

**TOWN OF YUCCA VALLEY  
PLANNING COMMISSION MEETING MINUTES  
April 14, 2015**

Chair Bridenstine called the regular meeting of the Yucca Valley Planning Commission to order at 6:00 p.m.

Commissioners present were Drozd Evans, McHenry, Whitten and Chair Bridenstine.

The Pledge of Allegiance was led by Chair Bridenstine

**APPROVAL OF AGENDA**

Deputy Town Manager Stueckle recommended that item number 2, CUP 01-14 Spectrum-Verizon be removed from the agenda. The applicant was in the process of reworking their application and staff expected them to return to the commission with a revised application and a request for a variance.

**MOTION**

That the Commission amend the agenda to remove item 2 and to approve it as amended.

**RESULT:**           **APPROVED [UNANIMOUS]**  
**MOVER:**           Steven Whitten, Vice Chairman  
**SECONDER:**       Jeff Evans, Commissioner  
**AYES:**             Bridenstine, Whitten, Drozd, Evans, McHenry

**CONSENT AGENDA**

**1. MINUTES**

A request that the Planning Commission approve as submitted the minutes of the meeting held on March 24, 2015.

**PUBLIC COMMENTS ON CONSENT AGENDA**

None

**END PUBLIC COMMENTS**

Commissioner Drozd requested that the minute be amended to remove the incorrectly included comment for Commissioner Drozd, who was not present for the meeting.

**MOTION**

That the Planning Commission approve the Consent Agenda as amended.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jeff Evans, Commissioner  
**SECONDER:** Jeff Drozd, Commissioner  
**AYES:** Bridenstine, Whitten, Drozd, Evans, McHenry

**PUBLIC HEARINGS**

- 2. **CONDITIONAL USE PERMIT, CUP 01-14 SPECTRUM VERIZON**  
 Item was removed from the agenda.

**DEPARTMENT REPORTS**

- 3. **OLD TOWN SPECIFIC PLAN  
 DEVELOPMENT CODE  
 COMMERCIAL DESIGN GUIDELINES**

**SITE PLAN REVIEW, SPR 01-13, ALLSTATE DRIVESHAFT AND BILLINGS TRANSFER, INC**

A proposal for the development of a rock, gravel and sand yard, and a driveline repair business on a property that contains an existing 3,200 square foot building. The project includes 21 concrete block bins for the storage and display of material, required parking and landscaping. The project is located at 55525 Yucca Trail, APN: 586-381-04.

**RECOMMENDATION:**

**ENVIRONMENTAL ASSESSMENT, EA 01-13**

That the Planning Commission finds the project exempt from CEQA under Section 15301, existing facilities

**SITE PLAN REVIEW, SPR 01-13**

That the Planning Commission approves Site Plan Review, SPR 01-13, based upon the required findings and the Conditions of Approval.

Deputy Town Manager Stueckle provided the staff report, which provided an overview of the project as well as the prior history of the project. The project first appeared before the Planning Commission on August 12, 2014, where it was approved. The project was appealed to the Town Council and the appeal hearing was held on November 4, 2014, and the matter was referred back to the Planning Commission, not only to review the project but to start the discussion on the Old Town Specific Plan standards and the commercial and industrial standards in the Development Code. The Planning Commission held an initial discussion on those issues at their March 24<sup>th</sup> meeting.

The project location is an existing developed site, where there are two businesses operating. The rock and sand business previously reviewed by the Commission and a driveline repair business. Staff provided a general overview of the business operations, and stated that much of the information in the staff report related to the issue of screening. At an overview level, if this was a new development the Old Town Specific Plan would require masonry walls for storage areas. In earlier discussion there had been some question as to the intent of the Old Town Specific plan as it references change in use or expansion of existing sites, and to what degree can the Old Town Specific Plan development standards been implemented for those existing sites. In the industrial and commercial regulations in the Development Code call for outdoor storage be screened with a solid wall, but do not mandated masonry.

Based upon those issues staff included a draft condition of approval, P8 on page 109 of the agenda packet, which would require the applicant to replace the fencing with masonry construction within 180 days of the Planning Commission's approval.

