

MINUTES
REGULAR MEETING OF THE
LANCASTER PLANNING COMMISSION

May 22, 2006

CALL TO ORDER

Commissioner Kenneth Mann called the meeting to order at 7:02 p.m.

INVOCATION

Commissioner Bruce MacPherson gave the invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present: Commissioners Faux, Mann, MacPherson and Troth.

Absent: Commissioner Salazar.

Also present were the Deputy City Attorney (Alison Burns); Planning Director (Brian Ludicke); Associate Planner (Silvia Donovan); Senior Civil Engineer (Carlyle Workman); Recording Secretary (Anita Davis) and an audience of approximately 45 people.

REORGANIZATION OF THE PLANNING COMMISSION

The Planning Director conducted the reorganization process and opened the floor for nominations for the office of the Chairman of the Commission.

It was moved by Commissioner Troth, and unanimously decided that Commissioner Mann would hold the position of Chairman of the Planning Commission.

Chairman Mann opened the floor for nominations for the office of the Vice Chairman of the Commission.

It was moved by Commissioner Faux, and unanimously decided that Commissioner MacPherson would hold the position Vice Chairman of the Planning Commission.

The Commission recessed while the vote board and dais signs were changed to reflect the reorganization.

The Commission reconvened.

Chairman Mann announced that Agenda Item No. 3 would not be heard.

Vice Chairman MacPherson requested that Agenda Item No. 10 (TTM 062120) be taken out of turn and heard immediately after Agenda Item No. 6.

CONSENT CALENDAR

1. APPROVAL OF MINUTES

It was moved by Vice Chairman MacPherson and seconded by Chairman Mann to approve the Minutes of the regular meeting of April 17, 2006. Motion carried with the following vote:

AYES: Vice Chairman MacPherson and Chairman Mann.

NOES: None.

ABSTAIN: Commissioners Faux and Troth.

ABSENT: Commissioner Salazar.

NEW PUBLIC HEARINGS

2. ONE YEAR EXTENSIONS

a. TENTATIVE TRACT MAP NO. 53710

Chairman Mann opened the public hearing at 7:15 p.m. to hear a request submitted by West Palm Development Corp. to grant a one-year extension for a subdivision of 23 single family lots on 10± acres located at the northwest corner of future the R-15,000 Zone.

The staff report was not presented as a letter was received from applicant agreeing 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 7:16 p.m., whereby Commission discussion ensued.

It was moved by Vice Chairman MacPherson and seconded by Commissioner Faux to grant a one-year extension to March 17, 2007 based on the findings contained in the staff report, and subject to the revised attachment to Resolution No. 02-05. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Salazar.

b. TENTATIVE TRACT MAP NO. 54025

Chairman Mann opened the public hearing at 7:17 p.m. to hear a request submitted by First Pacifica Housing Corp. to grant a one-year extension for a subdivision of 98 single family lots on 25± acres located on the southeast corner of Lancaster Boulevard and 20th Street East in the R-7,000 Zone.

The staff report was presented by Brian Ludicke. William Frenn was present on behalf of applicant stating agreement to the conditions of approval as stated in the staff report. There were speakers in the audience who wished to comment as follows:

Pam Colony, Lancaster, California, stated opposition to the project and stated concerns regarding lack of dust control. Ms. Colony requested that the Commission mandate a condition that would address the issue.

Bob Almeida and Daisy Schepheer, Lancaster, stated opposition to the project and stated concerns regarding dust control. Mr. Almeida and Schepheer requested that fencing be provided around the project site to help calm the dust issue.

William Frenn addressed the concerns expressed by the speakers and agreed to provide fencing around the project site.

Commissioner Troth inquired of Mr. Frenn as to the frequency of watering at the site and the applicant's attention regarding the dust issue.

Chairman Mann reminded Mr. Frenn that at a previous Planning Commission meeting, he went on the record stating if any projects were brought before the Planning Commission for approval by this applicant, he would not be inclined to approve the applicant's project if applicant did not adhere to conditions of approval and mitigate dust issues. Chairman Mann further stated that he had seen previous pictures of the dust conditions of applicant's project and cautioned the applicant regarding the safety issue of not properly mitigating dust.

Vice Chairman MacPherson suggested a 30-day limited extension, as well as added conditions concerning fencing and watering should the requested extension be granted. Chairman Mann suggested a 60-day limited extension to monitor applicants due diligence in resolving the dust issue.

Chairman Mann closed the public hearing at 7:33 p.m., whereby Commission discussion ensued.

It was moved by Vice Chairman MacPherson and seconded by Commissioner Troth to grant a for 60-day limited extension, with direction to applicant to mitigate dust issue, and to return before the Planning Commission on July 17, 2006 for consideration to further extend project for remaining 8 months, based on the findings contained in the staff report, and subject to the revised attachment to Resolution No. 03-09. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Salazar.

c. TENTATIVE TRACT MAP NO. 060779

Chairman Mann opened the public hearing at 7:38 p.m. to hear a request submitted by M.B.M. Developing, LLC for a subdivision of 18 single family lots on 5± gross acres located on the northwest corner of 32nd Street West and Avenue J-8 in the R-7,000 Zone.

The staff report was presented by Silvia Donovan. Edward Bolden, Jr. was present on behalf of applicant. There were speakers in the audience who wished to speak as follows:

Frank Arneaud, resident of Lancaster, California stated opposition to the project and expressed his concerns regarding water run-off, flooding at 32nd Street West, and inadequate storm drains.

Edward Bolden, Jr. addressed applicant's concerns. Carlyle Workman further explained how future drainage will assist with water run-off at 32nd Street West.

Chairman Mann closed the public hearing at 7:45 p.m., whereby Commission discussion ensued.

It was moved by Vice Chairman MacPherson and seconded by Commissioner Faux to grant a one-year extension to March 15, 2007 based on the findings contained in the staff report, and subject to Revised Attachment to PC Resolution No. 04-09. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Salazar.

d. TENTATIVE TRACT MAP NO. 060108

Chairman Mann opened the public hearing at 7:49 p.m. to hear a request submitted by Pacific Communities Builder, Inc. for a subdivision of 18 single family lots on 10.58± gross acres located on the northeast corner of 35th Street West and Avenue M-6 in the SRR 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.

It was moved by Commissioner Faux and seconded by Commissioner Troth to grant a one-year extension to March 15, 2007 based on the findings contained in the staff report, and subject to Revised Attachment to PC Resolution No. 04-03. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Salazar.

3. RECEIVE PUBLIC COMMENT FOR FIELDSTONE DRAFT ENVIRONMENTAL IMPACT REPORT RE VESTING TENTATIVE TRACT NO. 060291 AND VESTING TENTATIVE TRACT MAP NO. 060664

This item was taken off calendar.

4. CONDITIONAL USE PERMIT NO. 04-05 AND TENTATIVE TRACT MAP NO. 060348

Chairman Mann opened the public hearing at 7:50 p.m. to hear a request submitted by Magnolia, LP for a residential planned development (RPD) allowing for a subdivision of 165 single family lots in the SRR Zone, with a neighborhood park and recreation center on 82.12± gross acres located on the northeast corner of 40th Street West and Avenue N.

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.

It was moved by Vice Chairman MacPherson and seconded by Commissioner Troth to adopt resolution No. 06-38 approving Conditional Use Permit No. 04-05 and Tentative Tract map No. 060348. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Salazar.

5. CONDITIONAL USE PERMIT NO. 05-05

Chairman Mann opened the public hearing at 7:53 p.m. to hear a request submitted by International Church of the Four Square Gospel for a 5,825± square foot expansion of an existing church with administrative offices and appurtenant parking facilities at 43454 20th Street West (located on the east side of 20th Street West, approximately 635 feet south of Avenue K) in the R-7,000 Zone.

The staff report was presented by Silvia Donovan. Reverend and Mrs. Torres were present on behalf of applicant. There were none in the audience who wished to speak regarding this agenda item.

Vice Chairman MacPherson questioned the proposed driveway as it relates to ingress and egress.

Commissioner Troth inquired regarding setback requirements from property line for the driveway.

Carlyle addressed Commission's concerns.

Chairman Mann closed the public hearing at 8:05 p.m., whereby Commission discussion ensued.

It was moved by Vice Chairman MacPherson and seconded by Commissioner Faux to adopt Resolution No. 06-39 approving Conditional Use Permit No. 05-05 with added Condition No. 6 to straighten out drive approach; applicant to work with staff regarding specifics. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Salazar.

6. CONDITIONAL USE PERMIT NO. 06-01

Chairman Mann opened the public hearing at 8:09 p.m. to hear a request submitted by North Downtown Renewal, LP to construct a 93-unit housing development on 1.78± acres located north of Lancaster Boulevard between Elm Avenue and Date Avenue in the CBD Zone.

The staff report was presented by Brian Ludicke. Scott Ehrlich was present on behalf of applicant.

Vice Chairman MacPherson inquired regarding door of building for pedestrian street access.

Brian Ludicke addressed the Commission's concerns.

Vice Chairman MacPherson inquired if applicant would be opposed to developing an additional street level entry to the building from one of the stairwells.

Scott Ehrlich agreed to provide an additional entry.

Chairman Mann closed the public hearing at 8:22 p.m., whereby Commission discussion ensued.

It was moved by Vice Chairman MacPherson and seconded by Commissioner Faux to adopt Resolution No. 06-40 approving Conditional Use Permit No. 06-01 with added Condition No. 5 to add an entry/front door to the housing development on the primary street. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Salazar.

Agenda Item No. 10 (TTM No. 062120) was taken out of turn and heard immediately after Agenda Item No. 6. Commissioner Troth abstained and removed himself from the public hearing for both Agenda Item No. 10. and Agenda Item No. 7 (TTM 060949).

10. TENTATIVE TRACT MAP NO. 062120

This agenda item was taken out of turn and heard immediately after Agenda Item No. 6 above. Chairman Mann opened the public hearing at 8:24 p.m. to hear a request submitted by Royal Investors Group, LLC for a subdivision of 316 single family lots on 82.6± gross acres located on the southeast corner of 40th Street West and Lancaster Boulevard 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 8:25 p.m., whereby Commission discussion ensued.

Vice Chairman MacPherson stated that this Agenda Item was on last month's Planning Commission Agenda and was referred back to staff for rearrangement of the street pattern to promote more of a sense of neighborhood and community. He expressed that he was pleased with what was re-submitted.

Chairman Mann stated appreciation of developer cooperating and adhering to the requests of the Commission regarding promoting a sense of neighborhood with street layout.

It was moved by Vice Chairman MacPherson and seconded by Chairman Mann to adopt Resolution No. 06-33 approving Tentative Tract Map No. 062120. Motion carried with the following vote:

AYES: Commissioner Faux, Vice Chairman MacPherson and Chairman Mann.

NOES: None.

ABSTAIN: Commissioner Troth.

ABSENT: Commissioner Salazar.

7. TENTATIVE TRACT MAP NO. 060949

Chairman Mann opened the public hearing at 8:28 p.m. to hear a request submitted by Royal Investors Group, LLC for a subdivision of 111 single family lots on 26.2± gross acres located on the southeast corner of 30th 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.

Chairman Mann closed the public hearing at 8:28 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Faux and seconded by Vice Chairman MacPherson to adopt Resolution No. 06-42 approving Tentative Tract Map No. 060949. Motion carried with the following vote:

AYES: Commissioner Faux, Vice Chairman MacPherson and Chairman Mann.

NOES: None.

ABSTAIN: Commissioner Troth.

ABSENT: Commissioner Salazar.

Commissioner Troth resumed participation in the public hearing.

8. TENTATIVE TRACT MAP NO. 061573

Chairman Mann opened the public hearing at 8:29 p.m. to hear a request submitted by United Engineering Group for subdivision of 77 single family lots on 20.86± gross acres located on the southeast corner of 20th Street East and future Avenue H-8 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 8:30 p.m., whereby Commission discussion ensued.

It was moved by Vice Chairman MacPherson and seconded by Commissioner Troth to adopt Resolution No. 06-43 approving Tentative Tract Map No. 061573. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Salazar.

9. TENTATIVE TRACT MAP NO. 061949

At the request of applicant, this agenda item was continued to June 19, 2006.

It was moved by Commissioner Troth and seconded by Vice Chairman MacPherson to continue TTM No. 061949 to June 19, 2006. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Salazar.

11. TENTATIVE TRACT MAP NO. 062306

Commissioner Faux abstained and removed herself from the public hearing on this Agenda Item. Chairman Mann opened the public hearing at 8:36 p.m. to hear a request submitted by Woodbridge Apartments for the conversion of an existing apartment complex into 46 air space divisions and common open spaces on two lots on 4.27± gross acres located on the southeast corner of Avenue J-8 and Bobby Jones Drive in the MDR Zone.

Brian Ludicke presented the staff report. Dennis Pursley was present on behalf of applicant. There were speakers in the audience who wished to comment as follows:

Betty Wienke, Lancaster, California, expressed opposition to this project and expressed concerns regarding displacement. Ms. Wienke inquired if current residents will receive first right to purchase, what the notice period will be, and the time of displacement.

Dennis Pursley addressed Ms. Wienke's concerns.

Chairman Mann closed the public hearing at 8:47 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Troth and seconded by Vice Chairman MacPherson to adopt Resolution No. 06-45 approving Tentative Tract Map No. 062306. Motion carried with the following vote:

AYES: Commissioner Troth, Vice Chairman MacPherson and Chairman Mann.

NOES: None.

ABSTAIN: Commissioner Faux.

ABSENT: Commissioner Salazar.

Commissioner Faux resumed participation in the public hearing.

12. TENTATIVE TRACT MAP NO. 062998

Chairman Mann opened the public hearing at 8:49 p.m. to hear a request submitted by Dennis Pursley for a subdivision of 15 single family lots on 10.6± gross acres located on the northeast corner of Avenue M and 32nd Street West in the SRR 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 8:49 p.m., whereby Commission discussion ensued.

It was moved by Vice Chairman MacPherson and seconded by Commissioner Troth to adopt Resolution No. 06-46 approving Tentative Tract Map No. 062998. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Salazar.

13. PROPOSED VACATION OF EXCESS ROAD RIGHT-OF-WAY ON AVENUE J-14, CONFORMITY WITH LANCASTER GENERAL PLAN

Chairman Mann opened the public hearing at 8:49 p.m. to hear a request for vacation of 1,558 square feet of excess road right-of-way located approximately 190 feet west of Challenger Way, on the south side of Avenue J-14.

The staff report was presented by Brian Ludicke. There were none in the audience who wished to speak regarding this agenda item.

Chairman Mann closed the public hearing at 8:55 p.m., whereby Commission discussion ensued.

It was moved by Vice Chairman MacPherson and seconded by Commissioner Troth to find that the vacation of excess right-of-way on Avenue J-14 is in conformance with the Lancaster General Plan. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Salazar.

14. DISCUSSION REGARDING COLLEGE BANNERS

Further discussion of College Banners will take place at a future Commission meeting.

15. DISCUSSION REGARDING AD HOC DESIGN COMMITTEE RECOMMENDATIONS

Further discussion of Ad Hoc Design Committee recommendations and other growth/development issues will resume at the June 12, 2006 Commission Review.

COMMISSION AGENDA

Vice Chairman MacPherson would like staff to further research and discuss Traffic Calming techniques.

Chairman Mann will be absent from the 6/19/06 Planning Commission meeting.

DIRECTOR'S ANNOUNCEMENTS

Brian Ludicke will be absent from the 6/19/06 Planning Commission meeting. Carlyle Workman will be absent from the 6/19/06 Planning Commission meeting. Brian Ludicke welcomed Commissioners Faux and Troth to the Commission.

PUBLIC BUSINESS FROM THE FLOOR – NON-AGENDA ITEMS

None.

ADJOURNMENT

Chairman Mann declared the meeting adjourned at 9:20 p.m. to Monday, June 12, 2006 at 5:00 p.m., in the Community Development Conference Room.

BRUCE MACPHERSON, Vice Chairman
Lancaster Planning Commission

ATTEST:

BRIAN LUDICKE,
Planning Director
City of Lancaster