



CITY OF PALM DESERT
PALM DESERT PLANNING COMMISSION

MINUTES

TUESDAY, DECEMBER 19, 2017 – 6:00 P.M.
COUNCIL CHAMBER
73-510 FRED WARING DRIVE, PALM DESERT, CA 92260

I. CALL TO ORDER

Chair Nancy DeLuna called the meeting to order at 6:01 p.m.

II. ROLL CALL

Present:

Commissioner John Greenwood
Commissioner Lindsay Holt
Commissioner Nancy DeLuna
Vice Chairman Ron Gregory
Chairman Joseph Pradetto

Staff Present:

Jill Tremblay, Assistant City Attorney
Ryan Stendell, Director of Community Development
Ron Moreno, Senior Engineer/City Surveyor
Eric Ceja, Principal Planner
Monica O'Reilly, Administrative Secretary

III. PLEDGE OF ALLEGIANCE

Commissioner John Greenwood led the Pledge of Allegiance.

After the Pledge of Allegiance, on behalf of the City Council, Mayor Sabby Jonathan presented the Commissioners with a gift of appreciation for serving on the Planning Commission.

The Planning Commission thanked the Mayor and the City Council.

IV. SUMMARY OF COUNCIL ACTION

Director of Community Development Ryan Stendell summarized pertinent December 14, 2017, City Council actions.

V. ORAL COMMUNICATIONS

None

VI. CONSENT CALENDAR

A. MINUTES of the Regular Planning Commission meeting of December 5, 2017.

Rec: Approve as presented.

B. REQUEST FOR CONSIDERATION to approve a one-year time extension for Precise Plan 07-07 to construct a 17,600-square-foot professional office building located at 44-450 Monterey Avenue. Case No. PP 07-07 (Paul Delio, Palm Desert, California, Applicant).

Rec: By Minute Motion, approve a one-year time extension for Case No. PP 07-07 until December 19, 2018.

Vice Chairman Joseph Pradetto requested Item B be removed for separate consideration under Section VII, Consent Items Held Over.

Commissioner Greenwood noted he would be abstaining on Item B.

Upon a motion by Vice Chairman Pradetto, second by Commissioner Gregory, and 4-0-1 vote of the Planning Commission, the remainder of the Consent Calendar was approved as presented (AYES: DeLuna, Gregory, Holt, and Pradetto; NOES: None; ABSTAINED: Greenwood).

VII. CONSENT ITEMS HELD OVER

B. REQUEST FOR CONSIDERATION to approve a one-year time extension for Precise Plan 07-07 to construct a 17,600-square-foot professional office building located at 44-450 Monterey Avenue. Case No. PP 07-07 (Paul Delio, Palm Desert, California, Applicant).

Rec: By Minute Motion, approve a one-year time extension for Case No. PP 07-07 until December 19, 2018.

Vice Chairman Pradetto noted that staff is recommending an approval of a one-year extension; however, the applicant requested a two-year extension. He asked if the project is consistent with the recent General Plan update. The project was approved in December 2007 and asked the Planning Commission if it is worthwhile extending the project another year.

Commissioner Ron Gregory asked why staff is recommending a one-year extension.

Principal Planner Eric Ceja responded that the proposed project is for a two-story building located at Monterey Avenue. Given the changes to the General Plan and Zoning Code, the project still conforms to the updated General Plan. Staff

recommended an approval of a one-year extension because staff felt it is a good office project at Monterey Avenue.

Vice Chairman Pradetto asked if there are any updated Conditions of Approval and does the applicant abide by the earlier Building Code standards.

Mr. Ceja replied that the applicant was conditioned to the Building Code standards of 2008. However, when the applicant submits their application, the applicant shall comply with the latest edition of Building Code standards.

Vice Chairman Pradetto moved to, by Minute Motion, approve a one-year extension for Case No. PP 07-07 until December 19, 2018. Motion was seconded by Commissioner Gregory and carried by a 4-0-1 vote (AYES: DeLuna, Gregory, Holt, and Pradetto; NOES: None; ABSTAINED: Greenwood).

VIII. NEW BUSINESS

A. SELECTION of a Chairperson and Vice Chairperson.

Rec: Nominate and appoint positions.

Commissioner Greenwood moved to, by Minute Motion, appoint Vice Chairman Pradetto to Chairperson and appoint Commissioner Gregory to Vice Chairperson. Motion was seconded by Commissioner Holt and carried by a 5-0 vote (AYES: DeLuna, Greenwood, Gregory, Holt, and Pradetto; NOES: None).

Chair DeLuna congratulated Chairman Pradetto. She said it has been an honor and a privilege to serve as Chairperson and wished newly appointed Chairman Pradetto the best.

Vice Chairman Gregory congratulated Commissioner DeLuna for doing a wonderful job for the past year.

B. SELECTION of Commission Liaisons for Art in Public Places and Parks and Recreation Commissions.

Rec: Nominate and appoint positions.

Chairman Pradetto asked the current appointees if they would like to continue to serve as liaisons for the Commissions, or if there is anyone who would like to volunteer to assume those roles.

Commissioner Greenwood replied that he would be happy to continue as the Parks and Recreation Commission liaison. However, he is open if someone would like to volunteer to serve as liaison.

Unless someone else is interested, Commissioner Holt commented that she does not mind continuing to be the liaison for the Art in Public Places Commission.

Commissioner DeLuna moved to, by Minute Motion, reappoint Commissioner Greenwood for the Parks and Recreation Commission liaison and Commissioner Holt for the Art in Public Places Commission liaison. Motion was seconded by Vice Chairman Gregory and carried by a 5-0 vote (AYES: DeLuna, Greenwood, Gregory, Holt, and Pradetto; NOES: None).

IX. PUBLIC HEARINGS

- A. REQUEST FOR CONSIDERATION of a Specific Plan, a Mitigated Negative Declaration, and Tentative Parcel Map 37234 for a 32-acre multi-use development bounded by Monterey Avenue, Dick Kelly Drive, A Street, and Gateway Drive. Case Nos. SP/MND 16-342 and TPM 37234 (MC Properties, LLC, Westlake Village, California, Applicant).

Mr. Ceja recommended that this item be continued to a date uncertain. He stated staff is still under negotiations with the developer on the proposed project, and continuing this item will allow staff to re-notice the public hearing.

Commissioner Greenwood stated he is employed by Prest Vuksic Architects, the architect involved with the proposed project. With that said, he recused himself from this item.

Commissioner DeLuna moved to, by Minute Motion, continue Case Nos. SP/MND 16-342 and TPM 37234 to a date uncertain. Motion was seconded by Vice Chairman Gregory and carried by a 4-0-1 vote (AYES: DeLuna, Gregory, Holt, and Pradetto; NOES: None; ABSTAINED: Greenwood).

