

# MINUTES

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## REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

February 22, 2016

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### CALL TO ORDER

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

### INVOCATION

Vice Chair Hall, in recognition of Black History Month.

### PLEDGE OF ALLEGIANCE

Commissioner Terracciano.

### ROLL CALL

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

Absent: Commissioner Coronado.

Also present were the Assistant City Attorney (Jocelyn Corbett), Planning Director (Brian Ludicke), Development Services Director (Jeff Hogan), Principal Planner (Chuen Ng), City Engineer (Michelle Cantrell), Assistant Planner (Tim Rosenstein), and Recording Secretary (Joy Reyes). There were approximately 15 people in the audience.

### CONSENT CALENDAR

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#### 1. APPROVAL OF MINUTES

It was moved by Commissioner Terracciano and seconded by Commissioner Harvey to approve the Minutes from the Regular Meeting of January 25, 2016. Motion for the Regular Meeting carried with the following vote (5-0-0-0-1):

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

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**NEW PUBLIC HEARINGS**

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**2. CONDITIONAL USE PERMIT NO. 15-21**

Chairman Vose opened the public hearing at 6:08 p.m., to hear a request from SADA ANF Inc. (Antoun Abdullatif), to change an Alcohol Beverage Control Type 20 license to an Alcohol Beverage Control Type 21 license (primary off-sale alcoholic beverage establishment), plus waiver from distance requirements, at an existing business in the Light Industrial (LI) Zone, located at 710 West Avenue L (Ben's Corner).

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

Chairman Vose inquired if there were any city restrictions on the Type 20 license. Chuen Ng responded that the existing Type 20 ABC license is a "deemed approved" use and is not subject to new regulations, and was approved prior to the adoption of the City's alcohol ordinance.

Commissioners and staff clarified that the proposed Type 21 ABC license would be subject to the new conditions and standard conditions as stated in the staff report if approved. There were none in the audience who wished to speak in opposition to the request.

Applicant Antoun Abdullatif addressed the Commission, and proposed the ability to sell new container type (IPA beer) to be added to the conditions; however, he agrees to all the conditions.

Chairman Vose inquired why the commission should consider an approval of a Type 21 license. Applicant stated that his customers have indicated a desire to purchase alcohol while shopping for groceries. Applicant also requested approval to sell IPA beer in individual containers.

Commissioner Cook inquired if the IPA beer is to be sold in singles. Applicant indicated that the IPA beer is only manufactured in 22 oz. bottles, and is very expensive. Commissioner Cook asked about the number of stores the applicant owns, violations, and staff training. Applicant owns 15 stores, with four in the Antelope Valley; no violations or citations except an employee selling to minor due to false ID; offers employee training every six months.

Commissioner Terracciano commented that Ben's Corner has been in business for a long time. He inquired as to why the applicant wants to change the business model now, and whether the meat department is ran separately by another proprietor. The applicant addressed the questions, and also stated the meat area is being leased, and will continue to be operated, by "Joe". The applicant stated that it is not his intention to turn the business into a liquor store.

Chairman Vose indicated to applicant that under his current license he would not be prohibited from selling the IPA craft beer.

Public hearing closed at 6:23 p.m.

Chairman Vose expressed his disapproval of a Type 21 license and opined that applicant has not demonstrated the need for the public convenience or overall necessity.

It was moved by Vice Chair Hall to adopt Resolution No. 16-02 approving Conditional Use Permit No. 15-21. Motion failed for lack of second.

There was a discussion that a denial would constitute that the applicant will retain his deemed approved status of the conditional use permit in accordance with the license issued by the Alcoholic Beverage Control (ABC).

There were no further motions (for approval or denial) offered by the Commissioners. No action taken on this item constitutes a denial.

Discussion later ensued on lack of a second motion. Jocelyn Corbett clarified that failure for lack of second is a denial; the denial is, therefore, appealable. In order to avoid confusion, Chairman Vose called the item back for another motion.

It was moved by Vice Chair Hall and seconded by Commissioner Harvey to adopt Resolution No. 16-02 approving Conditional Use Permit No. 15-21. Motion failed with the following vote (0-5-0-0-1):

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

### **3. ONE-YEAR EXTENSIONS**

#### **a. Tentative Tract Map No. 61535**

Chairman Vose opened the public hearing at 6:30 p.m., to hear a request by Stantec Consulting Services, Inc., to subdivide 240 single-family lots in the R-7,000 Zone, located on 57.6± gross acres on the southeast corner of Avenue J and 45<sup>th</sup> Street West.

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.

There were two speakers in opposition to the request.

Speaker David Paul questioned water availability, and wanted to ensure they have water for the project before an extension is discussed.

Speaker Glenn Bever, 40-year Lancaster resident, and retired NASA engineer, had concerns about the environmental impact report checklist and read paragraphs 3d, 3e, and 7b. Mr. Bever stated that his wife is environmentally sensitive and any sustained construction would cause her to become non-functional. Mr. Bever asked the Commission not to renew the extension and to re-evaluate how the environmental impact studies were accomplished.

