



**City Council
Financing Authority**

AGENDA

Wednesday

Regular

**Closed Session 5:30 PM
Regular Session 6:00 PM**

February 1, 2012

**City Hall
100 West California Avenue
Ridgecrest CA 93555**

(760) 499-5000

**Ronald H. Carter, Mayor
Marshall G. Holloway, Mayor Pro Tempore
Jerry D. Taylor, Vice Mayor
Steven P. Morgan, Council Member
Jason Patin, Council Member**

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**LAST ORDINANCE NO. 12-xx
LAST RESOLUTION CITY COUNCIL NO. 12-04
LAST RESOLUTION FINANCING AUTHORITY NO. 12-xx**

CITY OF RIDGECREST

**CITY COUNCIL
RIDGECREST REDEVELOPMENT AGENCY
FINANCING AUTHORITY**

AGENDA

Regular Council
Wednesday February 1, 2012

CITY COUNCIL CHAMBERS CITY HALL

100 West California Avenue
Ridgecrest, CA 93555

**Closed Session – 5:30 p.m.
Regular Session – 6:00 p.m.**

This meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other handicaps may be requested of the City Clerk (499-5002) five working days in advance of the meeting.

In compliance with SB 343. City Council Agenda and corresponding writings of open session items are available for public inspection at the following locations:

1. City of Ridgecrest City Hall, 100 W. California Ave., Ridgecrest, CA 93555
2. Kern County Library – Ridgecrest Branch, 131 E. Las Flores Avenue, Ridgecrest, CA 93555
3. City of Ridgecrest official website at <http://ci.ridgecrest.ca.us>

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

PUBLIC COMMENT – CLOSED SESSION

AGENDA - CITY COUNCIL - REGULAR

February 1, 2012

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CLOSED SESSION – 5:30 p.m.

- GC54956.9 (A) Conference With Legal Counsel, Existing Litigation. City of Ridgecrest v. Benz Sanitation Inc.

- GC54956.8 Real Property negotiations: APN: 343-362-05 and/or APN 343- 014-07, 11.5 acres north of the Wastewater Bio-farm and east of the Bowman right of way and/or a 12 acre portion of a 31.8 acres parcel north of the Animal Shelter fronting San Bernardino Road. City negotiators Kurt Wilson and James McRea

- GC54956.8 Real Property negotiations: Lot 13 and/or 14, Parcel Map 10819, APN 33-070-13 &14, Ridgecrest Business Park. City negotiators Kurt Wilson and James McRea.

- GC54957.6 Labor Negotiations – United Food and Commercial Workers Golden State 8 (UFCW); Police Employee Association of Ridgecrest (PEAR); Management; Mid-Management; Confidential; Part-Time Employees. Agency Negotiator City Manager Kurt Wilson

REGULAR SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

CITY ATTORNEY REPORTS

- Closed Session
- Other

PUBLIC COMMENT

PRESENTATIONS

1. Presentation By Council Of A Proclamation Declaring February As Safe Surrender Baby Month To Representatives Of The Safely Surrender Baby Coalition

CONSENT CALENDAR

2. Adoption Of A Resolution Authorizing Investment Of Monies In The Local Agency Investment Fund Staheli

3. Approve Draft Minutes Of The Regular City Council/Redevelopment Agency Meeting Of January 11, 2012 Ford

AGENDA - CITY COUNCIL - REGULAR

February 1, 2012

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PUBLIC HEARING

4. Appeal Of The Planning Commission Decision On Parcel Map 11999

Lemiux

DISCUSSION AND OTHER ACTION ITEMS

5. Discussion Of The Impacts And Solutions Related To The Fiscal Impacts Of The Dissolution Of The Ridgecrest Redevelopment Agency

Wilson

PUBLIC COMMENT

DEPARTMENT AND COMMITTEE REPORTS

Infrastructure Committee

Members: Steve Morgan, Jerry Taylor, Craig Porter, James Sanders
Meeting: 2nd Wednesday of the month at 5:00 p.m., Council Conference Room
Next Meeting: February 8, 2012

Quality of Life

Members: Chip Holloway, Jason Patin, Craig Porter, Carter Pope
Meetings: 1st Thursday of every even month at 12:00 p.m.; Kerr-McGee Center
Next Meeting: February 2, 2012 Cancelled, next meeting April 5, 2012

City Organization

Members: Ron Carter, Jerry Taylor, Lois Beres, Christopher LeCornu
Meeting: 3rd Tuesday of the month at 5:00 p.m.; Council Conference Room
Next meeting: February 21, 2012

Community Development Committee

Members: Steve Morgan, Jason Patin, Christopher LeCornu, James Sanders
Meetings: 1st Thursday of the month at 5:00 p.m.; Council Conference Room
Next Meeting: February 2, 2012

Activate Community Talents and Interventions For Optimal Neighborhoods Task Force (ACTION)

Members: Ron Carter, Chip Holloway, Ron Strand
Meetings: 2nd Monday of odd numbered months at 4:00 p.m., Kerr-McGee Center
Next Meeting: March 13, 2012

Ridgecrest Area Convention and Visitors Bureau (RACVB)

Members: Chip Holloway, Jason Patin
Meetings: 1st Wednesday of the month, 8:00 a.m.
Next meeting: March 7, 2012 and location to be announced

AGENDA - CITY COUNCIL - REGULAR

February 1, 2012

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OTHER COMMITTEES, BOARDS, OR COMMISSIONS

CITY MANAGER REPORTS

MAYOR AND COUNCIL COMMENTS

ADJOURNMENT

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***A Proclamation of
The City Of Ridgecrest, California***

SAFELY SURRENDERED BABY AWARENESS MONTH

WHEREAS, The Safely Surrendered Baby Law was created in 2001 with the intent to save the lives of newborn infants at risk of abandonment by encouraging parents or persons with lawful custody to safely surrender the infant within 72 hours of birth, with no questions asked; and

WHEREAS, since the Safely Surrendered Baby Law's inception there have been 26 infants saved in Kern County and placed in loving homes; and

WHEREAS, In Ridgecrest and throughout Kern County, a newborn baby can be safely surrendered into the hands of any hospital emergency room or Fire Station staff; and

WHEREAS, The Safely Surrendered Baby Coalition, under the coordination of the Department of Human Services, works to educate Ridgecrest Citizens and all Kern County residents about this important law. The coalition is made up of a small group of dedicated individuals representing a long list of agencies, non-profits, hospitals, and stakeholders, including First Five Kern, the Kern County Fire Department, Ridgecrest Regional Hospital, the Kern County Network for Children and Clinica Sierra Vista, to name a few.

Now, therefore, be it proclaimed:

The City Council of the City of Ridgecrest does hereby proclaim the month of February as Safely Surrendered Baby Awareness Month and encourages all Ridgecrest citizens to reach out and assist the Safely Surrender Baby Coalition with their endeavors.

Proclaimed February 1, 2012


Ronald H. Carter, Mayor


Marshall "Chip" Holloway
Mayor Pro Tem


Jerry D. Taylor
Vice Mayor


Steven P. Morgan
Council Member


Jason Patin
Council Member

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CITY COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY/FINANCING AUTHORITY
AGENDA ITEM

SUBJECT:
ADOPTION OF A RESOLUTION AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

PRESENTED BY: Tyrell Staheli

SUMMARY:

As a result of AB x1 26 and the recent Supreme Court decision, redevelopment agencies will no longer exist as of February 1, 2012. Our agency maintains accounts with the Local Agency Investment Fund (LAIF), managed by the State Treasurer's Office. The State Treasurer's policies require that no transactions can be processed in LAIF accounts without evidence that the individual requesting the transaction is authorized by the agency on whose behalf the request is made.

Attached is a resolution required by LAIF to allow the City to make deposits and withdrawals from the agency's LAIF accounts.

FISCAL IMPACT: Adoption of the attached resolution allows the agency to make deposits and withdrawals from the agency's LAIF accounts

Reviewed by Finance Director

ACTION REQUESTED:
Adopt attached resolution

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested: Approve a resolution allowing the agency to make deposits and withdrawals from the agency's LAIF accounts

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RESOLUTION NO. 12-

A RESOLUTION OF THE CITY COUNCIL OF CITY OF RIDGECREST AS THE SUCCESSOR AGENCY TO THE RIDGECREST REDEVELOPMENT AGENCY AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

WHEREAS, Pursuant to Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the City Council does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein as in the best interests of the Ridgecrest Redevelopment Agency's Successor Agency.

NOW THEREFORE, BE IT RESOLVED, that the City Council does hereby authorize the deposit and withdrawal of Ridgecrest Redevelopment Agency's Successor Agency monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

BE IT FURTHER RESOLVED, that the following City officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

NAME	TITLE	SIGNATURE
Kurt Wilson	City Manger	
Tyrell Staheli	Finance Director	
Tess Sloan	Assistant Finance Director	
Ron Strand	Police Chief	

APPROVED AND ADOPTED this 1st day of February, 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Ronald H. Carter, Mayor

ATTEST:

Rachel J. Ford CMC
City Clerk

OFFICE OF THE TREASURER

P. O. BOX 942809
SACRAMENTO, CA 94209-0001



January 25, 2012

Dear LAIF Participant:

As you know, as a result of AB x1 26 and the recent Supreme Court decision, redevelopment agencies will no longer exist as of January 31, 2012. Your agency maintains an account with the Local Agency Investment Fund (LAIF), managed by the State Treasurer's Office. Our policies require that no transactions can be processed in LAIF accounts without evidence that the individual requesting the transaction is authorized by the agency on whose behalf the request is made. Specifically, we require a [resolution](#), [bank and authorization form](#).

We believe it is important that you are aware of these requirements as you wind down your operations and transition to the successor entity. Please provide us with information regarding the identity of the successor entity that will be taking over your agency's operations and contact information for a person at the successor entity we can work with to get new authorization documents in place as soon as possible.

You and your successor entity should be aware that without appropriate documentation in place, transactions in the LAIF account for your agency, or as it is taken over by the successor entity, cannot be processed.

It is important that you immediately send a letter that states what your successor entity is and the above mentioned supporting documentation to the State Treasurer's Office. Please do this for each account you have in LAIF, including any bond accounts. This material should be sent to:

**Local Agency Investment Fund
California State Treasurer's Office
PO Box 942809
Sacramento, CA 95814
Attention: RDA Coordinator**

If you have questions on this, please contact the LAIF staff at 916/653-3001.

Thank you,

Daniel S. Dowell
Director, Investment Division

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CITY COUNCIL/FINANCING AUTHORITY AGENDA ITEM

SUBJECT: Minutes of the Regular City Council/Financing Authority Meeting of January 11, 2012
PRESENTED BY: Rachel J. Ford, City Clerk
SUMMARY: Draft minutes of the Regular Council/Financing Authority Meeting of January 11, 2012
FISCAL IMPACT: None Reviewed by Finance Director:
ACTION REQUESTED: Approve minutes
CITY MANAGER 'S RECOMMENDATION: Action as requested:

Submitted by: Rachel J. Ford
(Rev. 6-12-09)

Action Date: February 1, 2012

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**MINUTES OF THE SPECIAL JOINT SESSION MEETING
OF THE CITY COUNCIL / RIDGECREST REDEVELOPMENT
AGENCY / FINANCING AUTHORITY**

**CITY COUNCIL CHAMBERS
100 West California Avenue
Ridgecrest, CA 93555**

**January 11, 2012
6:00 p.m.**

This meeting was recorded and will be on file in the Office of the City Clerk for a certain period of time from date of approval by City Council/Redevelopment Agency. Meetings are recorded solely for the purpose of preparation of minutes.

CALL TO ORDER – 6:00pm

ROLL CALL

PRESENT: Mayor Ronald H. Carter, Mayor Pro-Tem Marshall 'Chip' Holloway, Vice Mayor Jerry D. Taylor, Council Member Steven P. Morgan and Council Member Jason Patin

ABSENT: None

STAFF: Kurt Wilson City Manager; Keith Lemieux City Attorney; Dave McEwen RDA Attorney; Ricca Charlon Deputy City Clerk; and other personnel

APPROVAL OF AGENDA

Motion To Approve Agenda Made By Council Member Patin, Second By Mayor Pro Tem Holloway Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent

SPECIAL JOINT SESSION – 6:00 p.m.

- Pledge Of Allegiance
- Invocation

PRESENTATION

1. QuadState Local Governments Authority Briefing Presented By Gerald Hillier, Executive Director **Morgan**

Mr. Hillier reported on the Ground Squirrel population and other issues within the District. The end of August 2011 the Fish and Wildlife Services (FWS) issued revised Recovery plan for the desert tortoise. The 2011 plan made little change from the 1994 Recovery plan. Pending is a renewable energy chapter to Recovery plan. New in the revised Recovery plan and involves the City is the plan does provide Recovery info teams. They would meet and advise the BLM on measures that could be taken and implemented locally to issues deemed to be important. *Provided a copy of the Dec. 8, 2011 report which is attached.

PUBLIC COMMENT - None

CONSENT CALENDAR

2. Resolution Scheduling The Public Hearing For Transit Unmet Needs Speer
3. Approval Of And Authorization for the Mayor to execute an indemnification agreement with Wal-Mart related to drainage design Wilson
4. Approve Draft Minutes Of The Regular City Council/Redevelopment Agency Meeting Of November 7, 2011 Ford
5. Approve Draft Minutes Of The Regular City Council/Redevelopment Agency Meeting Of November 16, 2011 Ford
6. Approve Draft Minutes Of The Regular City Council/Redevelopment Agency Meeting Of December 7, 2011 Ford
7. Approve Draft Minutes Of The Regular City Council/Redevelopment Agency Meeting Of December 21, 2011 Ford

Motion To Approve The Consent Calendar Made By Vice Mayor Taylor, Second By Council Member Morgan. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent

DISCUSSION AND OTHER ACTION ITEMS

8. Discussion And Adoption Of Items Related To The Dissolution Of The Ridgcrest Redevelopment Agency Including The Adoption Of An Enforceable Obligations Payment Schedule, Expenditure Of Existing Tax Allocation Bonds, Declarations Of Successor Agency And Fiscal Emergency, And Creation Of A Housing Authority Wilson

If we choose not to be the successor agency the first agency to step up gets it and then if no one steps up the governor comes in. McEwen recommends we step up as liability is minimal. There are also issues we want to keep in our control.

Holloway – Will some funds go to successor agency? Yes, per McEwen there would be 5% of tax revenues allocated to successor agency for first year, then 3% each year after.

Taylor – What are the risks in liability? McEwen stated the provisions in statute say that liabilities are limited to the revenues you receive.

Patin – Is there a time limit to expend liquidation? McEwen states no set time limit and statute states as expeditiously as possible. After 2016 the oversight board will be one oversight board for the county which would make it more difficult to get things passed so sooner is better than later in liquidating.

**MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY / FINANCING AUTHORITY
SPECIAL JOINT SESSION MEETING**

January 11, 2012

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Taylor – So any action the successor agency wants to do have to go to the oversight board for approval? McEwen stated yes.

Patin – Regarding City land – is there a way to move assets from the Agency to the City. McEwen stated yes it can be sold to the City but don't do anything too soon.

Taylor – Can we transfer at no cost? If the agreement says so then yes. If no agreement in place than the oversight committee might make us pay market value.

Tom Wiknich – Clarified his understanding of what the bill means.

Mike Neel – Asked if County Auditor is going to pay for everything on the debt schedule what is the Successor Agency for?

McEwen stated two reasons: 1. Take money from county and pay debts. 2. Assets get transferred Feb. 1 and the successor agency will be responsible to sell. Successor agency is the pass through agency.

Rene Westaluck – General Fund – what is the risk of the successor agency on the general fund. McEwen stated there is no risk.

Motion To Adopt A Resolution In Support Of The City Of Ridgecrest Becoming The 'Successor Agency' Of The Ridgecrest Redevelopment Agency Made By, Council Member Patin, Second By Vice Mayor Taylor. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent

Current unencumbered balances in the housing fund get transferred to the auditor/controller and we do not retain those. If current legislation passes and if we as a city assume those functions than the general fund is open to exposure. To avoid general fund exposure McEwen recommends we form the housing authority to protect those funds.

Morgan - fair to say even thought the housing authority can be seen as controversial as it is, it is still better for the city to create this authority and try willfully to maintain control.

McEwen - No increase in the already existing housing duties with the creation the authority so yes.

Patin – change of resolution wording? Not necessary per Lemieux.

Taylor – can we dissolve by vote the authority if necessary?

McEwen - yes

Mike Neel – Contests section 1 of resolution is incorrect referring to Drummond and Norma project.

Motion To Adopt A Resolution Creating The Ridgecrest Housing Authority Made By Vice Mayor Taylor, Second By Mayor Pro Tem Holloway. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent

Taylor – 24M of TAB is line 7 'other projects and exp not identified' vulnerable to having the funds taken? McEwen said yes it should be clearer. **McEwen recommends delete items referred to on the letter and insert the letter in their place for clarity purposes. The original list made at the time of bond purchase is the list that should be included with the EOS. McEwen recommends moving line 7 to line 3.**

**MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY / FINANCING AUTHORITY
SPECIAL JOINT SESSION MEETING**

January 11, 2012

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Tom Wiknich – Date of bond sale summer of 2010 and a list of projects was included so regardless of last June Council actions the letter should be what is held up to for the bond holder's accountability. The list has changed in his opinion.

Dan Clark – Due diligence is important; 4 or 5 lists have been made trying to spend the money. We need to incorporate the lists to show we have an agenda and a vision. We are running out of time and need to do them expeditiously.

Mike Neel – has confusion in comparing the EOS in the agenda with the original letter.

Motion To Adopt A New 'Enforceable Obligations Payment Schedule' As Amended Above Made By Vice Mayor Taylor, Second By Council Member Morgan. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent.

With the RDA hit, declaring a fiscal emergency puts us in a place to trigger the staff to go back and work up some quick solutions to solve the short fall gap in expenditures.

Patin – will the implemented measures requested by staff come back to council?

Wilson – Yes

Howard Auld – The city is in trouble and finally there is a document that can be taken to K. McCarthy and more importance has been placed on what Mr. and Mrs. Auld have been trying to do. Wants copy of signed resolution sent to him.

Jim Sanders – likes to see the tax increased

Dave Mathews – suggests that this resolution be sent to our governor in Sacramento allowing him to see the cause and effect.

Mike Neel – What changes under this declaration?

Wilson – It authorizes staff to prioritize this in front of anything else on our plate.

Motion To Adopt A Resolution Declaring A Fiscal Emergency Made By Council Member Morgan Second By Vice Mayor Taylor. Motion Carried By Voice Vote Of 5 Ayes, 0 Nays, 0 Abstain, 0 Absent

PUBLIC COMMENT

Dave Matthews – Gave remembrance of former Mayor Mr. Hockett

Barbara Auld – Air Pollution East Kern meets in Tehachapi tomorrow – will decide on whether to put us in the San Joaquin Valley district.

DEPARTMENT AND COMMITTEE REPORTS

Infrastructure Committee

Members: Steve Morgan, Jerry Taylor, Craig Porter, James Sanders

Meeting: 2nd Wednesday of the month at 5:00 p.m., Council Conference Room

Next Meeting: January 11, 2012

Approved funding for RSTP and CMAC money at today's meeting.

Quality of Life

Members: Chip Holloway, Jason Patin, Craig Porter, Carter Pope

Meetings: 1st Thursday of every even month at 12:00 p.m.; Kerr-McGee Ctr

Next Meeting: February 2, 2012

Not met since last meeting.

**MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY / FINANCING AUTHORITY
SPECIAL JOINT SESSION MEETING**

January 11, 2012

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City Organization

Members: Ron Carter, Jerry Taylor, Lois Beres, Christopher LeCornu
Meeting: 3rd Tuesday of the month at 5:00 p.m.; Council Conference Room
Next meeting: January 17, 2012
Met Monday and talked about leash law issue, discussed budget process, discussed veteran's advisory committee.

Community Development Committee

Members: Steve Morgan, Jason Patin, Christopher LeCornu, James Sanders
Meetings: 1st Thursday of the month at 5:00 p.m.; Council Conference Room
Next Meeting: February 2, 2012
Not met since last meeting.

Activate Community Talents and Interventions For Optimal Neighborhoods Task Force (ACTION)

Members: Ron Carter, Chip Holloway, Ron Strand
Meetings: 2nd Monday of odd numbered months at 4:00 p.m., Kerr-McGee Center
Next Meeting: March 13, 2012
Last meeting discussion with Teen Court – it is working in our community. Talked about Neighborhood watch programs.

Ridgecrest Area Convention and Visitors Bureau (RACVB)

Members: Chip Holloway, Jason Patin
Meetings: 1st Wednesday of the month, 8:00 a.m.
Next meeting: February 1, 2012 and location to be announced
Have not met since last meeting.

OTHER COMMITTEES, BOARDS, OR COMMISSIONS

Morgan – traveling for subcommittees to hire new executive director for Kern COG
Holloway & Patin – met with Brandon Egan, Kevin McCarthy's military liaison. Kevin is aware of what is happening in our community.
Taylor – January 17th special Kern COG bicycle master plan meeting in Chambers

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS

1. No meeting on the 18th
2. Artwork in lobby curiosity of Kern COG
3. Acknowledge and thank Captain Dodson

**MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY / FINANCING AUTHORITY
SPECIAL JOINT SESSION MEETING**

January 11, 2012

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MAYOR AND COUNCIL COMMENTS

Carter – It is obvious tonight that due to our State we are in a bad spot. The fighting, the name calling, the blaming game has to stop now. Both parties are responsible and should do the job and take care of our country. Elected officials need to take care of business.

Holloway – State legislatures are mad at the state passing of Prop 22 and he would not be surprised if they took these resolutions as victory flags. Spoke to Howard and Barbara Auld saying he will be voting on the Air Pollution Board and on their side. Would like to have Mayor and staff move public comment to once at the beginning of the meeting.

Taylor – Tough times and appreciate the Auld's and their effort. Would like to recommend himself be considered for the oversight committee.

Morgan – The loss of Mr. Hockett was tough to the community. He is glad to continue to hear the well wishes in his regards. Captain Dodson has been a wonderful advocate and partner and he is going to miss the interaction. This council does not toot its own horn on the work that goes on between the base and the City. This RDA 'theft' is going to hurt us more than most will understand. To maintain essential city services is going to be difficult and we need the communities help. We need to seriously discuss a tax increase and help ourselves. State legislature officials need to get to work and work for the citizens. In regards to the air district Mr. Carter, Mr. Holloway, and Mr. Morgan fought the battle and will continue to fight the battle. To fellow council members – he wants to pay his respects to each for their efforts and appreciates them.

Patin – Doesn't see that the federal government is going to help. We have to do it ourselves and believes in what Mr. Morgan said about the tax increase. We are going to fight that fight and that is why we have hired a lobbyist, grant writers, and consultants. Proud of fellow Council Members and their efforts. Appreciated work with Captain Dodson. Teen Court was such a success and commends Chief Strand for being a driving force. In regards to the First District Race- remember when voting who has been loyal to the community... loyalty, loyalty, loyalty.

ADJOURNMENT – 9:00 pm

PUBLIC COMMENT – CLOSED SESSION

CLOSED SESSION

GC54956.9 (B) Conference With Legal Counsel, Potential Litigation. Public Disclosure Of Litigant Would Prejudice The City Of Ridgecrest.

GC54956.9 (A) Conference With Legal Counsel, Existing Litigation. City of Ridgecrest v. Benz Sanitation Inc.

