

**TOWN OF YUCCA VALLEY  
PLANNING COMMISSION MEETING MINUTES  
June 19, 2007**

Chair Huntington called the regular meeting of the Yucca Valley Planning Commission to order at 7:00 p.m.

Commissioners present: Chair George Huntington, Commissioners David Cooper, Dennis McKoy and Shannon Goodpaster

Steve Willman was absent as he had been excused for personal reasons.

Chairman Huntington led the Pledge of Allegiance.

**APPROVAL OF AGENDA:**

Mr. Cooper moved the Agenda be approved as amended to include STAFF REPORTS AND COMMENTS, which motion was seconded by Mr. McKoy and passed by voice vote of 4-0-1.

**PUBLIC COMMENTS:**

Marcie Brown of Ontario, CA spoke on behalf of T-Mobile regarding the flag pole cell tower approved for installation on Joshua Lane south of SR62. She is available to answer any questions the Commissioners may have about the cell tower. Contract Planner Nicole Criste commented she will report on a question asked by Mr. Willman at a preceding meeting during STAFF REPORTS AND COMMENTS at the end of the meeting.

**PUBLIC HEARING:**

**1. CONDITIONAL USE PERMIT CUP 09-05 – VALLEY COMMUNITY CHAPEL ENVIRONMENTAL ASSESSMENT EA 19-05**

A request to allow a Conditional Use Permit for the development of a 2,520 square foot multipurpose building and associated facilities as Phase 1 of a 10 year, 3 phase project; to eventually include a 10,800 square foot church and a 3,600 square foot fellowship hall. The project site is 4.82 acres located at 59205 Yucca Trail and identified as APN 588-041-42.

Commissioner McKoy announced that he has a conflict of interests with the item because he is an advisor to the church and his wife is an employee of the church. Mr. Huntington excused Mr. McKoy from the meeting and Mr. McKoy left the room. Mr. Huntington stated that while his son is an Associate Pastor of the church, he has reviewed the Conflict of Interests rules, has no financial or other interest in the church and therefore will participate in the hearing.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Robert Kirschmann presented the project discussion to the meeting. The staff report is incorrect in stating the building will be modular, the building is proposed to be “stick built.” No written or verbal comments have been received by the Town either in support or opposition to the project. He requested that Condition of Approval #27 be amended to add as the first sentence: “The developer shall comply with NPDES

requirements as applicable.” Based on the Findings and Conditions of Approval, staff recommends approval of the project.

Mr. Cooper questioned the lack of architectural treatment on the south facing side of the building. Mr. Kirschmann replied the applicant has stated they plan to enhance it with stucco plant-ons.

Mr. Goodpaster requested clarification of the traffic impact report. Ms. Criste stated the numbers in traffic studies are based on specific hours of the day, calculated on the estimated number of trips generated during peak hours of the day from the Institute of Transportation Engineers Handbook and the project description as provided by the applicant.

Mr. Goodpaster questioned the requirement for planting and irrigation in retention basins. Mr. Kirschmann replied the landscape plan is submitted to the Hi-Desert Water district which then establishes a water budget for irrigation.

Mr. Goodpaster questioned the requirement in Condition #3 for construction to commence within 2 years and how this affects phasing of the project. Mr. Kirschmann replied the first phase of construction must begin within 2 years or they must apply for an extension of time. The applicant has requested 10 years to complete the entire project. If that timeline is not met they must submit revisions and apply for an extension of time.

Mr. Huntington questioned the requirement in Condition 38 for 44 feet of pavement. Mr. Kirschmann stated this includes 40 feet of half-width (30 feet of traffic lanes) and an additional 4 feet to accommodate landscaping, sidewalks and the right turn lane.

Mr. Huntington opened the Public Hearing.

Applicant representative Jeff Heil introduced Rob Simmons of Warner Engineering and Brian Debolt of Design Concepts. He stated the church plans complete build-out over 10 years. There are issues regarding the road improvements. He does not believe a SWIPP is required because they are grading less than 1 acre. He questioned the requirement in COA 35 for a landscape plan when Phase 1 does not include additional landscaping. Is the Town requiring a landscape plan for Phase 2 and 3 now?

He questioned the addition of the left and right turn lanes on Yucca trail as part of Phase 1 when the traffic won't be generated until the completion of Phases 2 and 3. They agree a left turn lane should be installed at some time in the future. However, the site currently meets the requirements for curb, gutter and 44 feet of asphalt paving. All of these improvements are cost prohibitive at this time. They request these items be moved to Phase 2.

