

# MINUTES

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## REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

June 22, 2015

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### **CALL TO ORDER**

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

### **INVOCATION**

Vice Chair Hall.

### **PLEDGE OF ALLEGIANCE**

Commissioner Coronado.

### **ROLL CALL**

Present: Commissioners Cook, Coronado, Malhi, Vice Chair Hall, and Chairman Vose.

Absent: Commissioners Harvey and Terracciano.

Also present were the Assistant City Attorney (Jocelyn Corbett), Planning Director (Brian Ludicke), City Engineer (Michelle Cantrell), Associate Planner (Chuen Ng), Associate Planner-Environmental (Jocelyn Swain), Assistant Planner (Randie Davis), and Recording Secretary (Joy Reyes). There were approximately 30 people in the audience.

### **CONSENT CALENDAR**

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#### **1. APPROVAL OF MINUTES (May 18, 2015, and Special Meeting of April 27, 2015)**

It was moved by Commissioner Malhi and seconded by Vice Chair Hall to approve the Minutes from the Regular Meeting of May 18, 2015. Motion for the Regular Meeting carried with the following vote (5-0-0-0-2):

AYES: Cook, Coronado, Malhi, Hall, and Vose.

NOES: None.

ABSTAIN: None.

RECUSED: None.

ABSENT: Harvey and Terracciano.

It was moved by Commissioner Malhi and seconded by Vice Chair Hall to approve the Minutes from the Special Meeting of April 27, 2015 Motion for the Special Meeting carried with the following vote (4-0-1-0-2):

AYES: Coronado, Malhi, Hall, and Vose.  
NOES: None.  
ABSTAIN: Cook.  
RECUSED: None.  
ABSENT: Harvey and Terracciano.

## **CONTINUED PUBLIC HEARING**

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### **2. CONDITIONAL USE PERMIT NO. 14-05**

Chairman Vose opened the discussion at 6:04 p.m., to hear continued request by Love and Grace Christian Fellowship, to construct and operate a 12,726± square-foot church, and convert an existing 3,613± residential structure for assembly use in the RR-1 zone, located at 2052 West Avenue L.

The staff report was presented by Chuen Ng. Staff has met with the applicants on several occasions to establish a phasing plan for the project. He concluded the location is a buffer between the urban uses north of Avenue L, and the rural uses south of Avenue L. Applicant and representative were present for any questions.

Vice Chairman Hall inquired of the meetings with staff, the conversion process for the existing structure, the 21<sup>st</sup> Street West improvement, and if the applicant agreed to the proposed conditions.

Chuen Ng responded that staff met with the applicant twice in a formalized setting, and with follow-up calls. The meetings were to come to a common understanding for the applicant's desires, and an understanding that the existing residential structure was not adequate for assembly use. The phases reflect each goal toward completion. He stated that churches require a conditional use permit process in residential zones to evaluate the use in terms of how it would affect adjacent properties during its operations. There are conditions that are specific to the existing building for the purpose of ensuring that it becomes an assembly use as required through a conditional use permit. The 21<sup>st</sup> Street West improvement is typical for all development proposals. The improvements are required for the purpose of safety, functionality, and operations.

Commissioner Cook inquired if having a church in the surrounding area would impact real estate value. Chairman Vose discussed the question with staff, and no negative effect had been reported. Vice Chairman Hall voiced his concern of the applicant completing Phase 1 within the one year as stated in the conditions.

Applicant David Cowan and representative Kerondo Dolberry voiced their gratitude to the Commission to continue the hearing, and stated after meeting and conversing with staff, the applicant was in agreement to the proposed conditions. The applicant concluded that the proposed project would be of value and an asset to the community.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:24 p.m.

It was moved by Commissioner Cook and seconded by Commissioner Malhi to adopt Resolution No. 15-01 approving Conditional Use Permit No. 14-05. Motion carried with the following vote (5-0-0-2)

AYES: Cook, Coronado, Malhi, Hall, and Vose.  
 NOES: None.  
 ABSTAIN: None.  
 RECUSED: None.  
 ABSENT: Harvey and Terracciano.

### **NEW PUBLIC HEARING**

#### **3. CONDITIONAL USE PERMIT NO. 14-12**

Chairman Vose opened the public meeting at 6:25 p.m., to hear a request by Abbey Rd. Development, to construct a mixed-use 3-story building totaling 78,737 square feet, including 73,200 square feet for 75 multi-family housing units and common areas, and 5,537 square feet for office uses and support services, on 2.4± gross acres located approximately 270 feet south of Avenue K on west side of Sahuayo Street.

The staff report was presented by Chuen Ng. Commissioner Coronado inquired of the provisions and tracking and ensurance of affordable units intended for veterans. Chuen Ng referred the question to the applicant.

Brian Ludicke introduced guest speaker JoAnne Yokota, representative for Abbey Road Inc., a subsidiary of Penny Lane Centers. JoAnne Yokota stated that the facility will provide mental health services for youth and young adults who are transitioning from foster care/foster housing into permanent housing; they will dedicate 50% of the housing units to veterans and will also work with the Veterans Administration (VA) to qualify tenants and provide support services, as required in the proposals to the state and county. When the project is completed, the state and county will review all files once a year; and ensure that they meet all occupancy requirements. JoAnne Yokota added that affordability and services will be monitored by the tax credit allocation committee and there are severe penalties if the requirements are not met.

Chairman Vose inquired if there were any other facilities that provide the same type of services. JoAnne Yokota opined that there is affordable housing with similar services within the city. Brian Ludicke informed that there is a similar type of affordable housing at Sierra Highway and Jackman Street.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:36 p.m.

It was moved by Commissioner Malhi and seconded by Commissioner Cook to adopt Resolution No. 15-08 approving Condition Use Permit No. 14-12. Motion carried with the following vote (5-0-0-0-2)

AYES: Cook, Coronado, Malhi, Hall, and Vose.  
 NOES: None.  
 ABSTAIN: None.  
 RECUSED: None.  
 ABSENT: Harvey and Terracciano.

#### **4. CONDITIONAL USE PERMIT 15-05**

Chairman Vose opened the public hearing at 6:37 p.m., to hear a request by Edison Andres Gomes (Rio's Brazilian Grill), for on-sale beer and wine (Alcohol Beverage Control License Type 41) for a bona fide restaurant in the SP 08-01 zone (Downtown Specific Plan), located at 628 West Lancaster Boulevard.

The reading of the staff report was waived. An uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report. Applicant Briana Covera and Edison Andres Gomes were present and expressed to the Commission the restaurant would be a "dining" experience "all about the meat", and an asset to the community to enjoy.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:39 p.m.

It was moved by Commissioner Malhi and seconded by Cook to adopt Resolution No. 15-08 approving Conditional Use Permit No. 15-05. Motion carried with the following vote (5-0-0-0-2).

AYES: Cook, Coronado, Malhi, Hall, and Vose.  
 NOES: None.  
 ABSTAIN: None.  
 RECUSED: None.  
 ABSENT: Harvey and Terracciano.

### **NEW BUSINESS**

#### **5. PROPOSED SCOPE OF REVIEW – ALCOHOL ORDINANCE/CONDITIONS**

Chairman Vose opened new business session at 6:40 p.m., to discuss proposed scope of review on alcohol ordinance/conditions.

Presenters: Planning Commission Sub-Committee Members, (Vice Chair Hall, Commissioners, Cook and Coronado and Planning Director, Brian Ludicke).

Vice Chair Hall discussed the Lancaster Municipal Code (LMC) effective in 2008 regarding the sale of alcohol. Three areas have been identified for modification: (1) A floor area

required to be devoted to fresh meat and produce to increase from 10% to possibly 15% or 20% for convenience markets; (2) The floor area devoted to alcohol display and flexibility for different size containers; and (3) Size of single sale containers.

Randie Davis shared research background from other cities regarding requirement of conditional use permits for alcohol use/sale. After lengthy discussion, Commissioner Coronado expressed appreciation to staff for the research, and Brian Ludicke stated that staff would establish proposed language for the alcohol ordinance/conditions to present in the August PC meeting, and give the Commission another opportunity to review.

New Business session closed at 7:30 p.m.

### **DIRECTOR'S ANNOUNCEMENT**

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Brian Ludicke informed that the temporary sign ordinance, as recommended by the Commission, will go before the City Council on July 14, 2015.

### **COMMISSION AGENDA**

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Vice Chair Hall briefly mentioned landscape ordinance and yard removal.

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

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None.

### **ADJOURNMENT**

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Chairman Vose declared the meeting adjourned at 7:39 p.m., to the Special Meeting for Agenda Review on Monday, July 13, 2015, at 5:30 p.m., in the Parks and Recreation Conference Room, Lancaster 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