



TALKING POINTS for City Council Meeting, Tuesday, July 22, 6pm
Community Center, Freedom Plaza, 6547 Freedom Way, Twentynine Palms, Ca 92277

We've prepared this detailed list of talking points to encourage those who oppose the Ofland Development in its current form to give a variety of arguments. NOTE: It is not effective to simply say "I'm against it" – please use the limited amount of time provided to make a specific argument.

If you are speaking in public comment at the City Council meeting on July 22, be prepared to limit your points to no more than 2 minutes in length, and know what you'll need to cut to get to 1 minute if our time is reduced.

This is a legal hearing, so please be sure to email your full length comments to the following list by noon on July 22:

Mayor Steven Bilderain, sbilderain@29palms.org
Mayor Pro Tem Daniel Mintz, dmintz@29palms.org
Councilmember April Ramirez, aramirez@29palms.org
Councilmember: Octavious Scott, oscott@29palms.org
Councilmember: McArthur Wright mwright@29palms.org
CC: City Clerk Cindy Villescascas, cvillescascas@29palms.org

Please email us at saynotoofland@gmail.com if you have any questions on the points!

Here are our top three points (in case the list is overwhelming):

1. An independent unbiased Environmental Impact Report is needed (not prepared by Ofland contractors NV5 or Terra Nova)
2. Bounce Ofland project review back to the Planning Commission with specific direction for making it a better fit for the neighborhood.
3. The change in zoning and the accelerated process is playing favorites for one developer and is unfair to others who might have built on that property had they known how lax the City might be with its zoning. It's also unfair to residents who've invested in a quiet rural neighborhood.

Thanks for your support!!

POINTS SUPPORTING THAT AN EIR IS NEEDED (NOT TO BE PREPARED BY TERRA NOVA OR NV5)

- 1) THE MND IS INSUFFICIENT FOR THIS PROJECT. The Mitigated Negative Declaration (MND) is biased, does not cite meaningful studies, and is filled with conjecture, opinion, and misstatements. It is a legally flimsy document that exposes the City to potential litigation in court.
- 2) THE MND'S FINDINGS HAVE BEEN CHALLENGED. Reputable groups such as the California Dept. of Fish and Wildlife (CDFW), the Desert Tortoise Council and the Center for Biological Diversity (CBD) disagree with the MND's CEQA findings.
- 3) THE MND DOES NOT CALL FOR CONSULTATION BEFORE CONSTRUCTION. Some of the CDFW comments were accepted by the City but their request for consultation prior to construction to properly assess the environmental conditions of the parcel was not. It is unusual that this is not part of the MND.
- 4) THE SCOPE OF THIS PROJECT AND ITS UNIQUE LOCATION SHOULD DEMAND AN EIR. A project of this size which is ½ mile from the National Park boundary and is in an acknowledged wildlife corridor that contains endangered species should require an EIR. Not preparing an EIR opens the City up to potential litigation.
- 5) AN EIR NEEDS TO BE PREPARED BY AN INDEPENDENT CONTRACTOR. Existing City contractors NV5 and Terra Nova are both employed by Ofland, therefore they should not be used in the preparation of the EIR. Additionally the City Manager cannot be involved as he has actively lobbied for the project at Rotary and in conversations with several local businesses and individuals. The City needs an independent voice with a fresh unbiased perspective on this project.
- 6) THE MND MISSTATES THE DISTANCE TO THE PARK BORDER: THE MND says that Joshua Tree National Park is 3 miles away from the Ofland Project, This is incorrect - the project border is ½ mile from the Park border. In the Planning Commission meeting Terra Nova stated this error was inconsequential but it is evidence of the sloppiness of the MND data.

POINTS SUPPORTING RETURNING THE PROJECT TO THE PLANNING COMMISSION:

- 1) THE PROJECT WAS RUSHED THROUGH PLANNING ON JUNE 25. Chair Jessica Cure tried to examine the resort's placement and design and was misled to believe that there would be an opportunity later in the approval process for that to happen. Return it to Planning so a more comprehensive review can be made.

POINTS SUPPORTING RETURNING THE PROJECT TO THE PLANNING COMMISSION (cont.)

- 2) COUNCIL SHOULD GIVE SPECIFIC DIRECTION TO THE PLANNING COMMISSION. Planning Commission review should have been comprehensive and included discussions of project details called into question by those adjacent to the parcel. Council should direct the Planning Commission to look at the project density, access and amenities such as an outdoor movie screen towards suggesting any changes that would make the project a better fit for the neighborhood.

