

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

September 20, 2010

CALL TO ORDER

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

INVOCATION

Pastor John Meadors of Christian Life Assembly Church did the invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present: Commissioners Hall, Harvey, Malhi, Terracciano, Wheeler, Vice Chairman Jacobs, and Chairman Vose. (Commissioner Terracciano arrived at 6:03 p.m.)

Absent: None.

Also present were the Deputy City Attorney (Joe Adams), Planning Director (Brian Ludicke), Engineer (Carlyle Workman), Recording Secretary (Joy Reyes), Recording Secretary (Marion Coleman), and an audience of approximately 5 people.

CONSENT CALENDAR

1. APPROVAL OF MINUTES

Chairman Vose noted a correction on page 8, third paragraph, to change name from Wheeler to Terracciano who stated he drove a motorcycle. It was moved by Commissioner Wheeler and seconded by Commissioner Malhi to approve the Minutes from the Regular Meeting of August 16, 2010. Motion carried with the following vote (7-0-0-0):

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

CONTINUED PUBLIC HEARINGS

2. Conditional Use Permit No. 08-17

Chairman Vose opened the public hearing at 6:05 p.m. to hear a request by James Wood, Patrick Wood and Sandy Yavitz, for Alcoholic Beverage Control Type 21, Off-Sale General License (beer, wine and spirits) for a new drug store in the C (Commercial) Zone, located at the southeast corner of 15th Street West and Avenue J.

Brian Ludicke reported that Staff received a letter from the applicant requesting a continuance. He stated that given the history of the item, staff has no objection to a continuance; however, staff recommends continuing the conditional use permit indefinitely. He added when the applicant is prepared to place the item back on future agenda, the re-noticing process will be necessary.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:06 p.m.

It was moved by Commissioner Harvey and seconded by Commissioner Terracciano to continue Conditional Use Permit No. 08-17 indefinitely. Motion carried with the following vote (7-0-0-0):

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

NEW PUBLIC HEARINGS

3. Conditional Use Permit No. 09-02

Chairman Vose opened the public hearing at 6:07 p.m. to hear a request by Apostolic New Life Ministry, Inc., for construction of a 4,881 square-foot addition to an existing church in the R-7,000 Zone, 0.92± gross acres located at 43233 7th Street East (approximately 150 feet north of Avenue K-8).

Brian Ludicke read the staff report and conducted PowerPoint presentation. He stated the staff reviewed the parking and has recommended that the Commission provide a reduction in the normal amount of parking based on the amount of parking that staff assumes the project will use. He stated that two conditions have been included as recommended for roof access from inside the building, and electrical gear incorporated in an enclosure in the church. He stated that there is no undue hardship to the surrounding area because the applicant has been operating in said area for a number of years. He concluded that the applicant is not certain as to the start of the construction; however, under the conditional use permit extensions, the applicant has up to five (5) years to begin construction. An uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report. Applicant and representatives were present.

Commissioner Terracciano asked if the elevations discussed accommodate the added conditions of the conditional use permit. Brian Ludicke affirmed, and stated the two conditions refer to roof access and electrical enclosures.

Chairman Vose questioned if there would be parking impact in the area recalling that the parking calculations were based on a maximum ten percent (10%) reduction allowed by the Lancaster Municipal Code. Brian Ludicke stated it was possible, for example, if there were special services or events. Chairman Vose concluded that if all the facilities are being used at the same time, parking issues may occur.

Chairman Vose commented concerning Fairglen Street, which backs the west side of the property, and questioned if there was a proposal to improve the property.

Carlyle Workman responded that staff was asking for the dedication easement because Fairglen Street has been identified as a future street, and there are portions of the street that have dedicated easement and have been accessed by a few homes. He stated the applicants were not required to improve said area, and would not have to improve unless access to the rear of the site was necessary from Fairglen Street.

Chairman Vose stated that under this design, there would be no ability to access. Carlyle Workman responded that there was no opening to the easement area; that the cut area was a backup area which will be a wall, no curb cut would be necessary, and would not be open to the easement area.

Chairman Vose stated that on the site plan it appears that there are two curb cuts on 7th Street East, and one of the curbs cut north of the site is abandoned.

Brian Ludicke stated it was a relocation of the existing driveway under the revision, leaving with just one access.

Commissioner Hall inquired concerning the modification of hours mentioned in the staff report if the applicant held special events that would occur beyond the hours stated.

Brian Ludicke stated that if there was a special event the applicant would contact staff for approval. He concluded that if there was a major change to regular hours, the applicant would have to submit for approval from the Commission.

Commissioner Hall stated with the improvement to the property there would be major rain run-off and inquired how the run-off would be funneled.

Carlyle Workman responded the run-off is designed to go out through 7th Street East.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:19 p.m.

It was moved by Commissioner Terracciano and seconded by Vice Chairman Jacobs to adopt Resolution No. 09-02 approving Conditional Use Permit No. 10-40. Motion carried with the following vote (7-0-0-0):

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

4. Conditional Use Permit No. 10-19

Chairman Vose opened the public hearing at 6:20 p.m. to hear a request by Sunghee Whang, for on-sale and consumption of alcoholic beverages (Alcoholic Beverage Control Type 41, on-sale beer and wine) within a new bona fide restaurant (Sato Sushi Japanese Restaurant), within an existing building in the CPD (Commercial Planned Development) Zone, located at 2801 West Avenue L.

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. Applicants were present and 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 Malhi to adopt Resolution No. 10-41 approving Conditional Use Permit No. 10-19. Motion carried with the following vote (7-0-0-0):

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

5. Tentative Parcel Map No. 66794

Chairman Vose opened the public hearing at 6:22 p.m. to hear a request by Rubin & Mirla Bugarin, for a subdivision for four (4) single family lots in the SRR Zone, located on 2.5± gross acres approximately 260 feet north of Avenue M-8 west of 38th Street West.

Staff requested to continue Tentative Parcel Map No. 66794 to the October 18, 2010, Planning Commission meeting, due to lack of noticing. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:22 p.m.

It was moved by Commissioner Hall and seconded by Commissioner Harvey to Continue Tentative Parcel Map No. 66794 to the October 18, 2010, Planning Commission meeting. Motion carried with the following vote (7-0-0-0):

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

DIRECTOR'S ANNOUNCEMENTS

Brian Ludicke announced to the Commission and the public that the first community workshop for the Master Plan of Trails and Bikeways will be held on Thursday, September 30, 2010, from 6:30 p.m. to 8:30 p.m., at Lancaster City Hall, in the Emergency Operators Center (EOC), accessible through the north parking lot. He stated the public will have an opportunity to give input, comments, and ideas of what should be addressed in the Master Plan of Trails and Bikeways, and also express what is important to them concerning the project. He stated that if there was an interest in equestrian, biking, and walking, these subject matters would be covered. He concluded that the information announcement could be viewed on the City's website, Antelope Valley Partners for Health would be conducting outreach efforts, and that the Lancaster eNews and also AV Press had run articles regarding this effort.

COMMISSION AGENDA

Chairman Vose stated the Commission had to consider rescheduling the Planning Commission meetings of January 17 and February 21, 2011, due to the Martin Luther King, Jr., Day and President's Day holidays, respectively. The Commission agreed to move the meetings to January 24 and February 28, 2011. Dates would be confirmed by staff through the City Clerk's Office.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDA ITEMS

None.

ADJOURNMENT

Chairman Vose declared the meeting adjourned at 6:30 p.m., to Monday, October 11, 2010, at 5:30 p.m., in the Planning Large Conference Room, City Hall.

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster