

**TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING MINUTES**

MAY 11, 2010

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

Commissioners present: Chair Robert Lombardo, Commissioners Mike Alberg, Tim Humphreville and Dawn Rowe

Commissioner Margo Sturges requested to be excused by email due to a family matter.

Chairman Lombardo led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Mr. Alberg requested that Item #2 be heard and discussed prior to Public Comments and moved that the Agenda be approved with that amendment. The motion was seconded by Ms. Rowe and passed unanimously by voice vote of the Commissioners present.

2. PLANNING COMMISSION MINUTES

A request from the Planning Commission that the type of minutes, and level of detail contained in the minutes, for the recording of actions taken be discussed. With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Town Clerk Jamie Anderson presented the project discussion to the meeting. In general there are three types of minutes:

1. Action minutes which include little if any detail and record only actions taken, motions and votes.
2. Summary minutes which provide limited staff comment as well as noting the members of the public in support or opposition to an issue along with limited detail of the discussion. Actions taken, motions and votes are also recorded.
3. Verbatim minutes which record a word for word account of the meeting.

She further commented that the Town Council Ordinance states the minutes shall be a summary record of each particular type of business transacted. The important thing to include is what is done at the meeting.

The Commission questioned how long the meeting tapes are kept and available to the public, if any information is included about how the decisions are made, the importance of public comments detail and what determines when verbatim minutes are made.

Staff replied, pursuant to the adopted Record Retention policy, tapes are kept for two years. Items included in the staff report are mentioned and slightly more detail is included when it is a public hearing for a project, since the public is limited to those issues brought up during a public hearing by themselves or anyone else if litigation is brought against a land use item. Enough detail would be included to identify the reason

for the objection. General public comments are recorded by name, community of residence and topic only. Verbatim minutes would be prepared based on the Planning Commission role and function which could be tied to potential litigation or development issues, for specific reasons and/or a specific land use matter. Pursuant to the Town Council ordinance, primarily summary minutes will be kept.

Unanimous consensus of the Commissioners present was that summary minutes are acceptable. Ms. Rowe moved to accept and file the report. The motion was seconded by Mr. Alberg and passed unanimously by voice vote of the Commissioners present.

Due to the large number of requests to speak during Public Comments, the Commissioners decided to complete the other items on the Agenda and take Public Comments as the last item.

1. SPECIAL LICENSE SPL 08-10 HERBEL – FARMERS MARKET

A request to conduct a weekly farmers market on Wednesdays from 9:00 am to 1:00 pm in the parking lot of the Sears store located at 57840 Twentynine Palms Hwy and identified as APN 601-401-15. 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.

Parking will exceed the requirement by 30 spaces. The project hours will be from 9:00 am to 1:00 pm with a one hour set up period and a one hour take down period. It is estimated that 10 vendor stalls will be present. The market manager is responsible for placing and removing temporary barriers at the Sears store and around the farmers market. Each vendor is responsible to clean up in their stall area, the manager is responsible for clean up of customer debris and the general market area. The project is subject to a Condition of Approval limiting it to a certified farmers market.

Generally Certified Farmers Markets are limited to the sale of fruits, nuts and vegetables. This approval does not establish the ability to sell craft items. Should the event ever be expanded to possibility include a craft fair, or similar activity, the applicant is required to amend the Temporary Special Event Permit. The amendment could be approved at the staff level. Staff recommends approval of the Special Temporary Events License.

The Commissioners questioned the availability of restrooms, the expiration of the liability insurance in October, 2010, and confirmation that the farmers are certified organic. Staff replied the Sears store is making restrooms available which meet the standards of being within 200 feet. The Town is to be named an additional insured on the liability policy and a copy of the renewal must be provided when available. Each vendor is required to post their certificate on their stall and the market manager is responsible for verification. Each vendor is to have a Town Business Registration.

Mr. Lombardo opened the discussion to public comments.

Nancy Lostlen of Yucca Valley stated she was representing the applicant, the ribbon cutting for the market is scheduled for June 9th and she would be happy to answer any questions.

There being no others wishing to speak on the item, Mr. Lombardo closed the discussion to public comments.

Ms. Rowe moved that the Planning Commission approve Temporary Special Event Permit, SPL 08-10 for a Certified Farmers Market located at 57840 29 Palms Hwy. The motion was seconded by Mr. Humphreville and passed unanimously by voice vote of the Commissioners present.

DEPARTMENT REPORTS:

3. PRIVATE LAND DEVELOPMENT ACTIVITY REPORT UPDATE

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. Due to the large number of audience members wishing to make public comments, he did not discuss individual projects stating he was available to answer any questions the Commissioners may have.

There being no questions, Mr. Alberg moved to accept and file the report. The motion was seconded by Ms. Rowe and passed unanimously by voice vote of the Commissioners present.

CONSENT AGENDA: MINUTES -

Mr. Alberg moved that the Planning Commission approve as submitted the minutes of the Regular Planning Commission Meeting held on April 13, 2010. The motion was seconded by Mr. Humphreville and passed unanimously by voice vote of the Commissioners present.

