



CITY OF RIDGECREST

100 West California Avenue
Ridgecrest, CA 93555

MINUTES

MEETING OF THE CITY OF RIDGECREST PLANNING COMMISSION

City Council Chambers

Tuesday, December 16, 2008 at 7:00 p.m.

Commissioners: Commissioners; Nellavan Jeglum, Chairperson; Lois Beres, Eric Kauffman, Jason Patin, Craig Porter

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Chairman Jeglum, Vice-Chairman Beres, Commissioners Kauffman, Patin, Porter

Absent: None

Staff Present: Public Services Director Jim McRea, City Planner Matthew Alexander, Administrative Secretary Danielle Valentine

4. APPROVAL OF AGENDA

A motion was moved by Commissioner Beres and seconded by Commissioner Patin to approve the Agenda. The Agenda was unanimously approved as written.

5. APPROVAL OF MINUTES

A motion was moved by Commissioner Beres and seconded by Commissioner Kauffman to approve the Minutes of December 9, 2008. The Minutes were unanimously approved as written.

6. PUBLIC COMMENTS OF ITEMS NOT ON THE AGENDA

None.

7. PUBLIC HEARINGS

7a. Site Plan Review SPR-08-11 Jansen Animal Hospital

A request for SPR-08-11 to make existing modular buildings permanent and to comply with code enforcement requirements at 405 W. Ridgecrest Blvd APN 080-152-01,02,03

City Planner Alexander briefed the Commission on the Site Plan Review. He spoke about a previous pre-abatement hearing and said the current facility had been erected as a temporary facility following a fire, and at this time Dr Hannah had submitted a plan on behalf of Dr Jansen. He noted that the site ran across three lots and the surrounding zoning. Planner Alexander said that the cat scan trailer would be removed and the main building would be made permanent – he further summarized the amendments to the current site. He noted that the site would be landscaped and the parking lot would be striped.

Planner Alexander directed Commissioners' attention to Condition No. 7 and Condition No. 8 listed in the Draft Resolution and said that staff recommended approval of the Site Plan with the enclosed conditions.

Commissioner Patin asked for clarification of the approval of the permanent foundation – noting it was not addressed in the conditions – he asked if the recordation needed to happen

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within the 60 days stipulated in Condition No. 8. Planner Alexander confirmed that the approval process was different with a modular but could not confirm what happened once the 433 was recorded with the County.

Commissioner Jeglum asked Dr Hannah to come to the podium for questions.

Commissioner Jeglum asked if there was a contractor in place for the work and Dr. Hannah confirmed he had been speaking with Ralph Morgan and had been advised to wait for approval from the Planning Commission before getting a firm schedule in place for the work. Chairman Jeglum asked if he had any timeframe in place – Dr. Hannah said he did not. She then asked about the stucco exterior and Dr. Hannah said that would be sub-contracted out by Mr. Morgan. Chairman Jeglum asked if the whole building would be stucco'd to look like a uniform structure – this was confirmed by Dr. Hannah.

Commissioner Kauffman asked if the doorways were ADA compliant. Dr Hannah said he believed they were – although he had not had them measured. He said he could not see how the wheelchair ramp could be put up without it being compliant.

Chairman Jeglum said it had been a long time since the temporary structure had been in place and rather than seeing the site go through the abatement process she hoped that every effort would be made to get this work done in a timely manner. She said that although process allowed 18 months for construction to be completed she did not think the community deserved to wait another 18 months and she asked for Dr. Hannah's commitment that would not be the case. Dr. Hannah said he did not have the purse strings for the project, he said his commitment would be as much as Dr. Jansen would allow him to assist with the project. He said he had been working with the Planning (sic) Department to try and make that happen as best as he could. He noted he had already removed the two temporary trailers and said the CAT scan trailer (according to Dr. Jansen) had been donated to the Veterinary School in Guadalajara. He said he would like to thank the Planning Department for their patience.

Vice-Chairman Beres asked Dr. Hannah if he had heard commitment from Dr. Jansen. Dr Hannah said he had albeit in a very curt manner.

Commissioner Patin said his concern was that in looking back through documentation he got a sense of non-cooperation from Dr. Jansen and asked Dr. Hannah if he had a sense in particular of commitment in terms of finance. Dr. Hannah said he had recently felt that there was good faith effort with his constant encouragement.

Commissioner Porter asked Planner Alexander about his letter to the Doctors in September asking Dr. Jansen to send a letter authorizing Dr. Hannah to act on his behalf. Planner Alexander said he had not seen one but this did not necessarily mean one had not been sent given that Pamela Hill had been working more closely with the case. Dr. Hannah also responded that he was not aware of a letter being sent.