- B. REQUEST FOR CONSIDERATION to construct a 1,600-square-foot fitness center for Residence Inn by Marriott located at 38-305 Cook Street; and approval of a Notice of Exemption in accordance with the California Environmental Quality Act. Case No. PP 17-173 (Twenty Four Seven Hotels, Newport Beach, California, Applicant).

Mr. Ceja outlined the salient points from the staff report (staff report is available at www.cityofpalmdesert.org) and recommended approval.

Vice Chairman Gregory asked if the Fire Department's concerns were addressed to the satisfaction of the Planning staff.

Mr. Ceja replied yes.

Chairman Pradetto declared the public hearing open and invited public testimony FAVORING or OPPOSING this matter.

MR. WILLIAM SWANK, Twenty Four Seven Hotels, La Quinta, California, stated they are upgrading the interior and doing minor renovations to the hotel. He noted that Marriott has encouraged all of their brands to increase exercise room space and put an emphasis on fitness. He also noted that they will be adding top of the line Life Fitness equipment.

Commissioner DeLuna asked if the public would be able to use the fitness center.

MR. SWANK responded that only registered guests staying at the Residence Inn by Marriott or the adjacent Courtyard by Marriott will have access to the fitness center.

With no further testimony offered, Chairman Pradetto declared the public hearing closed.

Commissioner Greenwood commented that the fitness center appears to be a nice project and a nice additional amenity for the hotel and moved for approval.

Commissioner Greenwood moved to waive further reading and adopt Planning Commission Resolution No. 2714, approving Case No. PP 17-173, subject to conditions. Motion was seconded by Commissioner DeLuna and carried by a 5-0 vote (AYES: DeLuna, Greenwood, Gregory, Holt, and Pradetto; NOES: None).

C. REQUEST FOR CONSIDERATION of a recommendation to the City Council to rezone three parcels from Open Space (OS) to Mixed Residential (R-2) and approve Tentative Tract Maps 37240, 37241, and 37242 for the construction of 69 condominium units on approximately 30 acres located on the former executive golf course at Palm Desert Country Club; and adopt a Mitigated Negative Declaration (MND) in accordance with the California Environmental Quality Act (CEQA). Case Nos. CZ/PP/CUP/EA 16-280 and TTM 37240, 37241, and 37242 (McFadden Architects, Palm Desert, California, Applicant).

Mr. Ceja reviewed the staff report with the aid of a PowerPoint presentation (staff report is available at www.cityofpalmdesert.org). He noted that staff recommended two conditions regarding the landscape: 1) the applicant must submit final landscape plans for review to the Planning staff; and 2) the applicant must meet with the homeowners abutting the project site to determine final tree location. He emphasized that landscape is part of the proposed project and in no way should the applicant or homeowners look at eliminating trees from the area. Mr. Ceja made clear that staff is requesting that the Planning Commission recommend approval of the proposed project to the City Council and understand that the Planning Commission does not make the final decision on this project. Staff recommended that the Planning Commission remove the approval of Tentative Tract Maps 37240, 37241, and 37242 as part of the proposed project. He noted the maps need further review, which would come back to the Planning Commission under a separate action. He offered to answer any questions.

Commissioner DeLuna asked if there are homeowners' associations (HOA) or assessment districts with the governing of Covenants, Conditions, and Restrictions (CC&Rs) or any kind of provisions for financial participation for the maintenance or upkeep of the current Palm Desert Country Club (PDCC) Executive Course (Executive Course).

Mr. Ceja responded that there is an HOA in PDCC; however, he did not believe there are association members on the Executive Course.

A person from the audience interjected that there are association members on the Executive Course.

Mr. Stendell interjected that the correct answer to Commissioner DeLuna's question is no. He made clear there is no financial instrument between the homeowners and the Executive Course for the maintenance and upkeep of the course.

In terms of any governing documents or any bodies with an HOA, Commissioner DeLuna asked if that is not applicable.

Mr. Stendell replied that is correct. He explained that there is an HOA which governs the homes, but they have no purview or connection to the actual golf course.

Commissioner Greenwood asked staff to elaborate on Conditions of Approval No. 8 in regard to the option for the perimeter walls.

Mr. Ceja responded that during some of the community meetings that were held, the privacy and loss of views were a major concern for many of the property owners. Therefore, at an Architectural Review Commission (ARC) meeting, the applicant offered three design options for the wall. The options were essential to accommodate the concerns made by the property owners. He further explained that if a property owner was concerned with privacy, the owner could opt for the six-foot-high wall. If a property owner would want to maintain their views, the property owner could opt for a wall that is more open.

Commissioner Greenwood commented that many of the current owners have lower planter walls between their property and the golf course. He said individual homeowners on the existing course could request a property wall and asked if the walls on the adjacent property line will be at full height. He also asked if there would be a six-foot-high wall where the adjacent neighbor might not have one.

Mr. Ceja replied that staff recommended the walls be placed near the property line so there is not a significant offset between both walls.

Commissioner Greenwood clarified that there could be a possibility where two homes have a wall and three homes do not have a wall based on the three options.

Mr. Ceja replied that is correct. He said there would be some type of fencing in place, whether it is wrought iron or a wall. He noted that the intent is to have fencing installed for those homes.

Commissioner Greenwood asked if there would be a continuous wall being placed along the entire project perimeter.

Mr. Ceja replied yes. However, the design would change home to home.

Vice Chairman Gregory inquired if there is a concern with the patchwork quilt appearance of the linear wall with people wanting different types of fencing or walls. He commented it is very unusual.

Mr. Ceja agreed it is unusual. He said staff did have a concern with the patchwork appearance. He mentioned staff contemplated a condition for three homes to have a consistent form. However, staff felt that would be difficult to do with property owners dictating their neighbor's wall design options.

Vice Chairman Gregory said there has to be a concession of sorts by the developer to not have a continuous aesthetic appearance of the wall or fence. He noted that landscaping could help mitigate the appearance to some degree. He inquired how the chronology would work with the landscape architect meeting with each homeowner to determine the type of trees the homeowner would prefer. He asked if the landscape architect would show a design indicating where a tree might go, then meet with the homeowner to determine what specific tree might work for each case. He said there are times it does not work well because trees are different sizes. He asked how it would work so ARC and staff can review the plans when they are final.

Mr. Ceja deferred Vice Chairman Gregory's questions to the applicant or the landscape architect.

If the project is approved, Commissioner Greenwood asked what the timeframe for the development is.

Mr. Ceja deferred the question to the applicant.

