

## MINUTES

**TWENTYNINE PALMS PLANNING COMMISSION  
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD  
TWENTYNINE PALMS, CALIFORNIA  
TUESDAY, DECEMBER 20, 2005  
6:00 P.M.**

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

**PLEDGE OF ALLEGIANCE** – Commissioner Mintz led the Pledge of Allegiance.

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

**2.0 SPECIAL ANNOUNCEMENTS** – Chairman Stone announced that this meeting would be televised on Cable TV Channel 6 Wednesday, December 21, 2005 at 7:00 p.m. and Sunday, December 25, 2005 at 1:00 p.m.

### **3.0 CONSENT CALENDAR**

3.1 Approval of Minutes of the December 6, 2005 regular meeting.

3.2 Community Development Department Monthly report – None

3.3 Other items – None

On a motion made by Commissioner Easter, seconded by Vice Chairman Stone and carried with a 5-0 voice vote, the consent calendar was approved as submitted.

### **4.0 PUBLIC COMMENTS**

4.1 Jay Corbin, Twentynine Palms, spoke to the Commissioners about the continued pressure to increase density in our community. He then asked them to encourage applicants to develop within the current density, and spoke about density transfers and how this can benefit the General Plan without creating new impacts.

### **5.0 PUBLIC HEARING**

5.1 PC 04-44 – An application by Thomas Hart, dba Twentynine Palms 2005, LLC for approval of Tentative Tract Map 17528, the subdivision of 16.4 gross acres (15.2 net acres) into 61 lots for future development of single-family residences. The project is located on a vacant and previously unimproved site, between La Buena Tierra Avenue and Datura Avenue, south of Two Mile Road, Zone RS-4, Section 30, APN # 618-081-13.

**RECOMMENDATION:** Conduct the Public Hearing, adopt the Mitigated Negative Declaration, and approve the project, subject to conditions.

Commissioner Easter excused himself at 6:08 p.m. due to a possible conflict of interest.

Chairman Stone opened the Public Hearing.

Community Development Director Meyerhoff (Director Meyerhoff) presented a Staff Report to the Commission. He then announced that he had received two correspondences from citizens close to the development outlining their concerns.

Rob Simmons, Warner Engineering, Yucca Valley, spoke on behalf of the applicant Thomas Hart. He said that the applicant was in agreement with the conditions of approval subject to a few minor requests and concerns. Mr. Simmons said the requested changes are as follows:

The Home Owners Association (HOA) will be responsible for all the items listed under the conditions of approval but will not be responsible for the maintenance of the streets, Condition P 14 (a), Condition P 14 (d), Condition P 24 (a).

A discussion occurred between Staff and the Commissioners regarding the applicants concerns on Condition P14 (a) & (d) as to what the Uniform Building Code requirements are and as to why these conditions were in place. Staff informed the Commission that Condition P14 (d) cannot be changed without geotechnical work and approval of the City Engineer.

Chairman Stone recommended that changes to Condition P14 (d) be pending the City Engineers approval.

Applicant Thomas Hart said he wants to bring a first class project to the area and that he understood the concerns of the citizens. He thanked the Commissioners for their time.

Blair Foley, Twentynine Palms, spoke in opposition of Item 5.1.

Elfi Stark, Pasadena, spoke in opposition of Item 5.1

Stephie Murray, Twentynine Palms, spoke in opposition of Item 5.1.

Sue Mc Mahon, Twentynine Palms, spoke on behalf of the Lawless and Jackson families, as well as a Sgt and his family who reside next to the Lawless family. These families are not opposed to development, but are opposed to density of the development.

Catherine Nelson, Twentynine Palms, spoke in opposition of Item 5.1.

Jay Corbin, Twentynine Palms, spoke in favor of Item 5.1.

Nicole Panter, Twentynine Palms, spoke in favor of development within the General Plan designations but is apposed to block walls around such developments.

Applicant, Thomas Hart addressed some of the publics concerns.

Rob Simmons, of Warner Engineering explained the drainage issues and how the retention basin works.

Ronald Moore, Twentynine Palms, spoke in opposition of Item 5.1.

Harold Manweiler, Twentynine Palms, spoke in opposition of Item 5.1.

Chairman Stone closed the Public Hearing.

Director Meyerhoff explained the proposed tract map to the Commission and the audience. He talked about the development lot sizes, lot width, lot depth and corner lot widths, hydrologic reports, traffic study, sewage treatment facility, density per the General Plan and the notification process and how it is governed by the Permit Streamlining Act. He then discussed access to Two Mile Road, La Buena Tierra, and the proposed walls around the project.

A brief discussion occurred between Staff and the Commission regarding septic tanks, pocket parks, shade areas, pet areas, handicap accessibility, and the proposed wall for this project.

Chairman Stone asked for a brief recess at 7:04 p.m.

Chairman Stone reconvened the meeting at 7:17 p.m.

Following discussion, the applicant agreed to the conditions of the block wall. The Planning Commission decided to involve Randy Councell in the design of the Pocket Park and to bring the pocket park issue back as part of the final Tract Map, and to have the Community Services Department review the design.

On a motion made by Vice Chairman Caplinger, seconded by Commissioner Mintz and carried with a 5-0 roll call vote, the Planning Commission moved to adopt the Mitigated Negative Declaration and the De Minimis Impact Finding and approve the tentative Tract Map No. 17528, subject to the attached conditions of approval.

Commissioner Easter returned to the Chambers at 7:20 p.m.

- 5.2 PC 04-58 – An application by Geraldine Hagman, on behalf of Sky's the Limit, a non-profit organization, for approval of a General Plan Amendment and a Change of Zone from RS-E to P (Public), and site plan approval to construct an observatory, amphitheater, classroom facility, meditation center, nature trails, desert observation area, caretakers unit, public restrooms and related parking facilities on 10 acres, located on a vacant and previously unimproved site, at 9701 Utah Trail, east of Adobe Road, north of the Joshua Tree National Park, Zone RS-E, Section 15, APN # 591-081-13 and -14.

**RECOMMENDATION:** Conduct the Public Hearing, adopt the Mitigated Negative Declaration and recommend that the City Council amend the General Plan and change the Zone from RS-E to P, and approve the project, subject to conditions of approval.

Chairman Stone opened the Public Hearing.

Director Meyerhoff presented a Staff Report.

A discussion occurred between Staff and the Commission regarding the project being ADA compliant, block wall, amphitheatre capacity, and parking.

Ann Congden, spoke to the Commissioners and Staff regarding their concerns about the block wall, roads/driveways surfacing that could be used to keep the dust control to a minimum, and shade for the benches and tables.

Jason Schmitt, Twentynine Palms, spoke in favor of Item 5.2.

Adam Gagnon, Palm Desert spoke on behalf of the Gagnon family and in favor of Item 5.2.

A discussion occurred between Staff and the Commission regarding the lighting ordinance, and park hours.

Chairman Stone closed the Public Hearing.

On a motion made by Vice Chairman Caplinger, seconded by Commissioner Easter and carried with a 5-0 roll call vote, the Planning Commission approved adopting the Mitigated Negative Declaration and recommended that the City Council amend the General Plan and changes the Zone from RS-E to Public (P), and grant site plan approval subject to conditions of approval.

**6.0 OTHER HEARINGS – None**

**7.0 STUDY SESSIONS – None**

**8.0 FUTURE AGENDA ITEMS**

8.1 The Planning Commission directed Staff to create a fee in the Annual Budget to charge daily fees for developers who try to build without building permits.

**9.0 COMMISSION COMMENTS/ STAFF COMMENTS – This is the time for comments from the Planning Commissioners on any subject. Staff will brief the Commission and requests a quick discussion of the following:**

9.1 Planning Commission Tour report

Commissioner Easter spoke about the tour and what a learning experience it was. He then asked if the photos that were taken could be made into a slide show for presentation.

Commissioner Mintz echoed Commissioner Easter's comment and said it was well worth it.

Vice Chairman Caplinger spoke about what he learned regarding the Downtown buildings, alley areas, and signage and how they will be able to use this for our Downtown area.

Director Meyerhoff said that after the beginning of the year, the Commission could plan on visiting other desert communities such as Yuma, Tucson, Flagstaff, Topock, and Tubac, Arizona for further study of Downtown areas.

9.2 Downtown Revitalization Specific Plan update.

Director Meyerhoff discussed the possibility of having a Visioning or Community meeting with the Chamber of Commerce some time in January. He said that the January 3, 2006 Planning Commission meeting was cancelled but the Commission maybe having a joint study session on January 31, 2006 to discuss the downtown.

9.3 Citywide Traffic Study update.

Director Meyerhoff informed the Commissioners that the City Wide Traffic Study is under way and we should receive some materials back by the beginning of May.

9.4 Downtown Economic Feasibility Study RFP.

Director Meyerhoff informed the Commissioners that the Request for Proposal (RFP) is out for Downtown Economic Feasibility study. He told the Commission that they would be receiving a large scale golf course project as a study session. He then discussed a few other projects that will be on the agenda for January 17, 2006.

**10.0 ADJOURNMENT** – Chairman Stone adjourned the meeting at 7:58 p.m.

Respectfully submitted,

Adda L. Harris, Deputy City Clerk