



**CITY OF RIDGECREST**  
100 West California Avenue  
Ridgecrest, CA 93555  
**MINUTES**

**MEETING OF THE CITY OF RIDGECREST PLANNING COMMISSION**  
**City Council Chambers**  
**Tuesday, August 27, 2013 at 6:00 PM**

**1. CALL TO ORDER 6:05pm**

**2. ROLL CALL**

Present: C. LeCornu, S. Morgan, S. Davis, R. Obergfell, P. Brokke  
Absent: None  
Staff: M. Alexander, R. Charlon, L. Culp

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF AGENDA**

*Remove item 7 – AMG – due to applicant pulling item till a future time.  
Motion To Approve Agenda As Amended Was Made By Commissioner S. Morgan, Second by  
Commissioner S. Davis. Motion Carried By Voice Vote of 5 Ayes, 0 Nays, 0 Absent, 0 Abstain.*

**5. APPROVAL OF MINUTES: June 25, 2013**

*Motion To Approve Minutes of June 25, 2013 Meeting Was Made By Commissioner S. Morgan,  
Second by Commissioner R. Obergfell.  
Motion Carried By Voice Vote of 5 Ayes, 0 Nays, 0 Absent, 0 Abstain.*

**6. PUBLIC COMMENTS OF ITEMS NOT ON THE AGENDA - None**

**7. CONTINUED PUBLIC HEARING**

**SPR 10-09 Modification**, a request by AMG Associates to construct Phase 2 to build an additional 40 Unit Multi-Family Senior Citizen Residential complex on 2.5 acres; located on the SW corner of Mono Street and Church Ave; APN: 508-020-12. **This item was continued from the June 25, 2013 Planning Commission meeting.**  
*Applicant pulled item from further action at this time.*

**8. PUBLIC HEARING**

**SPR 13-02 (HDH Alzheimer Unit)**, a request to build a 12,576 square foot facility consisting of 24 rooms, common areas and offices located at 1240 College Heights Blvd. as an addition to the High Desert Haven Residential Care Facility. The project is located in an R-3 Multi-Family Zone District located on a 32,232 Square Foot site at 1240 College Heights Blvd., (APN 343-351-29). Applicant: Irwin Partners Architects for Abraham Mathew, owner. If approved tonight the applicant would be required to merge parcel 24 with parcel 29. Staff recommends the approval of the 24 unit Alzheimer Unit and the Resolution presented.

- M. Alexander gave staff report that contained history on the property.
- S. Morgan – setbacks and lot line are taken care of, correct? Is the triangular piece on the west end between the property and College Heights Blvd. (due to reroute of College Heights Blvd.) adequate in size for the project? There is no other issue with public works, planning and other departments correct?
- M. Alexander – Yes, all other departments have seen and agree. Any comments they have are included in the conditions of approval.
- R. Obergfell – with the increase in size is the fire dept. going to be okay with the size of the access to the project?
- M. Alexander – there is a condition from the fire dept. on the resolution that says the fire department has to approve prior to Certificate of Occupancy.
- C. LeCornu – has the fire department seen these plans?

- M. Alexander – no, they have not. Once approved here they will go to the fire department for approval prior to build.

#### **PUBLIC COMMENT**

- Nellavan Jeglum – Thanked developer for taking on the project.

*Motion To Approve Resolution 13-09 - **SPR 13-02 (HDH Alzheimer Unit)** - Was Made By Commissioner S. Morgan, Second by Commissioner S. Davis. Motion Carried By Voice Vote of 5 Ayes, 0 Nays, 0 Absent, 0 Abstain.*

#### **9. DISCUSSION ITEMS**

a. **Trials and Tribulations of a Planning Commission Chair** – a discussion with Nellavan Jeglum, former Ridgecrest Planning Commission Chair.

b. **Discussion of Tentative Tract Map 6227 6221 (Marvella) – requirement for Warner St.** – presentation by City Engineer

