

# MINUTES

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## REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

October 19, 2015

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### CALL TO ORDER

Chairman Vose called the regular meeting to order at 6:01 p.m.

### INVOCATION

Vice Chair Hall.

### PLEDGE OF ALLEGIANCE

Commissioner Harvey.

### ROLL CALL

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

Absent: None.

Also present were the Assistant City Attorney (Jocelyn Corbett), Planning Director (Brian Ludicke), Principal Planner (Chuen Ng), Chief Building Official (Warren Bennett), Associate Planner-Environmental (Jocelyn Swain), and Recording Secretary (Joy Reyes). There were approximately 29 people in the audience.

### CONSENT CALENDAR

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#### 1. APPROVAL OF MINUTES

It was moved by Vice Chair Hall and seconded by Commissioner Terracciano to approve the Minutes from the Regular Meeting of September 21, 2015. Motion for the Regular Meeting carried with the following vote (6-0-0-0-0):

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

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**NEW PUBLIC HEARINGS**

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**2. ONE-YEAR EXTENSIONS****a. Tentative Tract Map No. 52339**

Chairman Vose opened the discussion at 6:09 p.m., to hear a request by Royal Investors Group, LLC, to subdivide 1,594 single-family lots, 1 school lot of 13.39 acres and 1 park lot of 28.05 acres in the SP (Specific Plan) Zone, located on 483± gross acres bounded by Avenue K, 62<sup>nd</sup> Street West, Avenue L, and 70th Street West.

The staff report was presented by Chuen Ng. There were 6 speaker cards, including applicant representatives.

Applicant representatives Jim Powers and Mike White of CV Communities addressed the Commission, and agreed to the conditions of approval as stated in the staff report.

Speaker Geraldine Godde inquired of the water source being utilized for the project, the identity of the school near the project, and if there would be drilling. Chairman Vose responded that the water source was Los Angeles County Waterworks District 40, the school site was identified as Westside Union School District, and there would be no drilling.

Speaker Donald Griffin, resident near Avenue L and 70<sup>th</sup> Street West, expressed concerns about taxes, property value, and the recent flooding. He is in favor of growth in Lancaster, and insisted the City needs to do right with better drainage systems.

Chairman Vose asked staff to explain the process of environmental reviews for the specific plan for the project, and inquired if there were any cities that had a design for a thousand-year storm. Chuen Ng stated that the Specific Plan has its own development standards which are distinguished from the common single-family zoning of R-7,000. Developers have to provide documents, including plans, standards, and street guidelines. An Environment Impact Report (EIR) is being prepared and will be available to the public. Warren Bennett stated he was not aware of any cities that had a design for a thousand-year storm.

Speaker Todd Bakken, also a resident near Avenue L and 70<sup>th</sup> Street West, expressed concerns about the street traffic, property taxes increasing for residents in the area as a result of the subject project, and drainage system reservoirs in the neighborhood. He voiced that two residents contacted the City to clear debris, but there was no response. Chairman Vose stated that the property taxes were determined by the assessor's office, and City Public Works would be responding to the residents in that area.

Speaker Dennis Ray shared that LA Water Works District 40 stated the City caused residents rates to go up; therefore he disagrees with the project.

Applicant representative Mike White approached for rebuttal: the building project is subject to the City Engineering standards. The debris on the project property will be addressed by developing the property. Property taxes will not have an impact on the residents. There is no reassessment for water; residents will pay their fair share. A will-serve letter was sought out, but was

very costly to secure. A water source was obtained from Kern County several years prior; will construct infrastructure for water from Kern to AVEK to current project.

Public hearing closed at 6:40 p.m.

