

# MINUTES

---

## REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION July 15, 2019

View this Meeting on the web:  
[www.cityoflancasterca.org/PublicMeetings](http://www.cityoflancasterca.org/PublicMeetings)

---

### **CALL TO ORDER**

Chairman Vose called the regular meeting to order at 5:00 p.m.

### **INVOCATION**

Chairman Vose.

### **PLEDGE OF ALLEGIANCE**

Commissioner Donovan.

### **ROLL CALL**

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

Absent: Commissioner Harvey.

Also present were Community Development Manager (Larissa De La Cruz), Assistant City Attorney (Jocelyn Corbett), City Engineer (Trolis Niebla), Associate Planner (Cynthia Campaña), Associate Planner (Brenda Magaña), Associate Planner (Mitzi Alvarado), and Recording Secretary (Danielle Winter). There were 28 people in the audience.

### **PUBLIC BUSINESS FROM THE FLOOR - AGENDIZED ITEMS**

No public speakers.

Chairman Vose stated the Commission had received uncontested letters, which is correspondence from the applicant stating whether they agree or disagree with the proposed conditions. The Commission received uncontested letters for Agenda Items #3, 4, and 5. The Commission also received modifications to CUP 19-11 and to the Zone Text Amendments before the Regular Meeting.

## **MINUTES**

---

### **1. Approval of Regular Minutes of June 17, 2019**

Vice Chair Smith made a motion, and Commissioner Moore seconded the motion for the approval of the June 17, 2019 Minutes.

The motioned carried with the following vote of (5-0-1-0-1):

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

## **CONTINUED PUBLIC HEARINGS**

---

### **2. Conditional Use Permit No. 19-05**

Chairman Vose stated that the item was heard and continued at the June Planning Commission Meeting due to concerns that were brought to the Commission from two public speakers in opposition to the project. There were no public speakers on the item. The applicant's representative was available for questions. The staff report was presented by Associate Planner, Brenda Magaña.

Commissioner Donovan asked the applicant's representative, Annette Rodgers, if they are currently in operation. Annette responded that the business will not be in operation until they are approved. Commissioner Donovan asked if it would be possible for them to patch up and paint the areas where the old sign used to be. The applicant responded that they will make sure it gets done.

Commissioner Cook made a motion, and Commissioner Parris seconded the motion to adopt Resolution No. 19-25, to allow for an arcade gaming facility and gift shop in an existing tenant space (Retro City Gift and Arcade) in the Commercial (C) zoning designation, located at 718 W Avenue J.

The motioned carried with the following vote of (5-1-0-0-1):

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

## **NEW PUBLIC HEARINGS**

---

### **3. Conditional Use Permit No. 19-08**

Since there were no public speakers, and a staff report was not requested to be heard, Chairman Vose closed the public hearing.

Vice Chair Smith made a motion, and Commissioner Parris seconded the motion to adopt Resolution No. 19-27 approving Conditional Use Permit (CUP) to construct and operate a 14,392 square-foot church (New Life Community Church) within the R-7,000 zoning designation, located at the southeast corner of Challenger Way and Lancaster Boulevard.

The motioned carried with the following vote of (6-0-0-0-1):

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

### **4. Conditional Use Permit No. 19-09**

Since there were no public speakers, and a staff report was not requested to be heard, Chairman Vose closed the public hearing.

Commissioner Parris made a motion, and Commissioner Donovan seconded the motion to adopt Resolution No. 19-28 approving Conditional Use Permit No. 19-09 to allow a Type 41 (on-sale beer and wine for a bona fide restaurant) Alcohol Beverage Control License in an approximately 1,300 square-foot restaurant tenant space (Burgerim) in the Commercial Planned Development (CPD) zone, located at 4075 West Avenue L.

The motion carried with the following vote of (6-0-0-0-1):

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

### **5. Conditional Use Permit No. 19-11**

The staff report was presented by Associate Planner, Brenda Magaña. The applicant, Jose Hernandez, and the owner, Bhupinder Grewal, were available for questions.

Commissioner Donovan asked what the square footage is for the meat and produce section. The applicant responded that there is 336 square feet for fresh fruit and vegetables and

276 square feet for the meat section. Commissioner Donovan stated that she had gone to the business and there did not seem to be a lot of fresh produce. The applicant responded that a regular convenience store does not require that much produce, but they will increase the amount of produce now that they have applied for an alcohol license. Fresh produce will be delivered twice a week.

Commissioner Cook asked if the Commission had been notified of any neighbors or other tenants who were opposed to the project. Commissioner Donovan asked if the applicant had spoken to the church in the surrounding area. The applicant responded that they were unaware that there was a church nearby.

Chairman Vose called a recess while correspondence that had been received right before the meeting was gathered for the Commission. The meeting reconvened at 5:29 p.m.