Commissioner Kauffman said this was a difficult case and asked if there was anything that Dr. Hannah looked to the Commission for to help "light a fire" under Dr. Jansen. Dr Hannah said he felt he was in the middle – i.e. between Dr. Jansen and the City and said he hoped to keep things going and felt that pressure should be applied as he believed that Dr. Jansen would be more inclined to take action if he was under pressure to do so. Commissioner Kauffman suggested then that a timeline be attached as a commitment. Planner Alexander said this would be possible and that given the history of the case the 18 month timeline might be considered excessive.

Dr. Hannah said he did feel that the understanding had been of benefit to the Animal Hospital but that it had also been to the benefit of the City sighting the number of cases dealt with in the past year.

There was further discussion in regards to the best way to proceed for the problem to be resolved.

Dr. Hannah said if he had things his way Dr. Jansen would sell him the business for a reasonable price and knowing good builders in town he would erect a new building. Dr. Hannah said it might be that when Dr. Jansen saw the costings for this project he might decide not to do it. Commissioner Porter asked for confirmation that Dr. Jansen had signed the application – this was provided by Dr. Hannah.

Dr. Hannah was asked if he had seen costings for the project – he confirmed he had but that the costings were not complete noting there were a lot of steps to be taken to bring the site into compliance with code. He then explained in some detail some of the many steps he had been undergoing in trying to bring this project forward.

Vice-Chairman Beres then referred to Condition No. 8 asking if it could be stipulated that “something had to be done” within the 60 days. There was further discussion on this point.

Commissioner Patin said that is what he felt should happen – a timeline be made on the “next step”.

Planer Alexander said that timelines could be stipulated on either individual steps or on the entire project.

Commissioner Kauffman then suggested that the CAT scan trailer be required to be removed within 30 days.

Chairman Jeglum referred Commissioners to the actions requested via the Planning Commissioner Pre-Abatement Hearing Notice asking if conditions listed on that Notice could be worded within the Conditions of the Planning Commission Resolution. There was further discussion on this point.

Chairman Jeglum asked Public Services Director Jim McRea to respond to the Commissioners’ comments.

Mr. McRea said it was an interesting dichotomy between Nuisance Abatement and Business Retention. He said the Commission could send Mr. Jansen a formal letter and a section of the code but it was perfectly clear that if the Planning Commission gave adequate notice they could have the buildings removed. He said that Dr. Jansen would have an opportunity at the end of a Public Hearing to make good but if that did not occur the Commissioner could make a recommendation and the City Manager could order removal of the buildings. He said that if sufficient work had not been commenced in the timeline stipulated by the conditions, the Planning Commission could set a hearing and at the Conclusion of that Hearing the City Manager is authorized via Code to order removal of the buildings.

He further explained in summary that the process would be to (1) have a Public Hearing (2) Ascertain a Public Nuisance (3) Order the Buildings be removed. He noted that due notice and due process were required and further said that the City’s goal would be to have the property owner bring the site into compliance with City Code and not to disenfranchise or displace the business.

Chairman Jeglum said she felt the Site Plan should be approved and if substantial work had not been completed within the 60 days a Public Hearing should be noticed and held.

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Commissioner Porter asked for a definition of “significant progress”. Mr. McRea said this was dependent upon where the applicant was in his process and further explained the agencies involved in different steps of construction and renovation.

Commissioner Kauffman made a motion and Commissioner Patin seconded a motion to approve Resolution 08-25 subject to the 11 Conditions as listed.

AYES: Jeglum, Beres, Kauffman, Patin, Porter
NAYES: None
ABSENT: None

Commissioner Patin wished Dr. Hannah good luck. Commissioner Kauffman seconded these sentiments. Chairman Jeglum suggested to Dr. Hannah that he keep the Planning Department apprised of any developments/progress.

Dr. Hannah obligated to try to keep up good communication with Dr. Jansen.

7. b Continued Discussion on Site Plan Review SPR-08-10 241 Balsam St China Express
A request to approve building elevations for approved site plan.

City Planner Alexander introduced the Site Plan going over a previous parking study completed in regards to the site. He spoke about the City’s Olde Towne plan noting recent buildings and refurbishments. He said according to GPAC there is a desirability to have mixed use resulting in a more desirable downtown Ridgecrest. He spoke about a previous approval, in particular citing Condition no. 7. He said staff had met with the applicant’s Architect and suggested that plans be kept similar to those buildings already on Balsam Street and this had been done. He then provided slides showing plans for the two story building.

7c. Variance VAR-08-1 Parking Variance for Site Plan Review SPR-08-10 241 Balsam St New China Express. A request to grant a variance for parking requirements in the Olde Towne area.

