

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

November 26, 2018

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CALL TO ORDER

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

INVOCATION

Commissioner Moore.

PLEDGE OF ALLEGIANCE

Commissioner Harvey.

ROLL CALL

Present: Commissioners Donovan, Harvey, Moore, Vice Chair Smith, and Chairman Vose.

Absent: Commissioners Cook and Parris.

Also present were Community Development Manager (Larissa De La Cruz), Assistant City Attorney (Jocelyn Corbett), City Engineer (Trolis Niebla), Principal Planner (Jocelyn Swain), Associate Planner (Brenda Magaña), Recording Secretary (Joy Reyes). There were 16 people in the audience.

PUBLIC BUSINESS FROM THE FLOOR - AGENDIZED ITEMS

None.

CONSENT CALENDAR

1. Approval of Minutes

Vice Chair Smith made a motion and Commissioner Harvey seconded the motion for the approval of September 17, 2018, and October 15, 2018, Minutes. The motioned carried with the following vote (4-0-1-0-2):

AYES: Harvey, Moore, Smith, and Vose.

NOES: None.

ABSTAIN: Donovan.

RECUSED: None.

ABSENT: Cook and Parris.

NEW PUBLIC HEARINGS

3. Conditional Use Permit No. 18-06

Chairman Vose moved item number 2. Conditional Use Permit No. 17-34, to the end of the meeting, because the applicants were delayed due to traffic issues. Chairman Vose opened the public hearing, to hear a request by Avenue 9 Partners, LLC for Conditional Use Permit to allow for the operation and construction of a new 31,705 square-foot medical cannabis cultivation and manufacturing facility, and a distance requirement.

Brenda Magaña, Associate Planner, presented the Staff Report. Chairman Vose stated that an uncontested letter had not been received on this item. There was one speaker.

Speaker: David Paul, expressed that he was excited and impressed with the applicants. He stated he was in total support of this item.

Chairman Vose said that there was no uncontested letter received from the applicant and he requested to hear from them.

Mr. Marco Delgado, Project Manager, of Avenue 9 Partners, LLC, gave a presentation of their proposed facility and mentioned that they were code compliant and met the city's design guidelines.

Chairman Vose questioned whether the original business plan submitted mentioned the material to be used was to be steel vs. aluminum cladding. Chairman Vose addressed Larissa De La Cruz, Community Development Manager if the exterior building design had changed from last week to the current week. Larissa De La Cruz referred to Mr. Marco Delgado to confirm the answer. Mr. Marco Delgado replied it had not changed from an aesthetic standpoint, but rather, only a single material had been modified. He said it was supposed to be aluminum cladding.

Commissioners Moore and Harvey pointed out the square footage on the staff report did not add up, and they thought it was a typo. Ms. De La Cruz said it would have to be reviewed and verified.

Chairman Vose had a question on what "growing vertically" referred to. Mr. Marco Delgado replied that it meant the containers to stack on top of each other.

Chairman Vose requested Mr. Marco Delgado to explain their extraction methods. Mr. Marco Delgado replied they were to use volatile solvents such as butane, propane, and ethanol, and they will be doing CO2 extraction which is non-volatile. He said the manufacturing modules will all be C1D1.

Chairman Vose asked for clarity of what "using clones" meant. Mr. Marco Delgado explained that by using regular seeds, they would run the risk of a male and female seed germinating and possibly creating a lower grade of cannabis, but by using clones it assured only a certain strain to produce and create a higher grade of cannabis.

Chairman Vose inquired if they had experience in cultivation and manufacturing in other jurisdictions. Mr. Francesco Delgado, a member of the applicant's team, replied that they did have experience in cultivation and manufacturing.

Chairman Vose asked for clarity on what “TetraGro System” was, and Mr. Francesco Delgado said he engineered, developed, and founded these containers. He said they were basically a pharmaceutical state of the art facility, for the use of pharmaceutical labs. Modular, in the way they could deliver the systems uniquely to a location. He said they pre-built the facility, and shipped it to any specific location to avoid the wait from the process of building a facility. He mentioned the efficiencies were the data collection and the ongoing medically sterilized environment which was crucial to the pharmaceutical industry. He mentioned that when dealing with outdoor grows, indoor grows, and warehouses, the biggest problem was pest control which disqualified them from being “pharmaceutical.” He said that by engineering, designing, and stacking the labs, it gave them an identity in the pharmaceutical industry, and he believed this was the future of the cannabis industry.

