

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

December 18, 2017

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CALL TO ORDER

Chairman Vose called the regular meeting to order at 5:11 p.m.

INVOCATION

Pastor Brad Hayen, Grace Chapel.

PLEDGE OF ALLEGIANCE

Commissioner Smith.

ROLL CALL

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

Absent: None.

Also present were the Assistant City Attorney (Jocelyn Corbett), Planning Director (Brian Ludicke), Community Development Manager (Larissa De La Cruz), Director of Housing and Neighborhood Revitalization (Elizabeth Brubaker), City Engineer (Trolis Niebla), Principal Planner (Jocelyn Swain), Associate Planner (Chris Aune), Associate Planner (Cynthia Campaña), and Recording Secretary (Sydney Yeseta). There were 65 people in the audience.

Chairman Vose introduced Larissa De La Cruz, the new Community Development Manager.

CONSENT CALENDAR

1. APPROVAL OF MINUTES

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

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

Agenda Item Nos. 7, 9, and 10 were moved to the beginning of the agenda.

NEW PUBLIC HEARINGS

7. Tentative Tract Map No. 74965, Conditional Use Permit No. 17-26

Chairman Vose opened the public hearing at 5:24 p.m., to hear a request by the Lancaster Housing Authority, for a residential development of 78 single-family attached units on individual lots with 1.17 acres of common open space and landscaping, located on 5.66± gross acres at the southwest corner of Avenue I and Sierra Highway. Commissioner Harvey recused herself due to her involvement with the Lancaster Housing Authority and left the dais.

Cynthia Campaña presented the staff report. An uncontested hearing letter was received from the applicant stating agreement with the conditions of approval, as stated in the staff report. Elizabeth Brubaker stated that the project is being funded through assets from the dissolution of the Redevelopment Agency. Community Development Block Grant funding will also help fund the project. The proposed project will have income restrictions, serving low and moderate-income families.

There were no public comments on the request.

The public hearing was closed at 5:29 p.m.

It was moved by Commissioner Smith and seconded by Commissioner Cook to adopt Resolution No. 17-40 approving Conditional Use Permit No. 17-26 and Tentative Tract Map No. 74965. Motion carried with the following vote (5-0-0-1-0):

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

Commissioner Harvey returned to the dais at this time.

9. Notice of Availability of a Draft Environmental Impact Report for the Avanti South Specific Plan (SCH No. 2016071067)

Chairman Vose opened the item at 5:31 p.m., to provide an opportunity for the public to provide comments on the Draft Environmental Impact Report.

A court reporter was present to record any verbal comments verbatim. The Commission did not engage in any conversation, amongst themselves or with any speakers, during the meeting. The public hearing for the item will be held at a later date.

Jocelyn Swain stated that the proposed project is a mixed-use development with residential, commercial, open space, a school, and fire station. The comment period will be open until December 27, 2017, and comments will be taken until that date.

There was one speaker card.

David Joseph, a resident, asked about the ingress and egress of the roads within the project.

The item was closed at 5:35 p.m. and no action was taken by the Commission.

10. Notice of Availability of a Draft Environmental Impact Report for the Antelope North Solar Project (SCH No. 2017061079)

Chairman Vose opened the item at 5:35 p.m., to provide an opportunity for the public to provide comments on the Draft Environmental Impact Report.

A court reporter was present to record any verbal comments verbatim. The Commission did not engage in any conversation, amongst themselves or with any speakers, during the meeting. The public hearing for the item will be held at a later date.

Jocelyn Swain stated that the proposed project is a 72-megawatt solar generating facility on approximately 430 acres. The comment period will be open until January 3, 2018, and comments will be taken until that date.

There were two speaker cards.

Speaker No. 1: Virginia Stout, a resident, voiced her concern about the cumulative impacts of all the projects in the area. She asked about the science of heat island effects, and the loss of wildlife and aesthetics.