CITY ATTORNEY REPORT

- Closed Session
- Other

ADJOURNMENT – 9:33pm

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CITY COUNCIL//FINANCING AUTHORITY AGENDA ITEM

SUBJECT:

Public Hearing; Appeal of TPM 11999 (PC Resolution 11-13, approval by the Planning Commission), a request to re-divide 6 parcels into 7 parcels on 17.34 acres at the Southeast corner of S. China Lake beginning at Rader St., APN 080-020-27&28, and APN 080-020-55,56,57 & 58). Applicant: Richard Gottlieb, represented by Derrill G. Whitten Jr. PE, PLS

PRESENTED BY:

James E. McRea

SUMMARY:

The Planning Commission, at the conclusion of a duly noticed Public Hearing, adopted Resolution 11-13 approving TPM 11999, as conditioned on September 27, 2011. The action was taken after several reviews and continued Public Hearings of the Planning Commission and withdrawal of the site plan review by the applicant. The City Engineer issued a statement that the application was deemed incomplete as presented and provided the recommended and required conditions of approval. The TPM 11999 as approved and conditioned was appealed by the applicant and the letter is attached as Attachment 1. The request was forwarded to the City Attorney for review. The appeal is based on the systemic process and Ridgecrest Municipal Code requirements. The appeal additionally indicates the division of land, not site development. A copy of the Planning Commission report is provided as Attachment 2. The City Council at their regular meeting of December 18, 2011 accepted the appeal and set a duly noticed Public Hearing which was renoticed for this evening.

The appeal letter of October 12, 2011 is requesting an appeal and removal of the conditions for approval of the Parcel Map as submitted. The thirteen conditions are presented within Resolution No. 11-13 as a result of the City Engineer's findings. Conditions 10, 11, 12, & 13 are requirements of the Community Development Planning Department.

It would be appropriate to receive any presentation of the applicant, the City Engineer, and/or the Director of Public Works and make the appropriate findings. The City Engineer within condition 1 through 9 is reflecting the requirements of the Ridgecrest Municipal Code.

FISCAL IMPACT: none

Reviewed by Finance Director

ACTION REQUESTED:

Deny the appeal or specify modifications to the conditions of approval

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested: Deny the appeal or specify modifications to the conditions of approval

Submitted by: James McRea

Action Date: 02-01-12

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CORNERSTONE ENGINEERING

CONSULTING CIVIL ENGINEERS & LAND SURVEYORS

October 12, 2011

Attn: Rachel Ford, City Clerk
City of Ridgecrest
100 W. California Ave.
Ridgecrest, CA 93555

Re: TPM 11999; Appeal of Planning Commission Decision

Dear Ms. Ford,

On behalf of the project owner; Richard Gottlieb, we are filling an appeal of the decision made by the City Planning Commission at their regular meeting of September 27, 2011 for PM 11999. The conditions of approval approved with the map are so onerous as to render the map useless. We have issues with many of the engineering conditions, but before we go through them in detail, we would like to make clear what we are asking for at this hearing. We are asking for approval of a commercial parcel map, nothing more. We did not ask the planning commission to approve a project, just a map. The city code is clear on the fact that all commercial development in the City must go through site plan review. Before any development can commence on the existing or proposed parcels on this property, a site plan must be approved and by the City. The map is essentially a lot line adjustment of the existing 6 parcels and the addition of a 7th parcel. But the map, as approved, will require the installation of millions of dollars in improvements before the map can record.

To illustrate the problem we have with these conditions, please look at the attached conditions of approval for another commercial parcel map on China Lake that was approved by the Ridgecrest Planning Commission in December of 2006, PM 11664. This site is located on China Lake across the street from the Hospital. Following are ALL the conditions placed on the map by the Engineering Department at that time.

5. The Parcel Map shall comply with the Subdivision Map Act.
6. The Parcel Map shall provide "recorded" public access to all parcels created by the Map.
7. The following certificate shall be placed on the final parcel map.
"No occupancy permit shall be issued for any development on the within parcels unless each such parcel is served by (1) water from an approved source: (2) an approved wastewater system: (3) an improved and dedicated access with curb, gutter and flowline."
8. All access to and from China Lake Blvd., shall meet Caltrans approval. A Caltrans encroachment permit must be applied for and conditions complied with.

Please compare these conditions to those that have been proposed for TPM 11999.

Appeal Request: The conditions, as written by the Engineering Department require extensive onsite and offsite improvements that must be constructed before the parcel map can record. There is no site plan approved and no proposed development of the site. The map is not a development. All conditions that relate to the development of the site should be removed. Please address the following conditions:

Page 10, A.1. a.-i. These conditions require \$millions in street improvements in anticipation of development. No development is proposed. Please delete these conditions.

Civil
Engineering

Surveying
Services

Sewer & Water
Engineering

Storm Water
Engineering

Storm Water
Quality
SWPPP

Road And
Street
Engineering

School
Site
Engineering

Site
Development,
Planning
And
Surveying

Construction
Staking
Services

Redevelopment
Area
Enhancement
Engineering

Traffic
Engineering

Transportation
Planning

Page 10, A.1. j.-l. These conditions relate to the map dedications and should remain.

Page 11, A.2. a.-e. These conditions require \$millions in drainage improvements in anticipation of development. No development is proposed. Please delete these conditions.

Page 11-12, A.3. a.-b. These conditions require sewer improvements in anticipation of development. No development is proposed. Please delete these conditions. We do agree that utility easements to all parcels should be on the map.

Page 12, A.3.d. This condition relates to the map and should remain.

Page 12, A.4. Grading Improvements – No grading is proposed, please delete this condition.

Page 12, A.5. Street Lights – No development is proposed that would require street lighting. Please delete this condition.

Page 12, A.6. Bowman Bicycle Path - No development is proposed that would impact the bike path. Please delete this condition.

Page 12, A.7. We have no issue with this statement.

Page 12, A.8. a.-d. Parcel Map requirements – All of these conditions presume that the developer will be installing onsite or offsite improvements prior to the map recording. No development or improvements are proposed. Please delete these conditions.

Page 13, A.8.e. This condition relates to survey monuments. It should remain.

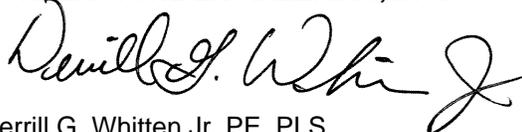
Page 13, A.9. a.-g. All of these conditions presume that development is proposed on the site. No development is proposed that would require these conditions. Please delete them.

This is a commercial parcel map, not a tract map. Nothing can be done on any of these lots without approval of a site plan first. The City Engineer can place the development related conditions on the site when the developer comes back before the City for approval of his site plan. The City Engineer claimed, before the planning commission, that the map could not be approved without these conditions, that it was required by the City Code. If this is the case then the City has a severe problem.

This type of map is routine, requiring few if any improvements, in other Kern County cities and in the County. The County does not even require that Parcel Maps go before the planning commission, just a directors hearing. The county will place an SP overlay in the zoning, which requires that the site go through site plan review prior to development, and defer all improvements to the date of development. City of Bakersfield does the same thing. The City of Ridgecrest needs to be offering a regulatory environment that encourages and attracts commercial development. It builds the tax base. The developer wants to change his lot lines to match a site plan he plans to develop in the future. The City can help him by approving this map, without the heavy burden of offsite and on-site improvements. The frontage along China Lake and Radar is already improved, and the site already has 6 parcels on it. Please approve the Parcel Map without the site development related conditions. They can be addressed in the future, through the site plan review process.

Sincerely,

CORNERSTONE ENGINEERING, INC.



Derrill G. Whitten Jr. PE, PLS
Owner, Cornerstone Engineering, Inc.

CC: Richard Gottlieb, Matthew Alexander

DRAFT P.C. RESOLUTION 06-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIDGECREST APPROVING TENTATIVE PARCEL MAP 11664; TO CREATE FIVE PARCELS RANGING FROM 1 AC TO 2.5 AC ON 8.59 AC; APN-030-050-11 APPLICANT: NEWGROUND RESOURCES, INC.

THE PLANNING COMMISSION OF THE CITY OF RIDGECREST RESOLVES as follows:

SECTION 1. FINDINGS

On December 12, 2006, the Planning Commission duly and regularly reviewed Tentative Parcel Map 11664, a request to create a Tentative Parcel Map 11664 to create five parcels ranging from 1 ac to 2.5 ac on 8.59 ac, APN: 030-050-11 , Applicant. New Ground Resources, INC

The Planning Commission considered the evidence and approved this application as set forth herein:

- (a) Tentative Parcel Map 11664 is consistent with the applicable general plans in that the general plan designates the area to be used for Industrial land use and the map is compatible with the objectives, policies, uses and programs of the plan.
- (b) The design and dedication of the map are consistent with the applicable general plan.
- (c) The site is physically suited for the type and density of land division proposed in that the proposed map is compatible with surrounding land uses, will not adversely affect surrounding properties, has full urban services available to the site, and conforms to site density requirements of the zoning ordinance.
- (d) The design of the proposed subdivision and the proposed improvements are:
 - (1) Not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; therefore a De Minimis Impact Finding and a Mitigated Negative Declaration is approved;
 - (2) Not likely to cause serious public health problem;
 - (3) Not in conflict with easements acquired by the public at large, for access through, or use of, property within or adjacent to proposed subdivision.
- (e) The proposal conforms to the requirements of Chapters 19 and 20 of the Ridgecrest Municipal Code.

SECTION 2. CONDITIONAL APPROVAL

The proposed parcel map is hereby approved subject to the following conditions:

NOTE: These conditions must be met within 24 months (December 12, 2008), or as stipulated in the conditions, unless a written request for an extension of time is received before the expiration date.

COMMUNITY DEVELOPMENT

"The below conditions have been satisfied" By _____ Date _____

- 1. The applicant shall comply with all applicable federal, state, county, and local regulations.
- 2. All work, materials and improvements called for on the approved tentative map, and these conditions of approval, shall be complied with prior to the recording of the final map.
- 3. All new utilities serving the project shall be through underground installation.
- 4. Positive trash and dust control measures during construction shall be made to the satisfaction of the Public Works Director.

PUBLIC WORKS-ENGINEERING

"The below conditions have been satisfied" By _____ Date _____

5. The Parcel Map shall comply with all provisions of the "Subdivision Map Act".
6. The Parcel Map shall provide "recorded" public access to all parcels created by the Map
7. The following certificate shall be placed on the final parcel map.

"No occupancy permit shall be issued for any development on the within parcels unless each such parcel is served by (1) water from an approved source; (2) an approved wastewater system; (3) an improved and dedicated access with curb, gutters and flowline."
8. All access to and from China Lake Blvd., shall meet Caltrans approval. A Caltrans encroachment permit must be applied for and conditions complied with.

APPROVED AND ADOPTED this 12th day of December 2006, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jim Smith, Chair

ATTEST:

Jim McRea, Secretary

**PLANNING COMMISSION RESOLUTION 11-13
APPROVING TENTATIVE PARCEL MAP 11999**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIDGECREST APPROVING TENTATIVE PARCEL MAP 11999, A REQUEST TO CREATE A 7 LOT GENERAL COMMERCIAL (CG) SUBDIVISION ON 17.34 NET ACRES ON S. CHINA LAKE BLVD. BETWEEN BOWMAN ROAD AND RADAR STREET, APN: 80-020-27-00-9, 080-020-28-00-2, 080-020-55-00-0, 080-020-56-00-3, 080-020-57-00-6, 080-020-58-00-9 (Gottlieb)

THE PLANNING COMMISSION OF THE CITY OF RIDGECREST RESOLVES as follows:

SECTION 1. FINDINGS

On September 27, 2011, the Planning Commission duly and regularly reviewed a request to create a 7 lot General Commercial (CG) subdivision on 17.34 acres located on S. CHINA LAKE BLVD. BETWEEN BOWMAN ROAD AND RADAR STREET, APN: 80-020-27-00-9, 080-020-28-00-2, 080-020-55-00-0, 080-020-56-00-3, 080-020-57-00-6, 080-020-58-00-9.

The Planning Commission considered the evidence and approved this application as set forth herein:

- (a) Tentative Parcel Map 11999 is consistent with the applicable general plans in that the general plan designates the area to be used for commercial use and the map is compatible with the objectives, policies, uses and programs of the plan.
- (b) The design and dedication of the map are consistent with the applicable general plan.
- (c) The site is physically suited for the type and density of land division proposed in that the proposed map is compatible with surrounding land uses, will not adversely affect surrounding properties, has full urban services available to the site, and conforms to site density requirements of the zoning ordinance.
- (d) The design of the proposed subdivision and future improvements are:
 - (1) Not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
 - (2) Not likely to cause serious public health problem;
 - (3) Not in conflict with easements acquired by the public at large, for access through, or use of, property within or adjacent to proposed subdivision.
- (e) The proposal conforms to the requirements of Chapters 19 and 20 of the Ridgecrest Municipal Code.