Vice Chair Smith asked Mr. Delgado with the new legislation, and since it was legal in California, whether they would branch out to the recreational end of it. Mr. Delgado replied that their future was medicine, chemist, engineers, doctors, bringing in institutions, such as UCLA as a group to bring to this facility, and other institutions that want to do their research, as their research grows.

Mr. Francesco Delgado replied that they were not selling to dispensaries, and their goal with the project was to have a medical site, medical research, biochemists, engineers, and researchers; and he mentioned they were looking to develop true medicine.

Chairman Vose mentioned the licensing in the state did not discern from the different types of cannabis products, and he said it was a niche market. Mr. Delgado replied that being “niche,” was about the future, about what they were forecasting, which would still be medically based, but to create the true form of medicinal cannabis, without pesticide, without any constituents; that is what they were developing. Mr. Delgado mentioned he invented, engineered and designed the modules, TetraGro System, a completely controlled environment. Chairman Vose stated it was a clean room, and Mr. Delgado agreed and added it was basically an operating room.

Mr. Delgado stated they were hoping this being the flagship facility and state of the art, it would send out a message throughout the entire country. Mr. Delgado mentioned he was excited for the future goals with the cannabis industry, and he is expecting the recreational side would end up on the waste at some point and the federal government might get involved. He said he hopes they take a look at their facility, and to make the City of Lancaster the first.

Commissioner Harvey asked if they planned on paving the dirt road leading to their facility, as well as for consideration of a resident living at about 200 feet from their location. Mr. Delgado replied they would pave it, especially because controlling the dirt would be hard, so it would make sense to pave the road.

Commissioner Donovan questioned if they could add two more trees, and asked for clarification regarding their phase II, to which Mr. Marco Delgado replied adding more trees would not be a problem and the phase II was for expansion if needed.

Chairman Vose had concerns about their septic sewer system since it was not on public sewer, and he mentioned that whoever did their engineering and site plan, made it out to look like a residential type system. He cautioned them that it would not be what they end up with. Chairman Vose mentioned there were other projects that were never developed for lack of infrastructure primarily, Edison power or insufficient supply, and years into the future it’s not available to individual applicants. He also mentioned his impression was that they had not pinned down their public utility issue. He said it seemed the matter

had not been investigated, or maybe it had, he was not sure, but with the expected square footage of grow, they will be needing a significant amount of power.

Mr. Francesco Delgado understood his concerns and replied they would be addressing them as they move forward. He mentioned he had a conversation with Southern California Edison and he talked about the amperage at one level, and he would coordinate with the appropriate agencies. Mr. Delgado replied they were 70% more efficient than your standard manufacturer as a result of the engineering system, and being efficient was one of a primary concern moving forward. The rising of the utility cost and he assured the Commission there was no other system like the one they developed, but they were willing to face the challenges. He said that a big consideration for them as they move forward is looking for two solar partners and to possibly bring them on, being a state of the art facility.

Commissioner Harvey asked for clarity on the meaning of the 70% more efficient, and whether it was a reduction in metric tons (wattage). Mr. Marco Delgado confirmed that yes, due to the methods they will use it would be a reduction in wattage.

Chairman Vose asked the City Engineer, Trolis Niebla if he was familiar with the mentioned method of construction, and Trolis Niebla replied he personally had not done anything with shipping containers, but as long as they prepare a plan signed by a civil engineer, it will be reviewed accordingly.

Vice Chair Smith made a motion and Commissioner Moore seconded the motion to adopt Resolution No. 18-37 approving Conditional Use Permit No. 18-06 to allow for the operation and construction of a new 31,705 square-foot medical cannabis cultivation and manufacturing facility, located on the Southeast corner of 7th Street E and Avenue L-8. The motion carried with the following vote of (5-0-0-0-2):

AYES: Donovan, Smith, Harvey, Moore, and Vose.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Cook and Parris.

4. Conditional Use Permit No. 18-21

Chairman Vose opened the public hearing, there was no receipt of an uncontested letter, and there were no speakers.

Associate Planner, Brenda Magaña presented the staff report.

The applicant Bryan Mathenge of Cold Crush introduced himself and mentioned that his future vision for the restaurant included music and art. Chairman Vose expressed a concern that the application didn't indicate music and art at the site. He addressed Larissa De La Cruz, Community Development Manager regarding the differences. Ms. De La Cruz stated that an amendment would be necessary to include those uses, but that a liquor Type47 is what they were seeking.