The second issue was the effect of the second driveline business on the parking requirements. Staff originally recommended nine improved parking spaces for just the rock and sand business. The combined businesses require eighteen improved parking spaces. Staff however noted that Development Code stated that a change in use when no paved parking exists fifty percent of the number of required parking spaces shall be paved.

Staff also asked the Commission to consider conditions P5, requiring the applicant to construct a trash enclosure; P6, requiring the applicant to pay their portion of the Gateway Reimbursement District in the amount of \$15,039 within 18 months; P8, as described earlier; and E1, requiring an engineer's letter indicating that the improvements on the site are not adversely affecting the floodway.

### **PUBLIC COMMENTS ON ITEM 3**

- Jay Corbin, representative for the applicant, spoke in support of the project. He stated that the applicant had decided not to oppose the requirement for solid screening requirement, but requested that the Planning Commission allow staff discretion on the type of material used rather than requiring a solid block wall. He noted that the solid wall requirement was only present in the Old Town Specific Plan and was intended to support the realignment of Highway 62. He also stated that the was requesting to only be required to pave half of the 18 parking spaces as provided for in the Development Code. He also stated that the applicant had spent a lot of money removing the contaminated soil and asked if the Condition P6, requiring the payment of the Gateway Reimbursement District, could be modified to extend the repayment time to 36 months.

**END PUBLIC COMMENTS**

Commissioner Evans asked the applicant was in agreement to pave nine spots. Applicant said he was.

Commissioner McHenry asked about the repayment period of 18 months, and if that was a standard period. Staff said that there had only been a few project subject to the Gateway Reimbursement District and to staff's knowledge there had not previously been a deferred payment and in previous cases the few was paid when the certificate of occupancy was issued. Staff structured the 18 month repayment based upon the applicant's historical use on the site, and some understanding of the non-document costs occurred on the site.

Commissioner Drozd said that he appreciated what had been done at the site, but that they had a responsibility to the citizens of Yucca Valley to stick to the Development Code. He approved of the compromise of solid screening without the requirement for a solid block wall. He would also be willing to approve extending the payment period to 36 months.

Commissioner Whitten asked the applicant to clarify if any grading had been required as part of the removal of the soil contamination. The applicant said that it had not. Commissioner Whitten noted that the applicant had been operating for a couple years without a permit, but the clean-up of the contaminated soil helped the Town. He also stated that the abandonment of the Highway 62 realignment changes the conditions of the Old Town Specific Plan, and should be taken in to account. He said that he would be willing to extend the payment period to 27 months. Commissioner Whitten also said that he would like to see the parking requirement modified to allow for the half paved and half unpaved parking spaces. He also thought it was reasonable for the applicant to work with staff meet solid wall requirements with material other than masonry. He noted that the requirement to return a copy of the soils report was no longer included in the conditions of approval and asked the reason. Staff said that the packet included an email from the San Bernardino County Fire Department on the status of the mitigation which staff felt made the condition to return a copy of the soils report unnecessary. Commissioner Whitten asked about exact tonnage removed from the site. The applicant said that they didn't have the exact tonnage on hand, but everything was removed except for 55 gallon drum which required special permit numbers.

Commissioner Evans said that he would be willing to support extending the payment period to 27 months.

Commissioner Drozd said that even without the realignment of the highway, Yucca Trail will remain a major thoroughfare, and that should be taken into consideration in discussions of screening materials.

Staff stated that the realignment of Highway 62 was removed from the General Plan circulation map, although the Old Town Specific Plan has not be updated to reflect that change. Staff also

stated that Yucca Trail will also remain an important circulation link on the north side of Highway 62, which allows signalized access to the highway.

Chair Bridenstine noted that the gateway improvements that were done to Yucca Trail widened it to its ultimate width, and that's why the applicant is being asked to reimburse the Town for its expenditure for their portion of it. Even though those improvements were done over ten years ago, the previous business had closed before the gateway project went forward, so none of that property's share of the improvement costs has been paid. Chair Bridenstine said that she would be willing to extend the time period for payment to either 27 or 36 months, but would like to see a payment schedule.

The applicant said that they would be amenable to a payment schedule, with the payments broken up into thirds.

Commissioner Whitten asked staff to clarify the Commission's authority to set payment schedules. Staff said that the Commission should indicate the timeline that they were comfortable with, and staff would arrange an agreement with the applicant. Commissioner Whitten said that he would support 27 months.

Chair Bridenstine agreed with Commissioner Whitten about modifying the parking requirement, P7, to reflect the development guideline of half paved and half unpaved. She spoke in support of allowing the applicant to work with staff on the material for solid screening. She said that it was unreasonable to add additional requirements on industrial properties in the Old Town Specific Plan that do not apply to industrial development elsewhere in Town.

Staff suggested the addition of a condition P9, the applicant shall submit a revised site plan indicating the project site as approved by the planning commission within 30 days of the Commission approval for staff review and approval.

The applicant requested that the solid screening only be required along Yucca Trail, as there is an existing adjacent block wall on the other side of property which provides screening.

Commissioner Evans said that the current fence and a portion not directly along Yucca Trail at the north east corner of the property which is visible from the road, and asked the applicant if they intended that portion to not be solid screening, he noted that they did require screening from the fence. The applicant asked if it would be acceptable to have that section of the fence as slatted chain link.

Chair Bridenstine and Commissioner Evans said that the Commission's primary concern was that there was visual screening for that portion of the fence.

Commissioner Drozd asked staff if the commercial and industrial standards would allow for slatted fencing. Staff asked for clarification on what portion of the fencing the Commission was referring to. The applicant clarified and also noted that they intended to extend the solid fencing

to the edge of their property, which would bring it closer to the adjoining property and would reduce the amount of side fencing which would be visible. The applicant said that they would be willing to slat the side fencing.

Commissioner Whitten that condition P8 should hold true and the applicant should work with staff on the issue to insure compliance.

Commissioner Drozd said that even if they are not apply the Old Town Specific standards they have to make sure that is isn't substandard according to the general Development Code industrial and commercial standards.

Chair Bridenstine agreed with Commissioner Drozd, but said that they didn't want to dictate, they wanted to allow the applicant to work with staff on materials.

Chair Bridenstine asked for the Commissions consensus on the repayment period of the Gateway Reimbursement District. Commissioner McHenry said that he would prefer 18 months, because although he appreciates that the applicant has spent a lot of money on the site, they also operated for two years knowing that the payment would be coming up, but he was willing to accept 27 months. The was Commission consensus on 27 months.

**MOTION**

That the Planning Commission find the project exempt from CEQA under Section 15301, existing facilities, and that the Planning Commission approve Site Plan Review, SPR 01-13, based upon the required findings and the Conditions of Approval with the following amendments: that P6 be extended for 18 months to 27, that the requirement for parking be modified to reflect the 50% paved parking with 9 paved and 9 unpaved spaces, and that an additional condition, P9, be included requiring the applicant to submit a revised site plan as approved by the Commission within 30 days of the approval.

**RESULT:**       **APPROVED AS AMENDED [UNANIMOUS]**

**MOVER:**       Commissioner Whitten, Commissioner

**SECONDER:**   Charles McHenry, Commissioner

**AYES:**        Bridenstine, Whitten, Drozd, Evans, McHenry

**PUBLIC COMMENTS**

None

**CLOSE PUBLIC COMMENTS**

**STAFF REPORTS AND COMMENTS**

Staff provided an overview of the status of current and upcoming development projects.

**COMMISSIONER REPORTS AND REQUEST:**

Commissioner Drozd thanked everyone for their hard work. He said it was great to see compromise happen.

Commissioner Evans complement staff on their work. He said that the ethics course was valuable

Commissioner McHenry thanked staff for their work. He said in the future he would like to see the Town staff involved in programs like the Relay for Life.

Commissioner Whitten thanked staff for their work. He also spoke about the importance of the Hi Desert Water District on the upcoming Assessment District Vote. He would like to see more attendance at Planning Commission meetings.

Chair Bridenstine thanked staff for their work, and thank the Commissioners.

**ANNOUNCEMENTS:**

The next regular meeting of the Planning Commission is scheduled for April 28, 2015 at 6:00pm.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 6:55.

Respectfully submitted,

Allison Brucker  
Secretary

Approved by the Planning Commission on June 9, 2015.