He believes the cargo containers referenced in COA 52 are permitted and asks that they be allowed to stay on site if they are relocated out of sight. The Town is requiring removal prior to the issuance of a Certificate of Occupancy for Phase 1.

Mr. Cooper asked what the cargo containers are used for and if they will be needed after build-out. Mr. Heil replied they are currently needed and used for storage and will be needed until the completion of Phase 3.

Mr. Goodpaster commented the problem is the containers are 320 square feet where only 120 square feet is allowed. Mr. Kirschmann stated 120 square feet of storage can be permitted but cargo containers are not permitted.

To a question from Mr. Huntington, Mr. Heil replied Phase 1 will not replace the temporary office structure. They propose to relocate the structure on-site.

Mr. Kirschmann commented the cargo containers could be considered an expansion of the use if the Commission wishes to approve an on-site location. But they would have to comply with commercial guidelines.

Stuart Smith of Yucca Valley, youth pastor of the church, stated he is in favor of the project. The church is growing; they currently have 26 students and are meeting in the pre-school room and the pastor's office. The project is desperately needed.

The following residents of Yucca Valley did not wish to speak but requested in writing that their position in favor of the project be registered: Trina Offutt, Larry Pitzer, Nicol Pinheiro, Art Miller, Shirley Heil, Jeremy Leavenworth, April Leavenworth, Michael Brooks, Joshua Griswold, Sandra Griswold, K. Aileen Brooks, Paul Morehead, Laurine Silver, Juanita Dobyms, Penny Worehead, Steven Caldwell, Grover, Dobyms, Lisa Baldwin, Mark Wright, Donna Lund, Lynn Lund, Michele McKoy, Jeff Thiele, Jeffrey Huntington, Sara Wright, Steven Offutt, Rick Snipes, Angela Snipes, Susan Redwood, Valerie Aversa, Thomas Aversa, Kiersten Offutt and Derick Ziets.

The following residents of Joshua Tree did not wish to speak but requested in writing that their position in favor of the project be registered: Erneen Rhodes, Richard Rhoads and Ken Redwood.

Mr. Huntington asked staff to respond to applicant comments and questions.

In response to public comments, Mr. Kirschmann stated he agrees that COA 35 should be revised to read "all existing landscaped planters" and the following sentence should be added: "In conjunction with each Phase, a landscape and irrigation plan shall be required prior to the issuance of a grading permit." The Town Engineer feels the left turn lane should be added now to insure safety and sight distances. There may be some room to work with the applicant's engineers regarding the length of the left turn lane. The Town Engineer strongly recommends this requirement stay in Phase 1. This may or may not be accomplished through re-stripping of Yucca Tr. No additional paving is required on the project frontage, but it is required on the property to the west for right turn transition into the church property.

Mr. Simmons stated the issue isn't lengthening the left turn lane but rather extending the right turn lane possibly a couple of hundred feet for traffic going east. It is more cost effective to include this in Phase 2.

There being no others wishing to speak, Mr. Huntington closed the Public Hearing

Mr. Kirschmann stated COA 36 requires a final traffic analysis which will address additional projects not included in the original analysis. The impact of the final report is not yet known.

Mr. Huntington stated the left turn lane is an issue that the Town Engineer requests.

Mr. Cooper commented only 1 more left turn will be added by Phase 1 and asked what the options are. He has trouble asking for a lot of improvements for 1 left turn.

Ms. Criste stated ultimately the final traffic report will make the final recommendation and the Town Engineer will either accept or request modifications. Director of Community Development

Thomas A. Best commented the Town Engineer has authority over right-of-way issues regardless of what the Planning Commission recommends. Other considerations are the increase of traffic in the general area due to other businesses which have been proposed or are under construction. Mr. Cooper asked if the projects in the design phase are considered or only those that have been approved. Ms. Criste replied the Town Engineer looks at both.

Mr. Goodpaster stated he is inclined to delay the left turn requirement until Phase 2. Mr. Huntington agreed.

Mr. Huntington asked if the impact of Home Depot, Super Wal-Mart and Century Homes, which will have a huge on Yucca Trail, are considered in the traffic analysis. He stated some improvements to Yucca Trail will be required of those projects. The improvements required of this project may be absorbed by the other larger projects in the next 5 or so years.

