

# MINUTES

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## REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

January 24, 2011

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### CALL TO ORDER

Chairman Vose called the meeting to order at 6:00 p.m.

### INVOCATION

Bishop Don Sather, Church of Jesus Christ of Latter-Day Saints, did the invocation.

### PLEDGE OF ALLEGIANCE

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

### ROLL CALL

Present: Commissioners Hall, Harvey, Malhi, Terracciano, and Chairman Vose.

Absent: Commissioner Wheeler and Vice Chairman Jacobs.

Also present were the Deputy City Attorney (Joe Adams), Planning Director (Brian Ludicke), Principal Planner (Silvia Donovan), City Engineer (Carlyle Workman), Recording Secretary (Joy Reyes), and an audience of approximately 7 people.

### CONSENT CALENDAR

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#### 1. APPROVAL OF MINUTES

It was moved by Commissioner Terracciano and seconded by Commissioner Malhi to approve the Minutes from the Regular Meeting of December 20, 2010. Motion carried with the following vote (5-0-0-2):

AYES: Commissioners Hall, Harvey, Malhi, Terracciano, and Chairman Vose.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Wheeler and Vice Chairman Jacobs.

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**NEW PUBLIC HEARINGS**

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**2. Conditional Use Permit No. 10-27**

Chairman Vose opened the public hearing at 6:05 p.m. to hear a request by Lancaster Economic Development/Redevelopment on behalf of the University of Antelope Valley, for a private university in the S (School) Zone, located at 808 West Avenue J.

Silvia Donovan presented the staff report. There was one speaker in opposition to the request.

Speaker Maureen Feller stated this is her neighborhood and a Planning Commission meeting was called eight months after the school was brought in, and asked the Commission why the community was not invited when the City first took possession of the school. She stated the City has moved out approximately 1100 students (Park View Middle School) that now have to travel up to six miles away to school. She stated that “we” have found monies to help private schools in the area, a five million dollar park, and given monies to West Coast Baptist College in both land and infrastructure. She stated the project is not a university, but a trade school that charges \$13,000 for a seven-month certification which is not transferable. She believes that some of the medical classes are accredited, and added that the tuition is \$11,500 for one-year at UCLA. She emphasized that what “we” are doing is now giving public schools to private enterprises; the project is 100-150 students, which is the present count. She stated that there had been discussion of Park View Middle School on a five-year lease, but in reality, according to AV Press, the lease would be fifteen years. The parents that had children at Park View were told that there would not be any lay-offs, and just a temporary closure for the school until the economy got better, and buses would be provided to the children going to Armargosa Middle School and Endeavor Middle School. She recalled there had been 24 lay-offs, buses have only been supplied to children going to Endeavor and not Armargosa (children are walking to-and-from school). There were rumors in her neighborhood of a sports complex to be built; and, according to the Freedom of Information Act, the Park View Relocation Plan Phase I for Beech Street, project for the destruction of low-income housing to build low-income housing, which will be housing for the subject project university. She concluded that the residents would like to be informed of Phases II and III before bulldozers are in their front yard, instead of eight months after the fact; and expressed that she felt the Commission had performed a great disservice to the children in their neighborhood.

Steve Gocke, representative on-behalf of the University, stated that the Economic Development/Redevelopment Agency (Agency) facilitated the reuse of the site with the intent that it would not be vandalized. He stated that some of the issues brought forth would need to be addressed by the Lancaster School District and were not decisions made by the Agency. Once Lancaster School District decided to close the school, the idea was to facilitate immediate reuse, which meets the Agency’s types of intention to keep a place vibrant and utilized. The issue of potential extensions of the lease is also strictly decided by the Lancaster School District. The basic lease is five years due to the decline in current enrollment. He concluded he was not familiar with the Beech Street project, and restated the Agency’s only concern was that the facility would be utilized and not become a blighted area.

Chairman Vose stated the matter had been before the City Council previously and asked if the lease between the Lancaster School District and City of Lancaster is a land use matter relative to requirements of the City Ordinance.

