

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION May 18, 2020

View this Meeting on the web:
www.cityoflancafterca.org/PublicMeetings

In response to Governor's Executive Order N-29-20, this meeting was conducted telephonically and audio streamed live via GoToMeeting on Channel 28 and the City's website. All votes were taken by roll call.

CALL TO ORDER

Chairman Vose called the regular meeting to order at 5:06 p.m.

INVOCATION

Chairman Vose.

PLEDGE OF ALLEGIANCE

Commissioner Moore.

ROLL CALL

Present: Cook, Harvey, Moore, Parris, Smith, Tufts, and Vose.

Absent: None.

Also present were Assistant City Attorney (Jocelyn Corbett), Senior Planner (Jocelyn Swain), City Engineer (Trolis Niebla), Planner (Mitzi Alvarado), and Recording Secretary (Danielle Winter).

PUBLIC BUSINESS FROM THE FLOOR - AGENDIZED ITEMS

No emailed comments or 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 #2, 4, and 5. An uncontested letter was not received for CUP 19-13.

MINUTES

1. Approval of Regular Minutes of February 24, 2020

Vice Chair Smith made a motion, and Commissioner Moore seconded the motion for the approval of the February 24, 2020 Minutes.

The motioned carried with the following vote of (5-0-2-0-0):

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

NEW PUBLIC HEARINGS

2. Conditional Use Permit No. 19-10

Planner, Mitzi Alvarado, presented the staff report. The architect, Myrle McLernon, and applicant, Brian Jaspersen, were available for questions.

The architect, Myrle McLernon, reiterated a few items Mitzi had presented in the staff report: reuse an existing vacant building, screen the corner, the canopy will be consistent with the architecture on site, add landscaping, and clean up trash enclosure.

Commissioner Moore asked how many gas stations will be available. There will be two rows of two pumps. Commissioner Moore was concerned with how tight the traffic flow would be throughout the site. Myrle replied that the rectangular projection into the site will be flattened which will accommodate pedestrians, vehicles, and fuel delivery.

Commissioner Cook asked if there is an emergency call, would there be adequate accessibility for medical response. The architect replied that there will be enough room to accommodate a ladder truck if need be.

Commissioner Tufts asked where the signage will be placed for the gas prices. The rendering shows a small monument sign on the corner. Chairman Vose stated the rendering showed that the canopy sign was facing west and asked if there was any other signage for the gas canopy. Myrle replied that only the mini market signage would be seen on the west side.

Chairman Vose had questions regarding the design and layout of the project. He asked about the shed type structure at the rear of the delivery area. Myrle responded that Edison has a lock on the structure so they need to stucco it and have it match the building. It needs to be architecturally consistent. They would need to call Edison to open it. The architect said they will make the building and canopy match with texturing and other architectural features of the building.

Chairman Vose asked for the building signage plan with the west elevation, landscaping, and the monument sign. The canopy is a metal frame with a stucco appearance, and all architectural aspects will match. Thirty parking spaces will be removed from the site. Loading and unloading for deliveries will be near the northeast side of the building. Deliveries are made during off peak hours. Chairman Vose had some concerns regarding safety since the northern most tank delivery will impede the flow of traffic. Site lighting will be redone with new LED lights which are brighter and make the sight more secure. Chairman Vose asked if staff needs to submit a lighting plan in order to avoid encroaching ambient light into the roadway. Jocelyn responded that when the new light fixtures are done, B&S will sign off on an electrical permit.

Chairman Vose stated that he was in a difficult position to approve since the submittal was not complete since they had not received a submittal for the signage or façade treatment. Staff responded that the building signage can be submitted separately with a sign criteria permit. The color and material board was made available earlier in the day. The rendering would show the consistency of the buildings. The applicant wants to improve and repurpose the building despite how difficult the site is to work with.

Commissioner Harvey asked if there was any concern for the Edison facility and if they will have issues with the applicant upgrading the outside of their facility. Myrle stated that he did not believe that Edison would have a problem with what the facility looks like on the outside.

Commissioner Tufts asked if the prevailing winds from the southwest and the location of the gas tanks and the bus lines would be affected. Would it affect the people waiting? Myrle stated that new systems are in place with the tanks to fix the fumes that could possibly escape. Commissioner Tufts asked if there was a striping or directional plan for the pumps. The applicant responded that the gas pumps are on different sides, and cars can be serviced on either side.

Chairman Vose asked what the width is on the two pump islands. It is enough for two cars and three people between them. A third car could not fit between the two cars at the pump.