SECTION 2. CONDITIONAL APPROVAL

The proposed parcel map is hereby approved subject to the following conditions:

NOTE: These conditions must be met within 24 months (by September 27, 2013), or as stipulated in the conditions, unless a written request for an extension of time is received before the expiration date.

PUBLIC WORKS - ENGINEERING

Preamble:

1. **The Engineering Department has reviewed the TPM application and determined that it is incomplete. Subsequently, staff can not fully condition the project due to the lack of requested supplemental data to accurately and adequately review and condition the project. The tentative parcel map and site plan are missing grading, drainage and site plan information. Supplemental data has not been submitted as requested in e-mail correspondence by the City Engineer and as required in the City of Ridgecrest Municipal Code, Sections 19-2.2c, 19-5.2., 20-22.3. and 20-22.2.f. Based upon the information at the time of this writing; the following are the Public Works conditions:**
 - A. The following public and onsite improvements shall be designed and constructed, in accordance with City of Ridgecrest, Engineering Design Standards and plans approved by the City Engineer, including the following:
 1. Street Improvements, RMC 19-2.3 and 19-7
 - a. Design and construct full width Bowman Road and China Lake Blvd. intersection and traffic signal improvements per the City of Ridgecrest General Plan.
 - i. A detailed traffic study shall be prepared for the project and the intersection improvements and any other traffic control devices proposed or existing. RGP C-2.3
 - b. The proposed site plan indicates a median break in China Lake Blvd. for a main ingress and egress to the commercial center.
 - i. No median break in China Lake Blvd will be permitted. RGP, pg. 6-8, Arterial & C-2.14
 - ii. Right turn in and right turn out driveway approaches spaced at 300 foot minimum separation shall only be permitted along China Lake Blvd.
 - iii. Develop a main entrance to the commercial center off of Rader Ave. with required additional right of way and street widening of Rader Ave. along with China Lake intersection improvements.
 - iv. A detailed traffic study shall be prepared for the project and the commercial center intersection improvements and any other traffic control devices proposed or existing. RGP C-2.3
 - c. Design and construct 2/3 of the right of way improvements for Bowman Road along project frontage and to 50 feet beyond proposed Bowman Road access road with transition lanes to follow per the City of Ridgecrest General Plan. RMC 19-2.3, b.12.(b)
 - d. The proposed site plan indicates an access off of Bowman Road. The access off of Bowman Road shall be a Private Road and all appurtenances to the private road maintained by the shopping center association.
 - i. The subdivider shall provide a mechanism for the permanent maintenance of the private road and all of its appurtenances per City of Ridgecrest Municipal Code, Section 19-2.3, b. 11.
 - e. Construct emergency turn around for Chesapeake Street.

- f. Construct a guard rail or barrier to prevent errant thru traffic access to or from Chesapeake Street.
- g. Design and construct a decorative masonry wall with landscaping and irrigation system at the 90 degree corner of the proposed access road off of Bowman Road. RMC 19-2.3,g.
- h. The City of Ridgecrest Pavement Management System rates China Lake Blvd. with a Pavement Condition Index of 10. Perform cold in place recycling with a 2.5-inch overlay for half street width of China Lake Blvd. along the project frontage. RMC 19-7.9b.
- i. The City of Ridgecrest Pavement Management System rates Rader Street with a Pavement Condition Index of 10. The PMS calls for a 2.5-inch asphalt overlay. Mill the existing street surfaces along the lip of gutters and resurface half street width of Rader Street along the project frontage. RMC 19-7.9b.
- j. Dedicate additional Right of Way for China Lake Blvd. for a 55 foot half street Right of Way for parcels 2, 4, 5 and 6.
- k. Dedicate additional Right of Way for corner cut off at curb return at China Lake Blvd. and Rader Street to accommodate ADA compliant access ramp and sidewalk.
- l. Parcel 3 does not have access to an existing public right of way. Additionally parcel 7 has questionable access to a public right of way originally designated as a frontage road to the vacated State Hiway Right of Way for Bowman Highway.
 - i. If a private street or reciprocal access easement provides access; the subdivider shall provide a mechanism for the permanent maintenance of any street or easement required for access to property.

2. Drainage Improvements,

- a. The project is within flood zone X of the 2008 Flood Insurance Rate Maps
 - i. Obtain permit and design and construct drainage improvements to flood proof the structures onsite for the level of protection required for a zone X designation. RMC 21-5
- b. Design and construct master planned culvert crossing of China Lake Blvd. for the Bowman Wash per the City of Ridgecrest Drainage Master Plan.
 - i. A detailed hydraulic analysis shall be prepared for the actual hydraulic sizing of the culvert crossing.
- c. Design and construct master plan Bowman Wash Channel along project frontage extending 50 feet beyond the proposed Bowman Road access to the property per the City of Ridgecrest Drainage Master Plan.
 - i. A detailed hydraulic analysis shall be prepared for the actual hydraulic sizing of the channel section.
 - ii. Obtain all necessary environmental compliance documents and permits from the associated regulatory agency's
- d. The proposed site plan indicates an access off of Bowman Road crossing the Master Planned Bowman Channel. The drainage facilities crossing the Bowman Channel shall be a Private Drainage Structure and all appurtenances to the private drainage structure maintained by the commercial center association.

- i. The subdivider shall provide a mechanism for the permanent maintenance of the private drainage structure and all of its appurtenances per City of Ridgecrest Municipal Code, Section 19-2.3, b. 11.
 - ii. The drainage structure shall be designed and constructed to meet the Master Plan requirements for Bowman Channel.
 - iii. A detailed hydraulic analysis shall be prepared for the actual hydraulic sizing of the culvert crossing.
 - e. All storm water runoff up to the ten year event shall be detained onsite. A drainage plan with supporting calculations shall be submitted for the City Engineer's approval .
 - i. The drainage plan and calculations along with improvements shall be prepared and constructed in accordance with City of Ridgecrest, "Master Drainage Plan", dated May 1989 and the "Drainage Design Manual", dated July 1989.
3. Sewer Improvements
- a. Design and construct 8-inch sewer line to serve each parcel.
 - b. Construct 6-inch sewer laterals with property line clean out for each commercial structure.
 - c. All plumbing plans for each structure shall be reviewed by the City Engineer to determine if sample boxes or wastewater pretreatment may be required.
 - i. Any floor drains, mop sinks, utility room drains, require separate wastewater plumbing to a minimum of a sample box before entering the public sewer system.
 - ii. Fast food restaurants will require a grease trap and sample box before entering the public sewer system.
 - d. Dedicate a 20 foot wide sewer easement for the public sewer system.
4. Grading Improvements
- a. A precise topographic grading plan shall be submitted for approval by the City Engineer and Planning Department along with street, drainage and sewer improvement plans and prior to issuance of the building permit. The grading requirements shall conform to Ridgecrest Municipal Code Chapter 16 and the grading plan prepared in compliance to City of Ridgecrest, Engineering Design Standards, Section 2.02 C. 4.
 - i. The topographic grading plan and drainage plan shall also show adjacent grading, drainage and features as required in the City of Ridgecrest, Engineering Design Standards, Section 2.02 C. 4.
 - b. All graded area shall require strict adherence to requirements to control wind blown dust and sand. The grading plan and grading permit shall require wind blown dust and sand control methods specified and approved by the City Engineer.
5. Street Lighting
- a. Coordinate with Southern California Edison and construct street lighting along China Lake Blvd., Rader Street, and Bowman Road.
 - i. The subdivider shall provide for a maintenance district to cover the cost of operating and maintaining the street lighting system per City of Ridgecrest Municipal Code, Section 19-2.3,b., 12, (h).
6. Bowman Bicycle Path

- a. Relocate and reconstruct the Bowman Bicycle path due to the Bowman Road way and Bowman Channel drainage improvements.
 - b. The proposed access off of Bowman Road creates an intersection with the existing Bowman Bicycle Path. Provide alternatives for safe pedestrian and bicycle passage for the Bowman Bicycle Path for City Staff review and approval.
7. Seismic Hazard Zone
- a. The project is located approximately 2700 feet west of the Little Lake Fault Seismic Hazard Zone.
8. Parcel Map Requirements
- a. Prior to tentative parcel map approval, submit a detailed site plan as required by City of Ridgecrest Municipal Code, Section 20-22.3.
 - b. Enter into a development agreement between the City and Subdivider prior to final map approval per City of Ridgecrest Municipal Code, Sections, 19-5.9b. and 20-30.
 - c. Post parcel map improvement security for the construction of all offsite improvements per City of Ridgecrest Municipal Code, Sections, 19-5.9 b. and 19-7.12
 - d. All improvement plans shall be submitted with the final map and approved by the City Engineer prior to final map recordation per City of Ridgecrest Municipal Code, Sections, 19-5.9 a.
 - e. Survey monuments shall be bonded or installed prior to final map recordation. Survey monuments shall remain visible, adjusted to grade, or restored after the construction of onsite improvements of each commercial project.
9. Miscellaneous
- a. Pay all Development Impact Fees.
 - b. Obtain "Will Serve Letter" and design and construct water facilities per IWWWD requirements.
 - c. Design and construct fire protection hydrants and or facilities per Kern Co. Fire Department requirements.
 - d. Design and construct miscellaneous support utility improvements necessary for development of the project.
 - e. The project plan shall be reviewed by police, fire and emergency services for access and circulation to the structures and parking lots.
 - f. All work in the public right of way shall be to City of Ridgecrest and industry standards.
 - g. Applicant shall acquire all necessary permits from the City and or any other regulatory agency.

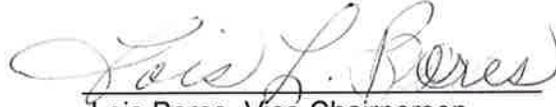
COMMUNITY DEVELOPMENT

- 10. The applicant shall comply with all applicable federal, state, county, and local regulations.
- 11. All work, materials and improvements called for on the approved tentative map, and these conditions of approval, shall be complied with prior to the recording of the final parcel map.
- 12. All new utilities serving the project shall be through underground installation.

13. Prior to submitting construction plans to the Building Division, the applicant shall submit and receive Site Plan Review approval.

APPROVED AND ADOPTED this 27th of September, 2011 by the following vote:

AYES: Beres, LeCornu, Pope
NOES: none
ABSENT: Porter
ABSTAIN: none


Lois Beres, Vice Chairperson

ATTEST:

Ricca Charlton, Secretary

Continued Public Hearing: September 27, 2011

Tentative Parcel Map (TPM) 11999

APPLICATION:

1. Tentative Parcel Map, TPM 11999, a request to re-subdivide 6 parcels into 7 parcels proposed on 17.34 acres in a CG (Commercial General) Zone District located at the Southeast Corner of China Lake Blvd. Rader St. and S. China lake Blvd., (APN 080-020-27&28, and APN 080-020-55,56,57&58), Applicant: Richard Gottlieb

Owner/

Applicant: Richard Gottlieb (310)273-9930
G&L Realty Corp,
439 North Bedford Drive
Beverly Hills, CA 90210

Consultant: Cornerstone Engineering
208 Oak St
Bakersfield, CA
(661) 325-9474

PUBLIC HEARINGS:

1st Public Hearing, June 28, 2011: the Planning Commission solicited input from the developer and the public regarding impacts from the proposed shopping center, and continued this item until July 26, 2011. A Site Plan was considered at this meeting which included 165,000 square feet of proposed retail, restaurant and other commercial building area. A number of residents from the surrounding area spoke at this hearing objecting to a commercial shopping center at this time.

- July 6, 2011 Applicant withdraws Site Plan Review Application. Requests that only the parcel map be considered.

2nd Public Hearing, July 26, 2011: since the applicant was still looking to locate a primary retailer the Planning Commission continued this item until August 23, 2011.