Steve Gocke stated the City agreed to the concept of facilitating the lease with the assignment of the lease to the University of Antelope Valley; this brought in the need for a conditional use permit since the project was not a public school.

Chairman Vose asked if the matter of the financial commitments and agreements relative to the Lancaster School District and the City have been resolved.

Steve Gocke affirmed the action was discussed, voted on and approved by the City Council. He added that some of the issues that were addressed were not a part of the City Council meeting because the issues are Lancaster School District-related matters.

Commissioner Hall asked for clarification concerning the statement of “giving” public schools to private enterprises, the five-year lease, and the eight months prior to the public hearing. Steve Gocke responded that the use of the facility is being “paid for” and is lease-income for the Lancaster School District; the lease agreement was set-up prior to the conditional use permit. He stated that private entities have been using the facility for over thirty years, but not to the present volume, therefore a conditional use permit was warranted.

Brian Ludicke addressed a few issues that had been mentioned by Maureen Feller. He stated that although some issues were not related to the case, the mention of the Housing and Neighborhood Revitalization Department’s portion of the Redevelopment Agency acquiring housing along Beech Street needs a response. The Agency has been undertaking this project in an effort to deal with blighted conditions on some of those properties. The only demolition plans, if any exist, are on sites that have actually been legally acquired as part of that project. The relocation plan that was referenced is a requirement any time that a Redevelopment Agency takes action to demolish existing housing, and part of that relocation plan to indicate how to re-house individuals who may be displaced as a part of any action that would occur in the area. The issue on the sports complex; the University of Antelope Valley has indicated some desire to use the site for a softball field, although an ultimate decision has not been made. The arena that has been talked about and also discussed in the local media would not be on the site; it was determined to be inappropriate for the location.

Chairman Vose inquired if issues of housing were matters that come before the City Council, not the Planning Commission.

Brian Ludicke responded that the only way that a housing issue, as described by the speaker, would come before the Commission would be if there was a revised development plan for those sites that warranted, under the zoning code, the review by the Planning Commission.

Chairman Vose stated, for example, change of land use or density issues, which are noticed in advance. Brian Ludicke affirmed.

Public hearing closed at 6:19 p.m.

It was moved by Commissioner Harvey and seconded by Commissioner Hall to adopt Resolution No. 11-01 approving Conditional Use Permit No. 10-27. Motion carried with the following vote (5-0-0-2):

AYES: Commissioners Hall, Harvey, Malhi, Terracciano, and Chairman Vose.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Wheeler and Vice Chairman Jacobs.

### **3. Tentative Tract Map No. 69992**

Chairman Vose opened the public hearing at 6:20 p.m. to hear a request by Kimberly Juday, for a subdivision for 8 single family lots in the SRR Zone, 5.08± gross acres located on the east side of future 37<sup>th</sup> Street West between future Avenue L-10 and Avenue L-12.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report.

Speaker Bob Powell of CCL Engineering, and engineer for the applicant, stated he was available for questions. He stated the conditions of approval prepared by the Staff had been reviewed, and were in 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. Public hearing closed at 6:21 p.m.

It was moved by Commissioner Hall and seconded by Commissioner Terracciano to adopt Resolution No. 11-02 approving Tentative Tract Map No. 69992. Motion carried with the following vote (5-0-0-2):

AYES: Commissioners Hall, Harvey, Malhi, Terracciano, and Chairman Vose.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Wheeler and Vice Chairman Jacobs.

## **DIRECTOR'S ANNOUNCEMENTS**

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Brian Ludicke reminded the Commission of the scheduled Master Plan for Trails and Bikeways Special Joint Study Session at 9 a.m. on Thursday, January 27, 2011, and scheduled walk-audits on January 28<sup>th</sup> and 29<sup>th</sup>. He stated that the walk-audits are open to the public.

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**COMMISSION AGENDA**

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None.

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

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None.

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**ADJOURNMENT**

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Chairman Vose declared the meeting adjourned at 6:26 p.m., to Monday, February 14, 2011, at 5:30 p.m., in the Planning Conference Room, City Hall.

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JAMES D. VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

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BRIAN S. LUDICKE, Planning Director  
City of Lancaster