

MINUTES - DRAFT

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

December 17, 2007

CALL TO ORDER

Chairman Mann called the meeting to order at 7:00 p.m.

INVOCATION

Rabbi David Hoffman delivered 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 and Salazar, Vice Chairman Troth and Chairman Mann.

Absent: Commissioner MacPherson.

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 (Tess Epling), and an audience of approximately 30 people.

CONSENT CALENDAR

1. APPROVAL OF MINUTES

It was moved by Vice Chairman Troth and seconded by Commissioner Salazar to approve the Minutes of the Regular Meeting of November 19, 2007. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner MacPherson.

NEW PUBLIC HEARINGS

2. ONE-YEAR EXTENSIONS**a. VESTING TENTATIVE TRACT MAP NO. 53229**

Chairman Mann opened the public hearing at 7:08 p.m. to hear a request by Richland Investments for a subdivision to create 1,594 single family lots, 1 school lot of 13.39 acres, and 1 park lot of 28.05 acres in the R-7,000 and R-10,000 Zones on 483± acres bounded by Avenue K, future 62nd Street West, Avenue L, and 70th Street West.

The Commissioners decided to waive the reading of the staff report since there was a letter from the applicant concurring to the conditions of approval and there was no one who wanted to speak in opposition to the request.

Chairman Mann closed the public hearing at 7:09 p.m.

It was moved by Commissioner Salazar and seconded by Vice Chairman Troth to grant a one-year extension to October 17, 2008, based on the findings contained in the staff report and subject to the Revised Attachment to Resolution No. 05-64. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner MacPherson.

b. TENTATIVE TRACT MAP NO. 54384

Chairman Mann opened the public hearing at 7:10 p.m. to hear a request by Amnon Edri for a subdivision of 17 single family lots in the SRR Zone on 10± gross acres located on the southeast corner of 35th Street West and future Avenue L-10.

The Commissioners decided to waive the reading of the staff report since there was a letter from the applicant concurring to the conditions of approval and there were no speakers who wished to speak in opposition to the request.

Chairman Mann closed the public hearing at 7:10 p.m.

It was moved by Vice Chairman Troth and seconded by Commissioner Faux to grant a one-year extension to November 17, 2008, based on the findings contained in the staff report and subject to the Revised Attachment to Resolution No. 03-53 dated December 18, 2006. Motion carried with the following vote:

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

NOES: None.
ABSTAIN: None.
ABSENT: Commissioner MacPherson.

c. TENTATIVE TRACT MAP NO. 54410

Chairman Mann opened the public hearing at 7:11 p.m. to hear a request by Davis and White LLC for a subdivision of 5 single family lots in the R-15,000 Zone on 2.44± acres located on the north side of Avenue K-8, 270 feet east of 23rd Street West.

Silvia Donovan presented the staff report. Neither the applicant nor the engineer was present. There were no speakers who wished to speak in opposition to the request.

Chairman Mann closed the public hearing at 7:14 p.m.

It was moved by Commissioner Salazar and seconded by Vice Chairman Troth to grant a one-year extension to October 20, 2008, based on the findings listed and subject to the Revised Attachment to Resolution No. 03-44. Motion carried with the following vote:

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

d. TENTATIVE TRACT MAP NO. 54439

Chairman Mann opened the public hearing at 7:14 p.m. to hear a request by Schlesinger Family Limited Partnership for a subdivision of 34 single family lots in the R-7,000 Zone on 10.18± gross acres located on the southeast corner of Avenue J-8 and 25th Street East.

The Commissioners decided to waive the reading of the staff report since there was a letter from the applicant concurring to the conditions of approval and there was no one who wanted to speak in opposition to the request.

Chairman Mann closed the public hearing at 7:15 p.m.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to grant a one-year extension to October 20, 2008, based on the findings listed below and subject to the Revised Attachment to Resolution No. 03-49. Motion carried with the following vote:

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

ABSENT: Commissioner MacPherson.

e. TENTATIVE TRACT MAP NO. 60289

Chairman Mann opened the public hearing at 7:15 p.m. to hear a request by Odyssey Homes for a subdivision of 30 single family lots in the R-7,000 Zone on 8.5± gross acres located on the southeast corner of Avenue J and 26th Street East.

An uncontested hearing letter was received from the applicant concurring to the conditions of approval and there was no one in the audience who wanted to speak in opposition to the request so the reading of the staff report was waived.

Chairman Mann closed the public hearing at 7:15 p.m.

It was moved by Vice Chairman Troth and seconded by Commissioner Faux to grant a one-year extension to November 15, 2008, based on the findings contained in the staff report and subject to Revised Attachment to PC Resolution No. 04-53. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner MacPherson.

f. TENTATIVE TRACT MAP NO. 60933

Chairman Mann opened the public hearing at 7:17 p.m. to hear a request by Imagine Development, LLC for a subdivision of 35 single family lots in the R-7,000 Zone on 10.15± gross acres located on the northeast corner of 25th Street East and Avenue J-8.

