



## **SAN BERNARDINO COUNTY PLANNING COMMISSION MEETING MINUTES**

**County Government Center  
Covington Chambers  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415**

**Thursday, October 3, 2019**

### **COMMISSIONERS PRESENT**

Jonathan Weldy, Chair, First District  
Ray Allard, Vice Chair, Second District  
Michael Stoffel, Commissioner, Third District  
Gabriel Chavez, Commissioner, Fourth District  
Audrey Mathews, Commissioner, Fifth District

### **STAFF PRESENT**

Heidi Duron, Planning Director, LUSD  
Jason Searles, Deputy County Counsel  
Steven Valdez, Senior Planner, LUSD  
Magda Gonzalez, Senior Planner, LUSD  
Anthony DeLuca, Senior Planner  
Chrystale Sonick, Executive Assistant, LUSD

The Planning Commission meeting of October 3, 2019, was called to order at 9:06 a.m. by Chair Weldy. Chair Weldy led the Invocation and Planning Director Heidi Duron led the Pledge of Allegiance.

#### **1. a. APPROVAL OF MINUTES- SEPTEMBER 5, 2019**

Commissioner Chavez made a motion to approve the minutes for September 5, 2019, Commissioner Mathews seconded the motion. The motion passed with a 4-0 vote. Vice Chair Allard recused himself as he was absent on September 5, 2019.

#### **b. ADVANCE SCHEDULE**

The advanced schedule was presented by Ms. Duron. She informed the Commission that the October 17, 2019, Planning Commission hearing would be cancelled.

#### **c. DIRECTOR'S REPORT**

Ms. Duron, had no items to report.

#### **d. COMMISSIONER COMMENTS**

Commissioner Stoffel stated that he met with the Applicants for item number 3 on the agenda.

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### 2. PUBLIC HEARING

APPLICANT: Patrick Diaz, Crestwood Communities  
COMMUNITY: Montclair/4th Supervisorial District  
PROJECT NO: P201900161  
LOCATION: 5553 Mission Boulevard  
STAFF: Steven Valdez, Senior Planner  
PROPOSAL: A General Plan Amendment to change the current land use zoning designation from Single Family Residential (RS-20M) and Commercial General (CG) to Multi-Family (RM) on three lots, a Tentative Tract (TT20267) to create two single family parcels and a one lot condominium parcel, and a Conditional Use Permit for the development of 40 detached condominiums (multi-family development), with a Major Variance (VAR-2019-00029) for a reduced front yard setback (15 feet, instead of 25 feet), on approximately 4.7 acres.  
CEQA RECOMMENDATION: Mitigated Negative Declaration  
EST. TIME: 30 minutes

### STAFF PRESENTATION:

Steven Valdez, Senior Planner, presented the staff report to the Planning Commission, which report is on file with the Land Use Services Department.

**RECOMMENDATION:** That the Planning Commission recommend that the Board of Supervisors:

1. **ADOPT** the Mitigated Negative Declaration;
  2. **ADOPT** the recommended Findings for approval of the General Plan Amendment, Conditional Use Permit, Major Variance and Tentative Tract Map 20267;
  3. **APPROVE** the General Plan Amendment to amend the General Plan Land Use Zoning Designation from General Commercial (CG) and Single Residential (RS-20M) on the northern portion of the Project site to Multiple Residential (RM), and amend the General Plan on three adjacent parcels from General Commercial (CG) to Multiple Residential (RM);
  4. **APPROVE** the Major Variance for a reduced front yard setback at 15 feet, instead of the required 25 feet in the RM Zoning District, subject to the recommended Conditions of Approval;
  5. **APPROVE** the Conditional Use Permit for the construction of a 40 unit detached condominium development with a Major Variance, subject to the recommended Conditions of Approval;
  6. **APPROVE** Tentative Tract Map 20267 to subdivide the property into one lot for condominium development and two single-family lots for individual sale, subject to the recommended Conditions of Approval; and
  7. **DIRECT** the Clerk of the Board to File the Notice of Determination.
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**COMMISSION COMMENTS:**

Vice Chair Allard asked why the approval required a major variance and Mr. Valdez explained.

**APPLICANT COMMENTS:**

Terry Kent, applicant for the Project, stated that the Project would be family owned and operated and would be a good fit for the neighborhood. He stated that the setback was a desire from both the County and the City of Montclair. He also stated that there was a community meeting that was held which had good attendance and the neighbors were in favor of the Project. They also met with the City of Montclair separately.

Vice Chair Allard asked that the Applicant clarify which floor plans were being proposed. Mr. Kent explained the various floor plans while showing the pictures of the plans.

**PUBLIC COMMENTS:**

There were no comments.

**ADDITIONAL COMMENTS:**

There were no comments.

**COMMISSION ACTION:**

Vice Chair Allard made a motion to approve staff's recommendation. Commissioner Chavez seconded the motion. The motion passed with a 5-0 vote.

**COMMISSION VOTE**

MOTION: Allard  
SECOND: Chavez  
AYES: Weldy, Allard, Stoffel, Chavez, Mathews  
NOES: None  
RECUSED: None  
ABSENT: None  
ABSTAIN: None

**3. PUBLIC HEARING**

APPLICANT:	Sonia Greenlee, AC Joshua Tree, LLC.
COMMUNITY:	Joshua Tree/3 <sup>rd</sup> Supervisorial District
PROJECT NO:	P201900121
LOCATION:	South of Verbena Road, approx. 367' east of Sunburst Avenue
STAFF:	Magda Gonzalez, Senior Planner
PROPOSAL:	Conditional Use Permit to establish a 55-unit airstream suite hotel (Autocamp – Joshua Tree) with two back-of-the-house buildings (1,500 square-foot and 500 square-foot, respectively) and a 1,500 square-foot clubhouse along with a Lot Line Adjustment on a portion of 26.15-acres.
CEQA RECOMMENDATION:	Notice of Exemption
EST. TIME:	30 minutes

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**STAFF PRESENTATION:**

Magda Gonzalez, Senior Planner, presented the staff report and memo to the Planning Commission, which report and memo is on file with the Land Use Services Department.

**RECOMMENDATION:** That the Planning Commission:

1. **ADOPT** the Notice of Exemption;
2. **ADOPT** the Findings as contained in the Staff Report;
3. **APPROVE** the Conditional Use Permit to establish a 55-unit airstream suite hotel (Autocamp – Joshua Tree) with two back-of-the-house buildings (1,500 sq. ft. and 500 sq. ft. respectively) and a 1,500 square-foot clubhouse, subject to the recommended Conditions of Approval;
4. **APPROVE** the Lot Line Adjustment to redesign three parcels totaling 26.15-acres; and
5. **DIRECT** staff to file the Notice of Exemption

**COMMISSION COMMENTS:**

There were no comments.

**APPLICANT COMMENT:**

David Mlynarski, Lead Consultant for the Project, stated that he and Sam White, the Project Manager, would be presenting a PowerPoint to the Commission which is on file with the Land Use Services Department.

Vice Chair Allard asked if there would be staff present at the site 24 hours a day 7 days a week and asked about the bathroom facilities. Mr. White responded there would be staff present at all times and there would be bathrooms in the airstream and adjacent to the club house. Vice Chair Allard asked about the septic plan. Mr. Mlynarski stated that there was a package treatment plant and explained it in more detail.

Vice Chair Allard asked about the lighting and exits associated with the Project. Mr. White stated that they would be installing international dark sky light fixtures. Mr. Mlynarski responded to the exit questions by stating that setbacks were placed to avoid headlight glare as much as possible. He also mentioned that the Applicant would be completing street improvements to Verbena Road.

**PUBLIC COMMENTS:**

**Joshua Tree Speakers:**

Darren McGarvie, resident of Joshua Tree, spoke in favor of the Project, stating it would be a tourist attraction which drives local revenue for the community. He also mentioned that he had a campground which meant he was a competitor and he was still in favor of the Project.

Susan Hogervorst, resident of Joshua Tree, spoke in opposition to the Project, stating concerns for wood burning fire pits and the impact the smoke would have on local residents. She suggested that propane or natural gas be used.

Jet Tucker, resident of Joshua Tree, registered in opposition to the Project, stating her concerns with the septic system and adhering to dark skies was addressed but had concerns about noise.

Jane Jarlsberg, resident of Joshua Tree, registered neither in opposition or in favor of the Project, stating concerns with the water usage, traffic, fire pits and headlights into people homes. She asked where the laundry facilities would be located.

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Steve Bardwell, resident of Joshua Tree, registered neither in opposition or in favor of the Project, stating he was in favor of the Project because it would help the local economy and the location was ideal. He stated he was in opposition of the Project because there was not a proposal of installation of photovoltaic solar to provide light and heat for the various accommodations.

Stephanie Smith, resident of Joshua Tree, spoke in favor of the Project, stating she owns a local bed and breakfast and likes the development approach of the Project. She referenced other locations that the Applicant has and stated that they are doing well and that the Project is needed to draw tourism to the community, especially the downtown area.