It was moved by Commissioner Cook and seconded by Commissioner Terracciano to grant a one-year extension to October 17, 2016, based on the findings contained in the staff report, and subject to the Revised Conditions List, Attachment to Resolution No. 05-64. Motion carried with the following vote (6-0-0-0-0):

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

**b. Tentative Tract Map No. 61480**

Chairman Vose opened the discussion at 6:41 p.m., to hear a request by Royal Investors Group, LLC, to subdivide 130 single-family lots in the R-7,000 Zone, located on 28.9± gross acres at the northeast corner of Lancaster Boulevard and future 35th Street East.

The staff report was presented by Chuen Ng. Applicant was not present. There were none in the audience who wished to speak in opposition to the request.

It was moved by Commissioner Harvey and seconded by Commissioner Cook to continue the public hearing to the November 16, 2015, Planning Commission meeting. Motion carried with the following vote (6-0-0-0-0):

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

**c. Tentative Tract Map No. 61977**

Chairman Vose opened the discussion at 6:43 p.m., to hear a request by Tiferet, LLC, to subdivide 16 single-family lots in the R-7,000 Zone, located on 375± gross acres at the south side of Avenue K-4 and approximately 660 feet west of 15th Street East.

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, and there were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:44 p.m.

It was moved by Commissioner Harvey and seconded by Commissioner Terracciano to grant a one-year extension to October 17, 2016, based on the findings contained in the staff report, and

subject to the Revised Conditions List, Attachment to Resolution No. 05-70. Motion carried with the following vote (6-0-0-0-0):

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

**d. Tentative Tract Map No. 62121**

Commissioner Cook recused herself from the hearing due to her residence in close proximity of the project, and left the dais.

Chairman Vose opened the discussion at 6:45 p.m., to hear a request by Royal Investors Group, LLC, to subdivide 115 single-family lots in the R-7,000 Zone, located on 30.3± gross acres at the northwest corner of 40th Street West and Avenue K.

The staff report was presented by Chuen Ng. The General Plan designation changed on 10 acres of the site as a result of the City's comprehensive General Plan update; approving extension would not be in conformance with the General Plan designation.

Applicant representative Jim Powers requested a 60-day continuance, and stated the City changed the zoning; it was not applicant's request to change the zoning to commercial.

Commissioners and Staff discussed in length regarding the process and requirements for map extensions, and the General Plan Amendment (GPA) in reference to the requested extension.

Jim Powers reiterated the request for a 60-day continuance. Chairman Vose reminded the applicant of the process for approval of the GPA by the Planning Commission and the approval of the ordinance by the City Council.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:59 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Coronado to deny the request for a one-year extension, based on the findings contained in the staff report. Motion carried with the following vote (5-0-0-1-0):

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

Commissioner Cook returned to the dais.

**e. Tentative Tract Map No. 63786**

Chairman Vose opened the discussion at 7:00 p.m., to hear a request by Antelope Valley Engineering, to subdivide 37 single-family lots in the R-7,000 Zone, located on 10± gross acres at the northwest corner of 30th Street East and Avenue J-8.

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, and there were none in the audience who wished to speak in opposition to the request. Public hearing closed at 7:00 p.m.

It was moved by Commissioner Terracciano and seconded by Commissioner Cook to grant a one-year extension to October 16, 2016, based on the findings contained in the staff report, and subject to the Revised Conditions List, Attachment to Resolution No. 06-77. Motion carried with the following vote (6-0-0-0-0):

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

**f. Tentative Tract Map No. 66408**

Chairman Vose opened the public hearing at 7:02 p.m., to hear a request for extension by Civil Design and Drafting, Inc., to subdivide 20 single-family lots in the R-7,000 Zone, located on 4.77± gross acres west of 22nd Street East and north of Avenue J-6.

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, and there were none in the audience who wished to speak in opposition to the request. Public hearing closed at 7:02 p.m.

