

(ACT) - ACTION NEEDED
(INF) INFORMATION ONLY
(DIS) – DISCRETIONARY
(DISC)-DISCUSSION

**REGULAR MEETING OF THE
PLANNING COMMISSION OF THE CITY OF NEEDLES
WEDNESDAY, APRIL 20, 2022 @ 4:00 P.M.
CITY COUNCIL CHAMBERS - 1111 BAILEY AVENUE, NEEDLES**

A G E N D A

AUTHORIZED BY AB 361

**THE PLANNING COMMISSIONERS MAY BE ATTENDING THIS MEETING VIA
*** MICROSOFT TEAMS *****

**THE PUBLIC MAY ALSO ATTEND VIA TEAMS AND MAY SUBMIT ANY COMMENTS IN
WRITING PRIOR TO NOON ON THE DAY OF THE MEETING BY EMAILING
pmartinez@cityofneedles.com**

**TO JOIN THE LIVE TEAMS MEETING log into the City of Needles website at
www.cityofneedles.com to access the agenda and [Click here to join the meeting](#)**

If asked, enter the following: Meeting ID: 565477167#

**OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 565 477 167
The meetings are being recorded.**

THE PUBLIC MAY ATTEND – MASKS ARE ENCOURAGED AND DESIGNATED SEATING

CALL TO ORDER
ROLL CALL
PLEDGE OF ALLEGIANCE
APPROVAL OF AGENDA
CONFLICT OF INTEREST
CORRESPONDENCE
INTRODUCTIONS

As a courtesy to those in attendance, we would ask that cell phones be turned off or set in their silent mode. Thank you.

PUBLIC APPEARANCE - Persons wishing to address the Commissioners on subjects other than those scheduled are requested to do so at this time. When addressing the Commissioners, please come to the podium and give your name and address for the record. In order to conduct a timely meeting, a three-minute time limit per person has been established by Municipal Code Section 2-18. Amendments to California Government Code Sec. 54950 prohibit the Commission from taking action on a specific item until it appears on the agenda.

PUBLIC HEARINGS

- 1) An application from James Balla for a Special Use Permit to Allow for a 2,150 Sq. Ft. Pacific Clinics Clubhouse Located at 923 Front Street Needles, CA in the City of Needles, CA in the C-2 (General Commercial) Zone, also known as APN 0186-102-04-0000:
 - Staff Report
 - Commission questions of staff and applicant
 - Public comment
 - Chairperson to close the public hearing
 - Commission discussion/deliberation
 - Approve the Findings of Facts

Resolution No. 04-20-2022 PC Denying a Special Use Permit to Allow for a 2,150 Sq. Ft. Pacific Clinics Clubhouse Located at 923 Front Street Needles, CA in the City of Needles, CA in the C-2 (General Commercial) Zone, also known as APN 0186-102-04-0000:(ACT)

BOARD REQUESTS

CITY MANAGER REPORT

ADJOURNMENT

INTERNET ACCESS TO PLANNING COMMISSION AGENDAS AND STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO PLANNING COMMISSION MEETINGS AT
<http://www.cityofneedles.com>

Posted: April 15, 2022

SB 343 - DOCUMENTS RELATED TO OPEN SESSION AGENDAS - Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to a meeting is available for public inspection at the Needles Administrative Office, 817 Third Street, Needles, CA 92363.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Patrick Martinez, Assistant City Manager, at (760) 326-2113 ext 126. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-104 ADA Title II)

If a decision is made at this hearing and you later disagree with the decision, only issues raised at the public hearing or in written form at or before the public hearing can be considered.

/s/ Patrick Martinez, Assistant City Manger/Development Services



City of Needles, California Request for Planning Commission Action

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PLANNING COMMISSION Regular Special

Meeting Date: April 20, 2022

Title: Planning Commission Resolution No. 04-20-2022 PC
A Resolution of the Planning Commission of the City of Needles Denying a Special Use Permit to Allow for a 2,150 Sq. Ft. Pacific Clinics Clubhouse Located at 923 Front Street in the City of Needles, CA in the C-2 (General Commercial) Zone, also known as APN 0186-102-04-0000.

Background: Applicant, James Balla, the Chief Strategy Officer for "Pacific Clinics" is proposing tenant improvements to Suite #B a 2,150 sq. ft. portion of an existing building (Exhibit B-1, Existing Floor Plan) formerly site of the Diamond Mine Jewelry store (Exhibit C, Site Photo), for the purpose of a Pacific Clinics' Clubhouse. The project site is situated on a developed .09-acre parcel located on Front Street, directly across from Santa Fe Park and the El Garces at 923 Front Street (Exhibit A, Site Location), also known as 0186-102-04-0000 and is within the General Commercial (C-2) zoning designation.

Pacific Clinics' Clubhouse is a member run, drop-in social support club for adults ages 18 and up. Pacific Clinic's Clubhouse Programs operate under a contract with San Bernardino County Department of Behavioral Health. The Needles Clubhouse program will work in collaboration with the Needles DBH clinic. Pacific Clinics operates 3 other clubhouse programs in San Bernardino County in the cities of Rialto, Yucca Valley and Lucerne Valley. Pacific Clinics has looked at various buildings throughout the City and has presented a site plan for the location at 923 Front Street.

The applicant identifies the "Clubhouse assists members in developing and maintaining skills for functioning positively and productively in their living, work and social environments. This involves the creation of an environment that provides social, educational, and vocational development opportunities that enable members to lead personally satisfying and socially productive lives."

As shown in Attachment B-2, *Proposed Floor Plan*, the project would involve interior tenant improvements to an existing 2,150 sq. ft portion of a 4,099 Sq. Ft. building which include an addition of a new interior nonbearing wall inside of the existing building envelope. The clubhouse will contain a reception area, tv room, kitchen, laundry room, office storage, offices, and member library.

In accordance with Section 96.01. subsection 5.31 Table of Permissible Uses of the Needles City Code, requires that a social club located within a building having a gross floor area not exceeding 3,500 sq. ft. to be subject to a Special Use Permit and to be reviewed by the Planning Commission.

At the April 6, 2022, the Planning Commission held a duly noticed and advertised public hearing on a Special Use Permit to allow for a 2,150 sq. ft. Pacific Clinics Clubhouse located at 923 front street in the City of Needles, Ca in the C-2 (General Commercial) APN, also known as APN 0186-102-04-0000, Resolution 04-06-2022 PC. Public and written testimony was taken from

multiple members of the public with an overwhelming opposition for the Pacific Clinics Clubhouse on the grounds that the plan presented is continuously changing and incomplete. The City has held two open houses in the last 6 months discussing the future of the downtown area and its role in attracting tourism to the City's new visitor center that is currently being built across from the proposed project. Additionally, there was discussion regarding the application that was submitted and its inconsistencies the site plan and use at the site. The applicant had received a business license from the City because the applicant had stated it was providing professional services but the use required a Special Use Permit.

Special Use Permit Findings.

In accordance with Section 94.07, the Planning Commission must make the following findings for approval of a special use permit:

1. The requested permit is within its jurisdiction according to the table of permissible uses
2. The application is complete.
3. The use will not materially endanger the public health or safety.
4. The use will not substantially injure the value of adjoining or abutting properties
5. The use will be in harmony with the area in which it is to be located.
6. The development is in general conformity with the Needles General Plan.

A. *That the requested permit is within its jurisdiction according to the table of permissible uses.*

FINDING: According to Section 96.01, subsection 5.31 Table of Permissible Uses of the Needles City Code, requires that a social club located within a building having a gross floor area not exceeding 3,500 sq. ft. in the C-2 (General Commercial) zoning district subject to the approval of a Special Use Permit by the Planning Commission.

B. *The application is complete.*

FINDING: The contradictory and continuously changing information proposed in this project has rendered the application incomplete. At this time the applicant has failed to present sufficient information in their application for an evaluation to be completed. A dimensioned site plan, application and fees were submitted to the city to demonstrate the project meets the criteria of the Needles Code. The applicant has since changed numerous material provisions of the originally submitted plan creating inconsistencies with its proposed use and purpose. Based on the conflicting information provided by the applicant, the City is unable to determine the purpose of the project, what services will be provided by the project, how the project will provide services or how the proposed site plan will facilitate any purpose the project may have. Until sufficient information is provided to complete the application, the City is unable to properly evaluate this project

C. *The development will not materially endanger the public health or safety.*

FINDING: The contradictory and continuously changing information proposed in this project has rendered the application incomplete. Therefore, at this time it is not possible to evaluate what impact this project will have on the public health or safety

of the area. Until sufficient information is provided to the complete the application the City is unable to properly evaluate this project.

- D. *The development will not substantially injure the value of adjoining or abutting properties.*

FINDING: The contradictory and continuously changing information proposed in this project has rendered the application incomplete. Therefore, at this time it is not possible to evaluate what impact this project will have on the value of adjoining or abutting properties. Applicant has referenced past projects that have not substantially injured the value of adjoining or abutting properties. However, the applicant has failed to provide specific details from a comparable project for the City to evaluate the potential impact on the property values in the area. Until sufficient information is provided to complete the application, the City is unable to properly evaluate this project.

- E. *The development is in harmony with the area in which it is located.*

FINDING: The contradictory and continuously changing information proposed in this project has rendered the application incomplete. Therefore, at this time it is not possible to evaluate if this project will be in harmony with the surrounding area. Applicant has referenced past projects that have harmoniously integrated into their respective locations. However, applicant has failed to provide specific details from a comparable project for the City to evaluate if this project will work in harmony with the surrounding area. Until sufficient information is provided to the complete the application, the City is unable to properly evaluate this project.

- F. *The development is in general conformity with the Needles General Plan.*

FINDING: The contradictory and continuously changing information proposed in this project has rendered the application incomplete. Therefore, at this time it is not possible to evaluate if this project is in conformity with the Needles General Plan. Applicant has failed to provide specific details about material provisions of the project for the City to evaluate if this project will conform with the Needles General Plan. Until sufficient information is provided to complete the application, the City is unable to properly evaluate this project.

Public Notification: A public hearing notice was published in the Needles Desert Star on Wednesday, March 23, 2022, and posted in two conspicuous locations. Notices were sent to property owners within 300' of the proposed project.

Recommendation: Approve Resolution No. 04-20-2022 PC Denying a Special Use Permit to Allow for a 2,150 Sq. Ft. Pacific Clinics Clubhouse Located at 923 Front Street in the City of Needles, CA in the C-2 (General Commercial) Zone, also known as APN 0186-102-04-0000.

Submitted By: Patrick Martinez, Assistant City Manager/Development Services

City Management Review: _____

Date: _____

Agenda Item # _____

PC RESOLUTION 04-20-2022 PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEEDLES DENYING A SPECIAL USE PERMIT TO ALLOW FOR A 2,150 SQ. FT. PACIFIC CLINICS CLUBHOUSE LOCATED AT 923 FRONT STREET IN THE CITY OF NEEDLES, CA IN THE C-2 (GENERAL COMMERCIAL) ZONE, ALSO KNOWN AS APN 0186-102-04-0000.

WHEREAS, the Planning Commission wishes to assist property owners in their efforts to build in the City in a reasonable manner that does not create a hazard to health, safety, and welfare or degrade property values or create incompatibility with surrounding uses; and

WHEREAS, Section 96.01. subsection 5.31 Table of Permissible Uses of the Needles City Code, requires that a social club located within a building having a gross floor area not exceeding 3,500 sq. ft. to be subject to a Special Use Permit and to be reviewed by the Planning Commission; and

WHEREAS, The project site is situated on a developed .09-acre parcel located on Front Street, directly across from Santa Fe Park and the El Garces at 923 Front Street (Exhibit A, Site Location), also known as 0186-102-04-0000 and is within the General Commercial (C-2) zoning designation; and

WHEREAS, Pacific Clinics is proposing tenant improvements to Suite #B an existing 2,150 sq. ft portion of a 4,099 Sq. Ft. building which include an addition of a new interior nonbearing wall inside of the existing building envelope for the purpose of a Pacific Clinics' Clubhouse; and

WHEREAS, Section 94.07 of the Needles City Code specifies the criteria by which a special use permit may be granted by the Planning Commission; and

WHEREAS, a public hearing notice for the Needles Planning Commission meeting was published in the Needles Desert Star on March 23, 2022, at least 10 days prior to said meeting, and notices were sent to property owners within a 300-foot radius of the subject property specifying the date, time and location of the public hearing; and

WHEREAS, on April 6, 2022, the Needles Planning Commission held a duly noticed and advertised public hearing to receive oral and written testimony relative to RESOLUTION 04-06-2022 PC; and

WHEREAS, public and written testimony was taken from multiple members of the public with an overwhelming opposition for the Pacific Clinics Clubhouse on the grounds that the plan presented is continuously changing and incomplete. The City has held two open houses in the last 6 months discussing the future of the downtown area and its role in attracting tourism to the City's new visitor center that is currently being built across from the proposed project. Additionally, there was discussion regarding the application that was submitted and its inconsistencies the site plan and use at the site. The applicant had received a business license from the City because

the applicant had stated it was providing professional services but the use required a Special Use Permit.