An uncontested hearing letter was received from the applicant concurring to the conditions of approval and there was no one in the audience who wanted to speak in opposition to the request so the reading of the staff report was waived.

Chairman Mann closed the public hearing at 7:17 p.m.

It was moved by Commissioner Salazar and seconded by Vice Chairman Mann to grant an extension to November 21, 2008, based on the findings contained in the staff report and subject to the Revised Attachment to Resolution No. 05-74. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner MacPherson.

g. TENTATIVE TRACT MAP NO. 61491

Chairman Mann opened the public hearing at 7:19 p.m. to hear a request by Silver Oaks for a subdivision of 33 single family lots in the R-7,000 Zone on 10.24± gross acres located on the northwest corner of Lancaster Boulevard and 20th Street East.

Silvia Donovan presented the staff report.

Karl Mallick, representing CCL Engineering, stated their agreement to the conditions of approval as stated in the staff report.

There was a speaker in the audience who wished to comment as follows:

Larry Cox, resident of Lancaster, CA, said that he lives in the neighborhood adjacent to the development, and his main concerns were the drainage issue, especially when it rains and causes flooding; as well as the traffic issue. He also wanted to know if the area around the tract was owned by the school system. Carlyle Workman responded that the condition to install a storm drain on 20th Street East was part of the Master Plan of Drainage. The drainage from the tract itself does not drain to 20th Street East. Chairman Mann answered that sometimes, infill is advantageous rather than building in the outskirts of town.

Chairman Mann closed the public hearing at 7:24 p.m.

It was moved by Vice Chairman Troth and seconded by Commissioner Faux to grant a one-year extension to October 17, 2008, based on the findings contained listed and subject to the Revised Attachment to Resolution No. 05-66. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner MacPherson.

h. TENTATIVE TRACT MAP NO. 61542

Chairman Mann opened the public hearing at 7:25 p.m. to hear a request by ACS Development Corporation for a subdivision of 22 single family lots in the R-7,000 Zone on 3.70± net acres located on the south side of Avenue J-12 approximately 296 feet west of 56th Street West.

The Commissioners decided to waive the reading of the staff report since there was a letter from the applicant concurring to the conditions of approval and there was no one who wanted to speak in opposition to the request.

Chairman Mann closed the public hearing at 7:25 p.m.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to grant an extension to November 21, 2008, based on the findings contained in the staff report and subject to the Revised Attachment to Resolution No. 05-75. Motion carried with the following vote:

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

i. TENTATIVE TRACT MAP NO. 61549

Chairman Mann opened the public hearing at 7:26 p.m. to hear a request by Floraville, Inc./Thammathron Aukhaveekul for a subdivision of 38 single family lots in the R-7,000 Zone on 8.7± gross acres located on the southwest corner of Avenue I and 15th Street East.

Vice Chairman Troth recused himself from hearing Agenda Item Nos. 2i, 2j and 2k; citing that for 2i and 2k, his company has a listing within 500 feet and that for 2j, his office is currently representing Royal Investors on the purchase of a property.

The Commissioners decided to waive the reading of the staff report since there was a letter from the applicant concurring to the conditions of approval and there was no one who wanted to speak in opposition to the request.

Chairman Mann closed the public hearing at 7:28 p.m.

It was moved by Commissioner Salazar and seconded by Chairman Mann to grant a one-year extension to November 21, 2008, based on the findings contained in the staff report and subject to the Revised Attachment to Resolution No. 05-76. Motion carried with the following vote:

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

j. TENTATIVE TRACT MAP NO. 61681

Chairman Mann opened the public hearing at 7:29 p.m. to hear a request by Royal Investors Group, LLC for a subdivision of 57 single family lots in the R-7,000 Zone on 15± gross acres located on the northeast corner of 36th Street West and Avenue J-12.

The Commissioners decided to waive the reading of the staff report since there was a letter from the applicant concurring to the conditions of approval and there was no one who wanted to speak in opposition to the request.

Chairman Mann closed the public hearing at 7:29 p.m.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to grant an extension to November 21, 2008, based on the findings contained in the staff report and subject to the Revised Attachment to Resolution No. 05-77. Motion carried with the following vote:

AYES: Commissioners Faux and Salazar and Chairman Mann

NOES: None.

ABSTAIN: Vice Chairman Troth.

ABSENT: Commissioner MacPherson.

k. TENTATIVE TRACT MAP NO. 62635

Chairman Mann opened the public hearing at 7:30 p.m. to hear a request by The Kahn Family Trust, Otto Kahn, Trustee, for a subdivision of 78 single family lots in the R-7,000 Zone on 16.93± gross acres located on the southeast corner of Avenue I and future 12th Street East.

Brigitte Ligons presented the staff report.