Consensus of the Commission was that additional architectural enhancements are desirable on the south face of the building and that the cargo containers should be removed.

Mr. Cooper moved that the Planning Commission approve CUP-09-05 and EA 19-05 as amended above based on the findings contained within the staff report and the recommended Conditions of Approval. The motion was seconded by Mr. Goodpaster and passed by unanimous voice vote of the Commissioners present.

Mr. McKoy rejoined the meeting.

## **2. CONDITIONAL USE PERMIT CUP 02-06 – ALLEE (formerly Vickery) ENVIRONMENTAL ASSESSMENT EA 04-06**

A request to construct four industrial multi-tenant buildings totaling 68,080 square feet, and 371 mini-storage units and 44 RV storage units on a 10.8 acre site.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Contract Planner Nicole Criste presented the project discussion to the meeting. She requested that the typographical error in COA 51(c) be corrected to read "In Phase 2". Staff recommends approval of the project.

Mr. McKoy asked if there are guidelines for the businesses in the multi-tenant building. Ms. Criste replied the zoning is Industrial and the businesses would have to be consistent with the zoning. If a use is conditionally permitted, an amendment to this CUP would have to be submitted.

Mr. Goodpaster asked if signage is being reviewed during the planning process. Ms. Criste replied the signage shown on the plans is conceptual and a Sign Program will have to be reviewed and approved by the Town to meet code. The Town is requesting signage during the process.

Mr. Huntington opened the Public Hearing.

There being no one wishing to speak, Mr. Huntington closed the Public Hearing.

Consensus was that the project is great for the area and will help the neighborhood.

Mr. Cooper moved that the Planning Commission approve a Mitigated Negative Declaration for Environmental Assessment 04-06 and Conditional Use Permit 02-06 as amended based on the findings contained within the staff report and the recommended Conditions of Approval which motion was seconded by Mr. Goodpaster and passed by voice vote of 4-0-1.

Mr. Cooper announced he has a conflict of interests with both Items 3 and 4 in that applicant representative Warner Engineering is a client. He was excused from the meeting and left the room.

### **3. CONDITIONAL USE PERMIT CUP 02-07 – PARRTEN PRODUCTS ENVIRONMENTAL ASSESSMENT EA 07-07**

A request to allow a Conditional Use Permit for the development of a 15,000 square foot building and a 2,500 square foot building of light industrial/office space and associated facilities; and to make improvements to the facade of an existing structure. The site measures 660' by 165', is located at 6650 La Contenta Rd. and is identified as APN 601-201-36.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Contract Planner Nicole Criste presented the project discussion to the meeting. The applicant requests that COA 26 (a) be amended to replace "for the project" with "along project frontage." Staff agrees with the request as this will clearly state that the left turn lane is intended to be in front of the project.

Mr. Huntington opened the Public Hearing.

Applicant representative Rob Simmons with Warner Engineering requested clarification or removal of COA 26(f) in the amount of \$6,075. He also requested clarification of the reference to street lighting on La Contenta in CAO 35.

Applicant Howard Parrett of Joshua Tree stated his intention is to landscape the whole front area and around the parking lot and asked if that is sufficient. He asked if the \$6,075 fee is in lieu of or in addition to the \$1 per square foot Development Impact Fee recently adopted by the Town Council. He also questioned COA 40 asking if he is supposed to contract with a licensed company for maintenance of the retention basin, draining and landscaping and how that works. He would like to contract with the Foundation of the Retarded for that service. He is adamant that the project meet the night sky ordinance and be xeriscaped.

Mr. Huntington closed the Public Hearing.

Regarding COA 26(f) Ms. Criste stated the dollar amount is usually established in the traffic study, in this case the dollar amount does not appear in the study. The Town Engineer usually secures the calculations from the Traffic Engineer based the share of off-site improvements generated by the project. The Conditions of Approval were prepared before the Development Impact Fee was put in place and she does not know if there is an over-lap of fees. Generally the fee is tied to the number of trips through an intersection which will be generated by the project and a cost per trip attributable to existing or future improvements to an intersection, road, etc. The Commission can request staff to work with the applicant and the engineers to establish a fair

share dollar amount, strike the provision, or add a provision stating the fee is not due if it is covered by the Development Impact Fee.

