

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

September 17, 2007

CALL TO ORDER

Chairman Mann called the meeting to order at 7:01 p.m.

INVOCATION

Commissioner Faux gave the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Salazar led the Pledge of Allegiance to the flag of the United States of America.

ROLL CALL

Present: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann.

Absent: None.

Also present were the Deputy City Attorney (Doug Evertz), Planning Director (Brian Ludicke), Principal Planner (Silvia Donovan), Assistant Planner (Brigitte Ligons), Principal Civil Engineer (Carlyle Workman), Recording Secretary (Joy Reyes), and an audience of approximately 68 people.

CONSENT CALENDAR

1. APPROVAL OF MINUTES

It was moved by Commissioner MacPherson and seconded by Vice Chairman Troth to approve the Minutes of the Regular Meeting of August 20, 2007. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann

NOES: None.

ABSTAIN: None.

ABSENT: None.

PRESENTATION TO THE PLANNING COMMISSION

2. MASTER PLAN OF PARKS

Chairman Mann opened the public hearing at 7:05 p.m. to hear a request for review of Lancaster Parks, Recreation, Open Space and Cultural Master Plan.

Lyle Norton, Director of Parks, Recreation and Arts Department, presented the staff report. For the past 18 months, the Department and the City has been involved in the development of a Parks, Recreation, Open Space & Cultural Master Plan. The purpose of this plan is to provide a footprint for the next 20 to 25 years, to assess current and future needs, and to provide a process for managing future requests and priorities from the public. The City has undertaken the update of the General Plan, and has been involved in the development of a specific plan for the downtown business district. It is imperative that it is in conformance with the General Plan update and the specific plan, therefore, a representative from the Planning Department worked closely with the Parks, Recreation and Arts Department. As a result, the plan will describe the policies and recommendations that have come out of the process. Those will serve as an element and part of the General Plan update. Staff has reviewed the proposed Master Plan, and recommended that the Commission find it in conformance with the General Plan.

Joan Chaplick from MIG Consulting Firm presented a PowerPoint presentation that outlined the details of the plan. Commissioner Salazar inquired as to the difference in the size of these neighborhood parks in the past and after the master plan is approved. Lyle Norton responded that in the past, it was 8 acres based on economics and maintenance. It is now proposed that a neighborhood park be from 2 to 10 acres, which allows flexibility for turn-key facilities. Maintenance guidelines were identified that were built-in to the design. There is a formula/standard to be used to calculate. Currently, the in-lieu fee that developers pay is \$3,217 per unit on a 3 or more bedroom house. When taking into consideration the 5 acres per 1,000 residents factor, it is estimated at 3.2 per family unit, which was based on the 2000 census. US Census is now doing an "American Community Survey Program" which is a statistical sampling that can be used to look at the census often. On the feasibility of connectivity, a residential development can be surrounded with walking trails and provide some trail system from the park to the exterior of the development, where there will be an opportunity to connect those. Commissioner MacPherson inquired as to who will refer to the Master Plan once it is finalized and published. Staff will basically use it for budget requests, making budget decisions and used in the General Plan. He also commented that he was concerned with broad range in size of 2 to 10-acre parks because there might be a need to supplement with smaller parks. Joan Chaplick responded that the reason why the 2 acre was kept as a minimum was that from a maintenance efficiency standpoint, it was better to make sure that the Department was not saddled with irregular pieces of property. There is a policy recommendation that encourages the Department to look at those irregular, opportunistically shaped pieces. Lyle Norton also clarified that the Master Plan will be reviewed every 5 years and that the minimum 2-acre lot will be used as a guideline. Chairman Mann stated that he was excited about partnering with schools and the emphasis on trails and connectivity.

Chairman Mann closed the public hearing at 7:45 p.m.

It was moved by Commissioner MacPherson and seconded by Commissioner Faux that the Planning Commission find the proposed Lancaster Parks, Recreation, Open Space and Cultural Master Plan is in conformance with the Lancaster General Plan. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann
NOES: None.
ABSTAIN: None.
ABSENT: None.

