

PLANNING COMMISSION ACTION MINUTES
April 8, 2025
CITY OF PALM SPRINGS
3200 East Tahquitz Canyon Way, Palm Springs, California

CALL TO ORDER:

Chair Weremiuk called the meeting to order at 5:31 pm

ROLL CALL:

Present: Chair Weremiuk, Vice Chair Aylaian, Baker, Miller, Murphy, Morrill, Rotman
Excused: None.

Staff Present: Planning Director Christopher Hadwin, Principal Planner Ken Lyon, Assistant Planner Alex Rubalcava, Associate Planner Noriko Kikuchi, City Attorney William Priest, City Attorney Tari Williams, Engineering Assistant Jonathan Samaniego, Administrative Specialist Anita Fields

REPORT OF POSTING OF AGENDA: Agenda 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 Thursday, April 3, 2025.

ACCEPTANCE OF THE AGENDA: The Planning Commission will discuss the order of the agenda, may amend the order, note abstentions and request Consent Calendar items be removed from the consent calendar for discussion.

Commissioner Miller moved, seconded by Commissioner Baker, to accept the Agenda.

AYES: WEREMIUK, AYLAIAN, BAKER, MILLER, MORRILL, MURPHY, ROTMAN
EXCUSED: None.

Introduction of new City Attorney for the Planning Department, Tari Williams, who is replacing William Priest due to his time conflict with the new Tuesday evening meeting time for the commission. The Commission thanked Attorney Priest for his many years of counsel.

PUBLIC COMMENT:

Michael Pitkin commented on a non-agenda item that is not within the Planning Commission's jurisdiction: the fees charged for sidewalk vending.

1. CONSENT CALENDAR:

- A. **APPROVAL OF MINUTES: MARCH 25, 2025**
RECOMMENDATION: Approve

Vice Chair Aylaian moved, seconded by Commissioner Murphy, to approve the revised minutes.

AYES: WEREMIUK, AYLAIAN, BAKER, MILLER, MORRILL, MURPHY, ROTMAN
EXCUSED: None.

- B. RESOLUTION OF DENIAL FOR CASE DP-2024-0009, A REQUEST BY MCWHIRTER REALTY PARTNERS FOR APPROVAL OF A MAJOR DEVELOPMENT PERMIT (DP) TO CONSTRUCT A NEW 4,012-SQUARE-FOOT COMMERCIAL BUILDING FOR A PAINT STORE ON A 0.38-ACRE UNDEVELOPED PARCEL LOCATED NEAR THE SOUTHEAST CORNER OF NORTH PALM CANYON DRIVE AND EAST STEVENS ROAD, ZONE C-1, SECTION 10 (CASE DP-2024-0009). (NK)**

RECOMMENDATION: Adopt the revised Resolution of Denial as decided on March 25, 2025.

Vice Chair Aylaian moved, seconded by Commissioner Rotman, to adopt the denial.

AYES: WEREMIUK, AYLAIAN, MORRILL, ROTMAN

NOES: MURPHY, MILLER, BAKER.

EXCLUDED CONSENT CALENDAR: Items removed from the Consent Calendar for separate discussion are considered at this time.

2. PUBLIC HEARINGS:

- A. A REQUEST BY JONATHAN KHARFEN, ARCHITECT, ON BEHALF OF WALTER LANDER AND KIT NG, REQUESTING A VARIANCE TO DECREASE THE STREETSIDE YARD SETBACK REQUIREMENT FROM TWENTY-FIVE (25) FEET TO EIGHT (8) FEET FOR AN ADDITION TO AN EXISTING SINGLE FAMILY RESIDENCE LOCATED AT 725 SOUTH SUNRISE WAY, APN 508-271-012 (CASE VAR-2024-0001)(AR).**

RECOMMENDATION:

1. Open The Public Hearing and receive testimony.
2. Close The Public Hearing and adopt the CEQA determination as outlined in the staff report and deny the project.

