

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

CALL TO ORDER:

Vice Chair Moruzzi called the meeting to order at 1:33 pm.

ROLL CALL:

Present: Donenfeld, Garner*, Hirschbein, Hudson, Song, Vice Chair Moruzzi

Excused: Chair Woods

Staff Present: Planning Director Fagg, Attorney Priest, Administrative Coordinator Hintz, Engineering Associate Minjares, Associate Planner Mlaker, Associate Planner Newell, Principal Planner Robertson

*Arrived at 1:35 pm.

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 5:00 pm on March 7, 2019.

ACCEPTANCE OF THE AGENDA:

Donenfeld, seconded by Hirschbein to accept the agenda, as presented.

AYES: Donenfeld, Hirschbein, Hudson, Song, Moruzzi

ABSENT: Garner, Woods

PUBLIC COMMENTS:

Vice Chair Moruzzi opened public comments:

LUKE CHIAO, store design manager, Sephora USA (Item 1B), requesting two larger signs for their wide storefront and noted that all the letters in the sign are capitalized.

BRAD SHUCKHART, Freehold Communities, applicant for Item 4A, said they have a presentation they would be happy to provide; and experts in the field are available to address questions from the Commission.

1. CONSENT CALENDAR:

Commissioner Hirschbein requested Item 1B pulled from the Consent Calendar for further discussion.

1A. APPROVAL OF MINUTES: JANUARY 23, 2019, FEBRUARY 13, 2019, FEBRUARY 27, 2019 AND FEBRUARY 27, 2019 STUDY SESSION MINUTES

Song, seconded by Hudson to approve Item 1A, as amended. (Noting Commissioner Hudson's abstention on the minutes of February 13, 2019.)

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

EXCLUDED CONSENT CALENDAR:

1B. SEPHORA USA FOR A SIGN PERMIT TO INSTALL TWO MAIN SIGNS THAT EXCEED LETTER HEIGHTS OF 16-INCHES AT 175 NORTH PALM CANYON DRIVE, ZONE CBD, SECTION 15 (CASE SI 19-010). (DN)

Associate Planner Newell presented the proposed sign permit as outlined in the staff report.

LUKE CHIAO, applicant, responded to questions from the Commission regarding the rear emergency/loading dock exit door and decorative graphics on window glazing.

Hirschbein, seconded by Song to approve with changes:

1. The applicant to modify the window glazing at the rear and provide solid panels.

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

MOTION FAILED.

Moruzzi, seconded by Song to approve with changes:

1. The applicant shall regularly maintain the glazing on the west elevation so its condition appears new or near new. Should the applicant fail to maintain the appearance of the graphics, the applicant shall re-submit an alternative treatment plan for the window glazing for consideration by the Planning Commission.

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

2. PUBLIC HEARING:

2A. AMENDMENT TO THE PALM SPRINGS ZONING CODE (PSZC) TO AMEND THE DEVELOPMENT STANDARDS FOR COMMERCIAL WIND ENERGY CONVERSION SYSTEMS (WECS) RELATIVE TO TOWER HEIGHTS AND ADJUSTMENTS TO SETBACKS (CASE 5.1469 ZTA). (GM)

Associate Planner Mlaker presented the proposed zone text amendment relating to commercial wind energy conversion systems (WECS) as outlined in the staff report.

DAVID FREEDMAN, (Member of the Sustainability Commission & Standing Subcommittee on Solar and Green Building), said the Sustainability Commission approved the draft ordinance on Feb. 19th and urged approval by the Planning Commission. Mr. Freedman provided details on the draft ordinance and was available for questions from the Commission.

PATRICK TALLARICO, Manager, Office of Sustainability, reaffirmed that the Sustainability Commission approved the draft ordinance and noted that the amendment makes a lot of sense from an environmental perspective due to the efficiencies that are gained by the additional height of the turbines.

Vice Chair Moruzzi opened the public hearing:

JOAN TAYLOR, representing the Sierra Club, said that the Sierra Club does support upgrades to the wind turbines and are preferable to opening up new areas for wind energy. She expressed concern with birds/bats and requested inclusion of: full environmental review, mitigation measures and notification to the wildlife agencies and general public to allow an opportunity to comment.

There being no further speakers the public hearing was closed.

Donenfeld, seconded by Garner to recommend approval to City Council with the following changes.

1. Mitigation measures shall be implemented and monitored on an ongoing basis to address potential impacts of the WECS towers.
2. Comments on the environmental review provided by wildlife agencies may be incorporated as part of the conditions of approval and mitigation measures of the project.

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

3. UNFINISHED BUSINESS: None.

4. NEW BUSINESS:

4A. A REQUEST BY FREEHOLD COMMUNITIES, LLC (AVALON 1150), FOR A MINOR AMENDMENT TO AN APPROVED PDD TO REVISE A CONDITION OF APPROVAL REQUIRING THE EXCLUSIVE USE OF ALUMINUM FRAMED WINDOWS FOR THE MIRALON DEVELOPMENT LOCATED AT 801 SUNRISE PARKWAY, ZONE PDD 290, SECTION 35 (CASE 5.0982-PD 290 / TTM 31848). (ER)

Principal Planner Robertson provided background information and an overview on the request to amend the condition regarding the exclusive use of aluminum windows and doors at the Miralon development.

