**

Approved, as part of the Consent Calendar. (Noting Commissioner Munger's abstention on the minutes of September 9, 2009.)

**1B. Case 5.0981 PD 289 (Mesquite Villas) - A request by Marshall Innins for a one-year time extension for a 90-unit attached condominium complex located at West Mesquite Avenue on the south side and west of Belardo Road, Zone R-3, Section 22. (Project Planner: Glenn Mlaker, Assistant Planner)**

Approved, as part of the Consent Calendar.

**1C. Case 5.1112 MAJ (The Legends) - A request by Marshall Innins for a one-year time extension for a 41-unit attached and detached cluster condominium complex located on the north side of 34th Avenue and west of Dinah Shore Drive, Zone W-R-G-A 6, Section 20. (Project Planner: Glenn Mlaker, Assistant Planner)**

Approved, as part of the Consent Calendar.

**2. OTHER BUSINESS:**

**2A. Case SP 09-005 - A request by O2 Architecture for implementation of a sign program for the Palm Canyon Square Commercial Center located at 1021-1079 South Palm Canyon Drive, Zone C-1 / R-3, Section 22. (Project Planner, Scott K. Taschner, Assistant Planner)**

Scott Taschner, Assistant Planner, provided background information as outlined in the staff report dated October 14, 2009.

-Lance O'Donnell, representing the applicant, responded to questions from the Commission pertaining to color and location of the signs.

M/S/C (Bill Scott/Doug Donenfeld, 7-0) To approve, subject to Conditions of Approval, as amended:

- It shall be the sole responsibility of the owner of the property, tenant or agent to restore all mounting surfaces (i.e. walls, facades, windows, railings, etc.) to a condition closest to the original condition upon removal of any sign from the premises.
- Prior to the installation of the complex identification/monument sign the applicant shall work with staff in determining its final location.

### **3. PUBLIC HEARINGS:**

#### **3A. Case 5.1203 CUP / 6.507 VAR - A request by T-Mobile USA, Inc. for a Conditional Use Permit to construct a 43-foot tall commercial communication antenna within a slim-line monopole and a Variance to reduce the side yard setback located at 1900 East Palm Canyon Drive (Club Trinidad), Zone R-3, Section 24. (Project Planner: David A. Newell, Associate Planner)**

Commissioner Conrad noted her abstention due to a property related conflict of interest and left the Council Chamber at 1:56 p.m.

Edward Robertson, Principal Planner, provided background information as outlined in the staff report dated October 14, 2009.

Chair Cohen opened the public hearing:

- Monica Moretta, on behalf of T-Mobile, provided background information on their attempts to pursue other locations in the area and explained the reduction in antenna height from 60 to 43 feet.
- John Allen, board member, Versailles, expressed concern with additional antennas attached to the monopole.
- Donald Benway, Palm Springs, spoke in opposition to the location and suggested it should be located adjacent to an open field.
- Suzette LaSalle, Palm Springs, expressed concern with the location and suggested it placed next to a higher structure such as the Holiday Inn.
- Judy Moran, Palm Springs, questioned why this project was considered in a residential area and requested several restrictions on the project.
- Monica Moretta, (responded to questions from the Commission) addressed funding, property owner authorization of location, placement of antennas and coverage area.

There being no further appearances the public hearing was closed.

M/S/C (Doug Donenfeld/Leslie Munger, 5-1/Doug Hudson), 1 abstained/ Tracy Conrad) To recommend approval of Case 5.1203 CUP and Case 6.507 VAR to the City Council, subject to Conditions of Approval.

Direction Ewing reported that this action may be appealed to the City Council within 10 days.

Commissioner Conrad re-entered the Council Chamber at 2:24 p.m.

A recess was taken at 2:24 p.m.

The meeting resumed at 2:33 p.m.

**3B. Case 5.1231 PDD 356 / TTM 36185 (formerly Case 3.3333 MAJ) - A planned development district application and a condominium map by Community Dynamics Inc. for a 51-unit moderate-income for-sale condominium townhomedevelopment with off-street parking, landscaping and recreational areas on an approximately 3.6-acre site located at 3130 North Indian Canyon Drive, Zone R-2. (Project Planner: Ken Lyon, Associate Planner)**

Ken Lyon, Associate Planner, provided background information as outlined in the staff report dated October 14, 2009.

Chair Cohen opened the public hearing:

-Steve Roberts, Vice President, Community Dynamics, provided an overview of the project including the projected homebuyers, courtyard design, pedestrian walkways, guest parking, architecture, common amenities, sustainability features and landscaping.

-Joy Smith, Palm Springs, commented on the excessive amount of residential properties that have become rentals in the city and emphasized that the project is not feasible.

-Lynn Calerdine, president, PSEDC, stated that the PSEDC reviewed the project and supports the development particularly the affordable and sustainable aspects.

-Donna Chaban, Palm Springs, expressed concern about the impact to the historic homes in the neighborhood and spoke in opposition to the project.

-Tom Carnase, Palm Springs, concerned with the high density that will cause congestion, noise and pollution.

-Ginger Pigott, spoke about CEQA requirements and consideration of the surrounding historical buildings and the cumulative impact on the environment.

-Claire Victor, Palm Springs, expressed concern with the numerous amount of uncompleted developments in the city and with the increase of traffic, noise and air quality from this project.

**Public Hearing (cont'd)**

- Christopher Daily, Palm Springs, read a statement from Robert Ember, stating his opposition to the project due to the density, obstructed views and lack of utility undergrounding.
- Brian McQuire, Palm Springs, spoke about the loss of privacy to his home and pool; noting that he does not oppose the development but requests significant changes.
- James Pigott, spoke in opposition to the proposed project.
- Bruce Bushore, Palm Springs, spoke in support of the project; noting that development in this area be an improvement the neighborhood.
- Jim Iserman, Palm Springs, recommended that an environmental report be completed and requested considerable changes to the project.
- Scott Kennedy, board member, Racquet Club Neighborhood Association, expressed concern with the carports adjacent to the historic homes and with the lack of utility undergrounding.
- Tamara Stevens, Palm Springs, spoke in favor of the project; noting the quality of this development on the blighted parcel will be an asset to the city.
- Don Soja, Palm Springs, commended the developer for their willingness to work with the neighborhood.
- Gary Johns, expressed concern with the distance of the detached carport to the homes and suggested lowering the density and creating attached garages.
- Allen Camarillo, Palm Springs, spoke about the great views from his house and expressed concern with crime in the area.
- Loren Bloch, applicant rebuttal, addressed density, setbacks, blocks carports, preservation of views and quality of development.

There being no further appearances the public hearing was closed.

Director Ewing provided an overview on CEQA requirements, the initial study and staff's conclusion that the project qualified for a Categorical Exemption as an infill project.

The Commission discussed and/or commented on the landscape plans, views, housing growth, site plan and development agreement.

M/S/C (Tracy Conrad/Leslie Munger, 6-1/Vice Chair Caffery) To continue, to a date uncertain with direction that the project return to the Architectural Advisory Committee:

- To consider varying the height of the units and decreasing the density.
- To consider more input from the community.
- To communicate with City Council subcommittee.

Commissioner Conrad left the Council Chamber for the remainder of the meeting.

**3C. Case PA 09-005 - A pre-application by Steve George Tappan for a proposed assisted living facility known as "Legacy Palm Springs" with 104 beds in 86 units, dining, common activity areas, outdoor patios and gardens located on a 1.43-acre parcel located at 1000 North Palm Canyon Drive, Zone C1 and R3.. (Project Planner: David A. Newell, Associate Planner) The hearing will be conducted for informational purposes only and no action will be taken at this meeting.**

Director Ewing noted Commissioner Munger's abstention due to the possibility of a conflict of interest and would not be participating in the discussion. Ms. Munger left the Council Chamber at 4:22 p.m.

Commissioner Donenfeld disclosed that he attended a presentation held by Mr. Sahlin, a project representative.

Chair Cohen disclosed that he met with the applicant for a presentation, as well.

Edward Robertson, Principal Planner, provided background information as outlined in the staff report dated October 14, 2009.

-Scott Easton, representing the applicant, expressed appreciation for any comments from the Commission.

-Chris Sahlin, project architect, provided an overview on the site, adjacent developments and project design.

Chair Cohen opened the public hearing; there being no appearances the public hearing was closed.

The Commission discussed and/or commented on the urban planning and design of the project, the location, vehicular access on Indian Canyon and adding more streetscape along Palm Canyon.

The Commission unanimously encouraged the applicant to consider incorporating a restaurant or commercial use on Palm Canyon.

**3D. Case 3.3369 MAJ - A Major Architectural application by the City of Palm Springs to construct a one story, 19,210-square foot animal care facility on a 3-acre parcel located at the southeast corner of Vella Road and Mesquite Avenue; Zone "O" (Open Lands). (Project Planner: Edward O. Robertson, Principal Planner)**

Commissioner Munger re-entered the Council Chamber at 4:42 p.m.

Edward Robertson, Principal Planner, provided background information as outlined in the staff report dated October 14, 2009.

Chair Cohen opened the public hearing:

- Allen Smoot, project representative, provided an overview on the neighborhood meetings that were held and addressed the parking.
- George Myers, project architect, provided details on the facility layout including an adoption lobby, animal training room and courtyard. Mr. Meyers also addressed the parking needs and the incorporation of recycled water.
- Stephen Boyd, Palm Springs, spoke in favor of the location adjacent to the park and urged approval of the project.
- Lynn Thompson, commented on the need for a larger facility for animals.
- Carol Haskell, Palm Springs, (board member, Demuth Park Neighborhood) stated that the majority of members are in favor of the facility and spoke in favor of the facility.
- Tanya Petrovna, Palm Springs, spoke in support of the facility.
- Dolores Alvarez, Palm Springs, property manager located across the street, spoke in full support of the facility.

There being no further appearances the public hearing was closed.

M/S/C (Doug Donenfeld/Vice Chair Caffery, 6-0, 1 absent/Tracy Conrad) That the Planning Commission adopt the Mitigated Negative Declaration (MND) and approve Case 3.3369 MAJ, subject to the Conditions of Approval.

**PLANNING COMMISSION COMMENTS:**

Vice Chair Caffery clarified that he did not support the continuance for Item 3B, Case 5.1231 / PDD 356 because of the density of the project.

Commissioner Munger requested clarification on the protocol for accepting materials during the meetings. Director Ewing explained the process and reminded the Commission of the opportunity to continue a project if additional time is required to review the materials.

Vice Chair Caffery clarified (in regards to the Desert Sun article) that he is not in support of temporary banners and prefers more restrictive regulations.

**PLANNING DIRECTOR'S REPORT:**

Director Ewing provided an update on the upcoming City Council meetings.

**ADJOURNMENT:**

There being no further comments the Planning Commission adjourned at 5:21 p.m. to Wednesday, October 28, 2009, at 1:30 p.m., City Hall, Large Conference Room, 3200 East Tahquitz Canyon Way.

---

Craig A. Ewing, AICP  
Director of Planning Services

DRAFT