

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

April 17, 2017

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CALL TO ORDER

Chairman Vose called the regular meeting to order at 5:01 p.m.

INVOCATION

Pastor John Williams, Lancaster Baptist Church.

PLEDGE OF ALLEGIANCE

Commissioner Harvey.

ROLL CALL

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

Absent: Coronado.

Also present were the Assistant City Attorney (Jocelyn Corbett), Planning Director (Brian Ludicke), City Engineer (Trolis Niebla), Principal Planner (Jocelyn Swain), and Recording Secretaries (Joy Reyes and Sydney Yeseta). There were 13 people in the audience.

CONSENT CALENDAR

1. APPROVAL OF MINUTES

It was moved by Commissioner Smith and seconded by Commissioner Cook to approve the Minutes from the Regular Meeting of March 20, 2017. Motion carried with the following vote (6-0-0-0-1):

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

CONTINUED PUBLIC HEARINGS

2. Conditional Use Permit No. 15-08, Tentative Tract Map No. 72534

Chairman Vose opened the item at 5:06 p.m., to hear a request by GID Lancaster 80, LLC, to construct a Residential Planned Development (RPD) for 109 single-family lots, a 1.5-acre private park, and one drainage basin lot in the R-7,000 Zone; the streets within the subdivision would be private.

The reading of the staff report was waived because the applicant was requesting a 30-day extension for additional time to modify the design. There were none in the audience who wished to speak on the request.

It was moved by Commissioner Cook and seconded by Commissioner Mercy to continue the hearing for 30-days to the May 15, 2017, regular meeting, in order for the applicant to demonstrate compliance with the RPD standards. Motion carried with the following vote (6-0-0-1):

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

3. Modification of Building Placement and Setback Requirements in the City's Commercial Zones

Chairman Vose opened the item at 5:09 p.m., to receive public testimony and adopt a resolution amending the Lancaster Municipal Code (Title 17) to modify the building setback requirements along street frontages in the C (Commercial) and OP (Office Professional) zones.

The reading of the staff report was waived and there were no speakers who wished to comment on the item. The public hearing closed at 5:10 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Harvey to adopt Resolution No. 17-04, recommending to the City Council approval of an ordinance amending Title 17 of the Lancaster Municipal Code modifying building setback requirements in the C and OP zones. Motion carried with the following vote (6-0-0-1):

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

4. Safe Routes To School

Chairman Vose opened the item at 5:11 p.m., to receive public testimony and adopt a resolution recommending to the City Council adoption of the City of Lancaster Safe Routes To School Master Plan.

Brian Ludicke presented the staff report. Mr. Ludicke explained that the plan is city-wide and has support from all the school districts. The plan is intended for use with grant programs and funding for safer routes to schools for students who are biking, walking, or rolling. Speed was identified as an issue by parents at every school.

Trolis Niebla discussed the process for determining speed limits. In order for the speed limit to be enforceable by state law, the speed limit for a road is determined by the 85th percentile during a speed survey. Individual jurisdictions do not have the authority to change the speed limit without going through the process. The City can implement techniques that slow traffic down, such as increasing side friction and narrowing lanes. The California Vehicle Code requires a speed survey to be conducted every five, seven, and ten years.

There was one speaker card.

Speaker No. 1: Fran Sereseres, wanting to thank the Commission and City Staff for the work they did on Jackman Street that has slowed drivers and made them more cautious.

The public hearing was closed at 5:23 p.m.

It was moved by Commissioner Harvey and seconded by Commissioner Smith to adopt Resolution No. 17-05, recommending to the City Council approval of the City of Lancaster Safe Routes To School Master Plan. Motion carried with the following vote (6-0-0-0-1):

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

NEW PUBLIC HEARINGS

5. ONE-YEAR EXTENSIONS

a. Conditional Use Permit No. 06-08, Tentative Parcel Map No. 72532

Chairman Vose opened the public hearing at 5:24 p.m., to hear a request for extension by Antelope Valley Engineering, to subdivide 10 commercial parcels and the construction of a 395,355 square-foot commercial shopping center, with off-site sales of alcoholic beverages for the Anchor 1 building and the Drug Store, in the Commercial Planned Development (CPD) zone, located on 40.26± gross acres at the southeast corner of Avenue L and 60th Street West.