Miriam Seger, resident of Joshua Tree, spoke in opposition of the Project, stating concerns that the Project was not solar ready, rodent issues, planting of vegetation and other various issues to which she provided suggestions that the Applicant could do.

Pamela Goodchild, resident of Joshua Tree, spoke in opposition of the Project, stating concerns with traffic, lighting, parking lot location, planting of vegetation, water usage and rodent issues.

Pat Flanagan, resident of Twentynine Palms, registered neither in opposition nor in favor of the Project, stating that she visited the site and stated concerns with fire pits that could have an effect on air pollution from the smoke. She also suggested that the Project should look into local geology in regards to earthquakes and that they needed solar panels.

Susan Burnett, resident of Pioneertown, spoke in opposition of the Project, stating that she managed a motel across the street from the Project and it was a very beautiful well thought out Project because the need for additional accommodations is needed in the community. She did have concerns about the CEQA being exempt since there were wildlife in the area, what source of housekeeping would the Project have and where would the laundry site be because there were water issues.

Celeste Doyle, resident of Joshua Tree, spoke in opposition to the Project, stating she was a business owner in the community and had concerns with CEQA being exempt which was not warranted or justified, water usage, the location of the laundry facilities, fire pits, traffic impacts and stated that solar panels were needed.

Robert Rootenburger, resident of Joshua Tree, did not wish to speak but was in opposition to the Project.

Gayle Austin, resident of Joshua Tree, did not wish to speak but was in opposition to the Project.

### San Bernardino Speakers:

Thomas Gotteller, resident of Upland, spoke in favor of the Project, stating that he liked the design of the Project and that he would like more camping accommodations to be like the Project.

Matthew Satre, resident of San Bernardino, spoke in favor of the Project, stating he stayed in the applicant's Projects in different locations and it was a unique experience, very accommodating, luxurious, the amenities were nice and the sites were well maintained and incorporated the local vegetation. He summed up his experience as a hotel experience while being outside.

Perry Victoria, resident of Rancho Cucamonga, spoke in favor of the Project, stating he stayed in the applicant's Projects in different locations and that this would be another opportunity to stay at another location which each have been a great experience.

Hannah Vermillon, resident of San Bernardino, spoke in favor of the Project, stating she stayed in the applicant's Projects in different locations and it was a great overall experience, very clean facility and the staff was close and easily accessible.

Aubrey Rouse, resident of San Bernardino, spoke in favor of the Project, stating she loved the Project plan and the experience of nature while having the comfort of hotel accommodations.

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Alfred Aguilar, resident of San Bernardino, spoke in favor of the Project, stating he was an avid camper and loved the outdoors, he visited the other locations the applicant has and loved each experience. He expressed his excitement for the new location if the Project was approved.

Mark Sprouse, resident of Lake Arrowhead, spoke in favor of the Project, stating he was a business owner in Redlands, visited different locations the applicant had and it turned out to be delightful. The Projects had great designs, water usage was minimal, nice kitchens and an overall wonderful experience.

Robert Warman, resident of Johnson Valley, spoke in favor of the Project, stating he started traveling and went to another locations the applicant had and was very impressed, they conserved water and adhered to dark skies regulations.

### **ADDITIONAL COMMENTS:**

Ms. Gonzalez commented that the vector services would be addressed, the landscaping would be approved prior to occupancy and they would be transplanting the trees on the site. She also stated that there would be minimal grading, the water usage was addressed with the Joshua Basin Water District to which they informed Ms. Gonzalez there was ample water supply for the Project, and the sewer package treatment plan would be reviewed by Environmental Health Services. She also clarified that during high wind times there were restrictions in regards to the fire pits and provided an explanation as to why CEQA was exempt for the Project. In closing, she stated that the traffic study was sent to Caltrans for review and they responded that there were no impacts.

Mr. Mlynarsk reiterated the statements from Ms. Gonzalez stating that studies were completed by a third party consultant and the trip generations did not trigger a traffic study therefore no further requirements were required. He spoke again about the sewer package treatment plan and stated that they worked with the Joshua Water Basin obtaining a full vetting process treatment. He also spoke to the traffic concerns from the public comments explaining the access points.

Mr. White spoke to the concerns of the fire pits and the regulations of the smart wood and charcoal options. He stated that they would hire a full time housekeeping service and in regards to laundry services they would be obtaining linen services from a business located within one hour of the Project. He concluded that he appreciated the feedback from the local community.

Vice Chair Allard stated that with the smart wood option it should help with the smoke smell impact. He asked about the fencing and if it would impact the view. Mr. Mlynarsk responded that the fencing would be low impact, compared it to cattle fencing and it would secure the 26 acres of the Project.