3rd Public Hearing, August 23, 2011: the Planning Commission continued this item again until September 27, 2011.

- Due to the time lapse since the first hearing, the staff re-noticed the hearing set for September 27th via a 300' property owner notices and a newspaper public notice.

4th Public Hearing, September 27, 2011: Planning Commission to consider approving, modifying or denying resolutions for:

- 1) Negative Declaration TPM 11999
- 2) Tentative Parcel Map TPM 11999

Recommended Planning Commission Actions for September 27, 2011

- 1. RESOLUTION APPROVING the Negative Declaration for TPM 11999 and meeting CEQA Guidelines.**
- 2. RESOLUTION TO APPROVE TENTATIVE PARCEL MAP TPM 11999 to create 7 parcels on 17.34 acres to facilitate the Shoppes at China Lake subject to conditions.**

Project Location

The proposed project site is approximately 17 acres located east of S. China Lake Boulevard, south of Radar Road, north of Bowman Road and west of single family homes fronting on Chesapeake St. The project site is zoned General Commercial (CG), and the single family homes lying to the east of the project site are zoned Medium Density Residential (R-2). Regional access to the project site is provided from State Route 14, U.S.-395, and State Route 178. Major arterials that provide access to the project site include S. China Lake Boulevard and E. Bowman Road.

BACKGROUND:

Richard Gottlieb is seeking to develop a Shopping Center on vacant parcels, on the project site located immediately south of Radar Street and east of S. China Lake Boulevard. The 17.34 acre site is vacant land. The site currently consists of six (6) parcels all owned by Mr. Gottlieb. These parcels are proposed to be re-subdivided into seven (7) parcels to facilitate development of the proposed Shoppes at China Lake Shopping Center. All proposed lots meet minimum lot standards as set by Chapter 20 of the Municipal Code.

The site will remain vacant and undeveloped until a site plan is approved. As such, and pursuant to §15074 of the CEQA, a Negative Declaration is recommended.

ISSUES:

The City Engineer is not satisfied with the extent of application materials submitted by the developer and believes that he cannot fully condition the project due to the lack of requested supplemental data to accurately and adequately review and condition the project.

Specifically, the tentative parcel map and site plan are missing grading, drainage and site plan information. However, draft Engineering Conditions have been prepared and submitted so that the Planning Commission may approve a resolution in support of TPM 11999. It is the opinion of the City Planner that, (considering the extensive list of tentative conditions needed to receive Final Parcel Map approval), more than adequate safeguards exist which will protect the interests of the city. Further, no building may occur without the Planning Commission's Site Plan Approval for this project.

PROJECT INFORMATION:

- Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site and the use of the structures: The project site is vacant land, zoned commercial, with frontage along China Lake Blvd and Rader Street. Site topography slope away from China Lake Blvd, toward the east. Site drainage generally flows to the NE corner of the site. No structures exist on the site except a few billboards. The site is sparsely vegetated. There are no known cultural or historical aspects to the site.

PROJECT INFORMATION			
Existing Land Use		Existing Zoning and General Plan	
Onsite	Vacant	CG	Commercial
North	Sierra Lanes bowling & retail	CG	Commercial
South	Walmart Supercenter (Eastern Sierra Marketplace)	CG	Commercial
East	Single Family homes	R-2	Multi Family Residential
West	Alta One Corporate Headquarters	CG	Commercial
General Plan Designation		Commercial	
Access		China Lake Blvd, Bowman Rd., and Radar St.	
Site Area		17.34 Acres	
Environmental		Negative Declaration Proposed	

- Property to the North and West is developed as general commercial. Property abutting the east boundary of the project is zoned and developed as single family residential. To the south of the project is the old Bowman Freeway Alignment which will be developed as a linear park and regional drainage facility. To the SW of the site is the intersection of Bowman Road and China Lake Blvd, a major City intersection.

MINUTES FROM June 28, 2011 PLANNING COMMISSION MEETING RE: TPM 11999

Tentative Parcel Map 11999 and Site Plan Review 11-02 (Shoppes at China Lake)

165,524 sq. ft. retail shopping center located on 17.34 acres at the SE Corner of Radar St. and China Lake Blvd.

Staff report given by Planner Matthew Alexander. Mr. Porter stated that tonight no action will be taken by the Commission. This presentation is informational and will be continued to July 26 meeting. Tonight is to hear public concerns. Mr. Whitten addressed the Commission and gave a background on the project. Primarily they would like to get the site plan put in place and hear public concerns in order to know how to move forward. He pointed out loading dock and its position for lower traffic within the Center. Lot behind back row of buildings is for employee parking which is to serve as an additional layer of noise buffering for neighborhood. Driveway is set up to keep traffic at a minimum as far as speed. Proposal has four sitting areas with trellis and benching for foot traffic. There is 1 tree per parking space

scattered throughout the project and reason is for aesthetic purposes; to make parking lot feel not so big. Architect has placed pedestrian corridors so site can be walked without being concerned about traffic.

Public Comment –

John Westwell – 709 Chesapeake – lives close to loading dock – concerned about devaluation of properties. Also concerned that the City does not need another shopping center as we have 6 major centers already and many small ones most of which are empty. If this project gets approved he believes the wall separating the residences needs to be a definite condition. He is very much afraid of this project.

Mary ? - 825 Chesapeake – lives at south end of street – She doesn't believe we need another shopping complex as too many already sit empty. Residences already get motorcycle traffic and concerned about dust. With this project - Safety is her concern with her house being on end and more people being in area. Devaluation of her home is a concern. She has put a 30K investment into her home and is concerned the shopping center will further deplete her home value.

Jennifer Sherpa – 821 Chesapeake – has small children. Not interested in street being opened. Kids play safely now and increase of traffic will concern her. Does not want additional truck traffic, smell of fast food restaurants, will miss open areas and views of sunset. Don't need additional food places. This is a community nuisance and is against project.

Jesse Klassen – 717 Chesapeake – concerned about flooding, he thinks fence needed along Chesapeake to be higher. Wants to know if before construction is there a plan to have committed businesses?

Jason Stowell - 808 Chesapeake – 100% against opening Chesapeake as his kids are young and the street will become a drag strip to Sierra Lanes. Trash from Wal-Mart is bad... bags constantly! Concerned about loading dock and condition of street along with the traffic congestion. He wants to fill in the shops in R/C and is against this project. Concerned with the smell of trash dumpsters behind stores.

Mark Reynolds - 705 Chesapeake – lives right behind loading dock. Will there be a curfew for the trucks? Concerned about the lighting, will it come into his yard? Drainage is a big concern of his. Sound wall is a must! Opposed to opening Chesapeake to through traffic.

Mike Sherpa – 821 Chesapeake – Concerned about trucks/trash. Believes the motorcycles will use the 'employee parking' between center and his home as a drag strip. He is concerned about the proposed road crossing Bowman and the safety issues with bike path and children.

Brenda Reynolds - 705 Chesapeake – likes trees but owner needs to come look at empty buildings and the trash/weeds etc. If this building becomes abandoned who is going to upkeep on these trees. It will start looking like the older empty buildings in town. She is against the project.

Larry Kirchmeyer – S. Del Rosa – where is the retention for the water runoff? Thought runoff had to be maintained on your own property and Wal-Mart/bowman channel is not this projects property.

Margaret Westwell – 709 Chesapeake – she is concerned about children. School bus stop is on Radar and children will be gathering where loading dock is. She is against project.

Justin Turner - 733 Chesapeake – has an EIR been done? Has the same issues as everyone else that has spoken – trash/traffic/devaluation etc.

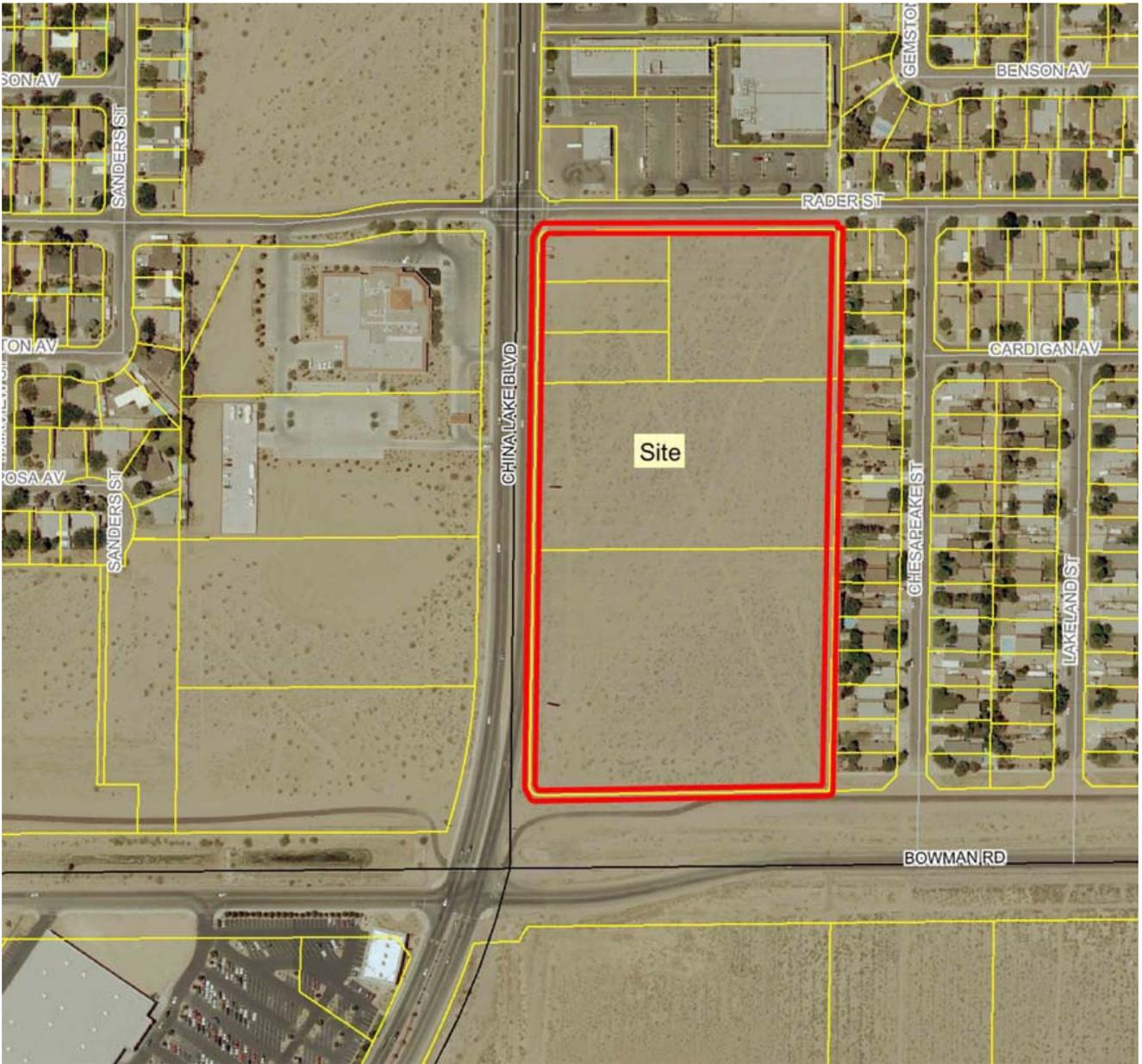
Renee Roger – W. Willow Ave. – concerned with 200 plus trees and watering. We already have a water issue in town.

Jennifer Sherpa - 821 Chesapeake – love trees but concerned with the watering as well. Thinks they should have to comply with our new water statutes. We have Wal-Mart and don't need another box store.

Mr. Whitten – gave brief history of this Bowman alignment - Caltrans decided around 1960 to reroute 178 and bought enough property to do so. Chesapeake was to 'T' into a frontage road and then tie into China Lake blvd. This never happened. Whatever is done needs to have a good healthy barricade. Re: lighting it would reflect downward and still achieve security. Re: Wall – needs new sound wall but don't think 10 feet is necessary. A sound study can be done. Trash enclosures/use of compactors/handling trash inside building - These can be addressed to not affect your properties. In regards to flooding; the bowman channel will be a drainage facility for this project.

