

**TWENTYNINE PALMS PLANNING COMMISSION
CITY COUNCIL CHAMBER, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, APRIL 6, 2010
6:00 P.M.
MINUTES**

- 1.0 CALL TO ORDER-** Vice Chair Rinkes called the meeting to order at 6:00 p.m.
PLEDGE OF ALLEGIANCE- Commissioner Alderson led the Pledge of Allegiance.
ROLL CALL- The following Commissioners were present: Alderson, Caplinger, Easter and Rinkes. Chair Mintz had an excused absence.
- 2.0 SPECIAL ANNOUNCEMENTS** – Vice Chair Rinkes announced this meeting will be televised on Cable TV Channel 10 Monday, April 12, 2010 at 6:30 p.m. and Friday, April 16, 2010 at 6:30 p.m.
- 3.0 MINUTES**
 - 3.1 The March 17, 2010 Planning Commission Special Meeting Minutes.

ACTION: On a motion made by Commissioner Alderson, seconded by Commissioner Caplinger and carried with a 4-0-1 roll call vote (Mintz absent) the Planning Commission approved the March 17, 2010 Planning Commission Special Meeting Minutes.
- 4.0 CONSENT CALENDAR - None**
- 5.0 ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION - None**
- 6.0 PUBLIC COMMENTS**

Curtis Blankenship, Twentynine Palms, suggested a six month or one year moratorium on the City's curb fee which is over \$11,000 and is required to be paid before you can start building.
- 7.0 PUBLIC HEARINGS**
 - 7.1 PC 09-53 – An amendment to the Official Zoning Map of Title 19 "Development Code" of the City of Twentynine Palms Municipal Code and an Amendment to the Land Use Element of the General Plan regarding the land use designations for twenty-six (26) properties within the City of Twentynine Palms. The Planning Commission, acting as the Review Authority, shall forward a recommendation regarding each property to be considered by the City Council in its consideration of adopting a comprehensive Update to the General Plan now being processed. A final action on the changes to the Official Zoning Map and General Plan Land Use Element will be taken by the Council in its consideration of the General Plan Update, anticipated in late 2010.

RECOMMENDATION - Conduct the Public Hearing, consider public comment and adopt PC Resolution 10-05 forwarding a recommendation that the City Council amend the land use designations illustrated upon the Official Zoning Map of the "Development Code" and the Land Use Element of the adopted General Plan for the twenty-six (26) properties identified within PC 09-53 and include these properties within the Environmental Impact Report being prepared for the comprehensive Update to the City's adopted General Plan.

Community Development Director LaClaire (Director LaClaire) presented a brief staff report including a power point presentation regarding each of the presented properties to the Planning Commission. He went through each of the individual requests separately.

Vice Chair Rinkes opened the Public Hearing.

Director LaClaire briefly discussed the Alibaba property.

Consensus of the Planning Commission was for this property to stand with their previous decision of designating the northern portion of the lot to a General Commercial designation.

Director LaClaire briefly discussed the Frank J. LaChapelle property.

Consensus of the Planning Commission was that the two properties in question remain designated for Multifamily Residential.

Director LaClaire briefly discussed the Nalini Maharaj property.

Nalini Maharaj, Twentynine Palms, applicant, spoke in favor of her property on item 7.1.

Phyllis LaLonde, Twentynine Palms, spoke in opposition of item 7.1.

Steven Pearce, Twentynine Palms, said the business should stay as is if it has already been that way for the past years.

Ken Tinquist, Twentynine Palms, spoke in favor of item 7.1. He said he lives next to the property and there has never been any noise problem and the applicant has been a great neighbor.

Commissioner Caplinger said he has to make an exception on this property and he cannot see this property being single-family residential. He said he would like to see this property commercial and for the applicant to be able to do something with her business.

Commissioner Alderson asked staff what changes were available to the applicant under legal non-conforming status so the applicant would be able to make changes to her property.

Director LaClaire responded the applicant can maintain the property and with Commission review she could enlarge the property up to 25% and that would be the extent of it.

Consensus of the Planning Commission is to retain current land use designation for this property.

Director LaClaire briefly discussed the JB Carrol property.

Consensus of the Planning Commission was for the JB Carrol parcels to stay residential.

Director LaClaire briefly discussed the Garvin property.

Bill Garvin, Twentynine Palms, owner of the Garvin property spoke in favor of changing his property to the Land Use Designation.

Commissioner Caplinger said he felt it was a little immature to try to rezone at this time and agreed with staff's recommendation to retain the property's current designation.

Consensus of the Planning Commission was they agreed with staff's recommendation and would like to study the area now.

Director LaClaire briefly discussed the Indian Cover Merchants properties.

Electra Westmann, Twentynine Palms, spoke in favor of item 7.1. She asked what the expansion rate was of the properties.

Director LaClaire explained the Development Standards are slightly different. He said you could build by additions or modifications to structures.

Consensus of the Planning Commission was to keep this property the way it is.

Director LaClaire briefly discussed Cindy Shorten's property and her request to withdraw her previous request thus allowing her property to remain as presently designated.

David Smith, Twentynine Palms, spoke in favor of item 7.1.

Director LaClaire said the collection of LaLonde's properties along Highway 62 will come back at the next Planning Commission meeting.

ACTION: On a motion made by Commissioner Caplinger, seconded by Commissioner Alderson and carried with a 4-0-1 roll call vote (Mintz absent) the Planning Commission adopted PC Resolution 10-05 forwarding a recommendation that the City Council amend the land use designations illustrated upon the Official Zoning Map of the "Development Code" and the Land Use Element of the adopted General Plan for the twenty-six (26) properties identified within PC 09-53 and include these properties within the Environmental Impact Report being prepared for the comprehensive Update to the City's adopted General Plan.

8.0 REPORTS, REQUESTS AND COMMUNICATIONS - None

9.0 FUTURE AGENDA ITEMS- None

10.0 COMMISSION COMMENTS/STAFF

Commissioner Easter said the new bar and billiards place called the Headquarters was a first rate job.

Commissioner Caplinger said the Visitor Center would have a soft opening in a few weeks and there will be an addition of a gallery space for public arts.

11.0 STUDY SESSION

- 11.1 PC 09-32 - A possible Development Code Amendment to create a new Chapter 19.55 establishing the standards and criteria applicable to Vacation Home Rentals; Citywide.

Director LaClaire presented a staff report to the Planning Commission regarding a possible Development Code Amendment to create a new Chapter 19.55 establishing the standards and criteria applicable to Vacation Home Rentals; Citywide.

Yatish Nathras, Twentynine Palms, spoke in opposition of item 10.1.

Jack Briggs, Twentynine Palms, spoke in favor of item 10.1.

Bill Talley, Twentynine Palms, spoke in opposition of item 10.1.

Larry Briggs, Twentynine Palms, spoke I n favor of item 10.1.

Paul Smith, Twentynine Palms, spoke in favor of item 10.1.

Sherry Hall, Twentynine Palms, spoke in favor of item 10.1.

Vickie Talley, Twentynine Palms, spoke in opposition of item 10.1.

The Planning Commission discussed a possible Development Code Amendment to create a new Chapter 19.55 establishing the standards and criteria applicable to Vacation Home Rentals; Citywide.

12.0 ADJOURNMENT- Vice Chair Rinkes adjourned the meeting at 8:30 p.m.

Respectfully Submitted,

Jacqueline M. Palmer, Deputy City Clerk