Commissioner Mathews asked if the applicant would be hiring locally. Mr. White responded that for most of the staff they would be hiring locally.

### **COMMISSION ACTION:**

Commissioner Chavez made a motion to approve staff's recommendation. Commissioner Stoffel seconded the motion. The motion passed with a 5-0 vote.

### **COMMISSION VOTE**

MOTION: Chavez  
SECOND: Stoffel  
AYES: Weldy, Allard, Stoffel, Chavez, Mathews  
NOES: None

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RECUSED: None

ABSENT: None

ABSTAIN: None

### 4. PUBLIC HEARING

APPLICANT:	Simon Day/Lockhart Solar PV, LLC
COMMUNITY:	Hinkley/1 <sup>st</sup> Supervisorial District
PROJECT NO:	P201900125
LOCATION:	43880 Harper Lake Road
STAFF:	Anthony Deluca, Senior Planner
PROPOSAL:	A Conditional Use Permit to decommission an existing 160 MW SEGS VIII and IX concentrated thermal solar facility and redevelop as a photovoltaic (PV) solar facility and associated infrastructure with no expansion of the site or capacity.
CEQA RECOMMENDATION:	Notice of Exemption
EST. TIME:	30 minutes

### STAFF PRESENTATION:

Anthony DeLuca, Senior Planner, presented the staff report and memo to the Planning Commission, which report and memo is on file with the Land Use Services Department.

### RECOMMENDATION: That the Planning Commission:

1. **ADOPT** the Notice of Exemption;
2. **ADOPT** the Findings as contained in the staff report;
3. **APPROVE** the Conditional Use Permit involving the decommissioning of the previously permitted 160-megawatt (MW) SEGS VIII and IX concentrated solar thermal power projects and the redevelopment, at the same location, of a new photovoltaic (PV) solar facility and associated infrastructure necessary to generate up to a combined 160 megawatts (MW) AC of renewable electrical energy and/or energy storage capacity subject to the Conditions of Approval; and
4. **DIRECT** staff to file the Notice of Exemption

### COMMISSION COMMENTS:

There were no comments.

### APPLICANT COMMENT:

Simon Day, the applicant for the Project, stated that the Project has adhered to the Renewable Energy Conservation Element (RECE) that was recently adopted by the County and the Project would have fewer environmental impacts including water usages and visual impacts. He then spoke to the overview of the Project.

Bernadette Jendrusch, applicant for the Project, informed the Commission that recycled glass would be used for the Project.

Commissioner Chavez asked what the difference was between thermal solar and photovoltaic solar. Mr. Day explained the difference to the Commission.

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### **PUBLIC COMMENTS:**

Enrique Guillen, resident of Hinkley, spoke in favor of the Project, stating that they were neighbors to the potential Project and this would be a great opportunity for the state and area. He just asked that the applicants work with him in regards to potential traffic.

Aaron Messing, resident of South San Francisco, spoke in opposition to the Project, stating that the Project needed an environmental review and requested that an Initial Study be prepared to identify mitigations.

Chair Weldy asked multiple questions to Mr. Messing to which he provided a response.

Jason Searles, Deputy County Counsel, explained the CEQA exemption being recommended for adoption and the application of the exemption to the Project.

### **ADDITIONAL COMMENTS:**

Mr. Day stated that the existing solar had storage and used natural gas which would be converted to PV so there would be a lesser impact to the natural gas.

### **COMMISSION ACTION:**

Vice Chair Allard made a motion to approve staff's recommendation. Commissioner Mathews seconded the motion. The motion passed with a 5-0 vote.

### **COMMISSION VOTE**

MOTION: Allard  
SECOND: Mathews  
AYES: Weldy, Allard, Stoffel, Chavez, Mathews  
NOES: None  
RECUSED: None  
ABSENT: None  
ABSTAIN: None

### **5. WORKSHOP**

Planning Commission Training

STAFF: Jason Searles, Deputy County Counsel

The workshop was continued to the next Planning Commission hearing.

### **6. PUBLIC COMMENTS:**

Chair Weldy opened the Public Comments at 11:57 a.m. Having no requests to speak, Chair Weldy closed the Public Comments at 11:57 a.m.

### **7. ADJOURNMENT:**

There being no further business, Commissioner Stoffel made a motion to adjourn the meeting. Commissioner Mathews seconded the motion. The meeting was adjourned at 11:57 a.m.

  
Chair Weldy

Date

Chair Weldy, Planning Commission

  
Heidi Duron

12/5/2019  
Date

Planning Director, Land Use Services Department

  
Chrystale Sonick

12-5-19  
Date

Executive Assistant, Land Use Services Department