

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

**MINUTES**

- 1.0 CALL TO ORDER-** Chair Mintz 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, Rinkes and Mintz. Commissioner Easter was absent.
- 2.0 SPECIAL ANNOUNCEMENTS** – Chair Mintz announced this meeting will be televised on Cable TV Channel 10 Monday, July 12, 2010 at 6:30 p.m. and Friday, July 16, 2010 at 6:30 p.m.
- 3.0 MINUTES**
- 3.1 June 15, 2010 Planning Commission Minutes
- ACTION: On a motion made by Commissioner Alderson, seconded by Vice Chair Rinkes and carried with a 4-0-1 (Easter absent) roll call vote, the Planning Commission approved the June 15, 2010 Planning Commission Minutes.
- 4.0 CONSENT CALENDAR - None**
- 5.0 ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION - None**
- 6.0 PUBLIC COMMENTS**
- Cal Sisco, Twentynine Palms, said the City should promote electric vehicles for City use.
- 7.0 PUBLIC HEARINGS**
- 7.1 PC 09-75 – Proposed amendments to Chapter 19.58 “Telecommunications Facilities”, regarding antenna placement and Chapter 19.48 “Accessory Uses and Structures”, regarding sea-going cargo containers.
- RECOMMENDATION:** Conduct the Public Hearing, consider public comment and adopt PC Resolution No. 10-09 forwarding a recommendation that the City Council determine that PC 09-75 is Exempt from further environmental review and adopt the proposed change to Title 19 “Development Code” pertaining to Chapter 19.58 “Telecommunications Facilities”, regarding antenna placement and Chapter 19.48 “Accessory Uses and Structures”, regarding sea-going cargo containers.

Community Development Director LaClaire (Director LaClaire) presented a staff report to the Planning Commission.

Chair Mintz opened the Public Hearing.

Frank Thomas, Twentynine Palms, said he was pleased with the process of things coming along and provided a number of suggested changes.

Chair Mintz closed the Public Hearing.

Vice Chair Rinkes said she liked the addition of the wordage "clustering". She said she felt the six (6) foot fence in residential could be "up to six (6) feet".

Commissioner Alderson said the fencing needs to be six (6) feet in residential and six (6) to eight (8) feet in commercial and residential. He said he agreed with the proposed changes.

**ACTION:** On a motion made by Vice Chair Rinkes, seconded by Commissioner Alderson and carried with a 4-0-1 (Easter absent) roll call vote, the Planning Commission adopted PC Resolution No. 10-09 forwarding a recommendation that the City Council determine that PC 09-75 is Exempt from further environmental review and adopt the proposed change to Title 19 "Development Code" pertaining to Chapter 19.58 "Telecommunications Facilities", regarding antenna placement and Chapter 19.48 "Accessory Uses and Structures", regarding sea-going cargo containers.

Director LaClaire suggested taking the remaining items out of order due to the applicant not yet arriving to the Planning Commission meeting.

The Planning Commission agreed to take the remaining agenda items out of order and would go back to item 7.2 when the applicant arrived.

7.3 PC 10-48 – A possible Amendment to the boundaries of subarea "D" of Specific Plan #10 (Development Code Chapter 19.152 "Specific Plan #10 - Mara Vista").

**RECOMMENDATION:** Conduct the Public Hearing, consider public comment and adopt PC Resolution No. 10-20 forwarding a recommendation that the City Council determine that PC 10-48 is Exempt from further environmental review and amend the boundaries of subarea "D" of Chapter 19.152 "Specific Plan #10 - Mara Vista".

Director LaClaire presented a staff report to the Planning Commission.

Chair Mintz opened the Public Hearing.

Chair Mintz closed the Public Hearing after there were no requests to speak from the public.

The Planning Commissioners agreed that the plan looked good and they had no issues with it and that the Specific Plan 10 could be addressed in the future.

**ACTION:** On a motion made by Vice Chair Rinkes, seconded by Commissioner Alderson and carried with a 4-0-1 (Easter absent) roll call vote, the Planning Commission adopted PC Resolution No. 10-20 forwarding a recommendation that the City Council determine that PC 10-48 is Exempt from further environmental review and amended the boundaries of subarea "D" of Chapter 19.152 "Specific Plan #10 - Mara Vista".

- 7.4 PC 09-25 – Conditional Use Permit request to establish a new auto repair facility at 5750 Adobe Road.

**RECOMMENDATION:** Re-open and conduct the open, continued Public Hearing, consider public comment, find the project Categorically Exempt pursuant to CEQA and adopt Planning Commission Resolution 10-14 approving the Conditional Use Permit, subject to the attached Conditions of Approval.

Director LaClaire presented a staff report to the Planning Commission.

Chair Mintz opened the Public Hearing.

Jay Corbin, representing the applicant, spoke to the Planning Commission about the modifications and deletions of several conditions as requested by the applicant. He said the applicant requested the following Conditions to be removed: P2; the second sentence of P5; P18 to be removed as a loading zone is not necessary; and P3 to be removed completely or reduced in size to be closer to compliance with Development Code Section 19.10.040 (F). The applicant also requested the following conditions be modified: P4, to state the building design be accepted as proposed; P5, the second sentence be removed; P6, to state that the applicant shall comply with Chapter 19.84, the City's sign Code; P12, to be noted that the proposed landscaping, as shown on the site plan, complies with the City's landscape requirements; P25, to be modified to delete the loading zone.

Pat Flanagan, Twentynine Palms, said the idea of closing the doors on the auto shop when vehicles are being worked on is a serious health issue due to the fumes from the vehicles that are continuously out gassing.

Chair Mintz closed the Public Hearing.

Commissioner Caplinger said the canopy does not fit the proposed development. He said chain link fencing with slabs does not look good.

Vice Chair Rinkes said she was leaning towards masonry for Condition P2.

Consensus of the Planning Commission was requiring a six foot wooden fence for Condition P2.

Vice Chair Rinkes said regarding the roof mounted equipment, she felt that the Condition needed to be consistent along with the Code and that roof top equipment needed to be shielded or screened. She said she would like to leave the building looking the way it does in terms of being from the 1950's and she would like the canopy to be left on site but encouraged changing the paint.

Commissioner Alderson said he was worried about the canopy and if it was up to Code and could withstand an earthquake. He said the canopy does not fit with the current business architecturally.

Chair Mintz said he does not have a problem with the canopy as long as it is painted. He said the swamp cooler does not take away from the building.

Consensus of the Planning Commission for Condition P3 was the requested modification of the language.

Vice Chair Rinkes and Chair Mintz felt the canopy was fine under the terms of Condition P4 and Commissioner Caplinger and Commissioner Alderson felt it was not.

Consensus of the Planning Commission regarding Condition P5 was to go with the applicant's request; the second sentence will be removed.

Consensus of the Planning Commission regarding Condition P6 was to go with the applicant's request.

Commissioner Alderson questioned Condition P10 and storage of vehicles.

Chair Mintz re-opened the Public Hearing.

Mr. Corbin responded the applicant is not proposing storage of vehicles. He said vehicles come in and get worked on in the bay, and then they are gone.

Consensus of the Planning Commission is to modify P10 that vehicles can not be stored or parked over night in the parking lot.

Consensus of the Planning Commission regarding Condition P12 was a 30-60 day review of the landscaping and the applicant can still continue on with their process of opening and all plants for the landscaping need to be chosen from the drought resistant pamphlet in the Community Department.

Consensus of the Planning Condition was to remove Condition P18 and to modify language on Condition P25.

Mr. Corbin asked if regarding Condition P4 the applicant could dress it up such as the drawing proposed by Commissioner Caplinger. He said in two weeks the applicant would be able to get the landscape plans to the Planning Commission.

**ACTION:** On a motion made by Commissioner Alderson, seconded by Commissioner Caplinger and carried with a 3-1-1 (Rinkes no, Easter absent) roll call vote, the Planning Commission continued the item to the July 20, 2010 Planning Commission meeting.

- 7.2 PC 10-35 – Eric Meurs of Plancom, Inc., representing Verizon Wireless, is proposing a Minor Use Permit to modify an existing microwave antenna from an existing two (2) foot diameter antenna to a four (4) foot diameter antenna for a facility located on the Twentynine Palms Water District property at 73195 Cactus Drive; APN 0617-031-10.

**RECOMMENDATION:** Conduct the Public Hearing, consider public comment and adopt Planning Commission Resolution No. 10-19 making a determination that the project is exempt from further environmental review and approve the Minor Use Permit subject to the attached Conditions of Approval.

Director LaClaire presented a staff report to the Planning Commission.

Chair Mintz opened the Public Hearing.

Peter Blad from Plancom Incorporated a contractor for Verizon Wireless spoke to the Planning Commission regarding the proposed modification to an existing facility which would allow Verizon Wireless to extend a microwave antenna and improve signal strength in the area.

Chair Mintz closed the Public Hearing.

**ACTION:** On a motion by Commissioner Caplinger, seconded by Vice Chair Rinkes and carried with a 4-0-1 (Easter absent) roll call vote, the Planning Commission adopt Planning Commission Resolution No. 10-19 making a determination that the project is exempt from further environmental review and approve the Minor Use Permit subject to the attached Conditions of Approval.

Chair Mintz called a recess at 8:06 p.m.

Chair Mintz brought the meeting back to order at 8:15 p.m.

- 7.5 PC 06-51 – Certification of a Final Environmental Impact Report and Mitigation Monitoring Program, General Plan Amendment, Change of Zone, Conditional Use Permit and Development Agreement for the expansion of the Granite Mine facility within the City of Twentynine Palms.

**RECOMMENDATION:** Conduct the Public Hearing, consider public comment and adopt Planning Commission Resolution PC 10-17 forwarding a recommendation that the City Council certify the Final Environmental Impact Report and Mitigation Monitoring Reporting Program, and approve the General Plan Amendment and Change of Zoning, approve the Conditional Use Permit for the expansion and approve the Development Agreement.

Director LaClaire presented a brief staff report to the Planning Commission. He said recently one letter had been received in opposition to the proposal and one letter had been received in support of the proposal. He said there had been further explanation and comment given to the Planning Commission in regards to the asphalt issue on the property regarding the storage and use and reuse of property. He said there had been comments that Granite received in regards to the letter as well in opposition to the issue.

Jayne Powell, Environmental Manager for Granite Mine Southern California branch, presented a power point presentation to the Planning Commission. She explained that the total reserves at the existing mine are nearly used up and the mining operation needs to expand to keep up with the demand it faces. She said the proposed expansion details include amending the existing permit, adding 356 acres owned by Granite adjacent to the existing operation where 178 acres are proposed for mining and 178 acres are dedicated for habitat conservation.

James Burdett, Twentynine Palms, said his property is close to Granite and he had written a letter in previous years that opposed any zoning changes in the area that is designated Rural Living. He said he is not for rezoning the proposed 178 acres to Community Industrial and it should be left the way it is.

Jason Markle, representing Granite Mine, said he is the plant manager for the facility and said if the Planning Commission has any questions to please direct them his way.

Dr. Jack Turner, Biologist for the Granite project, said if there are any project plant questions to please direct them towards him.

Pat Flanagan, Twentynine Palms, said she has a lot of problems with the final documentation. She said Granite's reclamation plans that are anticipated include introducing non-native plant species that are considered weeds into the area. She said the Department of Fish and Game continues to have issues with the final Environmental Impact Report.

Wade Malone, Plan Superintendent at Granite, said if there were any questions he would be happy to answer them.

Mr. Burdett asked for an explanation of what a two-to-one slope meant.

Kit Kelstrom, Granite Engineer, responded a two-to-one slope meant that for every rise of one foot there is two feet of horizontal distance so it is flat enough so the material is not going to slide down.

Dr. Turner responded that Granite would consider any recommendation by the Department of Fish and Game. He said Granite developed plans to imitate vegetation in the area according to standards from the California Department of Conservation.

Chair Mintz closed the Public Hearing.

Commissioner Caplinger said his main concerns are that the reclamation program is solid and that the Fish and Game Department comes on board.

Commissioner Alderson said he was interested in the storm water pollution prevention program and the road work.

Ms. Powell responded the Industrial Storm Water Pollution Prevention Program that requires various monitoring reports after it rains are submitted annually to the State.

City Attorney Michael Houston said the City is responsible for seeing that Granite is for carrying out what they are required to do.

Vice Chair Rinkes said Granite has been a good neighbor and has been honest and upfront on what they are doing and what they plan to do. She said they have also been accommodating.

ACTION: On a motion made by Vice Chair Rinke, seconded by Commissioner Caplinger and carried with a 4-0-1 (Easter absent) roll call vote, the Planning Commission adopted Planning Commission Resolution PC 10-17 forwarding a recommendation that the City Council certify the Final Environmental Impact Report and Mitigation Monitoring Reporting Program, and approved the General Plan Amendment and Change of Zoning, approved the Conditional Use Permit for the expansion and approved the Development Agreement and forwarding the information to the City Council that was presented to the Planning Commission.

**8.0 REPORTS, REQUESTS AND COMMUNICATIONS – None**

**9.0 FUTURE AGENDA ITEMS**

Commissioner Alderson said he would like a study session for the Planning Commission to look at the City policy on South West design requirements.

**10.0 COMMISSION COMMENTS/STAFF**

Commissioner Caplinger said the South West design issue is frustrating because it needed to be straightened out.

Vice Chair Rinke agreed with Commissioner Caplinger and said the South West design issue needed to be looked at.

**11.0 STUDY SESSION - None**

**12.0 ADJOURNMENT-** Chair Mintz adjourned the meeting at 9:35 p.m.

Respectfully Submitted,

Jacqueline M. Palmer, Deputy City Clerk