Chairman Pradetto declared the public hearing open and invited public testimony FAVORING or OPPOSING this matter.

MR. CHRIS McFADDEN, McFadden Architects, St. Charles Place, Palm Desert, noted the landscape architect, the civil engineer, and MSA Consulting are present to answer any questions. He mentioned the owner is also present and may want to speak as well. As they proceed forward with the infill project, he said they have come to the realization in a lot of areas in their lives where time has come to embrace change and change could be difficult. He communicated the golf industry is not as robust as it has been in previous decades. With the PGA National Golf Club moving to Florida, and the previous drought concerns and continued conservation efforts in California will continue to impact the viability and sustainability of all existing golf courses. He said the owners of PDCC are confident that they could continue to enhance and maintain the PDCC Championship Course (Championship Course) for years to come. Unfortunately, the Executive Course is no longer feasible to operate regardless of the outcome of the proposed project and the Executive Course will not operate as a golf course again. He stated one benefit of the project's former existence as a golf course is that they have reclaimed water available for all the landscaping for the new project. Mr. McFadden explained that when they first started working on the project, they looked at the largest parcel of land (Parcel A) and utilized the current small lot size in Palm Desert of 7,000 square feet. They introduced a current standard residential street width and they came up with a 67-lot solution at five units per acre for Parcel A. He said the information was shared with the current ownership and their response was swift. He was told by the owner that

they are looking for something with half as much density and lots of open space. After a few more reiterations and input from the community, they settled on the 69 condominiums on nearly 30 acres (2.34 units per acre). He stated the ARC solidified their approval of the units, the amenities, the circulation, landscape concepts, and entry points. He mentioned they still have some lingering items with the neighbors, which primarily focus on view encroachments. He believed they had viable solutions and a process to alleviate some of the concerns and deliver a wonderful project. However, they are not naïve to believe that they would be able to satisfy every concern. Mr. McFadden explained that they adjusted the pad heights of the buildings to maintain a four-foot pad height relative to the lower resident pad heights. He noted they have self-imposed excessive setbacks at a 35-foot minimum, which far exceeds the requirement in the municipal code. Regarding the trees, he said their idea is to stake the trees 30 to 60 days prior to placement. This will allow them to meet with individual owners who have concerns and adjust locations as needed to maximize views. The landscape plans will have a palette of three or four trees that would work in various locations. In addition, they considered dedicating a five-foot buffer to the adjacent residences to help with the encroachments that have been made over the years onto the golf course. They also considered dedicating a buffer to the adjacent property owners to facilitate some of the substandard lot sizes, which would simplify the mishmash of the rear yard conditions. As the voice of resistance to that idea got louder and louder, they rescinded the dedication. Therefore, they have a five-foot buffer at the perimeter edge and proposing to locate a 24-inch square or 24- by 48-inch decapped split face pilaster at every property corner and at the midpoint on the majority of the lots. He briefly described the other two designs and other improvements. He noted that all of the designs have been included in the renderings. Mr. McFadden stated they would like to start on the project in the summer of 2018. He hoped concerns by the residents could be addressed tonight through the conditions of approval. He offered to answer any questions.

Commissioner Greenwood asked if there would be an intermediate space between the new wall and the existing property.

MR. McFADDEN replied that is correct.

Commissioner Greenwood inquired if the space would be maintained by the developer.

MR. McFADDEN replied that is correct.

Vice Chairman Gregory asked if the existing walls or fences would remain.

MR. McFADDEN replied yes.

Vice Chairman Gregory asked if there is an offset of one to five feet, and would people have the option to extend their landscaping.

MR. McFADDEN responded that they would ask the homeowner if they would like their fence removed and use the new fence instead.

Vice Chairman Gregory asked if the homeowner elects to have the fence removed and maintenance has access, will there be enough gates to get around someone's property.

MR. McFADDEN replied that they could install the gates at each location and provide locks for those gates. If a homeowner does not want maintenance to go through their property, the homeowner could put the lock on the gate.

Vice Chairman Gregory asked if a gate is installed at every fence, could a homeowner elect to go into the condominium property to access the trail.

MR. McFADDEN replied yes.

Vice Chairman Gregory wondered if condominium owners would be reluctant to have strangers accessing the property so easily.

Commissioner Greenwood inquired why a wall is being installed. Was the wall wanted by the developer or the residents?

MR. McFADDEN said City staff pointed out to them that there are substandard lots so it was his idea to have a wall along with the five-foot giveaway.

Commissioner Greenwood wondered if a wall was necessary.

MR. McFADDEN remarked if the Planning Commission wants the wall removed, they will remove the wall. He noted for safety reasons, the pool areas would be enclosed and not open to the public.

Commissioner Lindsay Holt asked if amenities are available to the PDCC residents.

MR. McFADDEN replied no due to liability issues.

Commissioner DeLuna asked how many acres is the proposed project.

MR. McFADDEN replied that the project is approximately 29.45 acres.

Commissioner DeLuna pointed out that there is a 50 percent density, which leaves 15 acres of open space.

MR. McFADDEN said it would be approximately 15 acres of unimproved open space. However, the five-foot area at the perimeter is not included in the calculations.

Commissioner DeLuna asked if that would increase the amount of open space.

MR. McFADDEN replied yes.

Vice Chairman Gregory asked the landscape architect how the selection of trees would be handled.

MR. CHUCK SHEPARDSON, HSA Design Group (landscape architect), La Quinta, responded that they are treating the proposed project like a golf course project because there are a lot of open views to the open space that is no longer golf space. Typically, they tend to place the trees close to the property lines so it preserves their views and not in the middle of their lots. If the project is approved and they prepare the working drawings, they will come up with a design that would be presented to the City. As Mr. McFadden mentioned, they will stake the location of the trees and work with the homeowners on the locations and the tree species. He noted that they cannot remove trees because it will change the density and the look of the plan.

Vice Chairman Gregory asked if plans would be submitted to the City without knowing what trees are being planted along the perimeter.

MR. SHEPARDSON responded that if they have to make changes, there is a possibility the plans could get approved over the counter.

Vice Chairman Gregory commented that some of the letters they received from homeowners said they are concerned with large or tall trees. He asked Mr. Shepardson if they are open to considering some smaller growing trees on the palette to meet those concerns.

MR. SHEPARDSON replied they are receptive to considering smaller trees.

Vice Chairman Gregory stated the City would probably make an approval based on the palette. Therefore, a palette is something that should be understood and agreed to by everyone.

MR. SHEPARDON remarked that should happen prior to submitting the palette to the City.

Commissioner Holt asked the Planning Commission if they completely understood how they arrived at the proposed project. For example, from the time the golf course was closed until today's actions to rectify the situation prior to considering medium density residential on the Executive Course.

