



## **CITY OF DESERT HOT SPRINGS**

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

#### **ACTION MINUTES**

**JUNE 11, 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, Robert Griffith, Richard Duffle

Vice Chairman: Scott De la Torre

Chairman: Larry Buchanan

#### **PLEDGE OF ALLEGIANCE**

Chair Buchanan led the Pledge of Allegiance.

#### **APPROVAL OF THE AGENDA**

Action: Duffle moved to approve the June 11, 2019 regular meeting agenda, motion seconded by De la Torre, motion carried 5/0 by the following vote:

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

#### **MINUTES**

**Planning Commission Regular Meeting Minutes, May 14, 2019**

*Ana Morales, Recording Secretary*

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

Action: De la Torre moved to approve May 14, 2019 Planning Commission minutes, motion seconded by Duffle, motion carried 5/0 by the following vote:

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

## PUBLIC COMMENTS

Brian Kalayijian spoke regarding street maintenance on Western Avenue.

## PUBLIC HEARINGS

1. [Request for a one-year Time Extension for Conditional Use Permit No. 22-14 to operate a cannabis dispensary in a commercial building located at 11940 Palm Drive \(APN: 639-293-029\).](#)

*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 that the Planning Commission consider a motion to approve a one-year extension of time for Conditional Use Permit No. 22-14 for the project located at 11940 Palm Drive.

Judy Deertrack, Assistant Planner, presented the staff report and responded to questions.

Stephanie Bodde, Applicant, provided testimony.

Chair Buchanan opened the Public Hearing.

There was no public testimony.

Chair Buchanan closed the Public Hearing.

Action: De la Torre moved to approve staff recommendation with the added condition that within forty-five (45) days of the granting of the time extension, the applicant/developer shall correct all on-site code violations and illegal work and obtain all necessary/required permits (to a level that is satisfactory to the Community Development Director), or the time extension shall become null and void, motion seconded by Griffith, motion carried 5/0 by the following vote:

Vote:  
Passed

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

2. **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) Consider a motion that the Planning Commission 1) Approval of an Exemption to CEQA based on the finding that the project qualifies as a Class 3 Categorical Exemption; and 2) Approval of Conditional Use Permit No. 02-19 for the consideration of a 75-foot monopalm cell tower at 22755 Palm Drive within the C-R (Commercial Retail) Zoning district.

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

Rebecca Deming, Community Development Director, responded to questions.

Chair Buchanan opened the Public Hearing.

Greg Mancias, representing the project, provided testimony.

A discussion ensued regarding the design change.

John Henning, representing an existing cell tower (SBA2012 TCSLLC) spoke against the project and suggested that the proposed cell tower be combined with existing cell tower in the City.

Action: Duffle moved to continue the Public Hearing to August 13, 2019, motion seconded by De la Torre, motion carried 5/0 by the following vote:

Vote:  
Passed

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

3. [An Ordinance of The City Council of The City of Desert Hot Springs, Amending Chapter 5.52 Permitting and Regulating Mobile Food Vending Vehicles, Amending Chapter 17.136 Temporary Use Permits and Adding Section 17.12.390 Mobile Food Vending Vehicle Parks to The Municipal Code](#)

*Rebecca Deming, Community Development Director*

**Recommendation:** 1) Staff Report;  
2) Entertain Questions of Staff from Planning Commission;  
3) Open the Public Hearing;  
5) Take Public Testimony;  
7) Close the Public Hearing;  
8) Planning Commission Discussion and Questions to Staff;  
and  
9) Staff Recommends that the Planning Commission Recommend to the City Council Adoption of An Ordinance of The City Council of The City of Desert Hot Springs, Amending Chapter 5.52 Permitting and Regulating Mobile Food Vending Vehicles, Amending Chapter 17.136 Temporary Use Permits and Adding Section 17.12.390 Mobile Food Vending Vehicle Parks to The Municipal Code.

Rebecca Deming, Community Development Director, presented staff report and responded to questions.

Chair Buchanan opened the Public Hearing.

Charles Stuart spoke in favor of the project and inquired if alcohol and CBD infused foods would be permitted to be sold.

Chair Buchanan closed the Public Hearing.

Rebecca Deming, Community Development Director, responded that alcohol and CBD products would not be permitted.

Action: Duffle moved to approve staff recommendation, motion seconded by De la Torre, motion carried 5/0 by the following vote:

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

4. [Applications for implementation of the Tuscan Hills Specific Plan, a master planned residential subdivision and a proposed 334 room resort hotel and spa located on a vacant 554 acre property located along the north side of Pierson Blvd east of Foxdale Drive Applicant: Walton Development & Management, Southwest USA.](#)

*Rebecca Deming, Community Development 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) Recommendation from staff for 1) Certification of the Addendum of the Environmental Impact Report and Mitigation Monitoring Program and approval of:
  - Specific Plan 02-16, General Plan Amendment 03-16, and Zoning Ordinance Amendment 03-16 to establish development regulations and guidelines for the subject site;
  - Vesting Tentative Tract Map No. 36774 to divide the properties into 564 lots plus streets, open space and detention basins
  - Development Agreement No. DA No. 01-19for a vacant 554.8 acre site located on the north side of Pierson Boulevard east of Foxdale Drive on the former Desert Hot Springs Resort Cornerstone Specific Plan project site. APN's 638-340-003, 005, 006, 007, & 638-330-001, 002, 003, & 632-270-006.

*The Planning Commission recessed for 9 minutes.*

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

Chair Buchanan requested a new traffic study.

Rebecca Deming, Community Development Director, responded to Commissioners concerns regarding traffic study circulation.

A discussion ensued regarding traffic study circulation.

*The Planning Commission recessed for 5 minutes.*

Chair Buchanan opened the Public Hearing.

Steve Shover, Applicant, provided testimony.

Matt Hadley, Applicant, responded to questions.

Marry Merrik, resident, expressed concerns.

Ken Quinn, resident, expressed concerns.

Crista Hamos, resident, expressed concerns.

Robert Becker, resident, expressed concerns.

Dr. Marcus Billson, resident, spoke in reference to new schools around the project being proposed.

Steve Shover, Applicant, provided rebuttal.

Chair Buchanan closed the Public Hearing.

Action: De la Torre moved to approve staff recommendation with the following added conditions: 1) that prior to the City Council Hearing, the applicant/developer shall conduct a community outreach meeting to discuss the concerns of residents; 2) that 50% of the perimeter housing be single-story; 3) a recommendation to the City Council to have the developer enter into a Community Facilities District (CFD) for school busing with the City; 4) that the applicant/developer shall install additional crash gates for emergency vehicles to the satisfaction of the Fire Department; 5) be open to other designs (other than Spanish); and 6) a suggestion to the applicant/developer to require a minimum 12 month occupancy of home owners, motion seconded by Duffie, motion carried 5/0 by the following vote:

<u>Vote:</u>	AYES: 5 - Griffith, De la Torre, Buchanan, Nindel, Duffie
Passed	NOES: 0 - (None)

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

Vice Chair De la Torre acknowledged the audience and speakers who came and expressed their concerns.

### **COMMUNITY DEVELOPMENT DIRECTOR REPORT**

Rebecca Deming, Community Development Director, presented her report and announced that the Planning Commission would be going dark for the month of July and resuming on August 13, 2019.

### **PUBLIC COMMENTS**

There were no Public Comments.

### **ADJOURN REGULAR MEETING**

Chair Buchanan adjourned the meeting at 8:45 P.M.

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Ana Morales, Recording Secretary