Correspondence was received from a “Jack and Monica” with their concerns regarding an approved alcohol license that would include a waiver for distance requirements from a neighboring church. The applicant was also given a copy of the correspondence.

Commissioner Cook clarified that the applicant is not currently stocked with a large amount fresh produce, but upon obtaining an alcohol license, they will increase the amount of produce provided. The applicant agreed.

Commissioner Parris asked for clarification on where the church was located in relation to the Wonder Grocery Market. Vice Chair commented that it would still require a waiver since it does not meet the distance requirement. Associate Planner, Brenda Magaña stated that the required distance is 300 feet, but the church is located within 253 feet.

The owner, Bhupinder Grewal, asked if the church is in operation as they have never seen anyone there. He also added that he has another business in the City, and they never sell alcohol to minors, they check ID, and they do not allow open alcohol containers in the parking lot. The church did not say anything to them even though they were sent letters about the alcohol license.

Commissioner Moore made a motion, and Commissioner Parris seconded the motion to adopt Resolution No. 19-29 approving Conditional Use Permit No. 19-11 to allow a Type 20 (off-sale general for a convenience market) Alcoholic Beverage Control (ABC) license and waiver from distance requirements in an existing tenant space (Wonder Grocery Market) in the Light Industrial (LI) zone, located at 44117 Division Street.

The motion was denied due to a split vote of (3-3-0-0-1):

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

Chairman Vose asked if any of the parties who voted no would like to reconsider. Vice Chair Smith stated that she has concerns about the distance waiver from the church. The vote stands 3-3 which constitutes a denial. Community Development Manager, Larissa De La Cruz, shared the appeal process for the applicant should they choose to appeal.

## **6. Zone Text Amendments**

Associate Planner, Cynthia Campaña, presented the staff report.

Chairman Vose asked for clarification if pole signs and pylon signs would both require a conditional use permit (CUP) no matter their size or location. Cynthia stated that was correct. Commissioner Donovan asked if that includes signs that are under twelve feet. Community Development Manager, Larissa De La Cruz, clarified that if the sign is under twelve feet, they are then given a Director's Review, which would go to the Architectural and Design Commission. Anything above the twelve feet would go to the Planning Commission. Commissioner Donovan asked if pole signs are not allowed. Larissa confirmed that pole signs are prohibited according to the Lancaster Municipal Code.

Commissioner Donovan stated she was still having heartache over the pole signs. She did not have a problem with the pylon or monument signs. She would like to delete the pole sign portion from the Zone Text Amendments.

Chairman Vose thanked staff for dealing with the agricultural portion of the amendments. He stated that clarification was given since the Agenda Review regarding the home occupancy permit process, wineries, and pawn shops/quick loan/check cashing businesses.

Commissioner Parris asked for clarification on why we want to remove pole signs. Commissioner Donovan answered that a pole sign does not meet design standards. The City went through twenty years of trying to remove them and paid people to remove them. If there is an issue regarding signage from the freeway, it can be done through monument signs and pylon signs. Associate Planner, Cynthia Campana had slides to show the differences between pylon signs and pole signs. Larissa De La Cruz commented that over the last several years, signs have evolved and by allowing signs, we are working with developers to build their businesses here. Chairman Vose asked what the current resolution asks for. A CUP is only needed for signs above fifty feet, but in the revisions, a CUP is required for all signs. Vice Chair Smith asked if a review of the pole signs and not on the pylon signs could be an option. Chairman Vose stated the Commission should review all signs. Larissa suggested that the rest of the document move forward and clip the language regarding the signs to be reviewed out.

Commissioner Donovan made a motion, and Vice Chair Smith seconded the motion to adopt Resolution No. 19-30 recommending approval to City Council a Zone Text Amendment amending various sections of the Lancaster Municipal Code, Title 17 (Zoning), Lancaster T.O.D Zones, and the Downtown Lancaster Specific Plan (DLSP) to provide clarification, consistency, and compliance with state code and update standards and regulations and continued the amendments to Section 17.12.150 and Section 17.12.160 related to signs.

The motion carried with the following vote of (6-0-0-0-1):

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

**COMMUNITY DEVELOPMENT MANAGER’S ANNOUNCEMENT**

The Commission does not officially have any items scheduled for August. A formal cancellation will go out should the meeting be canceled.

**COMMISSION AGENDA**

None.

**PUBLIC BUSINESS FROM THE FLOOR – AGENDIZED ITEMS**

None.

**ADJOURNMENT**

Chairman Vose declared the meeting adjourned at 6:03 p.m. to the Special Meeting on Monday, August 12, 2019, at 4:30 p.m., in Lancaster City Hall.

\_\_\_\_\_  
JAMES VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

\_\_\_\_\_  
DANIELLE WINTER, Recording Secretary  
City of Lancaster