Chairman Pradetto clarified if they have questions beyond what is in the staff report.

Commissioner Holt replied yes. She commented that she is not as familiar with the project as everyone else in the audience. She understood there was the Executive Course on the proposed project site and for whatever reason funding was no longer available to continue as a golf course. She asked how long the

developer has owned the property, who owned the property before the current owner, and how did the transition of ownership take place.

Mr. Stendell believed in 2011 the current owner took possession of the property (Executive and Champion Courses) from a previous private owner. He noted that the City has been engaged in the Executive Course in hosting community meetings, discussions regarding a possible assessment district, and private party purchase by the adjacent homes. At one point, there were also discussions about charitable donations, but the receiving entity was not in a position to take donations. Mr. Stendell expressed that the City has tried a lot to help this process along.

Commissioner Holt clarified that there was an attempt to form an assessment district to be paid by the property owners within PDCC.

Mr. Stendell replied that is correct.

Commissioner Holt asked why it did not get approved.

Mr. Stendell responded that staff looked at a Proposition 218 assessment district, and the City also looked at taking some form of an easement over the parcel. The community seemed to have an interest in it; however, the property owner did not put the information out to the community. He said there has been a lack of trust between the two entities.

When the Planning Commission considers this application, Commissioner Holt asked what are the implications of viewing the existing conditions of the project site as a decommissioned golf course as opposed to a golf course. The reason she asked is that she knows this is not going to be the first project of this type in the valley. She also asked what would stop a developer from purchasing a golf course and letting it sit for a couple of years to revert into its desert natural state, then using that as the baseline condition in the environmental to do the assessment.

Mr. Stendell replied that it is not necessarily trying to revert back to its natural state. After one year of inactive use, in his opinion, you revert back to unentitled land. He communicated that it was previously a golf course, but its entitlement as a golf course has since sunset. There is nothing to stop from this happening again.

Commissioner Holt commented that she would hate for residents in the valley to sit and watch a golf course die so a developer could submit a plan to develop the land. She mentioned a resident commented that a previous development was completed by D.R Horton Homes and the developer created additional amenities for the PDCC members as a quid pro quo for the zone change. She asked staff to speak to that.

Mr. Ceja responded there was a development agreement attached to the D.R. Horton Homes development. As part of the agreement, the developer made upgrades to a maintenance facility and the clubhouse.

Commissioner Holt asked if there were discussions between the developer and the residents to get something in return for the loss of their viewshed. She voiced that the issue here is the loss of the residents' viewshed.

Mr. Stendell responded that a developer could propose a different way to gain support for their project; however, it is not a requirement. In regard to the D.R. Horton project, the developer offered to upgrade the two facilities.

MS. SERENA ILLK, Kentucky Avenue, Palm Desert, stated that one of the most compelling reasons to stop the proposed development of the former Executive Course, no matter how well designed, it is a conflict with their existing community. Such development would destroy valuable open space and the residents' quality of life for the sole purpose of enriching the PDCC ownership. She said to approve a development based on the determination that it may temporarily resolve the problem area and assume there is no other alternative would be a major policy error. She stated there has to be a better way than to further destroying lifestyles and the property values of concerned residents and property owners. She said 188 property owners are directly affected by the development and may seem like a small number. However, they deserve to have the City protect their remaining quality of life, which already have been degraded by the actions of the PDCC ownership over the past four years. Ms. Illk said many of them are seniors living on fixed incomes, but they should not be overlooked in favor of the avarice, which is proposing a development. They are citizens of the City of Palm Desert and their interest should be protected by their City officials. She ended by reading an article by Sherry Barkas from *The Desert Sun* and noted that she a notebook with 678 signed petitions opposed to the project.

MR. JACK FORNEY, Kentucky Avenue, Palm Desert, stated he is opposed to any construction on the former Executive Course. Open space that is developed is open space that will be lost forever. He mentioned that he gave the Planning staff a written statement of his concerns and compromise suggestions for the proposed project. He said he is not an architect, an engineer, or a contractor so he cannot comment on the structural integrity of the proposed units. However, as a homeowner, his property abuts the course. He believed the proposed project could be made more community friendly by some compromise adjustments. Mr. Forney stated PDCC is a community of single-family homes that are primarily occupied by retired senior citizens who purchased their homes with majestic mountain views and the open area of the golf course. The citizens take pride in their community, maintain their property, respect their neighbors, and are an asset to the City of Palm Desert. He voiced that this project should be revised to comply with Article V of the City's project application development standards. He said compromises should be made to protect views, minimize noise and pollution, and provide privacy and security for the surrounding residents. He

believed his written suggestions for the overall proposed project for the design, location, height, elevation, walls, fences, and landscaping would help to achieve the above-mentioned objectives. Mr. Forney said the proposed road is 16 feet from his rear property line. The attached sketches show the proposed and requested 90-degree relocation of unit numbers B8, B9, B10, and B11 to allow the units and the road to be moved 30 feet or more towards the south property. In applying for a change of zone, he listed several amenities that were provided by the former owners of PDCC on the former driving range and other areas of the course.

MS. CINDY STEVENSON, Kentucky Avenue, Palm Desert, pointed out that the City's General Plan for 2020 states increasing the amount of open space land in Palm Desert. She said by approving the proposed project would be contradictory to the plan. The ban on short-term rentals (STRs) within the R-1 and R-2 zones would also be contradictory because in PDCC there is a 60/40 split between permanent and absentee residents. She said a majority of the permanent homeowners sometimes use their homes for vacation rentals or long-term rentals. With the proposed condominiums, there are going to be transient people even with the ban of STRs. She also felt the different ideas for fencing is crazy; it should be uniform. She voiced her concern with privacy and is opposed to the project. She said the demise of the Executive Course could have been prevented with more marketing and utilization of proper resources, which is something the owners did not want to do.

MS. SHARON LASKIN, California Drive, Palm Desert, stated she is opposed to the project and believed the owners had the idea to develop the property when they bought the property for a low price. She backs the golf course and one day she was in her home with the doors closed and heard a sound. She went outside and saw a remote toy roaming up and down the course, which did not bother her. However, she cannot imagine being home and listening to the sounds of conversation and noise coming from the proposed project. She stated she purchased her home to be on the golf course not to be surrounded by noise.