Chuen Ng and Commissioners addressed the concerns of Speaker Paul, stating there are conditions of agreement requiring the applicant to obtain a water availability letter, ensuring that water can be provided to the site, and must pay any fees that may be assessed to obtain that water.

Brian Ludicke addressed the concern of Speaker Bever, indicating that the City has conditions in place for how soil is to be stabilized, and how other types of construction activities and dust control are to be conducted.

Public hearing closed at 6:49 p.m.

It was moved by Commissioner Harvey and seconded by Vice Chair Hall 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. 05-67. Motion carried with the following vote (5-0-0-0-1):

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

**b. Tentative Tract Map No. 61554**

Chairman Vose opened the public hearing at 6:52 p.m., to hear a request by Somis Investments, LLC, to subdivide 20 single-family lots in the R-7,000 Zone, located on 5± gross acres at the northeast corner of 55<sup>th</sup> Street West and Avenue J-4.

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. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:53 p.m.

It was moved by Commissioner Harvey and seconded by Commissioner Cook to grant a one-year extension to February 21, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 06-15. Motion carried with the following vote (5-0-0-0-1):

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

**c. Tentative Tract Map No. 62643**

Chairman Vose opened the public hearing at 6:54 p.m., to hear a request by Pacific Communities, Inc., to subdivide 93 single-family lots in the R-7,000 Zone, located on 24.92± gross acres on the northwest corner of 45<sup>th</sup> Street West 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. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:54 p.m.

It was moved by Commissioner Terracciano and seconded by Commissioner Harvey to grant a one-year extension to February 20, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 07-03. Motion carried with the following vote (5-0-0-0-1):

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

**d. Tentative Tract Map No. 62979**

Chairman Vose opened the public hearing at 6:55 p.m., to hear a request by Somis Investments, LLC, to subdivide 87 single-family lots in the R-7,000 Zone, located on 20.24± gross acres at the southwest corner of 45<sup>th</sup> Street West and Jackman Street.

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. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:55 p.m.

It was moved by Commissioner Cook and seconded by Commissioner Terracciano to grant a one-year extension to February 21, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 06-18. Motion carried with the following vote (5-0-0-0-1):

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

**e. Vesting Tentative Tract Map No. 62925**

Chairman Vose opened the public hearing at 6:56 p.m., to hear a request by Civil Design and Drafting, Inc., to subdivide 183 single-family lots in the R-10,000 Zone, located on 63.4± gross acres at the northeast corner of future 85<sup>th</sup> Street West and future Avenue M.

The staff report was presented by Tim Rosenstein, and he informed that the applicant requested a 60-day extension to the Planning Commission April 18<sup>th</sup> meeting.

Randy and Suzan Acheronti submitted one speaker card for Item Nos. 3.e. and 3.f.

Randy Acheronti stated that the public hearing notice signs were not publicly visible. He was also concerned about how a development will affect the neighborhood, pointing out the recent flood damage to his property.

Brian Ludicke provided information on ways public hearing notices are completed (legal notices to local newspaper, public library, site posting, mailers, website, etc.).

Public hearing closed at 7:05 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Cook to grant a 60-day time extension, for a future public hearing at the April 18, 2016, Planning Commission meeting. Motion carried with the following vote (5-0-0-0-1):

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

**f. Vesting Tentative Tract Map No. 66062**

Chairman Vose opened the public hearing at 7:05 p.m., to hear a request by Civil Design and Drafting, Inc., to subdivide 111 single-family lots, one lot approximately 13 acres for a potential school site, and one lot for a detention basin and utility easement in the R-10,000 Zone, located on 56.4± gross acres at the southeast corner of future 85<sup>th</sup> Street West and future Avenue L-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.

Speaker Suzan Acheronti stated her concerns were expressed by her husband.

Commissioner Cook informed the audience that the Planning Commission meetings are posted on the website and accessible to the public.

Public hearing closed at 7:09 p.m.

It was moved by Commissioner Harvey and seconded by Commissioner Terracciano to grant a one-year extension to February 17, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 07-09. Motion carried with the following vote (5-0-0-0-1):

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

### **DIRECTOR'S ANNOUNCEMENT**

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Brian Ludicke informed the Commission that Conditional Use Permit No. 15-11 (Alcohol) Appeal would go before the City Council the following day (February 23, 2016).

Brian Ludicke attended the recent event of the Curbside chat in Pasadena, and shared highlights of Strong Towns by Chuck Marohn's that had been presented in Lancaster, March 2015.

### **COMMISSION AGENDA**

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Chairman Vose informed that the Draft EIR for Mira Loma Women's Detention Center project is up for review at Los Angeles County; public comment period closes March 2, 2016.

### **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 7:14 p.m., to the Special Meeting for Agenda Review on Monday, March 14, 2016, 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