CONTINUED PUBLIC HEARINGS

3. a. CONDITIONAL USE PERMIT NO. 80-24 (CONDITIONS)

Chairman Mann opened the public hearing at 7:47 p.m. to hear a request by Greek Orthodox Church of St. Constantine, for a six-month review of conditions for use of the social hall facilities on 43404 30th Street West in the R-10,000 Zone. Vice Chairman Troth recused himself from the hearing, stating that he had a property within 500 feet.

Brian Ludicke gave a brief background of the project, which involved the Hellenic Center Social Hall. A requirement for the Conditional Use Permit was for the Planning Commission to review the operation to determine the effects of the facility to the surrounding area. Comments were received from residents regarding concerns they had over the operation of the facility, which revolved around issues of parking, lighting, and commercial vs. non-commercial use. The matter was continued for 30 days from the August planning commission meeting, for the purpose of giving residents and church representatives the opportunity to discuss the matter and see if they could reach an agreement. The church representatives offered proposals to the residents to resolve the matter but the residents' representatives indicated that there was no agreement on their part that any of the proposals would resolve their issues.

Several people in the audience wished to speak in support of and in opposition of the request, namely:

Bill Koukourikos, representing Saints Constantine & Helen Church, stated that they proposed to have several meetings with the residents but only one meeting was held. The main issues were lighting and parking. They made changes to the lighting schedule and ordered screens for lights. The church will continue to maintain the grounds. At last Sunday's event, only three percent of attendees parked on the street. He further stated that 80% of the residents who live around the church are contented. As for the 20% of the residents who seem to be dissatisfied, the church hopes to work with them and as well as the City in resolving their concerns. Commissioner MacPherson inquired what was implemented to alleviate on-street parking. Bill Koukourikos responded that the church hired security at the last Sunday's event to monitor street parking. Commissioner Salazar asked what the number of attendees was. During

the 6-hour, the highest level of people at one time was approximately 170 people. He also asked what the proposal was for the maximum number of people at any event. The proposed number is 354 (118 parking spaces x 3), but it is adjustable. The aim is to keep cars off the street so as not to bother the neighbors. At past events that had around 300 attendees, there was overflow parking on the dirt lot and as far as 28th Street West. Brian Ludicke clarified that the current conditional use permit (CUP) does not allow for offsite parking, and it was discussed at the previous meeting that if additional parking was needed, the applicant would have to go through another CUP.

Duane Winn, resident of Lancaster, California, stated that this beautiful area where the church is located holds four religious facilities within half a mile radius. He further stated that he and his wife attended the Greek Orthodox Church. He believes people would like to have a safe place to attend religious services in the neighborhood. He stated that the churches were built before the neighborhoods were built, but despite this fact, both have to co-exist with each other. He recommended that the request be approved.

Cecil Swetland, resident of Lancaster, California, commented that the loss of the Essex banquet facility has affected many local organizations. The hall is a vital place for residents and local organizations to meet.

Pastor Sean Appleton, supporting the Greek Orthodox Church, said that he has worked with the church and school for events. He believes that the church can be a benefit to the community.

Ann Durr, resident of Lancaster, California, said that she attended the joint meeting, which Silvia Donovan facilitated. Silvia commented that the facility was approved for construction in a residential zone, and that it operates based on privilege, not by right. The biggest point that she wants to emphasize is that the church is continuing to operate a commercial enterprise in a residential zone, in direct competition with other businesses such as hotels and restaurants. This competition with commercial enterprises puts them in a whole different class. The initial conditions set forth were for church functions, so it would be reasonable to expect them to stay within their developed parking area. Commissioner MacPherson inquired from Ms. Durr how she would feel if the Greek Festival would be held annually in the facility. She responded that attendance expected at 1,000 to 2,000 would be extreme and that the AV Fairground is a perfect facility to hold it.

