



# **CITY OF DESERT HOT SPRINGS**

## **REGULAR MEETING OF THE PLANNING COMMISSION**

### **ACTION MINUTES**

**NOVEMBER 13, 2018**

**6:00 PM**

**CITY COUNCIL CHAMBERS  
CARL MAY COMMUNITY CENTER  
11711 West Drive, Desert Hot Springs, California**

---

### **CALL TO ORDER**

Chair Buchanan called the Planning Commission meeting to order at 6:00 P.M.

### **ROLL CALL**

**Present:**

Commissioners: Gary Gardner, James Nindel, Robert Griffith

Vice Chairman: Scott De la Torre

Chairman: Larry Buchanan

### **PLEDGE OF ALLEGIANCE**

Commissioner Gardner led the Pledge of Allegiance.

### **APPROVAL OF THE AGENDA**

**Action:** Gardner moved to approve the November 13, 2018 regular meeting agenda, motion seconded by De la Torre, motion carried 5/0 by the following vote:

**Vote:** AYES: 5 - De la Torre, Buchanan, Gardner, Nindel, Griffith  
Passed NOES: 0 - (None)

### **MINUTES**

**Planning Commission Regular Meeting Minutes, October 9, 2018**

*Ana Morales, Recording Secretary*

**Recommendation:** Approve as submitted; or corrected.

Action: Buchanan moved to approve the October 9, 2018 Planning Commission minutes, motion seconded by De la Torre, motion carried 5/0 by the following vote:

Vote: AYES: 5 - De la Torre, Buchanan, Gardner, Nindel, Griffith  
Passed NOES: 0 - (None)

## **PUBLIC COMMENTS**

Chair Buchanan opened the Public Comments.

David Desmasais addressed the commissioners regarding the zoning on Pierson Blvd.

Chair Buchanan closed the Public Comments.

## **PUBLIC HEARINGS**

1. **Conditional Use Permit No. 13-16 Time Extension: A request for a one-year time extension, for the Oceans Springs Tech Cannabis Cultivation Facility located at 65145 Two Bunch Palms Trail in the I-L (Light Industrial Zone) APN 665-030-068**

*Daniel Porras, Public Works Director*

**Recommendation:** 1) Staff Report;  
2) Entertain questions of Staff from Planning Commission;  
3) Open the Public Hearing;  
4) Take testimony from Applicant;  
5) Take Public Testimony;  
6) Opportunity for Applicant Rebuttal;  
7) Close the Public Hearing;  
8) Planning Commission discussion and questions to Staff;  
and  
9) Consider a motion that the Planning Commission approve a one-year extension of time for Conditional Use Permit No. 13-16 for the Oceans Springs Tech Cannabis Cultivation Facility located 65145 Two Bunch Palms Trail in the I-L (Light Industrial Zone). APN: 665-030-053

Patricia Meza, Planning Technician, presented the staff report and responded to questions.

Chair Buchanan opened the Public Hearing.

Armando Rodriguez, Applicant, addressed the Commission.

Chair Buchanan closed the Public Hearing.

Action: De la Torre moved to approve staff recommendation, motion seconded by

Gardner, motion carried 5/0 by the following vote:

Vote: AYES: 5 - De la Torre, Buchanan, Gardner, Nindel, Griffith  
Passed NOES: 0 - (None)

2. **Zoning Map Amendment (ZMA) 01-18, and General Plan Amendment (GPA) 02-18. Applications to change the Zoning & General Plan Land Use Designation from R-R (Rural Residential) to C-N(Commercial Neighborhood) on a 9.1 acre site located at the southwest corner of Palm Drive and Claire Avenue. APN: 657-050-003**

*Daniel Porras, Public Works Director*

**Recommendation:** 1) Staff Report;  
2) Entertain questions of Staff from Planning Commission;  
3) Open the Public Hearing;  
4) Take testimony from Applicant;  
5) Take Public Testimony;  
6) Opportunity for Applicant Rebuttal;  
7) Close the Public Hearing;  
8) Planning Commission discussion and questions to Staff;  
and  
9) That the Planning Commission make a favorable recommendation to the City Council for approval of: 1) An Exemption to the California Environmental Quality Act (CEQA) Pursuant to Section 15061(b)(3), General Rule, of the CEQA Statutes and Guidelines; and, 2) Zone Map Amendment No. 01-18; and, 3) General Plan Amendment No 02-18, for a change in land use designation from Rural Residential (R-R) to Commercial Neighborhood (C-N) for the 9.1 acre parcel located at the southwest corner of Palm Drive & Claire Avenue. APN 657-050-003.

Scott Taschner, Senior Planner, presented the staff report and responded to questions.

Chair Buchanan open the Public Hearing.

Chester Allen, Applicant, provided testimony.

David Dismaries spoke opposed to the project.

Chair Buchanan closed the Public Hearing.