It was moved by Commissioner Harvey and seconded by Commissioner Terracciano to grant a one-year extension to October 19, 2016, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 09-28. Motion carried with the following vote (6-0-0-0-0):

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

### **3. CONDITIONAL USE PERMIT NO. 15-06**

Chairman Vose opened the public hearing at 7:03 p.m., to hear request by Lkhagva Tundev, for a Type 41 (on-sale beer and wine for a bona fide eating place) Alcoholic Beverage Control (ABC) license in conjunction with a 2,432 square-foot restaurant (Okami Sushi Restaurant), within a commercial shopping center, in the Commercial Planned Development (CPD) Zone, located at 2073 West Avenue K.

The staff report was presented by Chuen Ng. An uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report.

Applicant Lkhagva Tundev addressed the Commission.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 7:08 p.m.

It was moved by Commissioner Coronado and seconded by Commissioner Harvey to adopt Resolution No. 15-30 approving Conditional Use Permit No. 15-06. Motion carried with the following vote (6-0-0-0-0):

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

### **4. CONDITIONAL USE PERMIT NO. 15-07**

Chairman Vose opened the public hearing at 7:09 p.m., to hear request by Sustainable Power (sPower) Group, LLC, to construct a 5 megawatt (MW) photovoltaic solar facility in the RR-2.5 (Rural Residential 2.5) Zone, located on 51± gross acres generally bounded by Avenue J, future Avenue J-6, 100th Street West, and 105th Street West.

The staff report was presented by Jocelyn Swain. An uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report.

Vice Chair Hall inquired concerning the decommissioning, mitigation measures, and funding of the project. Jocelyn Swain responded regarding the process and position of the California Department of Fish and Game. Applicant representative Garret Bean was present and addressed the Commission.

There was one speaker card by Tracy Hill; she shared her concern of decrease in property value, dust, and concern with scenic views. She is also in opposition to Item No. 5, same reason.

Garret Bean stated in rebuttal: trying to address issues as best as possible, there are several measures in place to control dust.

Public hearing closed at 7:25 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Coronado to adopt Resolution No. 15-31 approving Conditional Use Permit No. 15-07. Motion carried with the following vote (6-0-0-0-0):

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

## **5. CONDITIONAL USE PERMIT NO. 15-09**

Chairman Vose opened the public hearing at 7:26 p.m., to hear request by Sustainable Power (sPower) Group, LLC, to construct a 60 megawatt (MW) photovoltaic solar facility in the RR-2.5 (Rural Residential 2.5) Zone, located on 352± gross acres generally bounded by Avenue J, future Avenue K-4, 110th Street West, and 90th Street West.

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, and there were none in the audience who wished to speak in opposition to the request. Public hearing closed at 7:27 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Harvey to adopt Resolution No. 15-32 approving Conditional Use Permit No. 15-09. Motion carried with the following vote (6-0-0-0-0):

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

## **DIRECTOR'S ANNOUNCEMENT**

None

## **COMMISSION AGENDA**

Discussion of Planning Commission meetings of December 2015.

It was moved by Vice Chair Hall and seconded by Commissioner Terracciano for the December Planning Commission Special Meeting for Agenda Review be rescheduled to December 7, 2015; and Regular meeting rescheduled to December 14, 2015. Motion carried with the following vote (6-0-0-0-0):

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

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

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There were no speakers cards.

Vice Chair Hall mentioned reading AB 116 referencing a 2-year extension for tentative tract maps, and the Commission to bring before the City Council for consideration. Jocelyn Corbett advised she would confer with Brian Ludicke whether to place on or remove from the agenda to discuss. Staff will notify Commission of the decision.

Chairman Vose inquired regarding AB 1303. Brian Ludicke stated the State Legislature signed and passed the Bill granting automatic extensions valid only in Counties that meet "all" criteria in said bill; LA County does not qualify; any maps in the LA County jurisdiction do not benefit from the automatic extensions.

There was further discussion by Commissioners regarding above-subject matter.

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**ADJOURNMENT**

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Chairman Vose declared the meeting adjourned at 7:41 p.m., to the Special Meeting for Agenda Review on Monday, November 9, 2015, at 5:30 p.m., in the Parks, Recreation & Arts 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