Joseph Wordsworth, resident of Lancaster, California, stated that they looked to the Planning Commission to establish what functions are appropriate for the church's social hall. What also needs to be resolved is what restrictions should be placed on the number of events requiring full car parking. He would like to propose that only events in conformance with church functions (such as weddings, baptisms and religious events) be held at the facility. He also pointed out the blatant commercial venture held last Sunday, which was a bridal show. He also would like to recommend a review of the conditions after six months to ensure that there are no further impacts on the neighborhood.

Bonnie Adams, resident of Lancaster, California, said that on September 9, 2007, the church rented their facility to the Bridal Expo from 11am to 5pm. She took photos of parking violators. A food catering truck parked on a residential street. She would like to know how the Greek church would enforce the parking requirements when it is not being controlled now and

what would the church do with the overflow if JP Eliopulos build a development north of the property.

Bill Koukourikos came back to respond that the church is making strides to make things work. Rotary Club, Boy Scouts/Girl Scouts, other churches, GAVAR, Lockheed and major aerospace companies have used the facilities. They have also contacted the Alcohol Board of California (ABC), and were told to apply for a daily license, same as what St. Nicholas Church did.

Chairman Mann closed the public hearing at 8:36 p.m. Commissioner MacPherson cited Condition No. 16 of the original CUP. He said that the main points of concern were lighting, parking and proposed conditions by the church. There appears to be a conflict between uses for church related or corporate events. Use of the unimproved parking lot is a clear violation of the CUP. Commissioner Salazar concurred and cited that parking was the main issue here. He suggested cutting down from the 3 persons to 2 persons per 118 spaces. Commissioner Faux said that the uses benefit the community. Chairman Mann stated that there were 2 violations of the CUP related to parking, and that the lighting issue was unintentional because it was installed per City code. He would recommend staying within the parking lot and no parking on the dirt lot. Commissioner MacPherson wondered if the types of uses could be limited, and that he was pleased with the church providing screenings for the parking lot lighting fixtures. Chairman Mann preferred not to establish a number limit for of attendees, and instead to remain on the limit of parking spaces. Commissioner MacPherson concurred. Commissioner Faux suggested following the recommendation of the AV Chambers to have a permanent liaison between the church and the residents. Brian Ludicke said that it was within the authority of the Commission to mandate as such. Commissioner Salazar brought up the idea of the church providing security for events that would expect an attendance of 118 persons or more.

It was moved by Commissioner MacPherson and seconded by Commissioner Salazar to add the following conditions to Conditional Use Permit No. 80-24, namely:

1. The church shall establish a permanent liaison with the local neighborhood(s);
2. The light glare shall be managed to an acceptable level by providing screens in the parking lot lighting, and having those screens reviewed by staff to determine if further mitigation needs to be pursued,
3. The church shall provide security at larger events (defined as events drawing more than 118 persons) to limit on-street parking in the adjacent neighborhood,
4. The conditional use permit shall return before the Planning Commission in 6 months for review.

Planning Commission also reiterated Condition No. 16 stating "The use of the church facility shall not create a demand that exceeds available on-site parking of 118 spaces." Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, and Chairman Mann
NOES: None.
ABSTAIN: Vice Chairman Troth

ABSENT: None.

b. TENTATIVE TRACT MAP NO. 53642

Chairman Mann opened the public hearing at 9:08 p.m. to hear a request by Pacific Communities for a subdivision of 156 single family lots in the R-7,000 Zone on 40± gross acres located on the northeast corner of 60th Street West and Avenue K-8.

Doug Evertz gave a brief background on what transpired. There was a significant dispute between KB Homes and Pacific Communities which led to eminent domain proceedings being abandoned. As a result, the fence went up on the centerline of the street. The developer received approval from the Fire Department to proceed with the project. They were conditioned to dedicate and construct additional improvements. Doug Evertz stated that at this time, the dedication could not be forced upon the developer as a condition for the map extension. The only remedy that the Planning Commission could pursue at this time is to make a recommendation to the City Council to proceed with eminent domain and acquire the property.

Yousef Jacob, representing the applicant, was present.

Chairman Mann closed the public hearing at 9:13 p.m. Chairman Mann commented that he discussed the project at great length with the principal of the project. The applicant felt that if he was given a two-month extension, he could get the issues worked out between KB Homes and the City. Chairman Mann's preference is for a continuance of 2 months, without having to go through the formality of the City having to go to City Council for action, as it would be a lengthy process. Commissioner MacPherson wanted clarification whether it would be a continuance or an extension. Brian Ludicke responded that state law does not dictate the number of extensions as the total time. Commissioner MacPherson said that it was a good faith effort on the part of the developer to try to work out the issue. Commissioner Salazar asked Chairman Mann if he was confident that the fence would be removed within the 2 month period, to which Chairman Mann answered in the affirmative.

It was moved by Chairman Mann and seconded by Vice Chairman Troth to grant a two-month extension to November 19, 2007, based on the findings contained in the staff report and subject to Revised Attachment to Resolution No. 04-19. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann

NOES: None.

ABSTAIN: None.

ABSENT: None.

NEW PUBLIC HEARINGS

4. ONE-YEAR EXTENSIONS**a. TENTATIVE TRACT MAP NO. 48699**

Chairman Mann opened the public hearing at 9:19 p.m. to hear a request by Lance Johnson for a subdivision of 7 single family lots in the RR-1 Zone on 8± gross acres located on the southeast corner of 27th Street West and Avenue L-8.

The reading of the staff report was waived since a letter of agreement to the conditions of approval as stated in the staff report was submitted, and there were none in the audience who wished to speak in opposition to the request.

Chairman Mann closed the public hearing at 9:19 p.m.

It was moved by Commissioner MacPherson and seconded by Commissioner Faux to grant a one-year extension to August 16, 2008, based on the findings contained in the staff report, subject to deleted Condition No. 9, and added Condition No. 10 and all other previously approved conditions. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann
NOES: None.
ABSTAIN: None.
ABSENT: None.

**b. TENTATIVE TRACT MAP NO. 60818
TENTATIVE PARCEL MAP NO. 61341**

Chairman Mann opened the public hearing at 9:20 p.m. to hear a request by David Horne for a tentative parcel map to divide the overall site into two parcels that correspond with the land use and zoning designations of the site. Parcel 1 at 3.88± acres in the CPD zone to be developed in the future, and Parcel 2 at 11.34± acres in the R-7,000 zone, which includes a request for a tentative tract map for the creation of 46 single family lots. The project is located on the southwest corner of Avenue H and 20th Street West.

The reading of the staff report was waived since a letter of agreement to the conditions of approval as stated in the staff report was submitted, and there were none in the audience who wished to speak in opposition to the request.

Chairman Mann closed the public hearing at 9:20 p.m.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to grant a one-year extension to August 15, 2008, based on the findings contained in the staff report and

subject to the Revised Attachment to Resolution No. 05-45. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann
NOES: None.
ABSTAIN: None.
ABSENT: None.

c. TENTATIVE TRACT MAP NO. 61677

Chairman Mann opened the public hearing at 9:21 p.m. to hear a request by Security Pacific Bank for a subdivision of 58 single family lots in the R-7,000 Zone on 15± gross acres located on the southwest corner of Avenue K and future 57th Street West.

The staff report was presented by Brigitte Ligons. Dan Stitt, engineer for the applicant, stated their concurrence to the conditions of approval. There were none in the audience who wished to speak in opposition to the request.

Chairman Mann closed the public hearing at 9:23 p.m.