Action: Gardner moved to approve staff recommendation, motion seconded by Buchanan, motion carried 4/0 by the following vote:

Vote: AYES: 4 - Buchanan, Gardner, Nindel, Griffith  
Passed NOES: 0 - (None)  
ABSTAIN: 1 - De la Torre

3. **Zoning Map Amendment (ZMA) 02-18, and General Plan Amendment (GPA) 03-18. Applications to change the Zoning & General Plan Land Use**

**Designations from R-R (Rural Residential) to I-L (Light Industrial) on an 84-acre site located on the east side of Palm Drive south of Dillon Road and north of the Desert Dunes Golf Course. APN: 657-230-009, 010, 017, 020, and 022.**

*Daniel Porras, Public Works Director*

**Recommendation:** 1) Staff Report;  
2) Entertain questions of Staff from Planning Commission;  
3) Open the Public Hearing;  
4) Take testimony from Applicant;  
5) Take Public Testimony;  
6) Opportunity for Applicant Rebuttal;  
7) Close the Public Hearing;  
8) Planning Commission discussion and questions to Staff;  
and  
9) Staff recommends that the Planning Commission make favorable a recommendation to the City Council for approval of 1) An Exemption to CEQA, pursuant to Section 15061(b)(3), General Rule, of the California Environmental Quality Act (CEQA); and, 2) Zone Map Amendment No. 02-18; and, 3) General Plan Amendment No. 03-18, from Rural Residential (R-R) to I-L (light industrial) on a 84+ acre site located on the east side of Palm Drive south of Dillon Road and north of the Desert Dunes Golf Course APNs 657-230-009; 657230010; 657230017; 657230020; 657230022

Patricia Meza, Planning Technician, presented the staff report and responded to questions.

Nathan Bouvet, representing My Desert Garage, addressed the Commission.

Dave Mourse, representing My Desert Garage, addressed the Commission and responded to questions.

A discussion ensued

Chair Buchanan opened the Public Hearing.

Shawna Beamer addressed the commission.

Santas Smario addressed the commission.

David Damirez addressed the commission.

Nathan Bouvet, representing My Desert Garage, provided rebuttal.

Chair Buchanan closed the Public Hearing.

**Action:** Gardner moved to approve staff recommendation with the added condition that Zone Map Amendment No 02-18 & General Plan Amendment No. 03-18 shall not take effect until the permit issuance of the Recreational Vehicle Storage Facility are approved, motion seconded by De la Torre, motion carried 5/0 by the following vote:

Vote:  
Passed

AYES: 5 - De la Torre, Buchanan, Gardner, Nindel, Griffith  
NOES: 0 - (None)

The Commission recessed for 5 minutes.

4. Development Permit No. 09-18 proposing the construction of five (5) mid-century modern homes with butterfly, single slope, and center view design roofs and within the Rolling Hills Residential Estates north of Mission Lakes Boulevard and east of Little Morongo Road in the R-L (Low Density Residential) zone. Applicant: Chris Ifeanyi, on behalf of Elyon Development . (APN's: 661-560-001, -002, -003, -004, and -005)

*Daniel Porras, Public Works Director*

**Recommendation:** 1) Staff Report;  
2) Entertain questions of Staff from Planning Commission;  
3) Open the Public Hearing;  
4) Take testimony from Applicant;  
5) Take Public Testimony;  
6) Opportunity for Applicant Rebuttal;  
7) Close the Public Hearing;  
8) Planning Commission discussion and questions to Staff;  
and  
9) Staff recommends that the Planning Commission either:  
A) Continue the item to a date certain of December 11, 2018 so the Commission can review the Waterman Homes proposal at the same time; OR  
B) Approve Development Permit No. 09-18 to allow the construction of five (5) mid-century modern homes within the Rolling Hills Estates in the Low Density Residential (R-L) Zoning District. APN's 661-560-001, -002, -003, -004, and -005, subject to the attached conditions of approval, staffs recommended mitigation measures, and the findings contained herein.

Scott Taschner, Senior Planner, presented the staff report and responded to questions.

Chair Buchanan opened the Public Hearing.

Chris Ifeanyi, Applicant, provided testimony.

John Pavelak spoke in favor.

Lisa Romero spoke against..

Pamela Mustain spoke against the project and suggested same style homes.

Scott Powers, Project investor spoke in favor.

Chuck Mcdaniel spoke against the project.

Ron Linderman spoke in favor of the project.

Sharon Frazier spoke in favor of the project.

Maria Marta spoke against the project

Alex Rueda Marta spoke against the project.

Etel Farmer spoke against the project.

Jeff Marsh spoke against the project.

Osman Rodriguez spoke against the project.

James Cioffi spoke in favor of the project.

John Pavelak referenced the project.

Alibaba Farzaneh spoke in favor of project.

Russel Betts spoke against the project.

Margaret Webh spoke in favor of the project.

David Desmasais spoke against the project.

Steve Gyboney spoke against the project.

Chris Ifeanyi, Applicant, provided rebuttal.

Chair Buchanan closed the Public Hearing.

Action: Buchanan moved to deny, motion seconded by Gardner, motion carried 4/0 by the following vote:

<u>Vote:</u>	AYES: 4 - Buchanan, Gardner, Nindel, Griffith
Passed	NOES: 0 - (None)
	ABSTAIN: 1 - De la Torre

### **CHAIR AND PLANNING COMMISSION MEMBER REPORTS**

Chair Buchanan announced that Commissioner Gardner was elected to the City Council.

### **COMMUNITY DEVELOPMENT DIRECTOR REPORT**

Daniel Porras, Public Works Director, presented his report.

### **PUBLIC COMMENTS**

There were no Public Comments.

### **ADJOURN REGULAR MEETING**

Chair Buchanan adjourned the regular meeting at 9:09 PM.

---

Ana Morales, Recording Secretary