The staff report was presented by Jocelyn Swain. An uncontested hearing letter was received from the applicant stating agreement with the conditions of approval as stated in the staff report. One condition was modified to reduce the right-of-way on Avenue L from 120 feet to 100 feet to more accurately reflect the current needs of the City.

There was one speaker card.

Speaker No. 1: George Lane, the applicant, stated that he was available to speak on behalf of the project. He noted that the recession caused the project to slow, but he is optimistic that things will be moving forward.

The public hearing was closed at 5:28 p.m.

It was moved by Commissioner Smith and seconded by Commissioner Mercy to grant a one-year extension to May 19, 2018, based on the findings contained in the staff report and subject to the revised conditional use permit conditions. Motion carried with the following vote (6-0-0-1):

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

b. Tentative Parcel Map No. 69578

Chairman Vose opened the public hearing at 5:29 p.m., to hear a request for extension by Chickkiah and Vasantha Padmanabhan, to subdivide four single-family lots in the SRR Zone, located on 2.55± gross acres at the northwest corner of 37th Street West and Avenue L-6.

The staff report was presented by Jocelyn Swain. An uncontested hearing letter was not received from the applicant stating agreement with the conditions of approval as stated in the staff report. There were none in the audience who wished to speak on the request. The public hearing was closed at 5:30 p.m.

It was moved by Commissioner Mercy and seconded by Commissioner Cook to grant a one-year extension to March 15, 2018, based on the findings contained in the staff report and subject to the Revised Condition List, Attachment to Resolution No. 10-07. Motion carried with the following vote (6-0-0-1):

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

c. Tentative Tract Map No. 61921

Chairman Vose opened the public hearing at 5:31 p.m., to hear a request for extension by Royal Investors Group, LLC, to subdivide 74 single-family lots in the R-7,000 Zone, located on 20± gross acres at the northeast corner of 40th Street West and Avenue J.

The reading of the staff report was waived. An uncontested hearing letter was received from the applicant stating agreement with the conditions of approval as stated in the staff report. There were none in the audience who wished to speak on the request. The public hearing was closed at 5:31 p.m.

It was moved by Commissioner Harvey and seconded by Commissioner Smith to grant a one-year extension to April 17, 2018, based on the findings contained in the staff report and subject to Revised Conditions List, Attachment to Resolution No. 06-31. Motion carried with the following vote (6-0-0-0-1):

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

d. Tentative Tract Map No. 62120

Chairman Vose opened the public hearing at 5:32 p.m., to hear a request for extension by Royal Investors Group, LLC, to subdivide 316 single-family lots in the R-7,000 Zone, located on 82.6± gross acres at the southeast corner of 35th Street West and Lancaster Boulevard.

The reading of the staff report was waived. An uncontested hearing letter was received from the applicant stating agreement with the conditions of approval as stated in the staff report. There were none in the audience who wished to speak on the request. The public hearing was closed at 5:33 p.m.

It was moved by Commissioner Cook and seconded by Commissioner Mercy to grant a one-year extension to May 22, 2018, based on the findings contained in the staff report and subject to Revised Conditions List, Attachment of Resolution No. 06-33. Motion carried with the following vote (6-0-0-0-1):

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

6. Conditional Use Permit No. 17-05

Chairman Vose opened the item at 5:34 p.m., to hear a request by Mario Flores, for a banquet facility for private catered events and to allow alcohol (beer, wine, and distilled spirits) to be provided on the premises in the CPD (Commercial Planned Development) Zone.

Staff requested the item be continued to the regular meeting of May 15, 2017, in order to conduct additional research. There were none in the audience who wished to speak on the request.

It was moved by Vice Chair Hall and seconded by Commissioner Harvey to grant a continuance to the May 15, 2017, regular meeting in order to conduct additional research. Motion carried with the following vote (6-0-0-0-1):

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

7. Conditional Use Permit No. 17-09

Chairman Vose opened the item at 5:35 p.m., to hear a request by Stillwaters Food Service, Inc. (Texas Cattle Company Steak House), for a Type 47 (on-sale beer, wine, and distilled spirits for a bona fide eating place) Alcoholic Beverage Control (ABC) license in an existing, approximately 7,100 square-foot restaurant including patio (Texas Cattle Company Steak House), in the Commercial (C) Zone. The site is located at 44206 10th Street West.

The reading of the staff report was waived. An uncontested hearing letter was received from the applicant stating agreement with the conditions of approval as stated in the staff report. There were none in the audience who wished to speak on the request. The public hearing was closed at 5:37 p.m.