Chairman Vose closed the public hearing.

Commissioner Harvey made a motion and Commissioner Donovan seconded the motion to adopt Resolution No. 18-39 approving Conditional Use Permit No. 18-21 to allow Type 47 (on-sale general for a bona fide restaurant) Alcoholic Beverage Control (ABC) license in an existing tenant space (Cold Crush) in the Transit District of the Downtown Lancaster Specific Plan (SP 08-01) zoning designation. The motion carried with the following vote of (5-0-0-0-2):

AYES: Donovan, Harvey, Moore, Smith, and Vose.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Cook and Parris.

5. **Tentative Tract Map 80290**

Chairman Vose opened the public hearing and there were no speakers.

The staff report was presented by Principal Planner Jocelyn Swain.

Commissioner Donovan asked if the first condition was to continue landscaping or if it included the perimeter wall. Ms. Swain replied that it included the perimeter wall. Commissioner Donovan asked for clarification regarding the Certificate of Occupancy to share the parking lot. City Engineer, Trolis Niebla replied that it was a Standard Condition used on all projects to include anything common to the project (such as trail systems or parks). Commissioner Donovan said she would like to see the Design Guidelines implemented on the maps, page 55 on the Design Guidelines on how at least every fifth home should have a 5-foot variation on lot width, for the record.

Chairman Vose mentioned an uncontested letter was received which included the modified conditions.

Vice Chair Smith made a motion and Commissioner Harvey seconded the motion to adopt Resolution No. 18-41 approving Tentative Tract Map No. 80290 to allow the subdivision of 74 single-family residential lots in the R-7,000 zone located at the northeast corner of 37th Street East and Avenue J. The motion carried with the following vote (5-0-0-0-2):

AYES: Donovan, Harvey, Moore, Smith, and Vose.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Cook and Parris.

2. Conditional Use Permit No. 17-34.

Chairman Vose opened the public hearing. There were no speakers.

The staff report was waived. There was an uncontested letter received.

Chairman closed the public hearing.

Commissioner Harvey made a motion and Commissioner Moore seconded the motion to adopt Resolution 18-36 approving Conditional Use Permit No. 18-21 to allow a Type 20 Alcoholic Beverage Control license in an existing Chevron gas station and mini-mart in the Commercial Planned Development zoning designation, located at 2301 West Lancaster Boulevard. The motion carried with the following vote (5-0-0-0-2):

AYES: Donovan, Harvey, Moore, Smith, and Vose.
 NOES: None.
 ABSTAIN: None.
 RECUSED: None.
 ABSENT: Cook and Parris.

NEW BUSINESS**6. AVTA Bus Stop Guidelines**

Chairman Vose opened the public hearing

The staff report was waived, and there were no speakers.

Chairman Vose closed the public hearing.

Vice Chair Smith made a motion and Commissioner Harvey seconded the motion to The adopt Resolution No. 18-40, adopting the Antelope Valley Transit Authority Bus Stop Guidelines for the City of Lancaster. The motion carried with the following vote (5-0-0-0-2):

AYES: Donovan, Harvey, Moore, Smith, and Vose.
 NOES: None.
 ABSTAIN: None.
 RECUSED: None.
 ABSENT: Cook and Parris.

COMMUNITY DEVELOPMENT MANAGER'S ANNOUNCEMENT

Larissa De La Cruz updated the Commission regarding a couple of updates, one was the Shopping Cart Ordinance; staff had begun the implementation component of it. Planning staff had sent out letters to all the shopping centers giving them a deadline to comply before the end of the year. She said they will start actively enforcing and working with all of the different shopping centers, and ideally see it being less of an issue during the first quarter of the year.

Larissa De La Cruz mentioned that in regards to Conditional Use Permit 18-05, it was appealed, and it is in the appeal process scheduled to go before the City Council. It had a General Plan Zone and will go before the City Council in January 2019.

She mentioned staff will be bringing a series of Zone text amendments in the first six months of the year

COMMISSION AGENDA

None.

PUBLIC BUSINESS FROM THE FLOOR –AGENDIZED ITEMS

None.

ADJOURNMENT

Chairman Vose declared the meeting adjourned at 6:12 p.m. to the Special Meeting for Agenda Review on Monday, January 14, 2019, at 4:30 p.m., in the City Council Chambers, Lancaster City Hall.

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

SANDRA RAMIREZ, Recording Secretary
City of Lancaster