

PLANNING COMMISSION MINUTES
CITY OF PALM SPRINGS, CALIFORNIA
February 13, 2019
Council Chamber, City Hall
3200 East Tahquitz Canyon Way, Palm Springs, California

CALL TO ORDER:

Chair Woods called the meeting to order at 1:31 pm.

ROLL CALL:

Present: Donenfeld, Garner, Hirschbein, Moruzzi, Song, Vice Chair Moruzzi, Chair Woods

Excused: Hudson

Staff Present: Planning Director Fagg, Administrative Coordinator Hintz, Engineering Associate Minjares, 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 February 7, 2019.

ACCEPTANCE OF THE AGENDA:

Donenfeld, seconded by Moruzzi to move Item 2C to the first public hearing item and accept the amended agenda.

AYES: Donenfeld, Garner, Hirschbein, Song, Moruzzi, Woods

ABSENT: Hudson

PUBLIC COMMENTS: None.

1. CONSENT CALENDAR:

1A. APPROVAL OF MINUTES: DECEMBER 12, 2018 AND JANUARY 23, 2019 STUDY SESSION MINUTES

Moruzzi, seconded by Donenfeld to approve minutes as presented.

AYES: Donenfeld, Garner, Hirschbein, Song, Moruzzi, Woods

ABSENT: Hudson

ABSTAIN: Garner, Song

2. PUBLIC HEARINGS:

(This Item was heard out of order.)

2C. REQUEST BY AUSTIN TODD ON BEHALF OF CALIFORNIA ORGANICS FOR A CONDITIONAL USE PERMIT (CUP) TO OPERATE A 5,044-SQUARE FOOT CANNABIS CULTIVATION FACILITY WITHIN AN EXISTING INDUSTRIAL BUILDING LOCATED AT 695 SOUTH WILLIAMS ROAD, ZONE M-1, SECTION 33 (CASE 5.1440 CUP). (ER)

Principal Planner Robertson provided background details on the proposed cannabis cultivation facility as outlined in the staff report.

NICOLE CRISTE, City's Environmental Consultant for this project, provided clarification on the two analyses that were submitted. She provided details on the toxicity report on the product they will using to neutralize odors in comparison to carbon filtering. Ms. Criste was available to answer questions from the Commission.

A recess was taken at 1:59 PM. The meeting resumed at 2:07 pm.

Planning Director Fagg clarified that the proposed moratorium does not affect this application which is being considered today.

Chair Woods opened the public hearing:

AUSTIN TODD, applicant, introduced the design team including the odor control expert who are available to address questions from the Commission. He stated that they agree with all the conditions and are open to changing the name.

GREG GANDY, OMI Industries, provided details on the vapor system that is introduced through the exhaust side of the air system in the building. He said there are many grow facilities in Santa Barbara that use their vapor system and to the best of his knowledge there have been no complaints.

GABRIEL LUJAN, project architect, said the perforated metal panels are part of the architectural design but will implement it as part of the odor control if necessary.

TROY MASS, Pineapple Express, spoke about the trademark name and it is a reflection of their brand.

AUSTIN TODD, applicant, said they went with OMI because it eliminates the odors and the odor expert approved the plan.

There being no further speakers the public hearing was closed.

Vice Chair Moruzzi said he'd like to see a condition of approval that in six (6) months staff will prepare a report summarizing what has occurred since the facility went into operation, how many complaints there have been and if any adjustments have been made.

Commissioner Garner noted concern adding more cannabis cultivation facilities within neighborhoods. She said they've had a lot of people complaining in Desert Highlands and it seems like they are adding more- just in a different neighborhood. She said that there are other places for cultivation facilities and they are not certain this odor control is effective.

Hirschbein, seconded by Song to adopt Negative Declaration and approve with conditions and the following changes:

1. Bicycle racks shall be located on the site.
2. The applicant shall provide employee shower facility at the site.
3. The applicant shall repave and stripe the parking lot prior to occupancy.
4. A status update relative to odor control complaints shall be prepared for Planning Commission review after six (6) months of operations at the Cannabis facility.
5. There shall be two (2) interior stairways to move cannabis products between floors.
6. Any exterior screening shall not penetrate any exterior wall.
7. The applicant shall be required to re-coat the existing building roof.
8. The applicant shall be required to place new insulation in all the walls to prevent odors escaping from the facility.
9. The applicant shall apply elastomeric paint to seal exterior surfaces of the building.
10. The AAC shall review the: (1) frame-in exterior balcony relative to the stucco vs. the mesh screening (more stucco exposure); (2) show all mechanical equipment including exhaust fans as part of the roof plan; (3) integration of signage and architecture; (4) entry doors more pronounced than stairway doors; (5) colors evaluated for context.

AYES: Donenfeld, Hirschbein, Song, Moruzzi, Woods
ABSENT: Hudson
ABSTAIN: Garner

- 2A. 1875 NORTH PALM CANYON PARTNERS II, LLC, DBA – TOVA HOTEL AND BEACH CLUB FOR A CONDITIONAL USE PERMIT FOR A FULL SERVICE SPA AND A FULL SERVICE RESTAURANT; AND A MAJOR ARCHITECTURAL APPLICATION FOR THE CONSTRUCTION OF A 15,200-SQUARE FOOT RESTAURANT BUILDING TO AN EXISTING HOTEL LOCATED AT 1875 NORTH PALM CANYON DRIVE (CASE 5.1382 CUP / 3.0157 MAJ). (GM)**

Associate Planner Mlaker provided background information on the previously approved hotel project. The project has been revised to add subterranean parking located underneath the restaurant and lobby building as outlined in the staff report.

Chair Woods opened the public hearing:

TOM VENTURA and NICK ACEVEDO, Gensler, project architects, provided details on parking, vehicular circulation, landscaping and ADA clearance on the site plan. He was available for questions from the Commission.

JIM TURCO, applicant, said they are ready to start construction once the approvals are given. He was available for questions from the Commission.

There being no further speakers the public hearing was closed.

Commissioner Donenfeld recalled when this project was approved and the restaurant facility was removed. He was not comfortable with a hotel of this size without a restaurant. He thinks it's a testament to the applicant's commitment to the project to come back and re-engineer the project with underground parking.

Donenfeld, seconded by Song to approve subject to conditions with the following changes:

1. Within 3 months decorative screen of future development shall be added on fencing.
2. Consider extending decorative concrete block to roof fascia on guestroom buildings.
3. Study the narrowing of exit driveway to facilitate safe vehicle movements.
4. Queuing for valet at main driveway not permitted to stack into the public street so as to not impede traffic on North Palm Canyon Drive.
5. Gender neutral restroom to be available at public pool area.
6. Bicycle parking to be provided on site.

AYES: Donenfeld, Garner, Hirschbein, Song, Moruzzi, Woods

ABSENT: Hudson

- 2B. SONS OF ITALY ON BEHALF OF DOLLY SINATRA LODGE NO. 2400 TO RE-ESTABLISH A CONDITIONAL USE PERMIT TO OPERATE A MEETING HALL WITHIN THE EXISTING BUILDING LOCATED AT 1700 NORTH SAHARA ROAD, ZONE P, SECTION 1 (CASE 5.0707 CUP). (DN) (CONTINUED FROM JANUARY 23, 2019 MEETING.)**

Hirschbein, seconded by Garner to continue to date certain of February 27, 2019.

AYES: Donenfeld, Garner, Hirschbein, Song, Moruzzi, Woods

ABSENT: Hudson

A recess was taken at 3:35 pm. The meeting resumed at 3:47 pm.

2D. REQUEST BY THE CITY OF PALM SPRINGS FOR APPROVAL OF THE ANNUAL UPDATE OF THE PALM SPRINGS ZONING CODE (CASE 5.1466 ZTA). (FF)

Planning Director Fagg provided a report on the proposed annual update of the Zoning Code as outlined in the staff report.

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

Hirschbein, seconded by Donenfeld to recommend approval to City Council.

AYES: Donenfeld, Garner, Hirschbein, Song, Moruzzi, Woods
ABSENT: Hudson

3. UNFINISHED BUSINESS: None.

4. NEW BUSINESS:

4A. GALLERY HOMES REQUESTING APPROVAL OF FINAL PDD PLANS FOR 50 SINGLE-FAMILY RESIDENTIAL UNITS IN PLANNING AREA 4C WITHIN PHASE 1 OF PLANNED DEVELOPMENT DISTRICT 290: THE MIRALON DEVELOPMENT LOCATED AT 801 SUNRISE WAY, ZONE PDD 290, SECTION 35 (CASE 5.0982-PD 290 / TTM 31848-1). (ER)

Principal Planner Robertson presented the proposed Final Development Plans for 50-single family residential units within Miralon Development as outlined in the staff report.

Commissioner Hirschbein, as a member of the subcommittee, said there was a general consensus that the design of the project is very good. He recalled that there were specific issues regarding placement of exact materials; however, with the plans that have been submitted he believes they have all been addressed.

COLIN LIU, Robert Hidey, and RICK HAUSER, Gallery Homes, answered questions from the Commission.

Hirschbein, seconded by Donenfeld to approve subject to conditions as presented.

AYES: Donenfeld, Garner, Hirschbein, Song, Moruzzi, Woods
ABSENT: Hudson

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

- Mixed Use Ordinance update.
- Status of the Golf Course Ordinance.

CITY COUNCIL LIAISON REPORT: None.

PLANNING DIRECTOR'S REPORT:

- Planning Commission Study Session will be held on Feb. 27th
- Site tours of the Miralon project.

ADJOURNMENT: The Planning Commission adjourned at 4:17 pm to 1:30 pm, Wednesday, February 27, 2019, City Hall, Council Chamber, preceded by a Study Session at 11:00 am, Large Conference Room, 3200 East Tahquitz Canyon Way.


Flinn Fagg, AICP
Director of Planning Services