

**AGENDA ITEM:** 4.

**DATE:** 12-21-09

**STAFF REPORT**

**TENTATIVE PARCEL MAP NO. 66115**

**DATE:** December 21, 2009  
**TO:** Lancaster Planning Commission  
**FROM:** Planning Department  
**APPLICANT:** Carlo Bondanelli  
**LOCATION:** 49.15± gross acres located on the southeast corner of future Avenue L-4 and future 5th Street West  
**REQUEST:** A subdivision for 45 Industrial lots in the LI (Light Industrial) Zone

**RECOMMENDATION:** Adopt Resolution No. 09-36 approving Tentative Parcel Map No. 66115.

**BACKGROUND:** There have been no prior hearings before either the City Council or the Planning Commission concerning this property.

**GENERAL PLAN DESIGNATION, EXISTING ZONING, AND LAND USE:** The subject property is designated as LI (Light Industrial) by the General Plan, is zoned LI (Light Industrial), and is currently vacant. The General Plan designation, zoning, and land use of the surrounding properties are as follows:

	<u>GENERAL PLAN</u>	<u>ZONING</u>	<u>LAND USE</u>
NORTH	LI	LI	Vacant
EAST	LI	LI	Vacant
SOUTH	LI	LI	Vacant
WEST	LI	LI	Vacant

**PUBLIC IMPROVEMENTS:** The site is bounded on the north by future Avenue L-4, on the south by future Avenue L-8, and on the west by future 5<sup>th</sup> Street West, which are undeveloped. All public utilities are available or can be extended to serve the site.

**ENVIRONMENTAL REVIEW:** Review of pertinent environmental documents has disclosed no significant adverse impacts resulting from the proposed subdivision after mitigation measures have been applied. Potential effects are discussed more fully in the attached Initial Study. The Initial Study prepared for the proposed project was sent to the State Clearinghouse SCH # 2009111071 for public review. This 30-day public review period ended on December 21, 2009. Based on this information, staff has determined that a mitigated Negative Declaration is warranted. Notice of intent to prepare a mitigated Negative Declaration has been legally advertised.

However, State law specifies that lead agencies may determine that a project would have a de minimis effect on fish and wildlife, and the fees waived. Said determination shall be based on findings of fact and incorporated into a Certificate of Fee Exemption.

**LEGAL NOTICE:** Notice of Public Hearing was mailed to all property owners within a 500-foot radius of the project, posted in three places, posted on the subject property, and noticed in a newspaper of general circulation per prescribed procedure.

**ANALYSIS:** The proposed subdivision consists of 45 Industrial lots in the LI Zone. The lots would range in size from approximately 21,816 square feet to 51,960 square feet, and be developed in three phases. Phase 1A will consist of 10 lots, Phase 1B will consist of 6 lots, and Phase 2 will consist of 29 lots in the LI Zone. Future development of each lot would require a separate application and environmental review. The project is consistent with the General Plan land use designation of Light Industrial. Division of the property would allow for development of 45 Industrial building at a future date. No construction is being proposed as part of the subdivision. The proposed project site is vacant.

The proposed subdivision would have access from 5<sup>th</sup> Street West, Avenue L-4, Avenue L-8 and Enterprise Parkway, all via Sierra Highway. In order to provide continuity, street improvements would be required in 5<sup>th</sup> Street West, Avenue L-4, Avenue L-8 and Enterprise Parkway. Avenue L-4 east of Street "C", and Enterprise Parkway would be developed with Phase 1A. Avenue L-8 east of Lot 9 would be developed with Phase 1B. Avenue L-4 west of Street "C", Avenue L-8 west of Lot 9, and, 5<sup>th</sup> Street West would be developed with Phase 2. Individual lot access would be provided from a series of internal streets. The proposed subdivision has the potential to generate 3,102 vehicular trips per day, with 420 trips occurring during the peak hours, which would not significantly impact surrounding streets once improvements have been implemented. Adequate drainage facilities and improvements would be provided for the subdivision.

A biological resources survey was conducted for the proposed project by Circle Mountain Biological Consultants on January 4 and 5, 2006. The study area was characteristic of shrub community, which defies clear characterization; it is neither saltbush scrub nor creosote bush scrub, although it has aspects of both communities. A project survey was conducted to determine if desert tortoise, Mohave ground squirrel, burrowing owls, and other sensitive plant and animal species or their sign

were present on the project site. The project site is within the range of Mohave Ground squirrel, and habitat on the site is suitable for Mohave ground squirrels. Owl burrows with recent evidences of occupation were detected around the project site. The site also contains vegetation that is suitable for nesting birds. Therefore, mitigation measures have been identified to reduce impacts to less than significant levels.

In addition, the site contains a small stream course that runs near the center of the site. Development of the proposed lots could potentially impact this resource. Therefore, mitigation measures have been identified to reduce impacts to less than significant levels.

A cultural resources survey of the project site was conducted by Groark Historical Consulting on December 25 and 26, 2005. As a result of the survey, four archaeological sites were found. The sites consist of several pieces of schist scattered on a claypan, fire-affected rock exposed on the northern end of a claypan surface. One site is a historic period refuse deposit; however, the historic period does not have the potential for yielding significant information, and is considered "not significant" under the California Environmental Quality Act (CEQA), and site 368-4 consists of a historic period refuse deposit. These sites are not considered significant and impacts would be less than significant.

A Phase I Environmental Site Assessment was prepared for the proposed project by Earth Systems Southern California on December 29, 2005. The site consists of vacant undeveloped land that is vegetated with native desert weeds and grasses. No hazardous materials were observed to be used, stored, or disposed of on the subject site.

In addition to the site visit, a regulatory database search was conducted on the project site and the immediately surrounding area (up to one mile radius) by EDR, and dated December 21, 2005. No environmental concerns for the property were noted, and no potential off-site sources of contamination were identified within a 1 mile radius. Therefore, no impacts would occur.

The subdivision is consistent with the General Plan designation of Light Industrial; the proposed subdivision meets the City's zoning requirements for the LI Zone; and sufficient access, utilities, and infrastructure exist or can be extended to serve the project site. Therefore, staff is recommending that the Commission approve Tentative Parcel Map No. 66115.

Respectfully submitted,

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Randie Davis, Assistant Planner

cc: Applicant  
Engineer

## RESOLUTION NO. 09-36

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 66115

WHEREAS, a tentative parcel map has been filed by Carlo Bondanelli for the division of 49.15± gross acres located on the southeast corner of future Avenue L-4 and future 5th Street West, as shown on the attached site map, into four lots; and

WHEREAS, staff has conducted necessary investigations to assure the proposed division of land would be consistent with the purposes of the City's Subdivision Ordinance, the State Subdivision Map Act, and the regulations of the Light Industrial Zone; and

WHEREAS, a written report was prepared by staff which included a recommendation for approval of this tentative parcel map subject to conditions; and

WHEREAS, public notice was provided as required by law and a public hearing was held on December 21, 2009; and

WHEREAS, the initial study was performed for this project in accordance with the requirements of CEQA; and

WHEREAS, this Commission hereby finds that the Initial Study determined that the proposed subdivision could have a significant effect on the environment; however, there would not be a significant effect in this case with the implementation of mitigation measures as detailed in Exhibit "A"; and

WHEREAS, this Commission hereby finds, pursuant to Section 21082.1 of the Public Resources Code, that the mitigated Negative Declaration prepared for the proposed project reflects the independent judgment of the City of Lancaster; and

WHEREAS, this Commission hereby adopts the following findings in support of approval of this map:

1. The site is physically suitable for the type and proposed density of development because adequate roadway capacity and infrastructure exist or can be provided, and the site has no topographical constraints.
2. The design and improvement of the subdivision are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is not within a sensitive habitat area, and all potential impacts are reduced to a level of less than significance with mitigation measure as noted in the environmental review section of the staff report.

3. The design and improvement of the subdivision are not likely to cause serious public health problems, because adequate sewer and water systems would be provided to the project.
4. The design and improvement of the subdivision would not conflict with easements acquired by the public at large, for access through or use of property within the proposed subdivision because all such easements have been incorporated into the proposed public streets (or will be abandoned), based on staff review of a preliminary title report.
5. The proposed subdivision provides, to the extent feasible, for the future passive or natural heating or cooling opportunities in the subdivision because the size and configuration of the parcels would allow for such systems, and

WHEREAS, this Commission, after considering all evidence presented, further finds that approval of the proposed tentative subdivision map will promote the orderly growth and development of the City.

NOW, THEREFORE, BE IT RESOLVED:

This Commission hereby approves Tentative Parcel Map No. 66115, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 21<sup>st</sup> day of December 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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JAMES D. VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

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BRIAN S. LUDICKE, Planning Director  
City of Lancaster

**ATTACHMENT TO PC RESOLUTION NO. 09-36**  
**TENTATIVE PARCEL MAP NO. 66115**  
**CONDITIONS LIST**  
**December 21, 2009**

**GENERAL/ADVISORY**

1. All standard conditions as set forth in Planning Commission Resolution No. 06-12 shall apply, except Condition No. 13, 19, 24, 25, 30, 34, 36, 51, 56, 58, 59, 60 (modified), and 62.

**STREETS**

2. Per the direction of the Public Works Director, improve and offer for dedication:
  - 5<sup>th</sup> Street West, at 68 feet of an ultimate 80-foot right-of-way
  - Avenue L-8, at 68 feet of an ultimate 80-foot right-of-way
  - Avenue L-4, at 60 feet of an ultimate 80-foot right-of-way
  - Enterprise Parkway at a 80-foot right-of-way
  - Street "A" at a 80-foot right-of-way
  - Street "B" at a 80-foot right-of-way
  - Street "C" at a 80-foot right-of-way

**ENVIRONMENTAL**

3. Per the direction of the Public Works Director, prior to issuance of a grading permit, a burrowing owl survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If burrowing owls or their sign are observed on the project site, then protocol burrowing owl surveys shall be required in accordance with established California Department of Fish and Game procedures.
4. Per the direction of the Planning Director, a nesting bird survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If nesting birds are encountered, all work in the area shall cease until either the young birds have fledged or the appropriate permits are obtained from the California Department of Fish and Game.
5. Focused trapping surveys for Mohave ground squirrel shall be conducted to determine the presence/absence of this species on the project site. These surveys shall be conducted in accordance with standard protocol established by CDFG. If Mohave ground squirrels are determined to be present on the project site, consultation with CDFG shall be required in order to obtain an Incidental Take Permit under §2081 of the CDFG Code.
6. The applicant shall consult with the California Department of Fish and Game to determine whether or not a Section 1602 Streambed Alteration Agreement is required prior to the

development of the project site. If a Streambed Alteration Agreement is required, it shall be obtained prior to the issuance of any permits (e.g., grading, etc.).

7. The applicant shall coordinate with the Lahontan Regional Water Quality Control Board to determine whether the applicant is required to obtain a Report of Waste Discharge prior to the development of the project site. If this permit is required, it shall be obtained prior to the issuance of any permits (e.g., grading, etc.).

### **OTHER CONDITIONS**

8. Per the direction of the Director of Public Works, all street lighting systems designed after July 1, 2007, shall be designed as City owned and maintained street lighting systems. The Developer's engineer shall prepare all plans necessary to build said street lighting system in accordance with Southern California Edison and City of Lancaster standards.
9. Per the direction of the Directors of Planning and Public Works, at the time of project construction, the applicant shall be required to comply with all Ordinances adopted to address the balance of water supply to water demand.
10. Contact Los Angeles County Waterworks District to determine if there are any additional off-site improvements or conditions that would be required. The proposed development will also be required to pay all applicable Waterworks District fees.
11. The development shall comply with all requirements of Ordinance No. 907 (Water Efficient Landscaping Requirements).
12. Prior to grading, the applicant shall provide 24 hours, 7 days a week, a contact name and valid phone number regarding blowing dust or debris from the site.
13. Per the direction of the Planning Director, all individual site development shall comply with the adopted City of Lancaster's Design Guideline Manual, including both site layout and building design/elevations. In the event disputes arise between the applicant and the Planning Director regarding elevations, or design of the buildings, the matter may be appealed to the Architectural and Design Commission (ADC), and the ADC shall render the final decision.
14. Restrict access at the intersection of Avenue L-4 and Sierra Highway to right-turn entrance and right-turn exit only. A raised median on Sierra Highway would fulfill this condition effectively.
15. Restrict access at the intersection of Avenue L-8 and Sierra Highway to right-turn entrance and right-turn exit only. As indicated in the review dated March 31, 2008, this intersection

should be signalized to mitigate Phase I impacts. As an interim measure, the installation of surface mounted channelizers and appropriate signing would suffice under Phase IA.

16. Contribute to the cost of installing traffic signals at both northbound and southbound ramps of State Route 14 at Avenue M (Columbia Way) as determined by the Director of Public Works. This project is pending addition to the City's capital program, subject to ongoing joint design and funding arrangements with CalTrans, the County of Los Angeles and the City of Palmdale. The project's payment of traffic signal fees could serve as sufficient mitigation of its significant traffic impacts at these locations.