Planner Alexander advised that another Condition in the previous approval of this Site Plan required a parking variance and said that staff had completed a survey looking at parking conditions and concluded that the City parking lot was “very much” underutilized. He said staff also looked at parking in nearby areas and found that approximately 30% was being utilized. Planner Alexander said the conclusion of the staff report was that parking was not a crucial issue and that businesses on Balsam Street would like to see more foot traffic.

Commissioner Patin said he did go to the site and spoke to the businesses on either side of the proposed project and both had said they were very excited about it.

Chairman Jeglum said that the business on the corner was also excited and those people who spent a lot of time on Balsam Street realized that those parking spaces were not used a lot.

Commissioner Kauffman said he was not sure how best to address the whole issue of parking on Balsam Street and he felt that this issue should be “thought about”.

Commissioner Patin said he felt that the parking requirements for this whole area should be removed.

Vice-Chairman Beres said she felt that when Council heard what had been done with this project they would want the same for the whole area.

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Commissioner Porter said he did not have a problem with the variance as there was sufficient other parking and the other businesses did not object.

Chairman Jeglum opened a Public Hearing on this item at 7:51 p.m.

Council Member Jerry Taylor said he felt the only other consideration was that the City had a handicapped parking space in front of Baxendales and suggested this might be moved in front of the restaurant. He said he believed that the applicant and the staff should be required to park in the City parking lot.

Chairman Jeglum closed the Public Hearing at 7:54 p.m. upon hearing no further comments.

Commissioner Kauffman then addressed signage and said he had spoken with the applicant previously. He said it did not have to be particularly dealt with this evening but wanted his point noted.

Commissioner Patin made a motion and Commissioner Kauffman seconded a motion to approve Resolution 08-26 for a Parking Variance.

AYES: Jeglum, Beres, Kauffman, Patin, Porter

NAYES: None

ABSENT: None

7d. General Plan – EIR Scoping meeting

Planner Alexander introduced Rick Rust of Matrix Design who made a presentation to the Commission.

Mr. Rust said this evening was a Notice of Preparation Public Scoping Meeting – a Public Meeting to obtain comments on where the E.I.R. for the draft General Plan was going. He said the items on his Agenda for the evening were:

- Purpose of the California Environmental Quality Act (CEQA)
- The Environmental Impact Report (EIR) Process
- Issues to be considered in the EIR
- Schedule

He then addressed each of those agenda items in turn and noted that at this point the City was in the Scoping portion of the E.I.R. Process saying it was important to discuss with other agencies what they would like covered. He advised that a notice of preparation had been prepared and that a 30 day comment period was in progress. Mr. Rust said this allowed for anybody in the public to make comment as well as the Governor's Office of Planning who would also make information available to other agencies.

Mr. Rust then addressed Environmental Issues such as Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials (talking specifically about noise issues from the Naval Base), Hydrology and Water Quality, Land Use (he said that conflicts had been addressed as the plan went along), Mineral Resources, Noise, Population and Housing, Public Services & Recreation, Transportation and Traffic, Utilities and Service Systems.

Mr. Rust outlined the schedule as follows:

NOP Scoping comment period ends 12/30/2008

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Draft EIR (DEIR) scheduled early 2009 with a 45 day public review period
Final EIR (EEIR) scheduled for Early Spring 2009
Certification Hearings (where City Council would certify EIR Report typically following a Planning Commission recommendation to do so).

Finally Mr. Rust asked that anyone who wished to obtain a copy of the NOP could do so via City Hall or via the website www.westplanning.com *click on Ridgecrest*. He further said that written comments could be sent to Matthew Alexander at City Hall or via email to Matthew Alexander.

Commissioner Beres asked if there was anything the Commission needed to do as a group. Mr. Rust said that there was a lot of state law on what had to be covered but that the process as outlined would address these requirements accordingly. He then spoke further about the possible outcomes of the process in terms of the draft Environmental Impact Report. He noted that General Plans did tend to have more significant negative impacts than say an E.I.R. for a Wal Mart project simply because they were so broad.

Commissioner Kauffman said that the Westplanning website was a good place to go and get questions to any answers. Mr. Rust said that this website also provided links to what other cities had done and suggested that looking up the City for Lincoln might be helpful and informative.

Chairman Jeglum asked for public comment on issues regarding the process

Raymond Kelso, 2362 Lummil Street said he had written a letter to Council Members, Planning Commission and Kern County after reviewing the draft General Plan saying that the issue of safety had not been adequately addressed specifically the risk of military aircraft accidents. He said that in the past there had been military crashes and it was a matter of "when" this would happen again and he wanted to make sure that these issues were addressed. He said he had had the opportunity in the last week to address the NOP and noticed that there was not any mention or difference in safety and he wanted to again make his point by coming to this meeting. Mr. Kelso said that in reviewing the NOP he saw that on page 6 a map showed the military influence area and he noticed that this area covered an area of the City where his daughter and grand-daughter lived and asked if this was a plan to expand the flight corridors and said the public needed to know more and asked if it was potential for more risk.

Chairman Jeglum said the MIA was an area the City wished to protect and limit growth by not increasing the density. She said it was not that the military would have more influence than it has done in the past rather recognizing the area as a safety issue. Mr. Kelso said he would like to see that this issue not get dropped and asked "when this happened who is liable". He asked the level of responsibility of the City, the County and China Lake and said he would like to make sure this was addressed in the E.I.R.

Chairman Jeglum closed public comment at 8:20 p.m.

Mr. Rust said that safety of the MIA area was listed as an item in the NOP.

There was further discussion in regards to recognition of safety as an important issue including the process by which the MIA was first recognized and eventually represented within the draft General Plan. Mr. Rust then said that what was communicated by the Navy via the AICUZ was simply advisory and the City had adopted that.

Mr. Rust summarized by once again encouraging any comments from the public noting this would be included in the comment that went out for draft review.

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8. DISCUSSION ITEMS

8a. Recommendation for appointment of Planning Commission membership to City Council Committees

Chairman Jeglum said it had been brought to her attention that the most expeditious way to deal with this would be to replace the people coming on board with those who had left. Therefore Commissioner Porter would replace Jerry Taylor on the Community Development Committee and Commissioner Patin would replace Mr. Laire on the Quality of Life Committee.

Commissioner Porter said his background would be better utilized with the Infrastructure Committee.

Commissioner Patin said he was looking more to Quality of Life and Community Development Committee and hoped to be on two Committees.

Commissioner Beres said she would hesitate to drop off of Infrastructure given her history with the Committee.

Commissioner Kauffman suggested that Commissioner Beres might have something to offer to other Committees.

There was further discussion as to the fairness or lack thereof of the process for appointing Planning Commission members to Committees.

Chairman Jeglum then said she was placing Commissioners as follows:

Commissioner Porter – Community Development Committee and Quality of Life Committee.

Commissioner Patin – Infrastructure Committee and Quality of Life Committee.

Planner Alexander asked Chairman Jeglum for a complete summary of Commissioner placements – which was provided as follows:

INFRASTRUCTURE COMMITTEE – Commissioner Beres and Patin
COMMUNITY DEVELOPMENT COMMITTEE – Commissioner Kauffman and Porter
QUALITY OF LIFE COMMITTEE – Commissioner Patin and Porter
CITY ORGANIZATIONAL COMMITTEE – Commissioner Beres and Chairman Jeglum

Commissioner Patin made a motion and Commissioner Beres seconded a motion that Committee placements be as ready by Chairman Jeglum (noted above).

AYES: Jeglum, Beres, Kauffman, Patin, Porter
NAYES: None
ABSENT: None

9. COMMISSIONER ITEMS

Commissioner Beres wished everyone a Merry Christmas.

Commissioner Patin asked if technical issues had been remedied. Planner Alexander advised that Channel 6 was not working but the meeting could be viewed via the internet.

Commissioner Patin wished a Merry Christmas and Happy New Year to all saying he looked forward to getting good things done for the City.

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Commissioner Porter said he found the process interesting – particularly in regards to the Jansen Animal Hospital and he hoped there would be a positive outcome.

Commissioner Kauffman said it had been an exciting process during which he had learned a lot and said he hoped that what happens in the first quarter of 09 would convince people that what was happening here was not as bad as what was happening in the rest of the United States.

Chairman Jeglum advised that persons who wished to make comment during the holiday closure could feel free to email comments to Matthew Alexander as he would be checking email during the holiday timeframe. She also noted in regards to the Jansen Animal Hospital – that yes a lot of work was being done by the Hospital at a community service reduced rate – however the Hospital was being run as a business and being paid for services rendered. She wished all a Merry Christmas and a Happy New Year.

10. STAFF ITEMS

Next meeting 13th January, 2009.

11. FUTURE AGENDA ITEMS

January 13, 2008

- 11a. General Plan Amendment and Zone Change GPA/ZC-08-04 & Tentative Tract Map TTM 6691 and Code Amendment:** for E-1.5 (20,000 sf min.) Wild Point Project 161 Ac at the NW corner of Mahan St and W. Ridgecrest Blvd (PAM Corp) **Continued from November 18, 2008: PROPOSED CONTINUANCE to February 10, 2008.**

12. ADJOURN

The meeting was adjourned at 8:40 p.m.