Commissioner Harvey asked if it was cost prohibitive if the Commission continued the item. Myrle replied that it would cost a month's income which would turn a quarter of a million dollars a month. Myrle replied that he will be working with Staff on the building signage.

Vice Chair Smith had an issue with the congestion in that shopping center. She was concerned about customers being able to find parking at the restaurants at the site.

Chairman Vose asked if there were any emailed comments or callers from the public on the call who wished to speak. There were no comments or callers so the public hearing was closed.

Commissioner Tufts made a motion, and Commissioner Parris seconded the motion to adopt Resolution No. 20-05, allowing for the construction and operation of a gas canopy island and a mini-mart within an existing building located at 1000 East Avenue K.

The motioned carried with the following vote of (5-2-0-0-0):

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

3. **Conditional Use Permit No. 19-13**

Planner, Mitzi Alvarado, presented the staff report. The applicant/owner, Lillian Gonzalez, and her representative, Sandra Robles, were available for questions.

Sandra Robles wanted to make a request regarding the change in hours. Chairman Vose asked to speak directly to the applicant. He asked Lillian Gonzalez why she did not agree with the Conditions of Approval. Sandra wanted to change the hours of operation. The applicant wants the restaurant to open at 9:00 AM to serve breakfast instead of 11:00 AM like the staff report stated. Sandra read her reasons behind wanting to change the hours. The applicant believes that the conditions placed should be reviewed on a case by case basis as they believe that alcohol sales will not have a negative impact on the surrounding area.

Vice Chair Smith wanted to clarify that alcohol would be sold starting at 9:00 AM. The applicant confirmed that alcohol would be sold along with breakfast menu items.

Commissioner Cook asked if the applicant wanted the Commission to amend the condition for the hours of operation. Mitzi confirmed that the condition is what the Sheriff's Department and Department of Public Safety have agreed upon for the City. Staff is recommending that the conditions remain the same.

Chairman Vose emphasized that no nightclub activities are allowed on the premises at any time or they will be shut down. Lillian Gonzalez confirmed that she was aware. No changes were made to the conditions or recommendation.

Chairman Vose asked if there were any emailed comments or callers from the public on the call who wished to speak. There were no comments or callers so the public hearing was closed.

Commissioner Moore made a motion, and Commissioner Parris seconded the motion to adopt Resolution No. 20-06 approving CUP 19-13 to allow a Type 41 (on-sale beer and wine for a bona fide restaurant) Alcohol Beverage Control License and limited live entertainment in an approximately 7,056 square-foot restaurant (El Malecon) in the Commercial zone located on 44245 Sierra Highway.

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

AYES: Cooke, Moore, Parris, Smith, Tufts, and Vose.
 NOES: Harvey.
 ABSTAIN: None.
 RECUSED: None.
 ABSENT: None.

4. Tentative Tract Map No. 82830

Two comment letters were submitted regarding TTM 82830 and TTM 82831. The letter from CalTrans stating that the project would not impact the freeway. The other letter was from the CA Department of Fish and Game had concerns regarding local wildlife, however, staff believes that all the concerns were addressed in the mitigation measures for the project. An uncontested letter was

Since there were no emailed comments or 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. 20-07 for Tentative Tract Map No. 82830 allowing for a subdivision of 22 single-family lots and 2 lots for a drainage basin in the R-7,000 zoning designation.

The motioned carried with the following vote of (7-0-0-0-0):

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

5. Tentative Tract Map No. 82831

Two comment letters were submitted regarding TTM 82830 and TTM 82831. The letter from CalTrans stated the project would not impact the freeway. The other letter was from the CA Department of Fish and Game had concerns regarding local wildlife, however, staff believes that all the concerns were addressed in the mitigation measures for the project. An uncontested letter was received for the project.

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

Commissioner Harvey made a motion, and Commissioner Moore seconded the motion to adopt Resolution No. 20-08 for Tentative Tract Map No. 82831 allowing for a subdivision of 12 single-family lots in the R-7,000 zoning designation.

The motioned carried with the following vote of (7-0-0-0-0):

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

COMMUNITY DEVELOPMENT MANAGER’S ANNOUNCEMENTS

None.

COMMISSION AGENDA

None.

PUBLIC BUSINESS FROM THE FLOOR – AGENDIZED ITEMS

No emailed comments or public speakers.

ADJOURNMENT

Chairman Vose declared the meeting adjourned at 6:43 p.m. to the Special Meeting on Monday, June 8, 2020, at 4:30 p.m., in Lancaster City Hall.

JAMES VOSE, Chairman
Lancaster Planning Commission

ATTEST:

DANIELLE WINTER, Recording Secretary
City of Lancaster