- L. Culp – deals with a remainder parcel and the requirements of street improvements. This project has a long history and started in 2003. There are two 20 acre parcels included in this TTM6221. The PC in approx. 2003 approval was given for a 51 lot sub division. The applicant asked to vacate the improvements on Warner St. at that time. The PC did not agree and passed it on to Council. Then the developer revised the map to a 53 unit land division during the appeal process. One of the conditions council gave for the final map was that Warner St. is taken care of. Time passes and the city and the state weight in with TTM time extensions. Now applicant is ready to complete the next phase B. The Warner St. improvements are still outstanding as an issue. The applicant wrote a letter to council and a deferred lien agreement was drawn up and the applicant felt he could not comply with the conditions. The applicant is now asking the PC for waiving the street improvements for Warner. The municipal code clearly states the requirement for street improvements. So we are here – Warner St. improvements have been requested by the Council. City Manager asked for it to come to PC for review and discussion.
- N. Chrisman – applicant – Unit A is completed. There are three units in the plan – A, B, C. Would like to go ahead and start paving 2 streets in unit B. If Warner St. is a requirement it would not be an economical move for me at this time. In addition it would be half a street and would be truncated at each end with nothing to connect to. The city would be responsible for upkeep and curb and gutter. To the west the property is both county and city which would hinder development. Believes the requirement to pave Warner was due to a developer having a tract map on the west of Warner submitted but he has since gone bankrupt. Unit A was approved without putting in Warner at that time so believes unit B could be the same. At this time Warner would be an unnecessary road and expense.
- P. Brokke – are you planning on fencing off the whole development? Do you plan to have access to Warner?
- N. Chrisman – yes, it will be a block wall all the way around. The entrance to Warner is not determined at this time due to this issue.
- C. LeCornu – would it make sense to put in a bulb out or turn around area?
- N. Chrisman – our TTM should a cul-de-sac but with the Warner St. issue pending we have not built that waiting for direction.
- P. Brokke – is there an ordinance that says you have to have two entrances/exits into a development?
- M. Alexander – actually, yes, there is a requirement in the code for two.
- S. Morgan – (directing comments to audience) – people need to understand that the fire department will require two entrances, no exceptions.
- Mrs. Chrisman – at this point in time our concern is the half truncated road out in the middle of nowhere.
- L. Culp – added that the city and the public works director are not interested in having the street paved at this time. The tool that we have approved by city council is a deferred lien

agreement. It would travel with the land, so when the time is right, the city will go to the developer and say it is time to build. If the developer fails to comply when the city is ready then a lien will be placed on the line. Mr. Chrisman has seen the lien agreement and feels it is too onerous. That is the reason for it being up for further discussion.

- N. Chrisman – unit A had the street waived.
- L. Culp – the approval for the final map for unit A had a requirement for Warner to be constructed prior to any further construction.
- N. Chrisman – my dilemma now is I put in unit B and then all of a sudden you hit me with Warner St. then I am bankrupt. The city's attorney drew up the lien and it has many errors in streets. It states the city could call for Warner St. improvements at any time and I would have to be done within 45 days. No caveats as far as value are tied to anything. It has requirements for liability insurance for the road as it sits, not developed and/or used. We could draw out a unit D, adding the Warner requirements, which would adequately pay for the street improvements in a later phase. I just don't see a need for Warner at this time or in the near future.
- L. Culp – the lien agreement was prepared by the attorney and had the city's interest in mind. The bond agreement is a requirement that ensures the money is available for the improvements. As far as the design, it is required 45 days after the city knocks on the door and says we are ready. The cost used is the city cost which is much higher than what the applicant would incur. It is not what he has to pay, it is what the lien on his property would be if in the case of default. The insurance is a standard requirement on any development.
- N. Chrisman – we are headed towards a problem with your developers. Many of Ridgecrest developers have not met the requirements as requested today. This is not the way Joe Pollock used to do it. If you go this new route with bonds, you will see a decline in projects.
- L. Culp – Mr. Chrisman is correct. Past practice our municipal code was not followed whether by council action or through public works. But as city engineer I assure that any tract that I have involvement in will have compliance with the municipal code going forward.
- S. Morgan – This is a very contentious issue and he suggests that we put this on the agenda as an action item so we can take up the issue with proper documentation and make a decision.

**c. Review and Consideration of Charter City status for Ridgecrest**

The Planning Commission has been requested to evaluate the pros and cons of becoming a Charter City in lieu of being a General Law City and reporting to the City Council

- M. Alexander suggested that the PC take a look and/or form a subcommittee.
- C. LeCornu – I believe we can bring it to the Commission and there is no need for a subcommittee.
- S. Morgan – I believe we would need an in depth attorney review/recommendation in order to move forward due to the contentiousness of the topic.
- P. Brokke – when you invite another city rep to talk it would be in this open forum correct?
- S. Morgan – yes that will be the case.

**10. COMMISSIONER ITEMS - None**

**11. STAFF ITEMS - None**

**12. ADJOURN – 7:21pm**