



# **CITY OF DESERT HOT SPRINGS**

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

### **DRAFT ACTION MINUTES**

**AUGUST 13, 2019**

**6:00 PM**

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

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### **CALL TO ORDER**

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

### **ROLL CALL**

**Present:**

Commissioners: James Nindel, Richard Duffle

Vice Chairman: Scott De la Torre

Chairman: Larry Buchanan

### **PLEDGE OF ALLEGIANCE**

Vice Chair De la Torre led the Pledge of Allegiance.

### **APPROVAL OF THE AGENDA**

**Action:** Duffle moved to approve the August 13, 2019 regular meeting agenda, motion seconded by De la Torre, motion carried 4/0 by the following vote:

**Vote:** AYES: 4 - De la Torre, Buchanan, Nindel, Duffle  
Passed NOES: 0 - (None)

### **PUBLIC COMMENTS**

Juan Alvarez, JMAR Construction, spoke regarding Conditional Use Permit (CUP 22-14) (Stephanie Bodde).

Stephanie Bodde spoke regarding her request for a time extension concerning her Project (CUP 22-14).

## **PUBLIC HEARINGS**

**1. Conditional Use Permit No. 02-19. A proposed cell tower within a commercial property located at 22755 Palm Drive. Applicant: J5 Infrastructure Partners, LLC (AT&T)**

*Community Development Director, Rebecca Deming*

**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) Recommendation from staff to continue the item to a date certain of September 10, 2019 to allow additional time for staff to work with the applicant before the next public hearing.

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

Chair Buchanan opened the Public Hearing.

There was no public testimony.

Action: Duffle moved to continue the Public Hearing to September 10, 2019, motion seconded by De la Torre, motion carried 4/0 by the following vote:

Vote: AYES: 4 - De la Torre, Buchanan, Nindel, Duffle  
Passed NOES: 0 - (None)

**2. Amendment to Conditional Use Permit No. 10-14. A request to expand the business operation into an adjacent tenant space and ultimately into the rear portion of the building at the Desert Finest cannabis retail storefront located at 12106 Palm Drive.**

*Community Development Director, Rebecca Deming*

**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 approve the following 1) An exemption to CEQA based on the finding that the project qualifies as a Class 3 Categorical Exemption 15311 Existing Facilities and 2) Amendment to Conditional Use Permit No. 10-14 for the expansion of the building in two (2) phases.

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

Samion Shtockmaster, Applicant, provided testimony.

Chair Buchanan opened the Public Hearing.

Russell Betts, business owner of Hair Salon located next to the proposed project, spoke in favor of the project.

Chair Buchanan closed the Public Hearing.

Action: De la Torre moved to approve staff recommendation with the added condition that the applicant/developer has agreed to abandon the "Residential Use" on the 2nd story of the rear building, motion seconded by Duffle, motion carried 4/0 by the following vote:

Vote:

Passed

AYES: 4 - De la Torre, Buchanan, Nindel, Duffle

NOES: 0 - (None)

3. **DHS Wind Project: Conditional Use Permit No. 01-18 & Variance No. 01-18 for the installation of up to four (4) new 493-foot wind turbines and one new meteorological tower along with the decommissioning of 69 existing wind turbines located in the foothills on the west side of Highway 62 near Painted Hills Drive.**

*Rebecca Deming, Community Development Director*

**Recommendation:**

- 1) Staff Report;
- 2) Planning Commission Questions for Staff;
- 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) Recommendation from staff to approve; (1) a Supplement to the Certified Final EIR for the DHS Wind Repowering project; and (2) Conditional Use Permit No. 01-18; proposing the decommissioning of the existing 69 turbines and the development of up to 4 new wind turbines up to 499 feet tall, and a smaller meteorological tower, and; 3) a Variance

request to exceed the specific limitations of the City's Zoning Code (height of the structures) for the proposed wind turbines located on APN 667-160-001.

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

Chair Buchanan opened the Public Hearing.

Armando Anselmo, Applicant, provided his testimony.

A discussion ensued regarding refurnishing of natural landscape at the proposed site.

Chair Buchanan opened the Public Testimony.

Richard Klassen spoke against the project.

Ruth Schriefer spoke against the project.

Hazel Whittaker spoke against the project.

Pete Wright spoke against the project.

Jim Etchason spoke in favor of the project.

Kelby Rhor spoke in favor of the project.

Armando Anselmo, Applicant, provided rebuttal.

Collin Ramsey, Dudek & Associates, responded to residents' concerns.

Jody Brego, LSA Associates, Inc., responded to residents' concerns regarding the biological issues.

Kevin Martin, Terra Nova, provided additional rebuttal.

Chair Buchanan closed the Public Hearing.

Action: De la Torre moved to approve staff recommendation with the added condition that the applicant/developer shall work with City Staff, the Coachella Valley Association of Governments (CVAG) and the Coachella Valley Conservation Commission to re-consider the possibility of removing the foundations/pads for the wind turbines that are being decommissioned, or if any other options are available to return the site to its former natural state, with final decision to be at the discretion of the Community Development Director, motion seconded by Buchanan, motion carried 3/0 by the following vote:

<u>Vote:</u>	AYES: 3 - De la Torre, Buchanan, Nindel
Passed	NOES: 0 - (None)
	ABSTAIN: 1 - Duffle

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

Commissioner Duffle provided his report regarding the Elk's Club.

Vice-Chair De la Torre stated that he was a Real Estate Agent representing commercial space at the K-Mart Shopping Center and that he had spaces available.

## **COMMUNITY DEVELOPMENT DIRECTOR REPORT**

Rebecca Deming, Community Development Director, announced that a General Plan EIR Workshop would be held.

## **PUBLIC COMMENTS**

Fabiola Del Toro, resident, expressed concerns regarding cannabis odor control and sidewalks construction.

## **ADJOURN REGULAR MEETING**

Chair Buchanan adjourned the regular meeting at 7:51 P.M.

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Ana Morales, Recording Secretary