

MINUTES
REGULAR MEETING
CALIFORNIA CITY PLANNING COMMISSION
TUESDAY, NOVEMBER 8, 2011, 6:00 P.M.
COUNCIL CHAMBERS, 21000 HACIENDA BOULEVARD

A. OPENING

The meeting was called to order at 6:00 p.m. by the Chairman followed with the Pledge of Allegiance and Invocation.

ROLL CALL:

PRESENT: Charles Pieper, Samuel Pope, Don Trumble, Vice Chairman Rick Warren, Chairman Buford Land

B. CONSENT ITEMS

1. ADOPT AGENDA.

The Chairman called for a motion to adopt the agenda for November 8, 2011.

Motion action of **Pope**, second by **Trumble** to adopt the agenda as presented. **MOTION CARRIED.** Vote 5-0.

2. APPROVAL of MINUTES.

The Chairman called for a motion to adopt the minutes from October 11, 2011.

Motion action of **Pope**, second by **Trumble** to adopt the minutes from October 11, 2011 as presented. **MOTION CARRIED.** Vote 5-0.

C. ANNOUNCEMENTS/PRESENTATIONS

3. **Staff:** The City Manager reminded everyone to vote the polls close at 8 p.m.

4. **Civic:** None.

5. **Public Business from the Floor:** Kim Collins, California City. Mr. Collins asked for an update on the Family Dollar Store. The City Manager reported the windows are to be installed on November 15th and the facade has been ordered from Washington state. The store hopes to be open before Christmas.

D. **CONTINUED BUSINESS:** None.

E. NEW BUSINESS:

6. Public Hearing to Review and Adopt the Initial Study, Negative Declaration, and Zone Change 183 by Resolution 11-8-2011PC and forward to City Council for final approval and adoption.

Prior to opening the public hearing, Vice Chairman Warren abstained.

The Chairman opened the public hearing and called for correspondence. The recording secretary reported the correspondence received had been distributed to the Commission prior to the meeting. The City Manager gave the staff report. He stated there is a correction to ZC 183 to remove reference to the 25-bed hospital since there are no plans, at this time to

construct a hospital. In the beginning of this process there was an interested developer who has since dropped out.

East Kern Hospital District (EKHD) is the owner and applicant of the two contiguous properties and wanted to proceed with the rezoning.

The City Attorney advised that reference to the 25-bed hospital would be dropped off and the document does not need to be recirculated.

The City Manager explained the rezoning classification to CMC offers a broad range of construction opportunities and options not just a hospital. The City Manager read the list of permitted CMC uses. He also mentioned EKHD has a ten-year agreement to build a hospital on the property which expires in two years. If a hospital is not built the land will revert back to the City.

The City Manager introduced the President of the East Kern Hospital District (EKHD), Mr. Bob Smith. Mr. Smith reiterated there is no developer for a hospital and EKHD does not have 64 million dollars to build a hospital. This rezoning classification insures the property is restricted for medical development.

Prior to opening the public hearing for public comments the City Attorney was available by telephone to address any questions or concerns.

The Chairman called for questions or comments from the Commissioners. Commissioner Pieper encouraged cooperation. Commissioner Trumble said there were 14 "less than significant impacts" marked on the document, does that mean there is no problem? The City Manager said that is correct for the zone change.

Commissioner Trumble reiterated that we are here to rezone the C3 and R1 lots to Community Medical Center (CMC). The City Manager said that is correct and explained that EKHD does not have a developer at this time therefore, we are dropping the reference to a 25-bed hospital. According to the City Attorney the documents do not need to be recirculated. There being no further questions or comments the Chairman called for public testimony.

Speaking against the rezoning was William Nelson, Tehachapi, California. Mr. Nelson sent his comments to the Commission.

Speaking in favor of the rezoning was Mr. Wally Melendez, California City and Mr. Kim Collins, California City. Mr. Collins added he objected to the number of agencies the City mailed the 46-page document to, such as Indian tribes and he pointed out there is no Indian land in California City. The State Clearinghouse received 15 copies in addition to the 3 pages of additional agencies. The Chairman responded that the City is responsible by law to notify these agencies.

There being no further public comments, the Chairman called for a motion to close the public testimony portion of the meeting.

The Chairman called for final Commission questions or comments. Commissioner Trumble in response to notification to agencies and affected property owners within 300 feet, he acknowledged and welcomed a property owner from San Pedro, California.

There being no further public comments the Chairman called for a motion to close the public testimony portion of the meeting.

Motion action of **Pope**, second by **Trumble** to close the public testimony portion of the meeting. **MOTION CARRIED**. Vote 4-0, 1 Abstention.

The Chairman called for final Commission comments, there being none he called for a motion.

Motion action of **Pope**, second by **Trumble** to accept the Initial Study, Negative Declaration, and Zone Change 183 by Resolution 11-8-2011PC, removing reference to a future 25-bed hospital from the resolution, forward to the City Council for final approval and adoption.

ROLL CALL:

Commissioner Pieper	Yes
Commissioner Pope	Yes
Commissioner Trumble	Yes
Vice Chairman Warren	Abstain
Chairman Land	Yes

MOTION CARRIED. Vote 4-0, 1 Abstention

The Chairman added this item has been scheduled for Tuesday, November 15, 2011 with the City Council.

Vice Chairman Warren rejoined the Commissioners.

F. COMMISSIONER REPORTS/REQUESTS:

The Chairman called for Commissioner reports/requests. Vice Chairman Warren commented on the positive outcome of the public hearing.

Mr. William Nelson, Tehachapi, California took exception to comments made by Vice Chairman Warren and asked to be heard. Mr. Nelson pointed out Vice Chairman Warren did not leave the room rather he stayed in the audience and on returning to the dais made inappropriate statements on the outcome.

Commissioner Pope said there was nothing Vice Chairman Warren said that would have changed his vote. Commissioner Trumble echoed Commissioner Pope's comments and Commissioner Pieper said the City should not be a colony dependent upon others for services. Chairman Land reminded everyone that because of our veterans we have the freedom to vote and invited the public to the Veterans Day services scheduled at the City cemetery at 11:00 a.m. this Friday and he acknowledged Marines Day this Thursday, November 10th.

G. ADJOURNMENT

There being no further business, the Chairman called for a motion to adjourn.

Motion action of **Warren**, second by **Pieper** to adjourn at **6:55** p.m. **MOTION CARRIED**. Vote 5-0.