MR. DOUG BISHOP, California Drive, Palm Desert, said he has been a resident of PDCC for 31 years and a business owner in Palm Desert for 20 years. He was upset that the City scheduled the public hearing when many of the PDCC residents left to be with their families for the holidays. He felt public agencies schedule meetings when they think there will be lower attendance. Therefore, any decision should be delayed until January or February 2018. In regard to the proposed project, he believed it was some sort of railroad job "let's get it done attitude." He has heard from several City employees that the project is a done deal, which makes his stomach turn. He stated he had attended the ARC meetings, now attending the Planning Commission meeting, and plans on attending the City Council meeting. He also stated the mixing of condominiums with established residential buildings makes no sense. Adding pickleball courts to a residential community is stupid in his opinion. He encouraged the Planning Commission to read a book from the Historical Society, which goes against the plan for open space. He is proud to say he is a resident of Palm Desert. It would

be great for the Commission to postpone their decision 40 or 50 years from now, and the future will probably be the proper time for the proposed project.

MR. FRED KENT, California Drive, Palm Desert, agreed with Mr. Bishop regarding the scheduling of the public hearing. He said the giant staff report was available towards the end of last week, which he felt was intentional and residents only have three minutes to comment. In his opinion, he stated that the cart is before the horse. He voiced that the proposed site is not designed for homes. There is not enough room to add a street down the middle and homes on both sides. He stated it is obvious the project was a shoe-horn operation from the beginning. He said there are a lot of homes that have certain lot sizes, a certain look, and certain traffic patterns. The proposed project would give the community a different look with narrower homes and maybe a fence. He noted he has written many letters to the City of Palm Desert, which does not seem to make much of a difference.

MR. BOB LUDWIG, Indiana Avenue, Palm Desert, said he has lived in PDCC since 1961. During that time, they have never needed a pool or additional amenities and the proposed site should stay as open space. The area is not designed for homes. He stated his home is going to have a road right outside the fence with parking on the street. He declared that the area is supposed to be open space in perpetuity and never to be developed. He voiced his concern with noise, pollution, and transients. He stated no one is going to pay \$400,000 to \$450,000 for a 1,400-square-foot box. If approved, he complained the construction would go on for a long time. He stated there is no quid pro quo. He voiced the developer will be making \$35 to \$40 million for the development and the adjacent residents get their necks stepped on. He also voiced his concern with the loss of equity of his home. He pleaded for the Commission to not approve a change of zone.

MR. DONALD BOLAS, California Drive, Palm Desert, commented that his home is in PDCC and occupied by his adult son. He has lived in Palm Desert since 1974. He mentioned he had attended meetings in the past where City bodies struggled with issues to preserve the desert and make it a special place. He said Palm Desert is not short of people. Therefore, they do not need to pack people in, which will happen with the proposed project. He stated that the project is the start of an error. He quoted what a wise man once said, "an error doesn't become a mistake until you refuse to correct the error." He believed the people present tonight want the Planning Commission to correct any error that might have been made in getting the application this far. He asked if the use is relevant and does it do justice to the existing property owners and the City of Palm Desert. He mentioned a city knocked down a 5,500-room hotel to give its people livable open space downtown. He stated Palm Desert does not have to knock down a big hotel; all the City has to do is preserve the open space and not give it away. Mr. Bolas said the project is a bank bailout. The golf industry suffers and the developers gain; however, the property owners lose. He vented that the people deserve something better and the Planning Commission has the power to deliver it.

MR. MICHAEL HERREL, Kentucky Avenue, Palm Desert, said he purchased his home in PDCC more than three years ago and the proposed project would not work for him. He asked that the Planning Commission to require the developer to pay 10 percent to each affected homeowner of their current home value if a zone change is approved. He voiced that they have an attorney on a retainer; the residents do not plan to go away regarding this matter.

MR. ROBERT BRENNAN, Oklahoma Avenue, Palm Desert, thanked Commissioner Holt for asking questions that he felt all should be asking. He said at every meeting he has attended and every homeowner, except for one, commented that the project would not work in PDCC. He asked the Planning Commission if they have looked at the site; the site is surrounded by homes. He opposed the project in the proposed area.

MS. KATHLEEN BISHOP, California Drive, Palm Desert, stated the proposed project brings public development into a private single-family residential neighborhood. She said the main concern is environmental such as pollution, noise, and increased water usage. She expressed that the homeowners have the right to protect their property values. The project will block their views with buildings and walls, which will decrease their property value and change the aesthetics of their yards and infringe in their privacy. She proposed to leave the zone as open space. She does not believe golf is a dying sport and noted there are schools offering physical education in golf. She thanked the Planning Commission for their time.

MR. NED WILMOT, Tennessee Avenue, Palm Desert, stated he is opposed to the project. He mentioned he was recruited to undertake the planning, design, and development of a new town on 15,000 acres of land between Baltimore and Washington D.C.; a pre-planned city of 100,000 people. His concern with the proposed project, it breaks the integrity of the original planning of the PDCC community. He said it constitutes a planned unit development and mixed-use retail. However, the PDCC was planned as a golf community built on the surrounds of 27 holes, a clubhouse, a practice range, and acres of open views of their magnificent mountains. Over the last 19 years, they have resided in PDCC and have seen the community dismantle piece by piece; pieces that come from open space land. He communicated that the integrity of the original good planning is being lost. He stated that the golfing lands were not only for golf, they also served to provide residents with amazing views.

MS. TARA FRASER, California Drive, Palm Desert, stated she is speaking on behalf of her father, a homeowner in PDCC, who could not attend the meeting. She stated that their whole family is opposed to the project. She said the renderings look nice, but the developer is proposing too many buildings in a small space. Her father purchased his home in 1999 and had peace in his backyard. The former Executive Course has changed to a natural state and still is beautiful. She said their family is troubled because they will lose the natural beauty of their backyard. She thanked the Planning Commission for the opportunity to share her family's extreme displeasure.

MR. JUSTIN JONES, California Drive, Palm Desert, commented that he has spent 17 years in PDCC, and plans on buying a home on the golf course for him and his son. He noted that not only are there elderly and retired people that live in PDCC, there are also new parents. He currently rents a home on California Drive and likes to take his son for a walk. However, it is not safe to walk on the street due to speeding cars and prefers walking his son in the backyard, which is the golf course. He mentioned the golf course owner has neglected to maintain the property, and the property owner has not reimbursed homeowners for pest control services due to the poor maintenance. Lastly, he voiced his concern with sitting in his yard and have to listen to domestic disturbance or noise that would come from the proposed condominiums.

MR. JOSEPH MEDEK, California Drive, Palm Desert, stated he is highly affected by the proposed project and strongly opposed. He stated that the Planning Commission is not listening to the people as human beings. He said the developer bought the property for a very cheap price and let it go in order to develop the parcel for a profit. He stated the project would ruin the lives of the retired people living in PDCC. The homeowners bought their homes for the views and the open space. He asked the Planning Commission how they would feel if a developer were to build condominiums in front of their view. He pleaded for the Commission to not allow the developer to build on the proposed site.

MR. BRAD TAYLOR, California Drive, Palm Desert, noted that there is a covenant agreement that runs with the land for the Villas on the Greens. He noted that the Planning Commission did not ask for comments in favor of the proposed project. He said the property owner of the former Executive Course has been accommodating with the agreement, except for the maintenance of the grass and land. He mentioned that he has talked to the property owner concerning one particular unit (C-18), which is part of the agreement. He asked the Planning Commission or City staff look at unit C-18 to make sure it is within the plan. In addition, the property owner has agreed to relocate or reposition C-18 and would like to have that on record. He pointed out that there is open space within Site Plan C, which is also part of the agreement. The agreement states that nothing is to be built on or lower than the existing tree line or to the west of the tree line. He noted that one tree has already been removed from the tree line. He feared there are plans to build on the open space noted in Site Plan C. He mentioned the property owner has said there are plans in the future for recreational activities and Villas on the Greens would be involved in those decisions. He said if the zone is changed to mixed residential, the zone would not be correct for the tree line on the west as agreed to in the recorded covenant.

MS. BARBARA POWERS, Kentucky Avenue, Palm Desert, on behalf of her husband Chuck Powers, stated he purchased their home in 1983. He had 30 years in law enforcement when he retired, and there were 14 retired law enforcement officers who lived within the PDCC streets. That is no longer the case and only a few of them left. Since 1992, they had a neighborhood watch on three streets (Tennessee Avenue, Oklahoma Drive, and Kentucky Avenue). Therefore, they know who belongs on the golf course and currently have clear

views of neighbors' backyards. According to Mr. Powers, that is very important during the summer since many of the homeowners are snowbirds. If the project is approved, the ability to have clear views will disappear. According to the National Neighborhood Watch, they recommend harding homes through environmental design. That means no trees or bushes blocking the view of the homeowner to protect their homes from predators. Mr. Powers asked that the Planning Commission not approve the proposed project. Mrs. Powers mentioned they recently had a coyote on her back porch so she called and warned her neighbors. She saw the coyote try to jump a fence in an attempt to get to her neighbor's cats. She stated she was able to contact her neighbors since she had their contact information through the Neighborhood Watch Program, which she said the program works.

MRS. POWERS stated that the golf course went through eight owners and provided a brief history of all the owners. She noted there are 18 holes on the Championship Course and nine holes on the Executive Course. The Executive Course consists of approximately 30 acres and she listed the number of homeowners in the HOAs; however, there are 111 homeowners on the Executive Course who are not in an HOA. She noted there are not a lot of people at the Planning Commission meeting tonight because the HOA made some type of arrangement with PDCC and are remaining neutral. The HOA also had a meeting scheduled the same evening. She requested a new traffic study to be done. When the current study was completed, it was done on a weekday and only for one day. In addition, she felt the mitigation of wildlife is the biggest mistake. She said there are hundreds of different birds in the trees. If the developer tears down the trees; they are going to have a rodent problem. She thanked the Planning Commission for their time.

Chairman Pradetto called a recess at 8:07 p.m. and reconvened at 8:15 p.m.

With no other comments from the audience, Chairman Pradetto asked the applicant to address some of the concerns made by the residents of PDCC.

MR. McFADDEN said they have heard the comments and they have been working through the issues. He believed a lot of the issues have been addressed and mitigated to some concern; however, people are just plain opposed to the project. He also believed the OS designation in the General Plan was slightly altered so the project is more conducive to what the City would like to see done with these types of projects. He felt this decision needs to be made at a higher level. He said they have not heard any comments in favor of the project, but not everyone is opposed. He also said people are afraid to say they are in favor of the project because of the way they would be vindicated or ostracized and they were asked to remain anonymous. Mr. McFadden stated it is the first time he has heard of the 667 opposed petitions. He does not know how the petitions were solicited and not sure what the process for petitions is. He said they are always taking in a lot of concerns and criticism on the project and they try to adjust where they can. He commented that Commissioner Holt had a lot of good things

to say about the project considering the history. He noted that the owner would like to speak regarding the history from a developer's perspective.

MR. MOE SIHOTA, PD Holdings L.P., New Mexico Drive, Palm Desert, stated that he is not present to be some kind of voice of reason; he has his biases. He conveyed to the Planning Commission that the moderate methodical approach they have taken since entering this journey in dealing with an asset called the golf course. The owners bought it out of bankruptcy and it was a mess. The golf course was neglected, property values decreased, and the owners thought they could make a go of it. As mentioned, the golf course has a history of bankruptcy, so the owners were not immune to considerations around its past. Nonetheless, they thought they could make a go of it and they bought the golf course. Prior to buying the property, the owners met with City staff and discussed what it would take to rehabilitate the golf course. Staff pointed out to them that there were preexisting commitments made by the previous owners such as a maintenance building, water, and other infrastructure the City wanted them to honor. Notwithstanding the fact that there was nothing that would oblige them to do so; they carried out those commitments. He stated they invested approximately \$4 million in the course, and they bought the property with the intent to run it as a golf course. He said to run a golf course you need seed, fertilizer, water, and labor; it is pretty straightforward. He said the fee for the Championship Course fetches approximately \$50 to \$60 per round, which makes it somewhat marginally viable. As the previous owners, they were burdened with the uneconomic capacity of the Executive Course at \$30 to \$40 per round which did not make sense to them. Consequently, the owners were faced with that reality and they looked at what they could do. He said they first approached charities to see if they were prepared to take the golf course over. They looked at options from soccer to golf for kids and trust arrangements, which none made sense because no one was prepared to take it on. At that point, they sat down with City staff to look at another option to save the Executive Course. The option was to establish a Landscape and Lighting District fee in the amount of \$25 per resident that were situated on and/or contoured the Executive Course, which would make up for the economic deficiency. However, the people that spearheaded the PDCC open space committee were the same people who opposed the Landscape and Lighting District fee. Mr. Sihota stated they were met with significant community anger and resistance because of the proposal. With that said, they were left with the current option of proposing to develop 69 condominium units on the former Executive Course. He said they did not get involved in the current option to generate rank within a community so the approach they decided to take was to engage residents on a committee and ask them to assist in coming up with a sensible urban planning plan for the Executive Course area. He also said they invited the PDCC open space committee to participate in the process and the committee indicated they would not support or engage in any discussion or dialog with the owners of the Executive Course. They worked with a subset of residents and City staff. The end result of that process was to come up with a modest proposal that does not speak of a developer looking for a windfall. He said it is 2.3 units per acre and 50 percent of the land is set aside for open space. The net result required constant

