



City of Hesperia Meeting Minutes Planning Commission

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Thursday, August 10, 2017

6:30 PM

AGENDA HESPERIA PLANNING COMMISSION

CALL TO ORDER - 6:30 PM:

A. Pledge of Allegiance to the Flag:

Pledge of Allegiance led by Vice Chair Cody Leis.

B. Invocation:

Invocation led by Commissioner Joline Hahn.

C. Roll Call:

Present: Vice Chair Cody Leis
Commissioner Joline Hahn
Commissioner Jim Heywood
Commissioner Rusty Caldwell

ABSENT Chair Tom Murphy

Motion by Commissioner Joline Hahn to excuse the absence of Chair Tom Murphy, Seconded by Commissioner Jim Heywood, passed with the following roll call vote:

AYES: Vice Chair Cody Leis
Commissioner Joline Hahn
Commissioner Jim Heywood
Commissioner Rusty Caldwell

ABSENT Chair Tom Murphy

JOINT PUBLIC COMMENTS:

Vice Chair Cody Leis opened the Joint Public Comments at 6:33 pm.
There were no public comments.
Vice Chair Cody Leis closed the Joint Public Comments at 6:33 pm.

CONSENT CALENDAR:

1. Approval of Minutes: July 13, 2017, Planning Commission Meeting Draft Minutes

Recommended Action:

It is recommended that the Planning Commission approve the Draft Minutes from the Regular Meeting held on July 13, 2017.

Sponsor: Senior Office Specialist Denise Bossard

Motion by Commissioner Joline Hahn to approve the Draft Minutes from the Regular Meeting held on July 13, 2017, Seconded by Commissioner Rusty Caldwell, passed with the following roll call vote:

AYES: Vice Chair Cody Leis
Commissioner Joline Hahn
Commissioner Jim Heywood
Commissioner Rusty Caldwell

ABSENT: Chair Tom Murphy

PUBLIC HEARINGS:

2. **Consideration of Conditional Use Permit CUP17-00006 to construct a wireless communications facility with antennas installed 67 feet high on an existing 113-foot Southern California Edison tower located approximately 600 feet southeast of State Highway 173 in the southwest quarter of Section 26 within the Tapestry Specific Plan (Applicant: Verizon Wireless; APN: 0357-191-15)**

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2017-24, approving Conditional Use Permit CUP17-00006.

Sponsor: Associate Planner Ryan Leonard

Associate Planner Ryan Leonard presented CUP16-00006.
Vice Chair Cody Leis opened the Public Hearing at 6:38 pm.
Applicant John Pappas of Verizon Wireless spoke on the project.
Vice Chair Cody Leis closed the Public Hearing at 6:39 pm.

Motion by Commission Joline Hahn to adopt Resolution No. PC-2017-24, approving Conditional Use Permit CUP17-00006, Seconded by Commissioner Rusty Caldwell, passed with the following roll call vote:

AYES: Vice Chair Cody Leis
Commissioner Joline Hahn
Commissioner Jim Heywood
Commissioner Rusty Caldwell

ABSENT: Chair Tom Murphy

3. **Consideration of Conditional Use Permit CUP17-00001 to construct a 65,577 square foot charter K-8 school on 15 gross acres located on the southeast corner of Mariposa Avenue and Eucalyptus Street (Applicant: Pathways to College; APNs: 0405-042-59 & 60)**

Recommended action:

It is recommended that the Planning Commission adopt Resolution No. PC-2017-26, approving CUP17-00001.

Sponsor: Senior Planner Daniel Alcayaga

Commissioner Rusty Caldwell recused himself from CUP17-00001.
Senior Planner Daniel Alcayaga presented CUP16-00001.
The Commission asked questions of staff with discussions ensuing.
Vice Chair Cody Leis opened the Public Hearing at 6:50 pm.
Resident Ken Lauwers spoke in support of the project.
Principal Planner Dave Reno and Senior Planner Daniel Alcayaga answered questions from Mr. Lauwers.
Vice Chair Cody Leis closed the Public Hearing at 6:55 pm.
Principal Planner Dave Reno read into the record receipt of a letter from Lahontan Regional Water Board.
The Commission asked questions of staff with discussions ensuing.

Motion by Commission Joline Hahn to adopt Resolution No. PC-2017-26, approving CUP17-00001, Seconded by Commissioner Jim Heywood, passed with the following roll call vote:

AYES: Vice Chair Cody Leis
Commissioner Joline Hahn
Commissioner Jim Heywood
ABSTAIN: Commissioner Rusty Caldwell
ABSENT: Chair Tom Murphy

4. **Consideration of Conditional Use Permit CUP17-00007 to allow the sale of beer and wine for on-site consumption within a restaurant at 17014 Smoke Tree Street (Applicant: Matilde Vera; APN: 0410-112-21)**

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2017-25, approving CUP17-00007.

Sponsor: Senior Planner Daniel Alcayaga

Senior Planner Daniel Alcayaga presented CUP17-00007.
The Commission asked questions of staff with discussions ensuing.
Vice Chair Cody Leis opened the Public Hearing at 7:04 pm.
There were no public comments.
Vice Chair Cody Leis closed the Public Hearing at 7:04 pm.

Motion by Commissioner Jim Heywood to adopt Resolution No. PC-2017-25, approving CUP17-00007, Seconded by Commissioner Rusty Caldwell, passed with the following roll call vote:

AYES: Vice Chair Cody Leis
Commissioner Joline Hahn
Commissioner Jim Heywood
Commissioner Rusty Caldwell
ABSENT: Chair Tom Murphy

5. **Consideration of Specific Plan Amendment SPLA17-00002 from the Very Low Density Residential (VLR) to Medium Density Residential (MDR) on approximately 49.5 gross acres generally bounded by Maple Avenue to the east, Tamarisk Avenue to the west, and Yucca Street to the north (Applicant: City of Hesperia; APNs: 3057-131-36 through 57)**

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2017-23 recommending that the City Council introduce and place on first reading an ordinance approving Specific Plan Amendment SPLA17-00002.

Sponsor: Senior Planner Daniel Alcayaga

Senior Planner Daniel Alcayaga presented SPLA17-00002.
The Commission asked questions of staff with discussions ensuing.
Vice Chair Cody Leis opened the Public Hearing at 7:14 pm.
Developer Dino DeFazio spoke on the project.
Resident Robert Woolcock spoke in opposition of the project.
Resident Rhonda Goodwin spoke in opposition of the project.
Resident Donna Paul spoke in opposition of the project.
Resident Sami Merhi spoke in favor of the project.
Applicant Agnes Yen Sinclair spoke on the project.
Vice Chair Cody Leis closed the Public Hearing at 7:28 pm.
The Commission asked questions of staff with discussions ensuing.

Motion by Commissioner Jim Heywood to adopt Resolution No. PC-2017-23 recommending that the City Council introduce and place on first reading an ordinance approving Specific Plan Amendment SPLA17-00002, Seconded by Commissioner Joline Hahn, passed with the following roll call vote:

AYES: Vice Chair Cody Leis
Commissioner Joline Hahn
Commissioner Jim Heywood
NOES Commissioner Rusty Caldwell
ABSENT: Chair Tom Murphy

6. **Approval of Off-sale Alcohol Establishments (Type 20 and 21 ABC Licenses)**

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2017-19, recommending that the City Council approve Development Code Amendment DCA17-00006 to require all off-sale alcohol establishments to be forwarded to the City Council for final approval (Applicant: City of Hesperia; City Wide).

Sponsor: Principal Planner Dave Reno

Principal Planner Dave Reno presented DCA17-00006.

The Commission asked questions of staff with discussions ensuing.

Vice Chair Cody Leis opened the Public Hearing at 7:51 pm.

There were no public comments.

Vice Chair Cody Leis closed the Public Hearing at 7:51 pm.

The Commission asked additional questions of staff with discussions ensuing.

Vice Chair Cody Leis read a written statement in opposition to DCA17-00006. The statement read as follows: In my opinion this is total tyranny from the City Council. If the Council doesn't like the way we are doing things on the Planning Commission, why don't they give us a set rule of guidelines to follow instead of acting like a child and taking their ball home when they don't like the way the game is going. We are currently operating within the guidelines of the City, and one thing to remember, a long time ago, before my time, Dave would probably remember this, the City Council did not want to deal with CUP's for alcohol sales and gave the responsibility to the Planning Commission, so my recommendation is to keep things how they are going and have the Council come up with a set rule of guidelines for the Planning Commission to follow so that we can make decisions and not lose this from us. If the Council does not like that, so that would be my first suggestion to say, and if it ends up coming back to us for something different, then my next idea would be to take it away from us entirely. Don't have us review it, don't make us a recommending body, skip us entirely, and send it straight to the Council.

Commissioner Jim Heywood expressed his opinion on the Planning Commission and City Council ordinance adoption process.

Motion by Vice Chair Cody Leis to deny Resolution No. PC-2017-19, recommending that the City Council deny Development Code Amendment DCA17-00006 and come up with a set of guidelines for the Planning Commission to operate within; and to know how the Council would like new off-site sale liquor licenses to be approved within the City, Seconded by Commissioner Jim Heywood, passed with the following roll call vote:

NOES: Vice Chair Cody Leis
Commissioner Joline Hahn
Commissioner Jim Heywood
Commissioner Rusty Caldwell

ABSENT: Chair Tom Murphy

PRINCIPAL PLANNER'S REPORT:

D. DRC Comments

Principal Planner Dave Reno briefed the Commission on the July 12th and July 26th Development Review Committee Agendas.

E. Major Project Update

Principal Planner Dave Reno updated the Commission on the improved intersections on Ranchero Road as well as the timing for the Balsam/Main Street median strip.

PLANNING COMMISSION BUSINESS OR REPORTS:

Commissioner Joline Hahn and Principal Planner Dave Reno discussed the history regarding CUP's and the liquor process as well as the proposed zoning history relative to SPLA17-00002.

ADJOURNMENT:

Meeting adjourned at 8:03 pm until Thursday, September 14, 2017

Cody Leis,
Vice Chair



By: Denise Bossard,
Commission Secretary