Speaker No. 2: Ryan Langdale, a resident, stated that the vacant lot on Avenue H and Suffolk Drive would be a better site for the proposed project.

The item was closed at 5:42 p.m. and no action was taken by the Commission.

2. Conditional Use Permit No. 17-04

Chairman Vose opened the item at 5:43 p.m., to hear a request by sPower Development Company, LLC, for the construction of a 650-megawatt (MW) collector substation in the RR-2.5 (Rural Residential, minimum lot size 2.5 acres) Zone, located on 46.4± gross acres at the southeast corner of Avenue J and 100th Street West (Assessor's Parcel Nos. 3203-034-022, -023, -032, and -033).

Jocelyn Swain presented the staff report.

There were two speaker cards.

Speaker No. 1: Harold Brand, a resident, inquired about where the solar projects would end and about the West Mojave Plan.

Jocelyn Swain responded stating that the proposed project is for a collector substation, which consists of transformers and conductors to feed into the Antelope Valley substation. The West Mojave Plan refers to property owned by the Bureau of Land Management and does not apply to City or County properties.

Speaker No. 2: Ryan Langdale, a resident, asked if the City would receive any money for the energy that would be produced from the project.

Jocelyn Swain responded stating that proposed project would be a private development, not City or publicly funded.

The public hearing was closed at 5:53 p.m.

It was moved by Commissioner Cook and seconded by Commissioner Mercy to adopt Resolution No. 17-33 approving Conditional Use Permit No. 17-04. Motion carried with the following vote (6-0-0-0-0):

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

3. General Plan Amendment No. 17-01, Zone Change No. 17-01, Conditional Use Permit No. 17-11

Chairman Vose opened the item at 5:53 p.m., to hear a request by 20 West, LLC, to amend the General Plan land use designation for the subject property from NU (Non-Urban Residential) to C (Commercial); rezone subject property from RR-2.5 (Rural Residential, minimum lot size 2.5 acres) to CPD (Commercial Planned Development); and for the construction and operation of a 3,000-square-foot mini-mart, 3,825-square-foot gas island canopy, 1,596-square-foot car wash facility, 1,680-square-foot oil and lube building, and a 2,648- square-foot commercial pad for a drive-through restaurant and retail services; to allow the sale of alcohol with an Alcoholic Beverage Control (ABC) Type 20 license (off-sale beer and wine); and approval of a waiver from distance requirements. The proposed project is located at 1966 Avenue L (Assessor's Parcel No. 3109-019-003).

Cynthia Campaña presented the staff report. An uncontested hearing letter was received from the applicant stating agreement with the conditions of approval, as stated in the staff report.

Jeff Little, the applicant's representative, agreed with staff recommendations on the project. He stated there is a need for a gas station on Avenue L and the improvement on the corner would be beneficial to other developments in the area, including the vacant shopping center adjacent to the proposed project. The water from the carwash would be recycled according to State requirements. The request to serve alcohol is part of the Chevron Extra Mile business plan.

There were nine speaker cards. All speakers were opposed to the project.

Speaker No. 1: Donna Jay-Giguere, a resident, opposed the project because the shopping center across the street is vacant, it would increase loitering, and there is no need for the proposed use on the proposed site.

Speaker No. 2: Alyssa Hildago, a resident, opposed the project because she is concerned about living near and breathing fumes from a gas station, and there are other lots within the City with proper zoning for the proposed use.

Speaker No. 3: James Roepel, a resident, opposed the project because it does not work with the neighborhood and would increase traffic and noise. He also expressed concern for sanitation and storm water run-off.

Speaker No. 4: Bruce B. Hailstone, a real estate broker and resident, opposed the project because the commercial property adjacent to the project is vacant and there was a recent occurrence of vandalism. He also stated that the proposed project does not belong next to rural residential homes.

Speaker No. 5: Richard Groves, a resident, opposed the project because it does not meet the need of the community and would increase loitering, traffic, and accidents.

Speaker No. 6: Eugenie Trow, a resident, opposed the project because it would increase traffic on Avenue L and would slow the response of emergency vehicles that use the corridor for quicker access.

Speaker No. 7: Richard Sim, a resident, opposed the project because it would cause more accidents on Avenue L.

Speaker No. 8: Paul Buckley, a resident, opposed the project because the proposed use does not meet the need of the community.

Speaker No. 9: Lorraine Schaum, a resident, opposed the project because it would increase traffic, noise, alcohol-related accidents, and vagrants. As a person who lives alone, she is nervous for her safety. She also voiced her concern about the environmental impacts on the waste from the gas station.

Jeff Little responded to the opposition, stating that the project will enhance the corner and slow vehicles traveling on Avenue L. The gas fumes would be recaptured from both the truck and the pumps. The proposed project would not be on a septic tank because the project is conditioned to construct a sewer mainline to connect to the existing sewer. The applicant would be required to obtain a will-serve letter from the water company, and would install a catch basin or connect to the existing basins.

Trolis Niebla explained that California State law requires that the speed limit be set by the 85th percentile. A new speed survey was adopted in August. The traffic signal controls, system controllers, and fiber-optic connect will be upgraded, which will allow for better signal timing. The existing median on Avenue L, and the proposed median on 20th Street West, would prevent people turning left into the proposed project.

The Sheriff's Department and the owner would be responsible for addressing homelessness and loitering. If it becomes an issue, the City can cite the owner and ultimately revoke the business license and conditional use permit.

A noise study was conducted for the proposed project. The speaker on the drive-through would be controlled by the ambient noise level.

The public hearing was closed at 7:10 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Mercy to adopt Resolution No. 17-34 recommending to the City Council approval of General Plan Amendment No. 17-01 and Zone Change No. 17-01. Motion carried with the following vote (4-2-0-0-0):

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

It was moved by Commissioner Mercy and seconded by Commissioner Smith to adopt Resolution No. 17-35 approving Conditional Use Permit No. 17-11. The approval of Conditional Use Permit No. 17-11 is not valid until the effective date of General Plan Amendment No. 17-01 and Zone Change No. 17-01. Motion failed with the following vote (3-3-0-0-0):

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

The motion for the conditional use permit failed. There was no motion to reconsider.

The General Plan Amendment and Zone Change was approved to be recommended to the City Council, and will be heard at a future City Council meeting. The conditional use permit was not approved, but can be appealed to the City Council.

The meeting was in recess from 7:13 p.m. to 7:30 p.m.

4. General Plan Amendment No. 17-02, Zone Change No. 17-02, Conditional Use Permit No. 17-12

Chairman Vose opened the item at 7:30 p.m., to hear a request by Calandri Properties (John & Brandon Calandri), to amend the General Plan land use designation for the subject property from NU (Non-Urban Residential) to C (Commercial); rezone the subject property from RR-1 (Rural Residential, minimum lot size 1 acre) to C (Commercial); and to construct and operate a two-story, 93,064-square-foot mini storage facility. The proposed project is located on 2.11± acres at the southeast corner of Avenue L and 22nd Street West. Commissioner Mercy recused himself due to a professional relationship conflict and left the dais.

Chris Aune presented the staff report. An uncontested hearing letter was received from the applicant stating agreement with the conditions of approval, as stated in the staff report.

Vice Chair Hall asked about security concerns related to homeless living in storage facilities.

Jeff Little, the applicant's representative, agreed with staff recommendations on the project. He stated that he had not heard of any issues with homeless living in storage facilities. The facility would be secured with cameras and on-site management. The facility would only be accessible during business hours and visitors would need to check-in with office staff upon arrival.

There were nine speaker cards. All speakers were opposed to the project.

Speaker No. 1: Donna Jay-Giguere, a resident, opposed the project because it would increase the amount of traffic using 22nd Street West, which is a private, dirt road. She was concerned about the increase in noise and dust, and does not feel the site is appropriate for the use.