It was moved by Commissioner Salazar and seconded by Vice Chairman Troth to grant a one-year extension to August 15, 2008, based on the findings contained in the staff report and subject to the Revised Attachment to Resolution No. 05-47. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann
NOES: None.
ABSTAIN: None.
ABSENT: None.

d. TENTATIVE TRACT MAP NO. 61973

Chairman Mann opened the public hearing at 9:24 p.m. to hear a request by Cambridge Homes for a subdivision of 18 single family lots in the R-10,000 Zone on 4.76± gross acres located on the north side Avenue J-8, approximately 300± feet east of 35th Street West.

The staff report was presented by Silvia Donovan. Neither the applicant nor the engineer was present; no letter of agreement to the conditions of approval as stated in the staff report was submitted; and there were none in the audience who wished to speak in opposition to the request.

Chairman Mann closed the public hearing at 9:25 p.m.

It was moved by Vice Chairman Troth and seconded by Commissioner MacPherson to grant an extension to August 15, 2008, based on the findings contained in the staff report and subject to the Revised Attachment to Resolution No. 05-49. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann
NOES: None.
ABSTAIN: None.
ABSENT: None.

e. **TENTATIVE TRACT MAP NO. 62208**

Chairman Mann opened the public hearing at 9:25 p.m. to hear a request by Global Investments for a subdivision of 41 single family lots in the R-7,000 Zone on 11.68± gross acres located on the south side of Avenue I and approximately 400 feet east of 40th Street West.

The staff report was presented by Silvia Donovan. Neither the applicant nor the engineer was present; no letter of agreement to the conditions of approval as stated in the staff report was submitted; and there were none in the audience who wished to speak in opposition to the request.

Chairman Mann closed the public hearing at 9:26 p.m.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to grant a one-year extension to August 2008, based on the findings contained in the staff report and subject to the Revised Attachment to Resolution No. 05-11. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann
NOES: None.
ABSTAIN: None.
ABSENT: None.

5. **CONDITIONAL USE PERMIT NO. 06-03**

Chairman Mann opened the public hearing at 9:27 p.m. to hear a request by Regency Properties to construct a 35,745 square-foot commercial center consisting of four buildings to be used for retail, offices and restaurants, in the CPD zone, located on the northeast corner at Genoa Avenue and Avenue J.

The staff report was presented by Silvia Donovan. A letter of agreement to the conditions of approval as stated in the staff report was submitted, and Mike Cohen, representing the applicant, also came forward to concur. There were speakers who wished to comment, as follows:

Maxine Schultz, resident of Lancaster, CA, said that they live where Oldfield dead-ends into Fern Avenue, and there is a completely dirty vacant lot next to and behind them. She wanted to know if it will be closed-off because it was being used unofficially as a city garbage dump. Carlyle Workman responded that without knowing the exact location, he would not be able to respond, especially if the said area is not part of the project being heard. It was clarified that there would be a fence built on the property line that would keep people from going to the dirt lot.

Steven Emmick, resident of Lancaster, stated that he had an environmental issue to raise. At the back of his property, there was an abundance of 5-6 foot asphalt waste and contaminants. If the berm is still there, it will be dug up. He pointed to the Commission the location of the site on the map, and Chairman Mann indicated that it was not part of CUP 06-03.

The applicant came back to respond that they did an environmental study and nothing significant was detected.

Chairman Mann closed the public hearing at 9:41 p.m. Commissioner Faux thanked the applicant for working with staff on the color board and presenting a wonderful site plan.

It was moved by Commissioner Faux and seconded by Commissioner MacPherson to adopt Resolution No. 07-38 approving Conditional Use Permit No. 06-03. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann
NOES: None.
ABSTAIN: None.
ABSENT: None.

**6. CONDITIONAL USE PERMIT NO. 07-04
TENTATIVE PARCEL MAP NO. 68972**

Chairman Mann opened the public hearing at 9:42 p.m. to hear a request by Wood Lancaster #4, LLC and Avenue J and 22nd Partnership to construct a 198,819 square-foot commercial retail center, and to subdivide the property in six parcels in the CPD Zone on 18.0.8± gross acres located at the southeast corner of Avenue J and 20th Street East.

The staff report was presented by Silvia Donovan. The applicant's representative, Sandy Yavitz, indicated that she would be willing to submit an uncontested hearing letter provided that it was clear that the delivery hours for Home Depot and Fresh & Easy would be limited between the hours of 6am and 10pm, and that the limitation does not place restrictions on the hours of operation. They were also conditioned to meet with the AV Alcohol, Tobacco and Drug Policy Coalition regarding voluntary restriction of alcohol sales and to provide a letter to the Planning Director indicating the result of such meeting. Brian Ludicke, in response to Commissioner MacPherson's query, stated that the only user identified at this point with the sale of alcohol is

Tesco (Fresh and Easy). If there are future tenants to come in, they will not be covered under this CUP.

Howard Hardin, representing Greenberg Farrow, site development consultant for applicant and Home Depot, was present to answer any questions.

Robert Pontelle, representing Home Depot, indicated that he was willing to respond to any queries. There was somebody in the audience who wished to comment as follows:

Ray Chavira, representing AV Alcohol, Tobacco and Drug Policy Coalition, stated that he seemed to have a different document from the one Silvia was reading from. He had several discussions with Jason Bowles of Fresh & Easy. He requested for a continuance but the Commission stated that it would be better to address all his concerns now and move the project along. For Condition No. 54 (sale of alcohol shall only be permitted between 7am and 12am), he recommended having it only through 11pm. The other conditions are: Condition No. 43 (referring to responsible beverage service, instead of selling) and No. 44 (copy of conditions to be posted in conspicuous places within the premises, instead of employee lounge).

Jason Bowles, representing Fresh & Easy, apologized to Mr. Chavira because he thought that with their communications, it would be left at that. Regarding the condition to change the hours to sell alcohol from 11:00pm to 12:00am, Fresh & Easy has proposed that their store hours be from 8:00 a.m. to 10:00 p.m. but in the future, it may change to make it longer. He was also in agreement with Mr. Chavira's suggestion to post a copy of the conditions in more conspicuous areas. Regarding the condition that no underage person could sell alcohol, he stated that they would hire people of age to run their business, and they would ensure to abide by state laws. Chairman Mann stated that historically, the City has had problems in that particular area and the City had to seek assistance from the Sheriff's Department.

Chairman Mann closed the public hearing at 10:17 p.m. Vice Chairman Troth asked what the limitations as to the hours to sell alcohol. Brian Ludicke answered that at the present time, they will be considered an incidental off-sale seller of alcohol. The City's current code does not require a CUP on that. ABC's requirement is 2:00 a.m. Ray Chavira responded that for a grocery store, it is from 6:00 a.m. to 2:00 a.m. Vice Chairman Troth inquired what the age restriction for the point of sale was.

It was moved by Chairman Mann and seconded by Commissioner Salazar to adopt Resolution No. 07-39 approving Conditional Use Permit No. 07-04 and Tentative Parcel Map No. 68972, with three modified and one added conditions:

- No. 54 (modified): The sale of alcoholic beverages shall be permitted only between the hours of 7:00 a.m. and 11:00 p.m.,
- No. 55 (modified): All employees who sell alcoholic beverages shall successfully complete a responsible alcoholic beverage service training program, approved by the State Department of Alcoholic Beverage Control within 90 days of hire, and
- No. 56 (modified): A copy of the conditions shall be posted in a conspicuous place within the premises, and

- No. 57 (added): The applicant shall meet with the Antelope Valley Alcohol, Tobacco and Other Drug Coalition to discuss age restrictions on employees that sell alcohol.

Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann
NOES: None.
ABSTAIN: None.
ABSENT: None.

7. TENTATIVE TRACT MAP NO. 63365

Chairman Mann opened the public hearing at 10:33 p.m. to hear a request by Stratham Properties for a subdivision of 114 single family lots on 28.5± gross acres located at the northwest corner of future 35th Street East and Avenue J in the R-7,000 Zone.

The reading of the staff report was waived since a letter of agreement to the conditions of approval as stated in the staff report was submitted, and there were none in the audience who wished to speak in opposition to the request.

Chairman Mann closed the public hearing at 10:34 p.m.

It was moved by Vice Chairman Troth and seconded by Commissioner Salazar to adopt Resolution No. 07-40 approving Tentative Tract Map No. 63365. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann
NOES: None.
ABSTAIN: None.
ABSENT: None.

8. DEVELOPMENT AGREEMENT NO. 07-01

Chairman Mann opened the public hearing at 10:34 p.m. to hear a request by the City of Lancaster and Kaiser Foundation Hospitals for the approval of Development Agreement for the development of hospital and related medical facilities on 44 acres within the southeast portion of Amargosa Creek Specific Plan.

Brian Ludicke presented the staff report. He explained that a Development Agreement is a mechanism that, under state law, allows a City and an applicant to enter into a contractual agreement with regards to a development project. The role of the Commission is to determine

that the project is in conformance with the General Plan. Nancy Burke, representing the applicant, came forward and stated that she was ready to answer questions and that they were happy with the outcome, working with the City.

Chairman Mann closed the public hearing at 10:40 p.m.

It was moved by Commissioner MacPherson and seconded by Commissioner Salazar to approve Resolution No. 07-41 recommending to the City Council approval of Development Agreement No. 07-01. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson, Salazar, Vice Chairman Troth and Chairman Mann
NOES: None.
ABSTAIN: None.
ABSENT: None.

NEW BUSINESS

9. DRAFT ENVIRONMENTAL IMPACT REPORT 30TH STREET WEST AND AVENUE K – HEARING TO ACCEPT TESTIMONY

Chairman Mann opened the public hearing at 10:41 p.m. to accept testimony on the Draft Environmental Impact Report for the project on 30th Street West and Avenue K. Vice Chairman Troth recused himself because his residence is 427.5 feet away from the project.

There was one person in the audience who wished to comment as follows:

Melvin Morrow, a Lancaster resident, stated that there would be a massive influx arising from a change from the R-7,000 to the eastside and R-10,000 to high density residential. There are currently 14,000 enrolled students at the Antelope Valley College. There is concern about the emergency vehicles not being able to move and being at a complete stop due to the traffic that the area generates. He stated that consuming 51,000 gallons of water a day for this project alone is not minimal, after the residents are told to conserve water as we are undergoing a drought. This land was originally designed for residential purposes but he opined he did not think that the area would need another shopping center. The largest Wal-mart in the country just opened, and other stores such as Stater Brothers and Walgreens are also nearby.

Chairman Mann closed the public hearing at 10:48 p.m.

DIRECTOR'S ANNOUNCEMENTS

None.

COMMISSION AGENDA

Commissioner Faux wished Jocelyn Swain, Associate Planner – Environmental, a happy birthday.

Vice Chairman Troth thanked the recording secretary for taking the time to mark the changes/revisions to the staff reports, making it easier to track deleted/modified items.

Commissioner MacPherson inquired about the scoping meetings being developed for the EIRs, particularly, 60th Street West and L. Brian Ludicke responded that for the southeast corner, it will be out in draft form within the next 2 months. For the northwest corner, the applicant has additional issues so this project is not moving as quickly.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDA ITEMS

Cleo Goss, resident of Quartz Hill, spoke about attending the first public hearing for the Avenue L and 60th Street West Super Center. She wanted to cite that the traffic count was not accurate because when it was done, it was on the last week of school when not all students were present.

Thomas Reynolds, resident of Lancaster, thanked Planning Department and Jocelyn Swain for acting quickly in response to the builder cutting down the trees and plowing down the proposed building project at the northwest corner of 60th Street West and Avenue K.

ADJOURNMENT

Chairman Mann declared the meeting adjourned at 10:55 p.m. to Monday, October 8, 2007, at 5:30 p.m., in the Planning Conference Room, Lancaster City Hall.

KENNETH G. MANN, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster