

**TWENTYNINE PALMS PLANNING COMMISSION
CITY COUNCIL CHAMBER, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, JULY 20, 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 Caplinger led the Pledge of Allegiance.
ROLL CALL- The following Commissioners were present: Alderson, Caplinger, Easter, Rinkes and Mintz.
- 2.0 SPECIAL ANNOUNCEMENTS** – Chair Mintz announced this meeting will be televised on Cable TV Channel 10 Monday, July 26, 2010 at 6:30 p.m. and Friday, July 30, 2010 at 6:30 p.m.
- 3.0 MINUTES**
 - 3.1 July 6, 2010 Planning Commission Minutes

ACTION: On a motion made by Commissioner Caplinger, seconded by Commissioner Alderson and carried with a 5-0 roll call vote, the Planning Commission approved the July 6, 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 – None**
- 7.0 PUBLIC HEARINGS**
 - 7.1 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 Categorical Exempt pursuant to CEQA and adopt Planning Commission Resolution 10-14 approving the Conditional Use Permit, subject to the attached Conditions of Approval.

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

Chair Mintz re-opened the Public Hearing.

Jay Corbin, Twentynine Palms, representing the applicant, said he would like the landscaping plan and canopy to be discussed. He said the location is a legally established structure and that he felt the request to remove the canopy was unfair as there are other businesses in the City that have similar canopies at their business locations. He said regarding the landscaping, the Washingtonian

Palms, fifteen (15) in five (5) gallon size should be acceptable for the landscaping as well as the forty four (44) plants proposed.

Vice Chair Rinkes asked what treatment was going to be given to the driveway.

Mr. Corbin responded the applicant would be staining and coloring the driveway.

Anna O'Hare, Twentynine Palms, said she had concern that the Planning Commission was expecting Mr. Vo to make too many adjustments. She said the Planning Commission needed to lighten up.

Chair Mintz closed the Public Hearing.

Commissioner Alderson said if the canopy can be dressed up to look nice then he is ok with it. He asked for clarification of the colors and scheme that would be used on the building.

Chair Mintz re-opened the Public Hearing.

Mr. Corbin responded that he had submitted color renderings on July 6, 2010 to the Planning Commission.

Chair Mintz closed the Public Hearing.

Commissioner Caplinger said he is fine with the modifications and deletions in the staff report except item P-7 regarding the hours of operation. He said he did not like the hours of retail which were listed until 11:00 p.m.

Commissioner Easter said he did not see anything wrong with the canopy. He said the diagram went above and beyond regarding the landscaping and he was in favor of what Mr. Corbin had proposed to the Planning Commission.

Vice Chair Rinkes said she was ok with the canopy and the landscape plan is nice. She requested that if the plants die within the first year they must be replaced.

Chair Mintz said the canopy was ok and the landscaping looked good.

ACTION: On a motion made by Commissioner Easter, seconded by Vice Chair Rinkes and carried with a 5-0 roll call vote, the Planning Commission found the project Categorical Exempt pursuant to CEQA and adopted Planning Commission Resolution 10-14 approving the Conditional Use Permit, subject to the attached Conditions of Approval and with the Landscaping amendment as discussed and requiring if the plants die within the first year they must be replaced.

- 7.2 PC 10-47 - A request to have the Planning Commission establish the property described as 72731 Granite Avenue (APN 0618-361-03) as a "Public Nuisance" and ordering the correction of such Nuisance.

RECOMMENDATION: Open and conduct the Public Hearing, consider public comment, find the project Categorical Exempt pursuant to CEQA and adopt Planning Commission Resolution 10-18 making a determination of a Public Nuisance for the property described as 72731 Granite Avenue and directing staff

to cause the removal of junk, rubbish and dead weeds, as well as taking all steps necessary to gain access to the identified stagnant in-ground pool in the back yard, drain the pool, remove the liner or cut the bottom out of the liner and fill the pool with compacted fill.

Director LaClaire presented a staff report to the Planning Commission.

Commissioner Alderson asked if staff had heard from the owner of the property.

Code Enforcement Officer Blackman responded since the mailing that was sent out on June 3, 2010 there had been no contact from the owner. He said he had taped the information to the door of the property and sent notifications to anyone who was associated with the property. He said as far as the County is concerned, the original owner of the property is still the current owner.

Chair Mintz and Commissioner Easter said they had both gone by the property today and the notice was still on the door.

Chair Mintz opened the Public Hearing.

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

Commissioner Easter said the City has an obligation to take care of this issue because the water that is in the pool could be enticing for someone and could be a serious danger.

Commissioner Alderson suggested fifteen (15) day abatement for the property.

ACTION: On a motion made by Commissioner Alderson, seconded by Commissioner Caplinger and carried with a 5-0 roll call vote, the Planning Commission adopted Planning Commission Resolution No. 10-18 directing the property owner to remove the junk and rubbish, cut the weeds and either maintain the pool so that the water is clean and filtered or drain the pool, remove the liner or cut the bottom out of the liner and fill the pool with compacted fill allowing fifteen (15) days before the City abates the property.

- 7.3 PC 10-46 – Consideration of amendments to the Land Use Element of the adopted General Plan and to the Official Zoning Map of the City’s “Development Code” regarding multiple properties generally bound by Highway 62 and either Cactus Drive or Juanita Drive, between Alpine Avenue and Mesquite Springs Road.

RECOMMENDATION: Conduct the Public Hearing, consider public comment and adopt PC Resolution 10-21 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 properties noted and include these properties within the Environmental Impact Report being prepared for the comprehensive Update to the City’s adopted General Plan.

Director LaClaire presented a staff report.

Chair Mintz opened the Public Hearing.

Director LaClaire noted the City had received comments from four (4) property owners in opposition of change.

Larry Briggs, Twentynine Palms, said he understood the reasons why people would object but the he was open for Commercial.

Chair Mintz closed the Public Hearing.

Commissioner Caplinger said there is an over-saturation of Commercial in the City and he cannot see changing the zoning. He said he was not for any action.

Consensus of the Planning Commission was no action to be taken.

ACTION: On a motion made by Commissioner Caplinger, seconded by Vice Chair Rinkes and carried with a 5-0 roll call vote, the Planning Commission forwarded a recommendation that the City Council does not 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 properties noted.

8.0 REPORTS, REQUESTS AND COMMUNICATIONS – None

9.0 FUTURE AGENDA ITEMS

Director LaClaire said he intended bringing two (2) workshops to the August 3, 2010 Planning Commission meeting and requested the Planning Commission to give guidance to staff during those workshops.

10.0 COMMISSION COMMENTS/STAFF

Commissioner Easter thanked the Planning Commission and staff for their patience during his absence.

11.0 STUDY SESSION - None

12.0 ADJOURNMENT- Chair Mintz adjourned the meeting at 7:02 p.m.

Respectfully Submitted,

Jacqueline M. Palmer, Deputy City Clerk