attentiveness to what the community, City staff, and residents who wanted to participate had to say after several iterations they arrived at a 6-0 vote at the ARC meeting. He said they arrived at a situation where the PDCC HOA has withdrawn their opposition. He reiterated that the Planning Commission has a recommendation before them that is supported by staff. He communicated that the proposal is not perfect and reaffirmed they did not develop the proposal to generate a rank within the community. He pointed out that the land is not being used for a useful purpose if it is degraded into a desert. He mentioned between the Executive Course and Championship Course they have come up with 75 percent of residents between the two courses still having green space in terms of the homes that back up to the course. He said they also have restored significant vibrancy back into the community by bringing life back to the clubhouse. They have enhanced property values by reestablishing the Championship Course. He stated they understand the economics of golf and they made a commitment, which they would covenant to protect the entirety of the Championship Course. However, he is sorry that the same cannot be done with the Executive Course. He declared that this is the journey they have walked and how they have arrived at this point. He understood the situation the Planning Commission is in. It is difficult when one is faced with the wrath of a community and the sole voice of a developer. He conveyed to the Commission with every shred of whatever he has in him that they have tried to do this methodically, rationally, and sensitive to urban planning principles with the engagement of staff and residents who were prepared to participate in the process.

With no further testimony offered, Chairman Pradetto declared the public hearing closed.

Commissioner DeLuna commented that she is a prior property owner of a home on the Executive Course. She owned the home when the condominiums were being built along California Drive. At that time there was considerable opposition to that development with the same concerns she has heard from the residents this evening. However, the D.R. Horton project actually enhanced the value and improved the neighborhood. She felt the PDCC owner has been extremely sensitive in dealing with the community and pointed out that the owner is offering 50 percent open space. She also pointed out that the owner has worked with the neighbors and worked on addressing their concerns. She commented that 69 one-story condominiums do not seem to be an egregious encroachment into the neighborhood. She voiced her concern with the current condition of the Executive Course with insects, rodents, snakes, and coyotes. The proposed project is one way to address and improve the neighborhood.

Commissioner Greenwood mentioned that it was said earlier that the Planning Commission would most likely be presented with another case like the proposed project. He stated he is sensitive to the homeowners and their concerns. However, from an open space standpoint, the Executive Course is being neglected and it is not being utilized and looks blighted. He felt that the neglected area weighs on the decrease in the property value. He said the proposal presented is sensitive and noted that the proposal could have come in with a

much higher density or mixed-use commercial. He mentioned the architecture is consistent with the neighborhood and a nice addition. He said it is a decent proposal and reasonable.

Commissioner Holt asked what the maximum density for the PDCC neighborhood is.

Mr. Ceja replied that the maximum density in an R-2 zone is eight units per acre.

Commissioner Holt asked how many units per acre the proposed project is.

Mr. Ceja replied the proposed project is 2.3 units per acre.

Chairman Pradetto asked how many units per acre in an open space.

Mr. Ceja replied zero.

Chairman Pradetto clarified that the current zone is open space.

Mr. Ceja replied that is correct.

Commissioner Holt stated that she read all the comments submitted to the City from the residents. She and staff are listening to them. Staff has been working diligently with the developer and staff has attended community meetings. She pointed out that staff did not have to attend the community meetings. Staff attended because they do care and are invested in the PDCC community. She commented there will always be a change and sometimes change can cause conflict and that is where they are at today. Unfortunately, many golf courses were designed and constructed to sell homes with very little due diligence done to determine whether the golf courses could survive or thrive on their own, and she felt this project is one example. She stated she knows for a fact that this is not going to be the last case the City would hear. She also stated this is something going on all over the nation and all over the Coachella Valley. She said it would be nice for the City to do a study on the repurposing of golf courses so they could have some other alternatives. She mentioned a project in Palm Springs plans to repurpose a golf course to an olive tree grove and harvest the olives. She thought that was a great idea. She stated it is unfortunate that the residents, the developer, PDCC HOAs, and City staff could not all work together to get on the same page. She also understands the current situation they are in, which precludes them from allowing the golf course to remain a decommission golf course. She stated that the conversion of open space to residential in an area where it is undesirable does not sit well with her. She asked where they go from here. She felt it is not her place to tell the residents of PDCC or the City what to do with the subject property. She stated she does not have an issue with the proposed development and applauded the developer for the low density, for the incorporation of open space, and the recreational amenities. However, the location of the proposed project gives her a little heartburn. She also is concerned about the precedent it may set. Lastly, she cannot recommend

approval of a zone change to the City Council without the accompanying condominium maps. She preferred to approve the zone and the maps at the same time and asked if that is correct.

Senior Engineer/City Surveyor Ron Moreno responded that the tentative tract maps would come back to the Planning Commission for approval. Due to the overlap of the previous City Surveyor and him taking over, he did not feel comfortable recommending approval of the maps since he has not had the chance to review them. He stated staff will review the maps with the applicant.

Commissioner Holt inquired if the applicant would have to return to the Planning Commission.

Mr. Moreno replied that is correct. The applicant would need to return to the Planning Commission with the maps.

Commissioner Holt asked if the Commission recommends continuing the case, would it be a delay for the applicant.

Mr. Stendell responded that there are plenty of steps left in the approval or non-approval process of the proposed project. He explained that maps are often separated from the precise plan of design and come back later for approval. He made clear that staff is recommending excluding the tentative tract maps from the project approval or the Commission could recommend that it all come back together as one.

Commissioner Holt mentioned that some cities are not comfortable with allowing a zone change to go forward before a development plan is approved, which would be her preference for the proposed project. She liked the proposed project, but maybe if the residents were given some time, they could come up with some other solutions. In any case, something does need to happen with the property. She said it would be great to know what other golf communities are doing with golf courses.

Vice Chairman Gregory commented that he was on the ARC for 32 years and graduated to the Planning Commission. Through all the years on the ARC, projects like the one being proposed or similar situations would come up. He mentioned his landscape architecture firm worked on designs for golf course communities. He said golf courses were built to create a lifestyle and enhance the value of the homes in the community, which was nice as long as the band was playing. However, starting at the beginning of the recession in 2008, the band stopped playing. He stated his firm has not worked on a golf course in years. They knew it would be a matter of time before some of the weaker courses would start failing, and unfortunately, that is the case with the Executive Course. He mentioned that he played golf on the Executive Course with his son and enjoyed it very much, and he was rather envious of the people living around the course. The views were great and a great place to live, but it is now being challenged. However, after being on the ARC, he had the opportunity to look at a

lot of different developments. He referred to a comment made by Mr. Forney regarding “why can’t compromises be made.” He believed the developer had made compromises. He stated he has never seen a project with over 50 percent open space, which is made available to the neighbors. He also referred to the comment made about walking on a busy street like California Drive and said there is an opportunity to walk on very safe trails within the development that is open to the neighbors. As he looked at the architectural design of the project, he saw a lot of sensitivity towards making it possible for someone to live in one of the small units and not exceed height where the buildings are taller and in the center. Those are all hallmarks of good design that the City looks for. He felt sorry that change has to come and change is painful; however, the project is a very sensitive designed development.