Staff requested a brief recess due to technical problems with the tape recorder. Mr. Lombardo recessed the meeting at 7:25 pm.

Mr. Lombardo reconvened the meeting at 7:35 pm and informed the Commissioners and audience that the tape recorder was not functioning and the meeting was not being recorded. He asked if the assembled group would like to appoint spokespersons who would not be limited to 3 minutes each to speak on behalf of the group, pursuant to Planning Commission Rules of Procedure. It was determined that each speaker wished to speak individually. He then opened the meeting for public comments.

PUBLIC COMMENTS:

The following persons spoke in opposition to the proposed Burrtec project citing the following reasons: degradation of the quality of life, proximity to residential zoning, incompatibility with surrounding neighborhood, proximity of school bus stops and safety issues for children, air quality, potential toxic waste, noise, odor, lighting, traffic, existence of a wildlife corridor and other environmental issues, size, scale and appearance of the building incompatible with surrounding area, lack of a buffer zone between industrial and residential zones, safety, vermin, health issues, greenhouse gas

emissions, above ground fuel island and fuel storage in an area close to earthquake faults, lack of a full screening perimeter wall, blowing trash, lowering of surrounding property values, dark night sky issues, potential to be a solid waste transfer site, possible violation of the General Plan, unsuitable site location, pre-existing equestrian area, use of metal structures, incompatible architectural style and building heights for area, use of a Mitigated Negative Declaration rather than a full EIR, and extended hours of operation.

From Yucca Valley:

Debbie Goff	Connie Rogers	Lan Hammett
Richard Boyer	Kim Hetrick	David Bradley
Charles McHenry	Pete Martinez	Karen Sanford
Julianne Koza	Michael Sanford	Reo Barkle
Joe Ann Storm	Debra Goldsmith	Cynthia Anderson
Edward Rohrer	Elden Goldsmith	Ben Bushong
Aileen Doria	Mardee Poist	William Dahl
Jim Kirkland	Lou Poist	Deane Locke
Inge Darr	Linda Kirmeier	David Locke
Larry Pitzer	Frank Kirmeier	

From Yucca Mesa: Earlene McCloskey, David Cooper and Phyllis Schwartz
From Joshua Tree: David Fick

The following persons indicated in writing that they did not wish to speak but requested that their opposition to the project be registered:

Sam Kadish	Sarah Poist	Melanie Townsend
William Prudholm	Bonnie Brady	Olivia de Haulleville
Dr. Dianne F. Swella	Ann M. Cloutier	Shirley Yeager
Warren Beall	Jeanne Smith	Carole Steen
Stephen Darr	Paty Barkle	Marti Parsons
Geoff Gordon	Barbara Renton	Cynthia McMahan
Mark Carlson	Joy Williams	Richard Schwartz
Robert Carlson	Hazel Seward	Ray Yeager
Judy Gordon	Audrey Koza	Brian McMahan
Nancy Sammons	Janis Commentz	Andrew McMahan
Eleazar Doria	Larrie Follstaf	Jill Gregerich
Tim Carpenter	Lynn Follstaf	Catherine Svchlan
Natalie Carpener	Grace J. DuPrey	
Collin Poist	Steve Townsend	

STAFF REPORTS AND COMMENTS: None

FUTURE AGENDA ITEMS: Staff reported that extensions of time for CUP 09-07 Lupine Plaza and the Super Walmart project will be on the agenda for May 25, 2010. Tract Map and Planned Development TM 18418, PD 02-07 Pueblo Mesa will be on the agenda for June 8, 2010. The Burrtec application is incomplete at this time. Once all the documents have been received staff can begin the Initial Study and then the project can go forward.

Deputy Town Manager Shane Stueckle commented some projects can take 3 years or longer to get to the Planning Commission while others move forward in a more timely manner, depending on how long it takes the applicant to prepare and submit all the necessary reports and documents. Some projects are more complex than others. The issues regarding the Burrtec project heard tonight will be included in the review of the project if or when the application is completed. No hearing date for the project has been set as yet. The Notice of Public Hearing will be published in the newspaper prior to the Planning Commission meeting.

COMMISSIONER REPORTS AND REQUESTS:

Mr. Lombardo commented he recently had a tour of Joshua Tree National Park during which Park staff stated the Park can use dead or dying Joshua Trees for fence reconstruction.

Ms. Rowe thanked everyone for attending this evening. Mr. Lombardo agreed stating the speakers had been concise and clear.

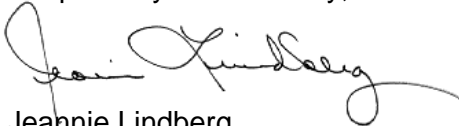
ANNOUNCEMENTS:

Mr. Lombardo announced that the next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, May 25, 2010.

ADJOURNMENT

The meeting adjourned at 9:02 pm.

Respectfully submitted by,



Jeannie Lindberg
Administrative Assistant III