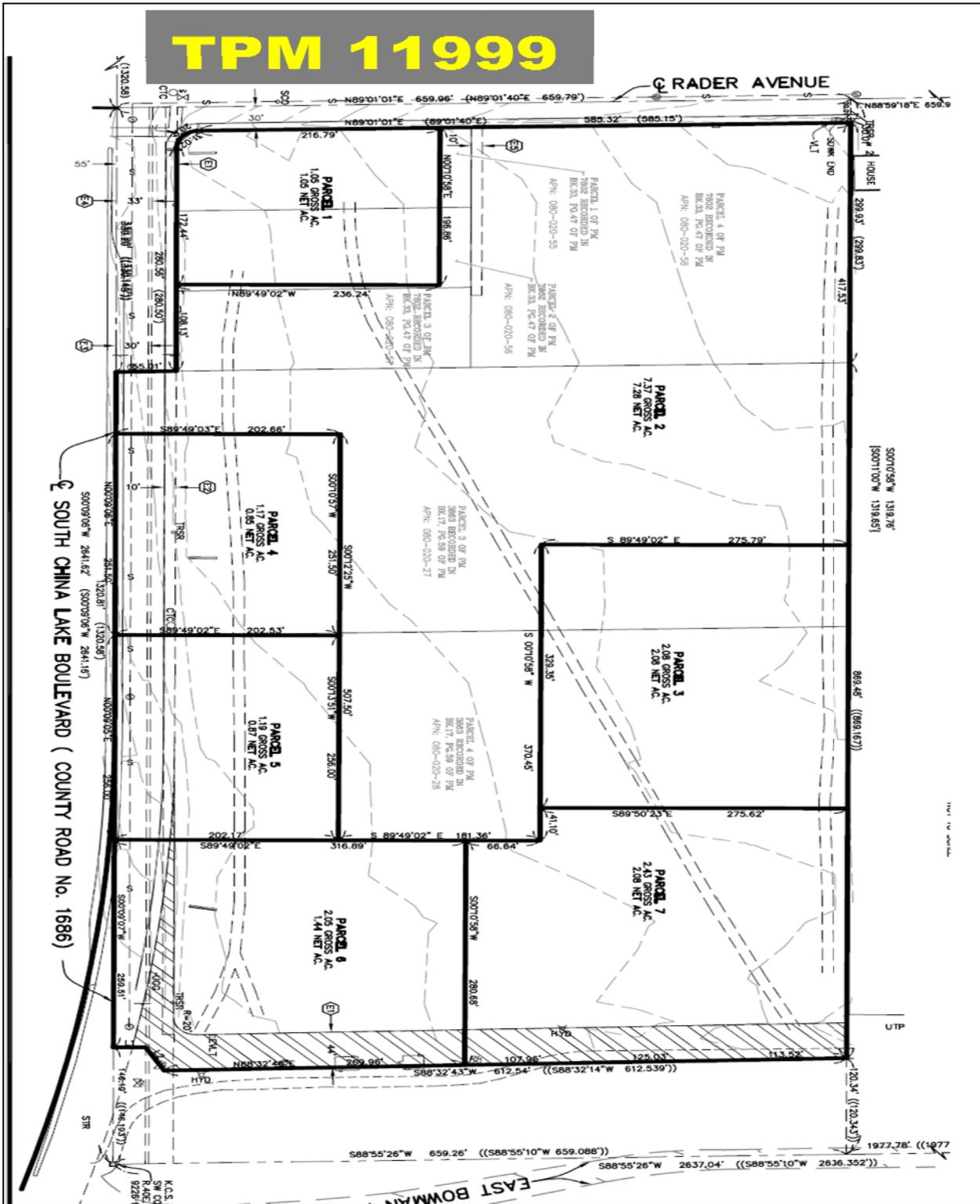
Mr. Sanders – stated he was glad to see so many people out and the Committee is listening.

Motion To Continue Tentative Parcel Map 11999 and Site Plan Review 11-02 Till July 26th Was Made By Commissioner Pope, Second By Commissioner LeCornu. Motion Carried By Voice Vote Of 4 Ayes, 0 Nays, 0 Abstain, And 1 Absent.



Existing Site Subdivision: 6 Parcels

TPM 11999



Proposed Re-Subdivision

TPM 11999 re-subdivided into seven (7) parcels to facilitate future development.

DRAFT
PLANNING COMMISSION RESOLUTION 11-12
NEGATIVE DECLARATION FOR TPM 11999

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIDGECREST approving TPM 11999 , a request to re-subdivide 6 parcels into 7 parcels proposed on 17.34 acres in a CG (Commercial General) Zone District located at the Southeast Corner of China Lake Blvd. Rader St. and S. China lake Blvd., (APN 080-020-27&28, and APN 080-020-55,56,57&58), Applicant: Richard Gottlieb

THE PLANNING COMMISSION OF THE CITY OF RIDGECREST RESOLVES as follows:

SECTION 1. FINDINGS

On September 27, 2011 the Planning Commission held a public hearing and duly and regularly considered the application of TPM 11999 a request to re-subdivide 6 parcels into 7 parcels proposed on 17.34 acres in a CG (Commercial General) Zone District located at the Southeast Corner of China Lake Blvd. Rader St. and S. China lake Blvd.,

The Commission considered the initial study and evaluation and approved the certification and filing of a Negative Declaration based upon the findings that:

- (a) The project is in compliance with zoning regulations and procedures.
- (b) The project is in conformity with the applicable elements of the General Plan and specific plans.
- (c) The design of the project will not cause substantial environmental damage or substantially injure fish or wildlife or their habitats.

SECTION 2. ENVIRONMENTAL CERTIFICATION

The Commission hereby adopts and certifies a Negative Declaration for the project in accordance with Resolution 11-13 conditions of approval for TPM 11999.

The Commission authorizes and instructs the Secretary of the Planning Commission to file a Notice of Determination as required by law.

APPROVED AND ADOPTED this 27th of September, 2011 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Lois Beres, ViceChairperson

ATTEST:

Ricca Charlon, Secretary

DRAFT
PLANNING COMMISSION RESOLUTION 11-13
APPROVING TENTATIVE PARCEL MAP 11999

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIDGECREST APPROVING TENTATIVE PARCEL MAP 11999, A REQUEST TO CREATE A 7 LOT GENERAL COMMERCIAL (CG) SUBDIVISION ON 17.34 NET ACRES ON S. CHINA LAKE BLVD. BETWEEN BOWMAN ROAD AND RADAR STREET, APN: 80-020-27-00-9, 080-020-28-00-2, 080-020-55-00-0, 080-020-56-00-3, 080-020-57-00-6, 080-020-58-00-9 (Gottlieb)

THE PLANNING COMMISSION OF THE CITY OF RIDGECREST RESOLVES as follows:

SECTION 1. FINDINGS

On September 27, 2011, the Planning Commission duly and regularly reviewed a request to create a 7 lot General Commercial (CG) subdivision on 17.34 acres located on S. CHINA LAKE BLVD. BETWEEN BOWMAN ROAD AND RADAR STREET, APN: 80-020-27-00-9, 080-020-28-00-2, 080-020-55-00-0, 080-020-56-00-3, 080-020-57-00-6, 080-020-58-00-9.

The Planning Commission considered the evidence and approved this application as set forth herein:

- (a) Tentative Parcel Map 11999 is consistent with the applicable general plans in that the general plan designates the area to be used for commercial use and the map is compatible with the objectives, policies, uses and programs of the plan.
- (b) The design and dedication of the map are consistent with the applicable general plan.
- (c) The site is physically suited for the type and density of land division proposed in that the proposed map is compatible with surrounding land uses, will not adversely affect surrounding properties, has full urban services available to the site, and conforms to site density requirements of the zoning ordinance.
- (d) The design of the proposed subdivision and future improvements are:
 - (1) Not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
 - (2) Not likely to cause serious public health problem;
 - (3) Not in conflict with easements acquired by the public at large, for access through, or use of, property within or adjacent to proposed subdivision.
- (e) The proposal conforms to the requirements of Chapters 19 and 20 of the Ridgecrest Municipal Code.

SECTION 2. CONDITIONAL APPROVAL

The proposed parcel map is hereby approved subject to the following conditions:

NOTE: These conditions must be met within 24 months (by September 27, 2013), or as stipulated in the conditions, unless a written request for an extension of time is received before the expiration date.

PUBLIC WORKS - ENGINEERING

Preamble:

- 1. The Engineering Department has reviewed the TPM application and determined that it is incomplete. Subsequently, staff can not fully condition the project due to the lack of requested supplemental data to accurately and adequately review**

and condition the project. The tentative parcel map and site plan are missing grading, drainage and site plan information. Supplemental data has not been submitted as requested in e-mail correspondence by the City Engineer and as required in the City of Ridgecrest Municipal Code, Sections 19-2.2c, 19-5.2., 20-22.3. and 20-22.2.f. Based upon the information at the time of this writing; the following are the Public Works conditions:

- A. The following public and onsite improvements shall be designed and constructed, in accordance with City of Ridgecrest, Engineering Design Standards and plans approved by the City Engineer, including the following:
1. Street Improvements, RMC 19-2.3 and 19-7
 - a. Design and construct full width Bowman Road and China Lake Blvd. intersection and traffic signal improvements per the City of Ridgecrest General Plan.
 - i. A detailed traffic study shall be prepared for the project and the intersection improvements and any other traffic control devices proposed or existing. RGP C-2.3
 - b. The proposed site plan indicates a median break in China Lake Blvd. for a main ingress and egress to the commercial center.
 - i. No median break in China Lake Blvd will be permitted. RGP, pg. 6-8, Arterial & C-2.14
 - ii. Right turn in and right turn out driveway approaches spaced at 300 foot minimum separation shall only be permitted along China Lake Blvd.
 - iii. Develop a main entrance to the commercial center off of Rader Ave. with required additional right of way and street widening of Rader Ave. along with China Lake intersection improvements.
 - iv. A detailed traffic study shall be prepared for the project and the commercial center intersection improvements and any other traffic control devices proposed or existing. RGP C-2.3
 - c. Design and construct 2/3 of the right of way improvements for Bowman Road along project frontage and to 50 feet beyond proposed Bowman Road access road with transition lanes to follow per the City of Ridgecrest General Plan. RMC 19-2.3, b.12.(b)
 - d. The proposed site plan indicates an access off of Bowman Road. The access off of Bowman Road shall be a Private Road and all appurtenances to the private road maintained by the shopping center association.
 - i. The subdivider shall provide a mechanism for the permanent maintenance of the private road and all of its appurtenances per City of Ridgecrest Municipal Code, Section 19-2.3, b. 11.
 - e. Construct emergency turn around for Chesapeake Street.
 - f. Construct a guard rail or barrier to prevent errant thru traffic access to or from Chesapeake Street.
 - g. Design and construct a decorative masonry wall with landscaping and irrigation system at the 90 degree corner of the proposed access road off of Bowman Road. RMC 19-2.3,g.
 - h. The City of Ridgecrest Pavement Management System rates China Lake Blvd. with a Pavement Condition Index of 10. Perform cold in place recycling with a 2.5-inch overlay for half street width of China Lake Blvd. along the project frontage. RMC 19-7.9b.
 - i. The City of Ridgecrest Pavement Management System rates Rader Street with a Pavement Condition Index of 10. The PMS calls for a 2.5-inch asphalt

- overlay. Mill the existing street surfaces along the lip of gutters and resurface half street width of Rader Street along the project frontage. RMC 19-7.9b.
 - j. Dedicate additional Right of Way for China Lake Blvd. for a 55 foot half street Right of Way for parcels 2, 4, 5 and 6.
 - k. Dedicate additional Right of Way for corner cut off at curb return at China Lake Blvd. and Rader Street to accommodate ADA compliant access ramp and sidewalk.
 - l. Parcel 3 does not have access to an existing public right of way. Additionally parcel 7 has questionable access to a public right of way originally designated as a frontage road to the vacated State Highway Right of Way for Bowman Highway.
 - i. If a private street or reciprocal access easement provides access; the subdivider shall provide a mechanism for the permanent maintenance of any street or easement required for access to property.
2. Drainage Improvements,
- a. The project is within flood zone X of the 2008 Flood Insurance Rate Maps
 - i. Obtain permit and design and construct drainage improvements to flood proof the structures onsite for the level of protection required for a zone X designation. RMC 21-5
 - b. Design and construct master planned culvert crossing of China Lake Blvd. for the Bowman Wash per the City of Ridgecrest Drainage Master Plan.
 - i. A detailed hydraulic analysis shall be prepared for the actual hydraulic sizing of the culvert crossing.
 - c. Design and construct master plan Bowman Wash Channel along project frontage extending 50 feet beyond the proposed Bowman Road access to the property per the City of Ridgecrest Drainage Master Plan.
 - i. A detailed hydraulic analysis shall be prepared for the actual hydraulic sizing of the channel section.
 - ii. Obtain all necessary environmental compliance documents and permits from the associated regulatory agency's
 - d. The proposed site plan indicates an access off of Bowman Road crossing the Master Planned Bowman Channel. The drainage facilities crossing the Bowman Channel shall be a Private Drainage Structure and all appurtenances to the private drainage structure maintained by the commercial center association.
 - i. The subdivider shall provide a mechanism for the permanent maintenance of the private drainage structure and all of its appurtenances per City of Ridgecrest Municipal Code, Section 19-2.3, b. 11.
 - ii. The drainage structure shall be designed and constructed to meet the Master Plan requirements for Bowman Channel.
 - iii. A detailed hydraulic analysis shall be prepared for the actual hydraulic sizing of the culvert crossing.
 - e. All storm water runoff up to the ten year event shall be detained onsite. A drainage plan with supporting calculations shall be submitted for the City Engineer's approval .
 - i. The drainage plan and calculations along with improvements shall be prepared and constructed in accordance with City of Ridgecrest, "Master Drainage Plan", dated May 1989 and the "Drainage Design Manual", dated July 1989.
3. Sewer Improvements
- a. Design and construct 8-inch sewer line to serve each parcel.

- b. Construct 6-inch sewer laterals with property line clean out for each commercial structure.
 - c. All plumbing plans for each structure shall be reviewed by the City Engineer to determine if sample boxes or wastewater pretreatment may be required.
 - i. Any floor drains, mop sinks, utility room drains, require separate wastewater plumbing to a minimum of a sample box before entering the public sewer system.
 - ii. Fast food restaurants will require a grease trap and sample box before entering the public sewer system.
 - d. Dedicate a 20 foot wide sewer easement for the public sewer system.
4. Grading Improvements
- a. A precise topographic grading plan shall be submitted for approval by the City Engineer and Planning Department along with street, drainage and sewer improvement plans and prior to issuance of the building permit. The grading requirements shall conform to Ridgecrest Municipal Code Chapter 16 and the grading plan prepared in compliance to City of Ridgecrest, Engineering Design Standards, Section 2.02 C. 4.
 - i. The topographic grading plan and drainage plan shall also show adjacent grading, drainage and features as required in the City of Ridgecrest, Engineering Design Standards, Section 2.02 C. 4.
 - b. All graded area shall require strict adherence to requirements to control wind blown dust and sand. The grading plan and grading permit shall require wind blown dust and sand control methods specified and approved by the City Engineer.
5. Street Lighting
- a. Coordinate with Southern California Edison and construct street lighting along China Lake Blvd., Rader Street, and Bowman Road.
 - i. The subdivider shall provide for a maintenance district to cover the cost of operating and maintaining the street lighting system per City of Ridgecrest Municipal Code, Section 19-2.3,b., 12, (h).
6. Bowman Bicycle Path
- a. Relocate and reconstruct the Bowman Bicycle path due to the Bowman Road way and Bowman Channel drainage improvements.
 - b. The proposed access off of Bowman Road creates an intersection with the existing Bowman Bicycle Path. Provide alternatives for safe pedestrian and bicycle passage for the Bowman Bicycle Path for City Staff review and approval.
7. Seismic Hazard Zone
- a. The project is located approximately 2700 feet west of the Little Lake Fault Seismic Hazard Zone.
8. Parcel Map Requirements
- a. Prior to tentative parcel map approval, submit a detailed site plan as required by City of Ridgecrest Municipal Code, Section 20-22.3.
 - b. Enter into a development agreement between the City and Subdivider prior to final map approval per City of Ridgecrest Municipal Code, Sections, 19-5.9b. and 20-30.
 - c. Post parcel map improvement security for the construction of all offsite improvements per City of Ridgecrest Municipal Code, Sections, 19-5.9 b. and 19-7.12
 - d. All improvement plans shall be submitted with the final map and approved by the City Engineer prior to final map recordation per City of Ridgecrest Municipal Code, Sections, 19-5.9 a.

- e. Survey monuments shall be bonded or installed prior to final map recordation. Survey monuments shall remain visible, adjusted to grade, or restored after the construction of onsite improvements of each commercial project.
9. Miscellaneous
- a. Pay all Development Impact Fees.
 - b. Obtain "Will Serve Letter" and design and construct water facilities per IWWWD requirements.
 - c. Design and construct fire protection hydrants and or facilities per Kern Co. Fire Department requirements.
 - d. Design and construct miscellaneous support utility improvements necessary for development of the project.
 - e. The project plan shall be reviewed by police, fire and emergency services for access and circulation to the structures and parking lots.
 - f. All work in the public right of way shall be to City of Ridgecrest and industry standards.
 - g. Applicant shall acquire all necessary permits from the City and or any other regulatory agency.

COMMUNITY DEVELOPMENT

- 10. The applicant shall comply with all applicable federal, state, county, and local regulations.
- 11. All work, materials and improvements called for on the approved tentative map, and these conditions of approval, shall be complied with prior to the recording of the final parcel map.
- 12. All new utilities serving the project shall be through underground installation.
- 13. Prior to submitting construction plans to the Building Division, the applicant shall submit and receive Site Plan Review approval.

APPROVED AND ADOPTED this 27th of September, 2011 by the following vote:

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

 Lois Beres, ViceChairperson

ATTEST:

 Ricca Charlon, Secretary



- Southeast Corner Looking west-northwest



- Southeast Corner Looking West



- Southwest Corner Looking Northeast



- Northwest Corner Looking South



- Northeast Corner Looking South

NOTICE OF DETERMINATION

TO: Secretary for Resources
1416 9th Street, Room 1311
Sacramento, CA 95814
OR
County Clerk
County of Kern
1415 Truxton Ave.
Bakersfield, CA 93301

FROM: City of Ridgecrest
100 W. California Ave.
Ridgecrest, CA 93555

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

APPLICANT/ADDRESS: Richard Gottlieb (310)273-9930
G&L Realty Corp,
439 North Bedford Drive

PROJECT TITLE: Tentative Parcel Map 11999

STATE CLEARING HOUSE NUMBER (if submitted to State Clearinghouse): N/A

CONTACT PERSON: Matthew Alexander

TELEPHONE NUMBER: 760-499-5063

PROJECT TITLE/LOCATION (include county):

Tentative Parcel Map, TPM 11999, a request to re-subdivide 6 parcels into 7 parcels proposed on 17.34 acres in a CG (Commercial General) Zone District located at the Southeast Corner of China Lake Blvd. Rader St. and S. China lake Blvd., Kern County (APN 080-020-27&28, and APN 080-020-55,56,57&58), Applicant: Richard Gottlieb
PROJECT DESCRIPTION:

This is to advise that the City of Ridgecrest (Lead Agency) has approved the above described project and has made the following determinations regarding the above described project:

1. The project () will (X) will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
The EIR or Negative Declaration and record of project approval may be examined at: City of Ridgecrest, 100 W. California Ave., Ridgecrest, CA 93555
3. Mitigation measures were, were not, made a condition of the approval for this project. See attached Resolution
4. A statement of Overriding Considerations was, was not, adopted for this project.

Date Received for Filing September 27, 2011

Signature

Title

Environmental Checklist Form

Project Title: Tentative parcel map 11999

Lead Agency Name and Address: City of Ridgecrest Planning Commission, 100 West California Avenue, Ridgecrest, CA 93555

Contact Person and Phone Number: Matthew Alexander, City Planner - 760-499-5063

4. Project Location: located at the SW Corner of Las Flores Ave. & Sierra View St., City of Ridgecrest, Kern County on 20.1 acres.

5. Project Sponsor's Name and Address: Richard Gottlieb (310)273-9930
G&L Realty Corp,
439 North Bedford Drive
Beverly Hills, CA 90210

6. General Plan Designation: Commercial

7. Zoning: CG (Commercial General)

8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.) a request to re-subdivide 6 parcels into 7 parcels proposed on 17.34 acres

9. APN 080-020-27&28, and APN 080-020-55,56,57&58

10. Surrounding Land Uses and Setting: Briefly describe the project's surroundings: Project is surrounded by single-family homes to the east, the corporate office of a savings and loan to the west,

an existing shopping center to the north and vacant property zoned commercial with a proposed Super WalMart to the south.

11. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement): Department of Fish and Game

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environment factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- Aesthetics
- Agriculture Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resource
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems
- Mandatory Findings of Significance

Determination: (to be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

September 27, 2011
Date

Matthew Alexander AICP _____
Printed Name

EVALUATION OF ENVIRONMENTAL IMPACTS:

A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factor as well as general standards (e.g., the project will not

expose sensitive receptors to pollutants, based on a project-specific screening analysis).

All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

"Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measure from Section XVII, "Earlier Analysis," may be cross-referenced).

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (C)(3)(D). In this case, a brief discussion should identify the following:

Earlier Analysis Used. Identify and state where they are available for review.

Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

Supporting Information Sources: A source list should be attached, and other sources used or individual contacts should be cited in the discussion.

This is only a suggested plan, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

The explanation of each issue should identify:

the significance criteria or threshold, if any, used to evaluate each question; and

The mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
AESTHETICS – Would the project:				
Have a substantial adverse effect on a scenic vista?			X	
Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.				X
Substantially degrade the existing visual character or quality of the site and its surroundings.				X
Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X
Comments: The developer proposes a mix of single level and 2 story homes, which could potentially block views of the Sierra Nevadas to the west, and the El Paso Mountains to the south.				
AGRICULTURAL RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model				X

to use in assessing impacts on agriculture and farmland. Would the project:				
Convert Prim Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
Comments: This site is not located in an area designated as farmland per City of Ridgecrest General Plan 2010-2030.				
AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
Conflict with or obstruct implementation of the applicable air quality plan?				X
Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X
Expose sensitive receptors to substantial pollutant concentrations?				X
Create objectionable odors affecting a substantial number of people?				X
Comments: During installation of public infrastructure and development of proposed sites, possible air quality impacts may occur. Dust control mitigations shall be required during construction.				
BIOLOGICAL RESOURCES – Would the project:				
Have a substantial adverse effect, either directly or through habitual modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
Have a substantial adverse effect on formerly protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established use of native resident or migratory				X

wildlife corridors, or impede the use of native wildlife nursery sites?				
Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
Conflict with the provision of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				X
Comments: A Biota Study was completed for the project. No impacts to endangered species or their habitat was noted. Project subject to mitigation as required by CA State Department of Fish and Game and US Fish and Wildlife Service.				
CULTURAL RESOURCES – Would the project:				
Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
Disturb any human remains, including those interred outside of formal cemeteries?				X
Comments Not known to be a site of cultural or archaeological significance per City of Ridgecrest General Plan 2010-2030 and the Southern San Joaquin Valley Archaeological Information Center.				
GEOLOGY AND SOILS – Would the project:				
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
Result in substantial soil erosion or the loss of topsoil?			X	
Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
Comments: During installation of public infrastructure, possible soil erosion impacts may occur. Dust control mitigations shall be required during construction phase. Subject site is not located in an Alquist- Priolo zone.				
HAZARDS AND HAZARDOUS MATERIALS – Would the project:				

Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X
Comments: No known significant hazards have been identified on the subject parcels per the City of Ridgecrest General Plan 2010-2030.				
HYDROLOGY AND WATER QUALITY – Would the project:				
Violate any water quality standards, waste discharge requirements?				X
Substantially deplete groundwater supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table level (e.g., the production rate of existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?				X
Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X	
Otherwise substantially degrade water quality?				X
Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or				X

Flood Insurance Rate Map or other flood hazard delineation map?				
Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				X
Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
Inundation by seiche, tsunami, or mudflow?				X
Comments: Drainage improvements shall be designed to be consistent with the adopted City of Ridgecrest Drainage Study. All new construction must be built 1 foot above the flood elevations. Per the developer, a more detailed drainage study will be conducted with the grading plans.				
LAND USE AND PLANNING – Would the project:				
Physically divide an established community?				X
Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
Comments: This project shall provide for infill development with a residential tract. There are no conflicts with applicable land use plans, zoning or habitat conservation plans per City of Ridgecrest General Plan 2010-2030.				
MINERAL RESOURCES – Would the project:				
Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
Comments: No presence of mineral resources per City of Ridgecrest General Plan 2010-2030.				
NOISE – Would the project result in:				
Exposure of person to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?				X
A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
A substantial temporary or periodic increase in ambient noise levels in the project vicinity above the levels existing without the project?				X
For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
Comments: There shall be no exposure of persons to noise levels in excess of standards established per the City of Ridgecrest General Plan 2010-2030 as well as the NAWS China Lake 2011 AICUZ study.				
POPULATION AND HOUSING - Would the project:				
Induce substantial population growth in an area, either directly (for example, by proposing new homes				X

and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				
Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Comments: This site is a vacant lot surrounded by residential tracts, one elementary school, and vacant land zoned for residential development. The Ridgecrest General Plan 2010-2030 has identified adequate vacant areas for a variety of residential uses including this site.