POINTS QUESTIONING THE CHANGE IN ZONING:

- 1) ZONING SHOULD REVERT TO RESIDENTIAL IF PROJECT IS NOT BUILT. If Ofland is unable to construct the resort and decides to sell the parcel, what happens to the zoning change? It should automatically revert back to . If it does not, the City will have been taken advantage of for financial gain.
- 2) THE GENERAL PLAN DISCOURAGES ZONING CHANGES. Here is the text of the City's Implementation Policy LU-1.3: "The City shall adhere to the adopted Land Use Map by discouraging General Plan Amendments to the Land Use Map except as required by law."
- 3) APPROVAL OPENS THE FLOODGATES. Once one developer's request for a zoning change from residential to commercial is approved, other developers will expect the City to grant similar zoning changes. This also opens the City to potential litigation should those developers be denied equal treatment.
- 4) WHERE IS THE POLICY? Where in the General Plan is the policy that allows for a Conditional Use Permit that requires the creation of a new zoning designation (Open Space Conservation) and the change from residential to not one but two different zones (OSC and Tourist Commercial)? Shouldn't an overall General Plan review be conducted so there is community input on revising zoning throughout the City as opposed to the questionable spot zoning needed for this project?

POINTS QUESTIONING THE RUSHED CITY TIMELINE:

- 1) RESET TOT STARTS NOW, OFLAND TOT IS YEARS AWAY. The City will not see Transient Occupancy Tax from Ofland until (possibly) 2028. Ofland does nothing to relieve the City's current financial doldrums. Meanwhile, the owners of the Reset Hotel anticipate that \$500,000 in TOT will begin entering City coffers this year! Was the RESET TOT accounted for in 2025-2026 City budgets? Why the need for a quick decision on Ofland given this increase in City revenue?

POINTS QUESTIONING THE RUSHED CITY TIMELINE (cont.)

- 2) DO IT RIGHT. Take the time, do it right. We need to make sure that we, as a City, don't regret a short-sighted decision. There is good development, done properly, and there is bad development, done by taking shortcuts and deforming City policy in order to grant an ill-advised CUP.
- 3) IS THE CITY PLAYING FAVORITES? Ofland has been granted an accelerated timeline not provided to other project developers with a special meeting called by the Planning Commission for project review instead of a regular meeting and City Council tossing a planning agenda for its July 22 meeting in order to accommodate the Ofland project.

POINTS SUPPORTING DESIGN ALTERATIONS:

- 1) CHANGES TO THE DESIGN WOULD MAKE THE PROJECT MORE APPEALING TO INDIAN COVE:
 - a. THE SIZE OF THE PROJECT. In Townsend, Tennessee, the Ofland resort design was reduced from 130 cabins to 77. The Twentynine Palms project has been reduced from 130 to 100. It should be reduced here to 75 buildings to lessen neighborhood impact.
 - b. NO SECOND PHASE. If reduced in size, there is no need for a second phase.
 - c. MOVE THE RESORT FURTHER NORTH. The commercial part of the project should move closer to Highway 62 to minimize noise, traffic and light effects to the neighborhood. This is also a more appropriate location for a business. Other businesses off the highway are the Raven Bookshop and the Oasis Cave market.
 - d. ENTRY AND EXIT ROUTES SHOULD BE EXCLUSIVELY FROM THE ACCESS ROAD. The access road already exists, road cuts already exist, some curbs are already in place. There would be no need to pave Lear Ave. and no need to route traffic through or adjacent to the neighborhood.
 - e. THE MOVIE SCREEN SHOULD FACE NORTH, away from homes on either side of the parcel, or should be eliminated.
 - f. NO OUTDOOR AMPLIFIED MUSIC MUSIC. This is disturbing to the wildlife and to the residents.

POINTS QUESTIONING THE RESORT LOCATION:

- 1) THE PROPOSED RESORT IS IN A NEIGHBORHOOD. The parcel is in the middle of Indian Cove, with residential housing on both sides of the project. sits between residential housing on either side.

POINTS QUESTIONING THE RESORT LOCATION (cont.)

- 2) THE LOCATION BENEFITS THE VILLAGE OF JOSHUA TREE. It does not benefit our downtown businesses. By moving the project to the East of downtown, guests would see our dynamic and appealing downtown restaurants and shops on their way to check in to the resort.
- 3) WHAT EFFECT WILL THE RESORT HAVE ON INDIAN COVE RESIDENTIAL PROPERTY VALUES? Real estate in Indian Cove is prized for its natural setting, wildlife, plant life and near-silence. How will the development of Lear Avenue and as a collector road, and the 900 car per day increase in traffic, along with the additional 300-400 people in the resort and at the public restaurant affect the natural setting of the neighborhood on which those property values are based?
- 4) THE INDIAN COVE CAMPGROUND IS NOT A PARK ENTRANCE. There is limited access to Joshua Tree National Park from Indian Cove. The park's North entrance on Utah Trail is a more appropriate access point for resort guests. East of downtown is the better location.



**SAY ~~NO~~ TO
OFLAND
RESORT**

**OFLAND SEEKS
FINAL APPROVAL**
YOUR VOICE IS CRUCIAL
AND NUMBERS COUNT: PLEASE ATTEND!

29 PALMS CITY COUNCIL
TUESDAY JULY 22 - 6PM

COMMUNITY CENTER, FREEDOM PLAZA
6547 FREEDOM WAY, TWENTYNINE PALMS, CA 92277

Learn More Here: www.saynotoofland.org