The street lighting must comply with the Town standard which is a 200 foot separation. La Contenta will have to be improved to its full ½ width based on the General Plan designation for that roadway. One additional streetlight will probably have to be installed. Regarding maintenance of drainage facilities, because multiple tenants may be involved in the project, the agreement is private and intended to be for all of the landscaping and the retention basin as common area amenities. Regarding the parking landscaping area issue, the project does not meet the 5% of parking area requirement. Landscape fingers in the parking area may be a solution without losing any parking spaces.

Consensus of the Commission was that COA 26(f) should be amended to add “shall pay fair share costs if not covered by Development Impact Fees.”

Mr. Goodpaster moved that the Planning Commission approve Conditional Use Permit 02-07 based on the findings contained within the staff report and the recommended Conditions of Approval as amended which motion was seconded by Mr. McKoy and passed unanimously by voice vote of the Commissioners present.

## **BUSINESS ITEMS**

### **4. SITE PLAN REVIEW SPR 06-04 EXTENSION OF TIME – HANE**

A request for an extension of time for the project which was originally approved by the Planning Commission on March 15, 2005.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Contract Planner Nicole Criste presented the project discussion to the meeting. Staff recommends a one year extension of time.

Mr. Hunting opened the discussion to the public.

Rob Simmons of Warner Engineering, representing the applicant, stated the applicant does not feel the current economic climate warrants proceeding with the project today and is requesting a two year extension.

Mr. Goodpaster requested an explanation of the staff recommendation. Ms Criste replied project designs are changing and the Development Code could be amended with new standards. Staff would like to review projects to insure that they meet new standards.

Mr. McKoy questioned the cost of amending a SPR. Ms. Criste responded an extension is half of the application fee. In this case \$2,000 per extension of time.

Mr. McKoy moved to approve a two year extension of time which motion was seconded by Mr. Goodpaster and passed unanimously by voice vote of the Commissioners present.

Mr. Cooper rejoined the meeting.

**5. TRACT MAP TM 17354 EXTENSION OF TIME – MAYER/LUCE  
(formerly Yucca 87)**

A request for a one year extension of time for the project which was originally approved by the Planning Commission on June 7, 2005.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Contract Planner Nicole Criste presented the project discussion to the meeting. Staff recommends approval of the request.

Mr. Huntington opened the public hearing.

Lynn Greener representing Mayer/Luce stated he would be happy to answer any questions.

Mr. Huntington closed the public hearing.

Mr. Goodpaster moved that the Planning Commission grant the extension of time to June 7, 2008. The motion was seconded by Mr. McKoy and passed by voice vote of 4-0-1.

**6. CONSENT AGENDA:**

**PLANNING COMMISSION MINUTES**

Mr. Cooper moved that the minutes of the regular meeting of the Commission held on May 15, 2007 be approved as submitted. The motion was seconded by Mr. McKoy and passed by voice vote of 4-0-1.

**FUTURE AGENDA ITEMS**

Mr. Best commented that an amendment to CUP 04-05 – Farmers Market to allow a port-a-potty to remain permanently on site is tentatively scheduled for July 17, 2007.

**STAFF REPORTS AND COMMENTS**

In response to a question posed by Mr. Willman at the previous Commission meeting regarding the T-Mobile cell tower installed on Joshua Lane, Ms. Criste stated staff has concluded based on application materials submitted that the tower is as shown on the plans. However, the visual simulations presented to the Commission did not accurately represent the scale of the tower. A Stop-Work order has been issued pending direction from the Commission.

Mr. Kirschmann commented the proposed pole was round, the pole installed is octagonal. T-Mobile has offered to install a round sleeve but that will make the pole even larger.

Mr. Huntington commented this is not the first time the Commission has been deceived by visual simulations.

After discussion, the Commission determined the sleeve would not be an improvement and authorized staff to remove the Stop-work order and allow the project to be finished as is.

## **COMMISSIONER REPORTS AND REQUESTS**

Mr. McKoy commented that some of the yards he has previously complained about have been cleaned up and asked staff to thank Code Compliance.

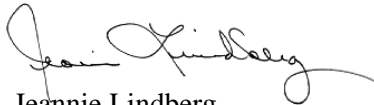
## **ANNOUNCEMENTS**

Mr. Huntington announced that since there no agenda items for a meeting on July 3, 2007; the next regular meeting of the Planning Commission will be held at 7:00 pm on Tuesday, July 17, 2007.

## **ADJOURNMENT**

The meeting adjourned at 8:50 p.m.

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "Jeannie Lindberg".

Jeannie Lindberg  
Admin Asst. III