PUBLIC SERVICES				
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?				X
Police Protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

RECREATION				
Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X

Comments: All public services can be adequately provided for this project per the City of Ridgecrest General Plan 2010-2030.

TRANSPORTATION/TRAFFIC – Would the project:				
Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
Exceed, either individually or cumulatively, a level of service standard established by the county congestion /management agency for designated roads or highways?				X
Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm				X

equipment)?				
Result in inadequate emergency access?				X
Result in inadequate parking capacity?				X
Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
Comments: ReSubdivision of this site will require new streets, which have been incorporated within the design. Design of the new streets is consistent with the City of Ridgecrest General Plan 2010-2030 Circulation and Transportation Elements and Engineering Standards.				
UTILITIES AND SERVICE SYSTEMS – would the project:				
Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
Comply with federal, state, and local statutes and regulations related to solid waste?				X
Comments: Proposal will not exceed capacity of existing utilities and service systems to adequately serve the proposal.				
MANDATORY FINDINGS OF SIGNIFICANCE				
Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?				X



CITY OF RIDGECREST
100 West California Avenue
Ridgecrest, CA 93555
Minutes

MEETING OF THE CITY OF RIDGECREST PLANNING COMMISSION
City Council Chambers
Tuesday, September 27, 2011 at 6:00 PM

1. **CALL TO ORDER 6:00pm**
 2. **ROLL CALL**
Present: Vice Chairman Beres, Commissioners LeCornu, Sanders & Pope
Absent: Chairman Porter
Staff Present: Matthew Alexander, Loren Culp, Karen Harker
 3. **PLEDGE OF ALLEGIANCE**
 4. **APPROVAL OF AGENDA**
Motion to approve Agenda as written by C. LeCornu, seconded by C. Pope
None opposed – APPROVED
 5. **APPROVAL OF MINUTES – August 23, 2011 Planning Commission Meeting**
Motion to approve August Minutes by C. LeCornu, seconded by C. Pope
None opposed – APPROVED
 6. **PUBLIC COMMENTS OF ITEMS NOT ON THE AGENDA - None**
 7. **PUBLIC HEARING**
Tentative Parcel Map 11999 located on 17.34 acres at the SE Corner of Radar St. and China Lake Blvd. This item was considered by the Planning Commission on June 28th and continued to July 26th and August 23rd Commission Meetings. Due to the lapsed time since June, the staff has re-noticed this Public Hearing in the newspaper and via a mail notice to property owners lying within 300 feet of the project site.

Matthew Alexander gave background information on project and staff report. Applicant withdrew his site plan and will consider a TPM only. These conditions are based on if proposed Wal-Mart goes into the site across the street. If this shopping center goes in first they will have to meet the conditions first. 6 exciting parcel are commercial general and asking to create 7 for a regional shopping center. Site to remain vacant and undeveloped until a site plan is approved. A Negative Declaration is recommended. No building can occur until the site plan review is approved by the Planning commission. This was a concern to residents in the area. Staff recommends that you approve the TPM as submitted. Does the Commission have any questions of staff:
 - o Jim Sanders - none
 - o Chris LeCornu- none
 - o Carter Pope - none
 - o Lois Beres – lots of conditions, for only a lot line adjustment. Are the conditions only needed in the Site Plan review? Will go to public comment and then come back to our City Engineer for these answers.
- PUBLIC COMMENTS:**
- o Derrill Whitten: presented another parcel map that the planning commission approved in 2006. He went through the conditions that the Public Works Department placed on the TPM. He then made reference to the TMP 11999 and

how many more conditions are made on this TPM. 95% of these development conditions are for the site plan review not for simple parcel map. Mr. Whitten explained how Bakersfield handles TMP. The Developer will come back to the Planning Commissioner with a site plan review when he is ready to develop the site. Mr. Whitten proceeded to explain his letter and what he would like deleted and have remain. Refer to his letter that he submitted to the Secretary. Asking for the Planning Commission to approve the map as a new lot configuration and approve it only as a TPM and without the site plan review submitted.

- James Sanders – Makes a lot of sense.
- Chris LeCornu- no questions
- Carter Pope – would like to know why the conditions were place on the TMP
- Loren Culp – the review of the TMP and looking at the TMP was looked at incomplete in the municipal code. The site plan was withdrawn, and applicant was asked to resubmit to a site plan and was told to use the site plan that was previous submitted. Mr. Culp explained how the site plan can be evaluated by the Planning Commission. Engineering Staff has looked at the site plan and has conditioned the parcel map to the municipal codes. This project is quite complex. Two major corridors surround this project. The General Plan that is crossed referenced by the municipal code was taken into consideration when conditioning the project. He would caution the commission to take action that is different from the municipal code. Municipal code/ordinances are set by your City Council and should be followed.
- Lois Beres - What makes this project different than the one across from the Hospital? That was on Caltrans highway.
- Loren Culp- S. China Lake Blvd is within the City of Ridgecrest and not a state highway.
- Loren Culp – you will have the opportunity to look at the site plan that is comprehensive at the tentative parcel map. You might not have this opportunity again if you view the site plan on an individual basis.
- Jim Sanders – we will not have the opportunity to oppose conditions on the project as it moves forward if we don't do it now and only at the TPM.
- Loren Culp - you, the Planning Commission, municipal code tells you what that land developer will look like for the health, safety, and welfare of the community. Site improvement
- Lois Beres – 7 pieces of property – what if we approve it like it is. Does it put the developer in a spot to sell the property?
- Loren Culp – applicant always can make an appeal to city council with a 15 day grace period.
- Jim Sanders – not complete because it doesn't have a site plan
- Chris LeCornu – Valid point and I agree with you.
- Lois Beres – sales opportunity for the Developer if we don't approve the TPM.
- Derrill Whitten – Cautions the Commission taking legal advice from the City Engineer and the Planning Commissioner should be able to approve these conditions and move forward without the approval of City Council. Referred to item 7 of the Resolution presented earlier.
- Lois Beres – can we have head shake of how the commission is feeling about moving this forward or
- Bill Brickey 1089 Cynthia Court – Parcel number three is land locked. You have not shown any public or utility right of way.
- Loren Culp – in staff review A1 item L parcel 3 does not have and some
- Mary Kawalski – bought as one site and how can we
 - Lois Beres – already in 6 and will need to make into 7
- Mary Kawalski – approval of the map is asking two things at one meeting.
- Mike Sherpa 821 S. Chesapeake – need to keep all the conditions on the TPM. With a construction background I see what the City Engineer is trying to do. I don't agree with the project on a whole but if the project is going to move forward, I want it done right.

- Carter Pope – How does it change from a marketing stand point?
- Derrill Whitten - Developer feels that when being presented to a Big Box company, he can show the site plan and it look more appealing to the investor.
- Carter Pope – Most TPM are given to us in a site plan with the TMP
- Derrill Whitten – If you would like to condition the TMP with a site plan conditions so that it can come back to the commission than that would be acceptable.

COMMITTEE COMMENT:

- Carter Pope – condition an extensive site plan
- Loren Culp – that would be acceptable. But I have Municipal Code for a Parcel Map I have a written word and the requirements from the municipal code.
- Lois Beres – there can always be an appeal
- Carter Pope – He would like to make sure if it goes to the City Council that the condition of an extensive site plan be imposed.
- Jim Sanders – withdrawn application of site plan is what I am moving towards.
- Carter Pope – Certain laws that people don't like and approve the resolution with the conditions as written.
- Chris LeCornu – approve the resolution with the conditions as written
- Jim Sanders – I would like to see this come back in a complete form and I don't see how it is right if not complete
- Lois Beres – can I see someone make a motion.
- Jim Sanders motion to disapprove the Resolution 11-13. No one seconded the motion. Motion died.

*****Motion to Approve Resolution No. 11-12 as written by Jim Sanders, seconded by Carter Pope, no opposes - PASSES

*****Motion to Approve Resolution No 11-13 as written by Carter Pope, seconded by Chris LeCornu, 3 ayes, 1 nay 1 absent - PASSES

Carter Pope – I support the project on the whole I hope that you will see to go to the City Council to appeal.

Derrill Whitten – I don't think that we will be doing that.

8. DISCUSSION ITEMS

Matthew Alexander attending a planning workshop in Santa Barbara, CA and at a future will share with the Commission what he learned.

9. COMMISSIONER ITEMS

- a. Report from Committees
 - City Org – no meeting
 - CDC – discussed branding proposal, meeting on Thursday 9-29-11 at 4:00
 - QOL – August 30 & 31 – improvements of park locations, piney pool and park locations, special meeting for the presentation of pool by a consultant. Bringing forth complete package to fix pool area and parks.
 - Infrastructure – Wednesday October 12th.
- b. Commissioner Contacts
- c. OTAP Committee update – Balsam street Market, no official start date, OTAP meeting 18th of Oct

10. STAFF ITEMS

11. ADJOURN at 7:15

Next Regular Planning Commission meeting – October 11, 2011

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CITY COUNCIL /FINANCING AUTHORITY AGENDA ITEM

SUBJECT:

Discussion of the impacts and solutions related to the fiscal impacts of the dissolution of the Ridgecrest Redevelopment Agency

PRESENTED BY:

Kurt Wilson – City Manager

SUMMARY:

While the full impacts of the dissolution of the Ridgecrest Redevelopment Agency pursuant to Assembly Bill (AB) 1X 26 are not yet known, the consequences of this state action will have dire effects on the City of Ridgecrest. The City has been fully supportive of redevelopment and has devoted considerable resources in previous years to support its mission. As a result, the two agencies, like most California jurisdictions, were intertwined in such a way that the recent action creates a substantial revenue gap for the general fund.

Staff is continuing to work with subject-matter experts from around the state to provide up-to-the-minute interpretations of the depth of the crisis. During this presentation, staff will provide an overview of the size of the revenue gap (as it is known at that time) as well as known offsets that mitigate the problem.

Following that presentation staff welcomes input from members of the council and members of the public as to specific remedies. Staff will return at a subsequent meeting to request implementation of those mid-year budget adjustments required for the current fiscal year.

FISCAL IMPACT:

Undetermined

Reviewed by Finance Director

ACTION REQUESTED:

Discuss the situation and recommend specific areas of consideration to offset the revenue shortfall

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested: Discuss the situation and recommend specific areas of consideration to offset the revenue shortfall

Submitted by:

Kurt Wilson

Action Date: February 1, 2012

(Rev. 6/12/09)

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