WHEREAS, the Needles Planning Commission has sufficiently considered all testimony and any documentary evidence presented to them in order to make the following determination.

SECTION 1. The Planning Commission HEREBY FINDS AND DETERMINES that this project is categorically exempt under the California Environmental Quality Act (CEQA) under Section 15301 (a) as a Class 1 project consisting of Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.

SECTION 2. The Planning Commission HEREBY FINDS AND DETERMINES, with reports and findings, that facts do exist to Approve Resolution 04-20-2022 PC Denying a Special Use Permit for a 2,150 Sq. Ft. Pacific Clinics Clubhouse Located at 923 Front Street Needles, CA in the City of Needles, CA in the C-2 (General Commercial) Zone, also known as APN 0186-102-04-0000, according to the criteria specified in Section 94.07 of the Needles City Code:

- A. *That the requested permit is within its jurisdiction according to the table of permissible uses.*

FINDING: According to Section 96.01. subsection 5.31 Table of Permissible Uses of the Needles City Code, requires that a social club located within a building having a gross floor area not exceeding 3,500 sq. ft. in the C-2 (General Commercial) zoning district subject to the approval of a Special Use Permit by the Planning Commission.

- B. *The application is complete.*

FINDING: The contradictory and continuously changing information proposed in this project has rendered the application incomplete. At this time the applicant has failed to present sufficient information in their application for an evaluation to be completed. A dimensioned site plan, application and fees were submitted to the city to demonstrate the project meets the criteria of the Needles Code. The applicant has since changed numerous material provisions of the originally submitted plan creating inconsistencies with its proposed use and purpose. Based on the conflicting information provided by the applicant, the City is unable to determine the purpose of the project, what services will be provided by the project, how the project will provide services or how the proposed cite plan will facilitate any purpose the project may have. Until sufficient information is provided to the complete the application, the City is unable to properly evaluate this project

- C. *The development will not materially endanger the public health or safety.*

FINDING: The contradictory and continuously changing information proposed in this project has rendered the application incomplete. Therefore, at this time it is not possible to evaluate what impact this project will have on the public health or safety of the area. Until sufficient information is provided to complete the application the City is unable to properly evaluate this project.

- D. *The development will not substantially injure the value of adjoining or abutting properties.*

FINDING: The contradictory and continuously changing information proposed in this project has rendered the application incomplete. Therefore, at this time it is not possible to evaluate what impact this project will have on the value of adjoining or abutting properties. Applicant has referenced past projects that have not substantially injured the value of adjoining or abutting properties. However, the applicant has failed to provide specific details from a comparable project for the City to evaluate the potential impact on the property values in the area. Until sufficient information is provided to complete the application, the City is unable to properly evaluate this project.

- E. *The development is in harmony with the area in which it is located.*

FINDING: The contradictory and continuously changing information proposed in this project has rendered the application incomplete. Therefore, at this time it is not possible to evaluate if this project will be in harmony with the surrounding area. Applicant has referenced past projects that have harmoniously integrated into their respective locations. However, applicant has failed to provide specific details from a comparable project for the City to evaluate if this project will work in harmony with the surrounding area. Until sufficient information is provided to complete the application, the City is unable to properly evaluate this project.

- F. *The development is in general conformity with the Needles General Plan.*

FINDING: The contradictory and continuously changing information proposed in this project has rendered the application incomplete. Therefore, at this time it is not possible to evaluate if this project is in conformity with the Needles General Plan. Applicant has failed to provide specific details about material provisions of the project for the City to evaluate if this project will conform with the Needles General Plan. Until sufficient information is provided to complete the application, the City is unable to properly evaluate this project.

SECTION 3. The Planning Commission HEREBY FINDS AND DETERMINES that facts do exist to approve **Resolution 04-20-2022 PC for the Denial** of a Special Use Permit, of a 2,150 Sq. Ft. Pacific Clinics Clubhouse Located at 923 Front Street Needles, CA in the City of Needles, CA in the C-2 (General Commercial) Zone, also known as APN 0186-102-04-0000.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Needles, California, held on the 20th day of April 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Linda Kidd, Chairperson
Needles Planning Commission

Patrick Martinez
Development Director