Speaker No. 2: Gary Wagner, a resident, opposed the project due to an increase in traffic on Avenue L. He would like to see a traffic signal installed and stated that the drainage on 22nd Street West needs improvement.

Speaker No. 3: Paul Buckley, a resident, opposed the project due to an increase in traffic on 22nd Street West. He expressed concern for the maintenance of the road, since it is private, and a decrease in property values.

Speaker No. 4: Debbie Pimental, a resident, opposed the project because it would not be aesthetically pleasing and would decrease home values. Furthermore, she was concerned about the increased traffic.

Speaker No. 5: Bruce B. Hailstone, a real estate broker and resident, opposed the project because the traffic on Avenue L, which is part of the peripheral loop, will be slowed. He does not see the need for a commercial development next to rural residential lots.

Speaker No. 6: Richard Groves, a resident, opposed the project because it will block his view of the mountains and decrease property values.

Speaker No. 7: Brian Glidden, a resident, opposed the project because it would increase traffic on 22nd Street West, which would increase noise and dust. He also stated that the project is not consistent with the adjacent rural land use.

Speaker No. 8: Cody Blanco, a resident, opposed the project because it would increase traffic on 22nd Street West.

Speaker No. 9: Kimberly and Nathaniel Smiley, residents, opposed the project because they already have issues with homeless and vandalism, and they fear it will increase with the facility. Additionally, Ms. Smiley runs a daycare center out of her home.

Jeff Little responded stating that he does not believe that Avenue L was built for speed and that more business would help slow traffic speeds. He stated that in the current market, buyers are looking for storage facilities near their homes. The facility would operate 12 hours a day, 7 days a week and there would be no outside storage allowed, so there would not be a lot of noise generated. The project meets the City's design standards. He does not foresee an issue with loitering and homelessness because cameras and on-site management will be there to deter it. The applicant will work with the City to mitigate the Joshua trees currently on the site.

Chris Aune explained that as a condition of approval, a portion of 22nd Street West would be dedicated and the City would maintain it. Furthermore, there are conditions for drainage, as well.

Trolis Niebla explained that there would be a left-turn pocket on Avenue L, and access for the project would be available on Avenue L and 22nd Street West.

The public hearing was closed at 8:34 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Cook to adopt Resolution No. 17-36 recommending to the City Council approval of General Plan Amendment No. 17-02 and Zone Change No. 17-02. Motion carried with the following vote (5-0-0-1-0):

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

It was moved by Vice Chair Hall and seconded by Commissioner Cook to adopt Resolution No. 17-37 approving Conditional Use Permit No. 17-12. The approval of Conditional Use Permit No. 17-12 is not valid until the effective date of General Plan Amendment No. 17-02 and Zone Change No. 17-02. Motion carried with the following vote (5-0-0-1-0):

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

The General Plan Amendment and Zone Change was approved to be recommended to the City Council and will be heard at a future City Council meeting.

Commissioner Mercy returned to the dais at this time.

5. Conditional Use Permit No. 17-15

Chairman Vose opened the item at 8:35 p.m., to hear a request by Green Beanworks B, LLC, for the construction of a 3-megawatt (MW) photovoltaic solar generating facility in the RR-2.5 (Rural Residential, minimum lot size 2.5 acres) Zone, located on 20± gross acres generally located at the southeast corner of Avenue J and 75th Street East (Assessor's Parcel No. 3384-009-012).

Jocelyn Swain presented the staff report. The proposed site is undisturbed land and the wildlife on the site is not protected, except during denning periods. The applicant is willing to relocate the Joshua trees on the site.

Garret Bean, the applicant, stated the site was selected because the interconnection team did compacity studies and it met the needs of a specific program with Southern California Edison (SCE). The contract with SCE is 20 years, however the applicant would operate for about 25 to 30 years. A total of 19 Joshua trees were identified on the site and the applicant will work with the City for options to relocate. The applicant will work with Antelope Valley Air Quality Management District to mitigate dust by using mulch. The City has a policy to decommission the site when the proposed use is completed. The applicant is willing to look at creative design layouts to avoid Joshua trees.