BRAD SHUCKHART, Freehold Communities, on behalf of Miralon development, said that the aluminum windows provide a modern aesthetic but vinyl provides similar features. He indicated that Miralon prides itself in being an energy-efficient master planned community and pointed-out that using aluminum framed windows are less energy efficient dropping roughly by 28%.

NICK BROWN, energy consultant, provided details on the performance of aluminum windows. He clarified that the aluminum window underperforms non-metal frames.

BAILEY CORBEIL, Next Level Doors & Windows, said the ratings were provided originally for aluminum and vinyl as an alternative; fiberglass was not been requested. She clarified that the white interior window color cannot be painted because it needs to breathe; otherwise it will absorb heat and expand the window.

RICK HAUSER, builder, Gallery Homes, spoke about issues with the metal frame windows pertaining to availability, warranty and do not conserve energy.

Commissioner Song noted concern with the durability of vinyl windows. She explained that she's in this type of business and use fiberglass because of its efficiency and durability. She thinks it's not about the energy efficiency but more about the cost. She said if presented this way she could understand it and support it.

Commissioner Hudson said he was present when this condition was imposed and said that it was based on aesthetics. In reviewing the projects that have been approved, including SKY Development and others; this was not a required condition. He spoke in support of vinyl windows and said that fiberglass is an option he had not considered. He said unless the City were to codify this issue he does not feel comfortable placing a special condition on this project.

Commissioner Donenfeld concurred with Commissioner Hudson. He thinks this development will be a beautiful place with lovely homes and affordable prices. He thinks cost is an issue and supports the vinyl window.

Commissioner Garner concurred with Commissioner Song's comments relating to the durability of fiberglass and affordable homes should be reasonable upfront and for many years. She would like to hear more about fiberglass windows or if it's not something they can do she prefers the more affordable option.

BAILEY CORBEIL, window specialist, said that fiberglass and vinyl are fairly similar when it comes to Title 24 requirements; and they both withstand the heat and wind speeds of up to 125 mph in that particular area. She said fiberglass is a little more expensive and suggested a price list showing the difference between the two. She said that in her experience fiberglass is rarely asked for and the most common are: aluminum, vinyl or wood clad.

RICK HAUSER pointed-out that if they are in high moisture area they will lean towards fiberglass. The vinyl can have a type of mold issue but he's never used fiberglass in the desert.

Donenfeld, seconded by Hudson to approve with changes:

1. Remove the condition of approval PLN 19.
2. Fiberglass windows are highly recommended; and alternate window material to be considered by the Planning Commission on a case-by-case basis.

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

A recess was taken at 3:34 pm. The meeting resumed at 3:43 pm.

5. OTHER BUSINESS:

5A. DISCUSSION OF ENTITLEMENT PROCESS AND ZONING REGULATIONS RELATING TO RECREATIONAL VEHICLE HOTEL CONCEPT. (FF)

Planning Director Fagg provided an overview on the concept that involves the permanent placement of recreational vehicles (RV) on a development site for hotel use as outlined in the staff memorandum. Mr. Fagg described a couple of the permitting issues with the Building & Safety and the Fire Departments.

Commissioner Donenfeld said that sees Palm Springs as an international tourist area. He sees a lot of issues associated with this concept such as: transients in motels, safety issues, aesthetic issues, controlling the types of trailers and land is not easily available here. He questioned if this concept is appropriate for Palm Springs.

Commissioner Hirschbein said that it's a great idea in the appropriate location. He thinks it's fun and hip and adds another layer of something to do or somewhere to stay.

Commission Hudson agrees with Commissioner Hirschbein; noting that it would depend on the specific site. He thinks this is a great idea but suggested the trend of tiny homes which would provide some options to the housing stock.

Commissioner Song commented that this type of project works because the parking is kept away from the trailer homes. She questioned if the RV use could be modified to allow for smaller lots and a subsection for the tiny home development. She said in the site planning design parking should be placed away from the trailers so that there's opportunity to create a community setting.

Commissioner Garner is not certain how viable this type of project is based on cost. She has concerns on anything that is too trendy and thinks this type of trend is most likely to go away sooner than later. She can't imagine the maintenance involved in a project like this on a long-term basis. She thinks this concept works in Morongo Valley and Yucca Valley because land is inexpensive.

For discussion only; no action was taken.

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

- Response to letter for a Street Name Change request.
- Update on Orchid Tree project.
- Status of Virgin Hotel site.

CITY COUNCIL LIAISON REPORT: None.

PLANNING DIRECTOR'S REPORT:

- Appoint a Planning Commission Subcommittee to review project submittal requirements so that the Commission can adequately review and comment on. Subcommittee was formed: and it consisted of Commissioners Hudson, Hirschbein and Song.
- Update on California Preservation Conference.

ADJOURNMENT: The Planning Commission adjourned at 4:15 pm to 1:30 pm, Wednesday, March 27, 2019, City Hall, Council Chamber, 3200 East Tahquitz Canyon Way.


Flinn Fagg, AICP
Director of Planning Services