Chairman Pradetto asked the City’s attorney and staff if the Commission were to recommend denial, the Commission is only recommending denial to the City Council. However, the applicant would have the opportunity to appeal or would staff move forward with a different recommendation.

Mr. Stendell responded that the Planning Commission is making a recommendation to the City Council. The ultimate approval lies with the Council and the Planning Commission’s recommendation whether it is an approval or a denial would move before the City Council.

Chairman Pradetto commented that he feels for the developer, but thinks about why he feels the way that he does. He said it is because of the idea of concessions for the limited density. He explained that the developer has given a little something and it is human nature to have it reciprocated. He said it is a tactic in which there is no entitlement; therefore, there is no concession so you can’t concede something you don’t have. He said by saying you have less density, one automatically feels the developer is giving something. He felt that not to be true. However, on the other side, there is fear of change. On one hand, he wants to help the developer because of the human nature of that idea, but he also wants to help the community due to their concerns about their loss. Ultimately, it comes down to they have a problem and it is a golf course that continues to get worse and the developer knows that it is getting worse. He noted Commissioners Greenwood and Holt made great points, but the proposed project might be the best option. He stated that studying future proposals and options is a great idea. He communicated that the proposed project comes down to risk in which they have a problem and no good solutions. He noted that if the Commission continues the item to wait for the maps to be reviewed, it might give them a couple weeks of time. He asked the Assistant City Attorney if they wait for the maps, does the Planning Commission have to re-open the public hearing.

Assistant City Attorney Jill Tremblay replied yes.

Chairman Pradetto stated that the proposed project is pretty good, but Commissioner Holt made some good points. He said he would support a continuance unless there is a different motion.

Commissioner DeLuna inquired if there is a continuance and the tentative tract maps come back to the Planning Commission for approval, does it change anything that the Commission has already discussed. To put it simply, moving the item forward to the City Council would not affect anything that happens with the maps.

Mr. Stendell replied that is correct. He said it does not matter if the maps are separated from the project. However, if the Commission prefers the project and the maps stay together, staff is comfortable with that as well.

Commissioner DeLuna stated it would not make a difference.

Commissioner Holt interjected that her concern is if they recommend a zone change and there is no map tied to the change. With the zone change, the property value increases significantly. She is not saying the developer would do it, but the property owner could turn around and sell the property without any additional entitlements. In theory, she asked if that is correct.

Mr. Stendell replied that is correct. However, there is no financial ability to sell the homes until maps are approved.

Commissioner Holt voiced her concern moving forward with a zone change without a development plan tied to the change.

Commissioner Greenwood clarified that if the Commission were to move the project before the City Council with an approval, then the Council deliberates and makes the final decision on whether the OS zone is changed to an R-1 zone.

Commissioner Holt interjected and said what if something happens to the developer and sells the property, then someone else comes along and picks up the property and they submit a plan that is not as generous as the one being presented.

Chair DeLuna asked if the project were to move forward, would the map be completed before going to the City Council.

Mr. Stendell responded that the maps could be completed. There are a number of ways to handle the approval of the maps.

Commissioner Greenwood asked if it is correct that the project they are moving forward is based on its merits presented during this evening's public hearing. In addition, if the maps are brought back to the Commission and the density changed to seven units per acre, he asked if it would require a new public hearing.

Mr. Stendell remarked that the map is only the instrument by which the developer could sell the individual condominium units. He stated that an action could be taken on the Change of Zone, Precise Plan, Conditional Use Permit, and the

Environmental Assessment. However, if the Planning Commission felt that approving the above-mentioned items is too challenging, then they could slow it down and keep it all together with the maps.

Commissioner Holt clarified that it is only the condominium map that is not ready.

Mr. Stendell replied that is correct. So Commissioner Holt could have a better understanding, he explained that the Precise Plan includes the preliminary grading, architecture, landscape, etc.

Mr. Moreno interjected that the condominium map would be over the entire open space parcel. Therefore, there are no boundary changes to the open space. It is merely a condominium map on top of the original parcel. He made clear there are no lot line adjustments, no parcels being created, and no change to the original space other than a condominium map on top.

Commissioner DeLuna understood if they moved the project forward with the condition that the map needs to be completed before it goes to the City Council, she asked if that is a viable path.

Mr. Stendell replied no. He said the map has to first go to the Planning Commission for an action. The map could be separate and on a concurrent path.

Commissioner DeLuna commented that the proposed project is complicated, complex, and sensitive. However, at this point and given what she has learned, she moved for approval.

Vice Chairman Gregory said he would second the motion.

Commissioner Greenwood referred to a comment made by Commissioner Holt. She mentioned a concern with this type of project being echoed on future developments. He pointed out that every proposal is based on its own merits and the Planning Commission is going to weigh each case based on the proposal; therefore, it would not create a precedent.

For clarification purposes, Mr. Stendell asked if the motion includes staff's recommendation to strike the reference to the tentative tract maps.

Commissioner DeLuna replied yes.

Vice Chairman Gregory is aware and agreed to the motion.

Commissioner DeLuna moved to waive further reading and adopt Planning Commission Resolution No. 2715, recommending to the City Council approval of Case No. CZ/CUP/EA 16-280 for the repurposing of the former Executive Course to establish 69 condominium units within PDCC; and strike the approval of Tentative Tract Maps 37240, 37241, and 37242. Motion was seconded by Vice Chairman Gregory and carried by a 4-1 vote (AYES: DeLuna, Greenwood, Gregory, and Pradetto; Noes: Holt; ABSENT: None).

X. MISCELLANEOUS

None

XI. COMMITTEE MEETING UPDATES

A. ART IN PUBLIC PLACES

None

B. PARKS & RECREATION

None

XII. COMMENTS

None

XIII. ADJOURNMENT

With the Planning Commission concurrence, Chair DeLuna adjourned the meeting at 8:54 p.m.

JOSEPH PRADETTO, CHAIRMAN

ATTEST:

RYAN STENDELL, SECRETARY
PALM DESERT PLANNING COMMISSION

MONICA O'REILLY, RECORDING SECRETARY