It was moved by Commissioner Harvey and seconded by Commissioner Smith to adopt Resolution No. 17-10, approving Conditional Use Permit No. 17-09. Motion carried with the following vote (6-0-0-0-1):

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

8. Amendment to Lancaster Municipal Code (Title 16) to Allow Approval of Multi-Year Extension Requests for Tentative Maps

Chairman Vose opened the item at 5:38 p.m., to receive public testimony and adopt a resolution, amending Title 16 of the Lancaster Municipal Code to modify the extension provisions for approved tentative parcel and tract maps.

Brian Ludicke explained that the new provisions would be more effective for maps that are being approved moving forward, not those that have already been approved. The language of the code requires that the applicant request the amount of time they wish for the extension. The maps would still need to be brought up to the new standard if the General Plan is updated. The Planning Commission would still have discretion regarding the amount of time granted for extensions. There were none in the audience who wished to speak on the request. The public hearing was closed at 5:48 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Cook to adopt Resolution No. 17-11, recommending to the City Council approval of an ordinance amending Title 16 of the Lancaster Municipal Code to modify the extension provisions for approved tentative parcel and tract maps. Motion carried with the following vote (6-0-0-1):

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

9. Amendment to Lancaster Municipal Code (Title 16) Providing Regulations for Grazing of Animals

Chairman Vose opened the public hearing at 5:49 p.m., to receive public testimony and adopt a resolution amending Title 17 of the Lancaster Municipal Code to provide regulations for grazing of animals.

The staff report was presented by Jocelyn Swain. The request for an amendment was in response to the drought and the damage of overgrazing to the ground cover. The amendment to the code would allow code enforcement to deal with any violations, which could result in fines. There were none in the audience who wished to speak on the request. The public hearing was closed at 5:55 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Harvey to adopt Resolution No. 17-12, recommending to the City Council approval of an ordinance amending Title 17 of the Lancaster Municipal Code to provide regulations for grazing of animals. Motion carried with the following vote (6-0-0-1):

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

NEW BUSINESS

10. Alcohol Convenience and Necessity

Chairman Vose opened the item at 5:56 p.m., to discuss the information the Commission would like to see in staff reports for alcohol conditional use permits.

There was one speaker card.

Speaker No. 1: Steve Kinsey, was going to ask questions based on the discussion, if necessary. After the discussion, he did not have any questions or comments.

Commissioner Coronado joined the meeting at 5:57 p.m.

The Commission would like to see the following information in the staff reports for alcohol conditional use permits:

- An overview of alcohol sellers, including what is sold and how much, within a one-mile radius of the proposed use;
- Crime rates around the area of the proposed use;
- More detailed information about the surrounding businesses and/or uses;
- Justification for the distance waiver; and
- Compelling reasoning for public convenience and necessity.

11. Residential Planned Development (RPD) Requirements

Chairman Vose opened the item at 6:19 p.m., to discuss the City's RPD requirements. There were none in the audience who wished to speak on the item.

Brian Ludicke provided information to the Commission regarding RPD requirements, which was originally drafted to allow people to use odd shapes of land effectively, without meeting the traditional requirements. Amenities within the RPD are not required to be available to the public. The advantage of the RPD is to create unique features, amenities, and creativity that would not be seen in a conventional development. The language of the code needs to be revised to include compensating characteristics, which allows flexibility. There are multiple RPD projects coming to the Planning Commission in the next several months.

DIRECTOR'S ANNOUNCEMENT

Brian Ludicke informed the Commission that the appeal for Conditional Use Permit No. 16-08 will be heard at the May 9, 2017, City Council Meeting.

Jocelyn Corbett updated the Commission on the medical cannabis conditional use permit application process. There were no applications that had been submitted, but more than 50 had been picked up. The first review process will take place on Monday, May 1, 2017, by an evaluation team with set criteria to determine the eligibility and completeness of each application. While most of the information will become public record, during the evaluation process it will not be. It is possible that the first medical cannabis conditional use permits will be heard by the Planning Commission at the July 17, 2017, regular meeting.

PUBLIC BUSINESS FROM THE FLOOR – NON-AGENDA ITEMS

No speakers.

ADJOURNMENT

Chairman Vose declared the meeting adjourned at 6:41 p.m. to the Special Meeting for Agenda Review on Monday, May 8, 2017, at 4:30 p.m., in the City Council Chambers, Lancaster City Hall.

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster