

# MINUTES

## CITY OF TWENTYNINE PALMS PLANNING COMMISSION

### Regular Planning Commission Meeting

Tuesday, February 15, 2005, 6:00 P.M.  
Twentynine Palms City Hall  
6136 Adobe Road  
Twentynine Palms, California

**1.0 CALL TO ORDER** – Chairman Stone called the meeting to order at 6:00 p.m.

**PLEDGE OF ALLEGIANCE** – Commissioner Rinkes lead the Pledge of Allegiance.

**ROLL CALL** – The following Commissioners were present: Caplinger, Masterson, Mintz, Rinkes and Chairman Stone.

**2.0 SPECIAL ANNOUNCEMENTS** – None

**3.0 APPROVAL OF MINUTES**

On a motion made by Vice Chairman Caplinger, seconded by Commissioner Masterson and carried with a 5-0 voice vote, the minutes of the February 1, 2005 regular meeting were approved.

**4.0 PUBLIC COMMENTS -**

Paul Smith, Twentynine Palms, spoke about general landscaping and reminded the Commissioners of the native plants that are available. He spoke of the Lets Go Native brochure, and what a great brochure this is for the public.

**5.0 PUBLIC HEARINGS**

**5.1 PC 03-40**

Continued from the January 18, 2005 meeting. Amendment of Conditional Use Permit (CUP) for phased development of Sayaji U Ba Khin Vipassana Foundation meditation center, increasing scope of development with addition of five modular buildings in phase one, increasing floor area by 8,448 square feet, southwest corner of Twentynine Palms Highway and Mantonya Road. (APN 613-071-03)

**RECOMMENDATION:** Conduct the Public Hearing and approve the CUP Amendment subject to the additional Conditions of Approval.

Chairman Stone opened the Public Hearing.

Community Development Director Corbin (Director Corbin) presented a Staff Report to the Commissioners.

Commissioner Rinkes asked staff about the change in phasing and how increasing Phase 1 would affect the parking, and about how much parking would be in place at the end of Phase 1.

Director Corbin then recommended Commissioner Rinkes ask the applicant to speak regarding this matter, and then staff would analyze it during the public hearing and possibly be able to add a condition that would incorporate parking to offset the additional impact.

Phillip Block, a volunteer representing the applicant for the Sayaji U Ba Khin Vipassana Foundation stated that he had three specific concerns: The closeness of one of the trailers to the highway, which will be remedied by moving it back until it is due west of the existing out building, and also behind two existing trees. This way it will be much less noticeable. His second concern was placement above the grade level, which has been lowered. He said they must sit up 6 inches for proper drainage according to the requirements that came from the manufacturer of this model. The third concern was the landscaping, and he said they have spoken to local landscapers and they have recommended using the Palo Verde or Mexican Palo Verde as these are the screening of choice due to its fast growth, and lower water usage. Mr. Block then said he would speak to the City Manager regarding the Street Improvement deferral pursuant to Development Code 19.85.

Paul Smith, Twentynine Palms, spoke in favor of the Sayaji U Ba Khin Vipassana Foundation Meditation Center.

Vice Chairman Caplinger spoke regarding the creosol bushes and how they would be a nice cover and do not require as much water as the Oleander.

Jane Smith, Twentynine Palms, spoke regarding the dead oleanders along the fencing of the Good Guys property and how the creosol is all that is growing there now.

Chairman Stone closed the Public Hearing.

Further discussion occurred between the Commissioners..

On a motion made by Vice Chairman Caplinger, seconded by Commissioner Masterson and carried with a 5-0 roll call vote, the Planning Commission approved the CUP amendment subject to the additional conditions of approval as discussed.

## **6.0 OTHER HEARINGS**

### **6.1 PC 04-62**

Review of Chapter 19.36, Home Occupation Permits

**RECOMMENDATION:** Conduct the hearing and provide a recommendation to the City Council.

Director Corbin presented a staff report.

Chairman Stone opened the Public Hearing.

Mr. Reeves, Twentynine Palms, spoke to the Commission regarding the complaint of parking his 20ft trailer in the Indian Cove area. He said this was the first complaint the City has received regarding him parking his trailer there and that he has done so for the last 5 years. He spoke of how his business was not operated out of the City of Twentynine Palms, but to avoid any possible troubles he maintained a City Business License with a Home Occupation Permit (HOP). Mr. Reeves spoke of giving up his City Business License with the HOP if it was going to be a problem as he does not conduct business within the City of Twentynine Palms

Dee Richhart, Twentynine Palms, spoke regarding Home Occupation Permit fees and how they seemed inequitable and how she felt it was out of line. She spoke of how the first year initial start up fees were justified but thereafter, the fees should be the same as or less than a regular business license.

Director Corbin clarified to the Commissioners that in formulating a recommendation of fees that, their focus not be on the volume of the money a business makes but on the cost of processing the HOP/Business license. He said that they are developing a fee based on Staff processing time and the City's cost in providing the service.

Mike Di Antonio, Twentynine Palms, who owns Mikes Janitorial and Carpet Cleaning stated he owns the two vacant lots next to his home where he stores his trailers for his business. He then asked the Commissioners if he needed to build a fence around the vacant lots for screening.

Chairman Stone asked Director Corbin for direction.

Director Corbin informed the Commission that the section the Council asked the Commission to review could be found on page 36-1 Section 70D in their packets.

Chairman Stone closed the Public Hearing.

Discussion occurred between the Commissioners.

Chairman Stone reopened the Public Hearing

Bill Easter, Twentynine Palms, spoke regarding the 20 ft. trailer issue and then asked how the Commissioners would identify what a commercial vehicle would be.

Chairman Stone closed the Public Hearing.

A 5 minute recess was requested by Vice Chairman Caplinger at 7:11 p.m. The Commission returned at 7:18 p.m.

Director Corbin stated that he has received enough recommendation to move forward.

Vice Chairman Caplinger agreed with Mrs. Richhart regarding the difference in Business License renewal and the HOP renewal.

Director Corbin explained the cost expense of the Business License and the HOP.

Director Corbin asked the Commission if the consensus was reached regarding the renewal fee of a Business License/HOP be the same as a business license.

The Commission stated yes.

6.2 **PC 04-53**

Review of right-of-way dedications.

**RECOMMENDATION:** Conduct the hearing and provide a recommendation to the City Council.

Chairman Stone opened the Public Hearing

Director Corbin presented a Staff Report.

Jim Harris, Twentynine Palms, spoke in opposition of the Right-of-Way dedications. He stated that the request were unreasonable.

Alex Nichols, Twentynine Palms, spoke in opposition of the Right-of-Way dedications

Commissioner Stone closed the Public Hearing.

Alex Nichols spoke regarding the difference of certain types of offers of dedications.

Jim Harris, spoke about the necessity of making the requests reasonable and asked the Commission to only ask for what they need and making each offer on a case by case basis.

Director Corbin gave examples of the offer of dedication and said it does not change the property values.

A lengthy discussion occurred between the Commissioners.

A consensus was reached that the Commission could ask the City Engineer to provide a non maintained road width standard of less than 30 ft. and review with recommendations of 12 – 14 ft. in certain circumstances, where there is a finding made that there is no potential for future development.

The revised recommendation is to remove the 200 sq. ft. requirement.

Director Corbin reviewed the information that the City Engineer will formulate a recommendation along the lines that have been discussed this evening. The Nexus and Rough proportionality will be on a case by case basis.

**7.0 STUDY SESSIONS** – None

**8.0 FUTURE AGENDA ITEMS** – None

**9.0 ADJOURNMENT** – Chairman Stone adjourned the meeting at 8:34 p.m.

Respectfully submitted,

Adda L. Harris, Deputy City Clerk