Alex Rubalcava, Assistant Planner, presented the staff report and answered questions of the commission.

Jonathan Samaniego, City Engineering Assistant, spoke and answered questions of the commission.

Tari Williams, City Attorney, spoke and answered questions of the commission.

Jonathan Kharfen, architect, for applicants, spoke and answered questions of the commission.

Walter Lander, property owner and applicant, spoke and answered questions of the commission.

Commissioner Murphy moved, seconded by Commissioner Rotman, to continue to a date uncertain to allow for additional direction from the city attorney on the requirement for road dedication and whether expansions may be considered cumulatively, and to allow the applicant to make revisions.

AYES: WEREMIUK, AYLAIAN, MILLER, MORRILL, MURPHY, BAKER, ROTMAN

NOES: None.

3. **UNFINISHED BUSINESS:** None.

4. **NEW BUSINESS:**

A. **A REQUEST BY WOODBRIDGE PACIFIC GROUP, LLC, FOR APPROVAL OF THE FINAL DEVELOPMENT PLANS ("FINAL PDD") TO CONSTRUCT TWENTY-FIVE (25) SINGLE-FAMILY RESIDENTIAL UNITS ON 60-WIDE LOTS IN THE PHASE 2 SECTION OF THE MIRALON DEVELOPMENT (CASE PDD-2024-0007 / 5.0982 PD 290 / TRACT #31848. (KL/ER)**

Ken Lyon, Principal Planner, presented the staff report and answered questions of the commission.

Todd Cunningham, owner and President, Woodbridge Pacific Group, for applicants, spoke and answered question of the commission.

RECOMMENDATION:

(1) Re-certify the Mitigated Negative Declaration as certified by the City Council on November 2, 2016 as a complete analysis of the potential environmental impacts of the proposed final development plans for this portion of the Miralon project; and

(2) Approve the proposed final development plans for Case PDD-2024-0007, as being substantially in conformance with the preliminary planned development district, as conditioned, including the Miralon design guidelines and the Miralon vision book and recommend approval by the Architectural Review Committee subject to conditions of approval in Exhibit "A".

Chair Weremiuk proposed, seconded by Commissioner Rotman, to recertify the Mitigated Negative Declaration and to approve the proposed final development plans subject to additional conditions and review by a joint subcommittee of the Planning Commission, represented by Commissioner Morrill, and the two members of the Architectural Review Committee, to address outstanding design issues prior to presentation at the Architectural Review Committee.

1. Use accent wall materials and architectural elements and plant-ons in a way that adds to the authenticity of the design and reinforces the functional forms of the structure rather than arbitrarily applied. Transitions between materials should occur at logical breaking points defined by a change in surface plane or architectural element and not mid-wall.
2. To provide consistency with other phases of development relative to second story units.
3. The subcommittee shall review sloped ceilings and ceiling height to better reflect the overall style and form of the design guidelines.
4. Create a clear and free path to the residential gates and the adjacent open space.

AYES: WEREMIUK, AYLAIAN, MILLER, MORRILL, MURPHY, BAKER, ROTMAN

NOES: None.

PLANNING COMMISSION REPORTS, REQUESTS AND COMMENTS:

The Chick-Fil-A project was not appealed. Some comments were received about the project from the Dream Homes in Cathedral City and they have been informed that circulation concerns regarding Cathedral City should be referred to Cathedral City staff.

PLANNING DIRECTOR'S REPORT:

An appeal of the denial of the Sherwin Williams paint store project has been appealed and it should go to the city council in late April or early May.

Director Hadwin thanked the attendees of the zoning code open houses and thanked the subcommittee members who participated. The team is now moving toward the writing of the standards phase, and the text of the code itself, and some work on the map.

ADJOURNMENT: The Planning Commission adjourned at 7:38 pm to 5:30 pm, Tuesday, April 22, 2025, 3200 E. Tahquitz Canyon Way, Palm Springs, California.