There were four speaker cards. All speakers were opposed to the project.

Speaker No. 1: Myrle McLernon, a resident representing the Roosevelt Town Council, stated that the site is not appropriate for the use. He would like to see an Environmental Impact Report done on the proposed project.

Speaker No. 2: Sarah McLernon, a resident, opposed the project because it would be detrimental to the wildlife on the site and is not the best site for the proposed project. She expressed concern with the dust and mulch used, as well as the time frame for the mitigation measures.

Speaker No. 3: Lynnell Parker, a resident, opposed the project because there are a significant amount of Joshua trees on the site and they should be preserved.

Speaker No. 4: Bob Alvis, a resident, opposed the project because the site is pristine and the Joshua trees and wildlife should be preserved.

Garret Bean responded stating that they follow best management practices, but they welcome suggestions. He stated that the mulch is clean and is obtained from Los Angeles County.

Commissioners Smith and Cook stated they understand the emotions tied to preserving the community, but they also see the future and the City's goal of becoming energy efficient.

The public hearing was closed at 9:23 p.m.

It was moved by Commissioner Mercy and seconded by Commissioner Cook to adopt Resolution No. 17-38 approving Conditional Use Permit No. 17-15. Motion carried with the following vote (5-1-0-0-0):

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

6. Tentative Parcel Map No. 74975

Chairman Vose opened the item at 9:23 p.m., to hear a request by David Horne, to subdivide the subject property into two parcels that correspond with the land use and zoning designations, located on 15.08± gross acres at the southwest corner of Avenue H and 20th Street West

Cynthia Campaña presented the staff report. An uncontested hearing letter was received from the applicant stating agreement with the conditions of approval, as stated in the staff report.

Brian Glidden, the applicant's representative, stated that the purpose of the project was to split the land into two for separate zoning and land use.

There was one speaker card.

Speaker No. 1: Ted Presley, a resident, stated that he did not want a liquor store or gas station to be developed on the land and would like the property to stay one parcel.

Chairman Vose responded stating that if that type of project were proposed, he would have an opportunity to address the Commission about it at the hearing.

The public hearing was closed at 9:29 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Cook to adopt Resolution No. 17-39 approving Tentative Parcel Map No. 74975. Motion carried with the following vote (6-0-0-0-0):

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

8. Tentative Tract Map No. 66842

Chairman Vose opened the item at 9:29 p.m., to hear a request by Blanc Blue LLC, to subdivide 84 single-family lots in the R-7,000 Zone, located on 22± gross acres located at the southeast corner of 40th Street West and Avenue J-8. Commissioner Cook recused herself due to the proximity of the project to her house, and left the dais.

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 9:30 p.m.

It was moved by Commissioner Mercy and seconded by Commissioner Smith to adopt Resolution No. 17-41 approving Tentative Tract Map No. 66842. Motion carried with the following vote (5-0-0-1-0):

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

Commissioner Cook returned the dais at this time.

DIRECTOR'S ANNOUNCEMENT

Chairman Vose announced that this was Brian Ludicke's last meeting. The Commission and Mr. Ludicke expressed well wishes to each other.

COMMISSION AGENDA

Chairman Vose requested training on interactions between the Commissioners and City staff.

Jocelyn Corbett notified the Commission that the Lancaster Municipal Code will be reviewed by staff in 2018, and changes will be brought to the Commission over the course of the year.

PUBLIC BUSINESS FROM THE FLOOR – NON-AGENDA ITEMS

None.

ADJOURNMENT

Chairman Vose declared the meeting adjourned at 9:40 p.m. to the Special Meeting for Agenda Review on Monday, January 8, 2018, at 4:30 p.m., in the City Council Chambers, Lancaster City Hall.

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

LARISSA DE LA CRUZ, Community Development Manager
City of Lancaster