

CITY OF PALM SPRINGS  
PLANNING COMMISSION MINUTES  
October 28, 2009  
Council Chamber, City Hall  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

**CALL TO ORDER:**

Chair Cohen called the meeting to order at 1:34 p.m.

<b>ROLL CALL:</b>	<b>Present This Meeting:</b>	<b>Present to Date:</b>	<b>FY: 2009 – 2010 Excused Absences:</b>
Tracy Conrad	X	5	2
Doug Donenfeld	X	7	0
Doug Hudson	X	5	0
Leslie Munger	X	3	2
Bill Scott	X	7	0
Jon Caffery		5	2
Leo Cohen, Chair	X	7	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 22, 2009.

**ACCEPTANCE OF THE AGENDA:**

Commissioner Scott noted his abstention on Item 1B, Case 5.1091 PD 324, due to a financial conflict of interest.

Commissioner Conrad requested additional information to the action on Item 3B.

Edward Robertson, Principal Planner, reported a correction on Item 1B, Case 5.1091 PD 324, the time extension is for one year from October 4, 2009 to October 3, 2010.

Commissioner Hudson noted his abstention on Item 1B, Case 5.1091 PD 324, due to a business related conflict of interest.

M/S/C (Tracy Conrad/Doug Donenfeld, 6-0, 1 absent/Vice Chair Caffery) To accept the agenda, with the changes noted above.

**PUBLIC COMMENTS:**

Chair Cohen opened public comments; and there being no appearances public comments was closed.

**1. CONSENT CALENDAR:**

**1A. Minutes of October 14, 2009.** To approve, minutes of October 14, 2009.

M/S/C (Bill Scott/Doug Donenfeld, 6-0, 1 absent/Vice Chair Caffery) To approve, minutes of October 14, 2009, as amended.

**1B. Case 5.1091 PD 324 (Port Lawrence) - A request by Rael Development for a one-year time extension for 118 condominiums and 25,000 square feet of commercial space located at the southeast corner of North Palm Canyon Drive and Alejo Road, Zone CBD, Section 15. (Project Planner: Glenn Mlaker, Assistant Planner)**

M/S/C (Doug Donenfeld/Leslie Munger, 4-0, 1 absent/Vice Chair Caffery, 2 abstained/Doug Hudson/ Bill Scott) To approve a one-year time extension from October 4, 2009 to October 3, 2010. (Noting Commissioners Scott and Hudson's abstention.)

**2. ARCHITECTURAL REVIEW:**

**2A. Case 3.3384 MAA - A request by Dan Thompson to construct an 816 square-foot detached garage on a property with an existing 2,038 square-foot single-family residence located at 1860 Vista Drive, Zone R-1-A, Section 3. (Project Planner: Scott K. Taschner, Assistant Planner)**

Scott Taschner, Assistant Planner, provided background information as outlined in the staff report dated October 28, 2009.

Commissioner Munger disclosed that she spoke with the City Attorney to discuss a possible conflict of interest on this Item; it was determined that there is no conflict.

-Dan Thompson, applicant, provided clarification on the removal and replacement of trees.

M/S/C (Bill Scott/Doug Donenfeld, 6-0, 1 absent/Vice Chair Caffery) To approve, subject to Conditions of Approval.

### **3. OTHER BUSINESS:**

#### **3A. Discussion of Parking Canopy Structures in Front and Side Yards.**

Director Ewing provided background information on canopy structures that have been erected in front and side yards of single family properties in recent years. Director Ewing noted about 220 or more portable canopy structures are estimated by Code Enforcement to be found in the City.

-Ron Segal, El Mirador Association, chair of PSNIC's Code Enforcement Committee, requested consideration of the widest possible amnesty that includes adherence to the Building Code and a qualitative review of the materials.

-Roxann Ploss, Palm Springs, described her corner lot and requested the amnesty take into consideration the appropriateness of each particular lot.

-John Williams, chair, Palm Springs Neighborhood Involvement Committee, expressed concern with front yard setbacks, structure quality, illegal conversion of garages and side yard versus front yard setbacks.

-David Carden, president, Baristo Neighborhood Association, stated the primary concern should be the safety issues and that the canopy structures should be designed to withstand high winds and be harmonious to the existing neighborhood.

Chair Cohen suggested that the Commission form a subcommittee to establish rigorous standards for canopy structures.

Commissioner Hudson suggested a distinction be made between a property having a true hardship and property wanting more parking in addition to a two or three car garage.

Commissioner Donenfeld spoke of the importance upholding state safety laws and concurred with the Commission forming a subcommittee and including the City Attorney.

Commissioner Conrad spoke in opposition to any encroachment on the front and side yard setbacks and noted her preference for a variance on a lot by lot basis. Ms. Conrad reiterated that amnesty should be for homeowners who bought the existing condition and distinction should be made between a structurally safe structure and a temporary structure.

Director Ewing suggested that staff could work along with the Neighborhood Code Enforcement Committee to explore several options for an amnesty based approach, identify the issues and bring it for the entire Commission's review.

Commissioner Donenfeld suggested one member of the Commission participate in the discussion with staff. Commissioners Donenfeld and Hudson volunteered.

-David Carden, commented on the steep cost for a variance and suggested reducing the fee for this particular instance.

-Ron Siegel, provided details on the upcoming code enforcement meeting at City Hall.

**PLANNING COMMISSION COMMENTS:**

Commissioner Donenfeld reported a public hearing will be held for the Tahquitz Canyon Way Median project on Thursday, October 29, 2009, on the proposed design.

Commissioner Munger noted she will not be present on the meeting of November 12th.

**PLANNING DIRECTOR'S REPORT:**

Director Ewing noted that the City Council Joint Meeting with the Tribal Council will be held tonight and provided an update on upcoming planning items. Director Ewing noted that he will not be in attendance for the November 12<sup>th</sup> meeting.

**ADJOURNMENT:**

There being no further comments the Planning Commission adjourned at 2:44 p.m. to Thursday, November 12, 2009, at 1:30 p.m., City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.

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Craig A. Ewing, AICP  
Director of Planning Services