

## **MINUTES**

### **REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION**

**July 17, 2006**

#### **CALL TO ORDER**

Chairman Mann called the meeting to order at 7:00 p.m.

#### **INVOCATION**

Vice Chairman MacPherson gave the invocation.

#### **PLEDGE OF ALLEGIANCE**

Commissioner Salazar led the Pledge of Allegiance to the flag of the United States of America.

#### **ROLL CALL**

Present: Commissioners Faux, Salazar and Troth, Vice Chairman MacPherson and Chairman Mann

Absent: None

Also present were the Deputy City Attorney (Doug Evertz); Planning Director (Brian Ludicke); Principal Planner (Silvia Donovan); Senior Civil Engineer (Carlyle Workman); Recording Secretaries (Anita Davis, Tess Epling and Joy Reyes) and an audience of approximately 15 people.

#### **CONSENT CALENDAR**

##### **1. APPROVAL OF MINUTES**

It was moved by Commissioner Troth and seconded by Vice Chairman MacPherson to approve the Minutes from the regular meeting of June 19, 2006. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson

NOES: None

ABSTAIN: Chairman Mann

ABSENT: None

## **NEW PUBLIC HEARINGS**

### **2. ONE YEAR EXTENSIONS**

#### **a. TENTATIVE TRACT MAP NO. 54025**

Chairman Mann opened the public hearing at 7:05 p.m. to consider an extension request by First Pacifica Housing Corporation for a subdivision of 98 single-family lots in the R-7,000 Zone located on the southeast corner of Lancaster Boulevard and 20<sup>th</sup> Street East.

The staff report was presented by Silvia Donovan. Vlad Voytilla was present on behalf of the applicant. A letter of acceptance of the conditions of approval was received from applicant.

There was a speaker in the audience who wished to comment as follows:

Pam Colony, Lancaster, California, requested applicant to maintain fence and repair the road destroyed by vehicular access.

Applicant's representative agreed to meet with Ms. Colony regarding the issues she raised.

Chairman Mann closed the public hearing at 7:11 p.m, whereby Commission discussion ensued.

It was moved by Vice Chairman MacPherson, seconded by Commissioner Troth, and unanimously approved to grant a one-year extension to March 17, 2007, based on the findings contained in the staff report and subject to Revised Attachment to PC Resolution No. 03-09 and to include language indicating that applicant has to maintain fence along 22<sup>nd</sup> Street East throughout the duration of the project until completed and landscaped. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, Vice Chairman MacPherson and Chairman Mann

NOES: None

ABSTAIN: None

ABSENT: None

#### **b. TENTATIVE TRACT MAP NO. 060878**

Chairman Mann opened the public hearing at 7:23 p.m. to consider a request submitted by Larwin Company for a one-year extension for a subdivision of 156 single family lots on 40± gross acres located on the northeast corner of future 85<sup>th</sup> Street West and future Avenue G-8, in the R-7,000 Zone.

The staff report was presented by Brian Ludicke. Peter Nostrand of Penfield & Smith was present on behalf of the applicant and indicated their acceptance of conditions of approval. There were none in the audience who wished to speak in opposition to the request.

Chairman Mann closed the public hearing at 7:24 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to grant a one-year extension to May 17, 2007 based on the findings contained in the staff report and subject to Revised Attachment to PC Resolution No. 04-29. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, Vice Chairman MacPherson and Chairman Mann

NOES: None

ABSTAIN: None

ABSENT: None

**c. TENTATIVE TRACT MAP NO. 060879**

Chairman Mann opened the public hearing at 7:25 p.m. to hear a request submitted by Larwin Company for a one-year extension of a subdivision of 63 single family lots located on the northeast corner of future 80<sup>th</sup> Street West and future G-8, in the R-7,000 zone.

The staff report was presented by Silvia Donovan. Peter Nostrand of Penfield & Smith was present on behalf of the applicant and indicated their acceptance of conditions of approval. There were none in the audience who wished to speak in opposition to the request.

Chairman Mann closed the public hearing at 7:26 p.m.

It was moved by Commissioner Troth and seconded by Vice Chairman MacPherson to grant a one-year extension to May 17, 2007 based on the findings contained in the staff report and subject to Revised Attachment to PC Resolution No. 04-30. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, Vice Chairman MacPherson and Chairman Mann

NOES: None

ABSTAIN: None

ABSENT: None

### **3. CONDITIONAL USE PERMIT NO. 92-06 AMENDED (6-MONTH REVIEW)**

Chairman Mann opened the public hearing at 7:27 p.m. to consider a request submitted by Larry Lovelace to allow the use of external speakers for a computerized drive-thru ordering system for a McDonald's on 3015 West Avenue L. This was for a review of 6-month trial period.

The staff report was presented by Brian Ludicke. Hernando Maroquin, Lancaster, California, was present on behalf of the applicant and he stated that requirements were fulfilled. There were speakers in the audience who wished to comment as follows:

Len St. John, resident of Lancaster, California indicated that his property is directly north of McDonald's and that in the January 2006 Planning Commission hearing, he was told that the Commissioners would come out and speak with the neighbors regarding the noise level. He also voiced his concern over increased traffic in their area. He also mentioned that he has some worries about a project that he is not even sure he can speak publicly about.

Tom Shoffner, resident of Lancaster, California, praised the applicant for taking the neighbors' concern regarding noise level into consideration. He stated that he was opposed to the project before but he was now satisfied that the applicant went out of their way to address the issues raised.

Mr. Maroquin came back to respond that they were supportive of and receptive to the needs of the neighbors.

Chairman Mann closed the public hearing at 7:43 p.m., whereby Commission discussion followed.

Commissioner Troth commented that he and Commissioner Faux both inspected the speaker system and there was hardly any noise. Commissioner Salazar said that he had gone there himself to check the speakers and he noticed that the traffic noise was more evident than the sound coming from the speakers. Vice Chairman MacPherson declared that he also went to McDonald's with his children, that he did not hear any significant sound coming from the speakers and that traffic noise was more audible. He definitely thought that the criteria set by the Commission were met. Chairman Mann wanted to go on record that he presided over the January 2006 Planning Commission hearing and he wanted to reiterate to Mr. St. John that at that time, the Commission gave an assurance that the members would definitely come out and check the location. He visited the site from 7:00 to 10:00 p.m. on Tuesday – no noise from the speakers. He returned on Friday from 10:00 to 11:00 p.m. and there was still no noise from the speakers. He was satisfied that the conditions placed by the Commission were met. Chairman Mann also directed Brian Ludicke to look into recommending bringing forth an ordinance to control noise. Chairman Mann again addressed Mr. St. John regarding the other project he mentioned. He said that the project is zoned commercial and does not require a conditional use permit. It is zoned correctly, meets current guidelines and does not have to come before Planning Commission.

It was moved by Commissioner Faux and seconded by Vice Chairman MacPherson to adopt Resolution No. 06-59 approving Conditional Use Permit No. 92-06 Amended. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, Vice Chairman MacPherson and Chairman Mann

NOES: None

ABSTAIN: None

ABSENT: None

**4. TENTATIVE TRACT MAP NO. 061574**

Chairman Mann opened the public hearing at 7:55 p.m. to consider a request submitted by United Engineering Group for approval of a subdivision for 45 single family lots on 14.3± gross acres located on the northwest corner of 30<sup>th</sup> Street East and Avenue K-4, in the R-10,000 zone.

The staff report was not presented as the applicant provided a letter of agreement to the conditions of approval as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Chairman Mann closed the public hearing at 7:55 p.m.

It was moved by Vice Chairman MacPherson and seconded by Commissioner Salazar to adopt Resolution No. 06-56 approving Tentative Tract Map No. 061574. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, Vice Chairman MacPherson and Chairman Mann

NOES: None

ABSTAIN: None

ABSENT: None

**5. TENTATIVE TRACT MAP NO. 061721**

Chairman Mann opened the public hearing at 7:55 p.m. to consider a request submitted by Darren Proulx, Land Resource Concepts, Inc. for approval of a subdivision for 78 single family lots on 20.35± gross acres located on the northeast corner of Avenue J and future 37<sup>th</sup> Street East, in the R-7,000 Zone.

The staff report was not presented as the applicant provided a letter of agreement to the conditions of approval as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Chairman Mann closed the public hearing at 7:56 p.m.

It was moved by Commissioner Troth and seconded by Commissioner Faux to adopt Resolution No. 06-57 approving Tentative Tract Map No. 061721. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, Vice Chairman MacPherson and Chairman Mann

NOES: None

ABSTAIN: None

ABSENT: None

**6. TENTATIVE TRACT MAP NO. 062485**

Chairman Mann opened the public hearing at 7:56 p.m. to consider a request submitted by Royal Investors Group, LLC for approval of a subdivision for 39 single family lots on 10.09± gross acres, located on the southwest corner of 30<sup>th</sup> Street East and future Nugent Street, in the R-7,000 Zone.

The staff report was not presented as the applicant submitted a letter to staff agreeing to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Commissioner Troth indicated that he had no further ties with Royal Investors Group; as a result, the City Attorney noted that he did not have a conflict of interest on this issue.

Chairman Mann closed the public hearing at 7:57 p.m.

It was moved by Commissioner Troth and seconded by Commissioner Salazar to adopt Resolution No. 06-58 approving Tentative Tract Map No. 062485. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, Vice Chairman MacPherson and Chairman Mann

NOES: None

ABSTAIN: None

ABSENT: None

**7. TENTATIVE TRACT MAP NO. 063201**

Chairman Mann opened the public hearing at 7:58 p.m. to consider a request by Hill View Homes for approval of a subdivision for 19 single family lots on 4.7± gross acres located on the north side of Avenue J-8 and approximately 660 feet west of 20<sup>th</sup> Street West, in the R-7,000 Zone.

The staff report was not presented as the applicant submitted a letter to staff agreeing to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Chairman Mann closed the public hearing at 7:59 p.m.

It was moved by Commissioner Faux and seconded by Vice Chairman MacPherson to adopt Resolution No. 06-52 approving Tentative Tract Map No. 063201. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, Vice Chairman MacPherson and Chairman Mann

NOES: None

ABSTAIN: None

ABSENT: None

**8. DISCUSSION OF POTENTIAL CHANGES TO RESIDENTIAL DEVELOPMENT STANDARDS**

Chairman Mann opened the public hearing at 7:59 p.m.

The staff report was presented by Brian Ludicke. He mentioned that at the study session held on July 10<sup>th</sup>, the Commission engaged in discussion regarding possibility of looking at changes in City's residential requirements and placed this item on agenda so that the Commission can direct staff to investigate particular items in the preparation of amendments to ordinances. The issues of the appearance of houses along major streets, garage door facades and ways to increase interest and variety were also discussed. Mr. Ludicke indicated that the intent was to take a look at what other cities have done and it would take about sixty (60) days to come up with ideas. Stakeholders such as the BIA, GAVAR and the Chamber of Commerce will be invited to the discussion since they have an interest in the ramifications to changes.

Chairman Mann closed the public hearing at 8:05 p.m.

It was moved by Commissioner Troth and seconded by Vice Chairman MacPherson to have staff make changes to development standards as per discussion at the 7/10/06 Study Session to be brought to Agenda Review within 60 days. Motion carried with the following votes:

AYES: Commissioners Faux, Salazar and Troth, Vice Chairman MacPherson and Chairman Mann

NOES: None

ABSTAIN: None

ABSENT: None

## **COMMISSION AGENDA**

There were no items presented.

## **DIRECTOR'S ANNOUNCEMENTS**

Brian Ludicke advised the Commission as follows: That there will be a joint field trip for City Council and Planning Commission members to look at three (3) commercial centers and get design concepts; thanked Anita Davis for her three (3) years of service as Planning Administrative Secretary and Planning Commission Recording Secretary, introduced Tess Epling as the interim Recording Secretary and Joy Reyes, who will take Anita's place; and congratulated Silvia Donovan on her promotion to Principal Planner position.

## **PUBLIC BUSINESS FROM THE FLOOR – NON-AGENDA ITEMS**

None.

## **ADJOURNMENT**

Chairman Mann declared the meeting adjourned at 8:12 p.m. to Monday, August 14, 2006, at 5:30 p.m., in the Planning Conference Room, Lancaster City Hall.

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KENNETH G. MANN, Chairman  
Lancaster Planning Commission

ATTEST:

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BRIAN LUDICKE, Director  
Planning Department  
City of Lancaster