Scott Lisk, representing NIA Capital and the Kahn Family, stated their agreement to the conditions of approval. On a side note, he mentioned that on the southeast corner of 11th Street East and Lancaster Blvd, there is a storm drain there that is blocked up and water is flowing out of the drain into the street gutters and falls back into a different storm drain on Challenger and Avenue I. There was no one in the audience who wished to speak in opposition to the request.

Chairman Mann closed the public hearing at 7:32 p.m.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to grant a one-year extension to November 21, 2008, based on the findings contained in the staff report and subject to the Revised Attachment to Resolution No. 05-79. Motion carried with the following vote:

AYES: Commissioners Faux and Salazar and Chairman Mann

NOES: None.

ABSTAIN: Vice Chairman Troth

ABSENT: Commissioner MacPherson.

I. TENTATIVE TRACT MAP NO. 62644

Chairman Mann opened the public hearing at 7:34 p.m. to hear a request by Pulte Homes Corporation for a subdivision of 30 single family lots in the SRR Zone on 17.87± gross acres located on the southeast corner of 40th Street West and future Avenue M-4.

The Commissioners decided to waive the reading of the staff report since there was a letter from the applicant concurring to the conditions of approval, and there was no one who wanted to speak in opposition to the request.

Chairman Mann closed the public hearing at 7:34 p.m.

It was moved by Commissioner Salazar and seconded by Vice Chairman Troth to grant a one-year extension to November 21, 2008, based on the findings contained in the staff report and subject to the Revised Attachment to Resolution No. 05-80. Motion carried with the following vote:

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

3. CONDITIONAL USE PERMIT NO. 02-07 (AMENDED)

Chairman Mann opened the public hearing at 7:35 p.m. to hear a request by Central Christian Church to install a 2,280 square-foot temporary commercial coach to be used as a sanctuary for the Spanish ministries in the R-7,000 Zone on 3131 West Avenue J (20 acres located at the northeast corner of Avenue J and 32nd Street West).

Chairman Mann closed the public hearing at 7:35 p.m.

It was moved by Vice Chairman Troth and seconded by Commissioner Faux to continue Conditional Use Permit No. 02-07 (Amended) to the January 28, 2008 Planning Commission meeting. Motion carried with the following vote:

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

4. CONDITIONAL USE PERMIT NO. 07-15 & TENTATIVE PARCEL MAP NO. 69768

Chairman Mann opened the public hearing at 7:37 p.m. to hear a request by May Centers to construct a 109,739 square-foot commercial retail center and to subdivide the property into eight parcels in the CPD Zone on 13.30± gross acres located on the southwest corner of 30th Street East and Avenue K.

Silvia Donovan presented the staff report. Tim May, representing the applicant, wanted to clarify some items, namely: the architectural tower element on Superior Supermarket is 38 feet; item no. 24, which is applicable to Superior Supermarket and CVS buildings only; item no. 35, which they are requesting delivery hours to be extended to 6:00 a.m., instead of 7:00 a.m. The next three items would be regarding alcohol, findings for public convenience and necessity to alcohol permit for a Type 21 license.

There were speakers in the audience who wished to comment as follows:

Roy Cook, resident of Lancaster, CA, commented that his home is directly across the street from the development, and he was concerned about the excess noise and the trash that would accumulate. He opposes the project because he sees nothing but problems associated with it.

Felipe Sambrano, resident of Lancaster, CA, voiced his opposition to the project because of trash and traffic concerns. The speed limit is 50 mph but people drive 70 mph. He stated that the area was supposed to be zoned only for residences, as he was repeatedly told by several soil testers over the years. Brian Ludicke clarified that the site is designated as Commercial and zoned as Commercial Planned Development, which was applied as part of the General Plan in 1997. Prior to 1997 (back in the late 1980's and early 1990's), there was a proposal for a residential subdivision, and soil testing probably was done at that time. Chairman Mann indicated that he made note of the concerns, and he would see if they could be addressed.

Ken Jones, resident of Lancaster, CA, said that he was excited that there was a market coming in the area. He sees the need for a sit-down restaurant. His worries about the project are the alcohol sales, which is very close to the high school/soccer field; the hours of operation; and the type of security to be provided for such a high-crime district.

Ray Chavira, representing AV Alcohol, Tobacco, and Other Drug Policy Coalition, distributed a crime statistic sheet. He thanked Mr. May for being an acquaintance for the past 18 years. His main concern is shorter hours of sale in a high-crime, unduly concentrated area. Six o'clock in the morning is too early to be selling alcohol.

Tim May came back to respond to the issues raised. He commented that he was working with the Traffic department regarding installing a traffic signal at the entrance of the center. As for the loading dock situation, they would propose a 12-foot high sound wall along with the landscaping. The 6:00 a.m. opening is in line with their other shopping centers in the valley. Superior Supermarket will also provide their own security.

Chairman Mann closed the public hearing at 8:15 p.m., whereby Commissioners discussion ensued.

It was moved by Vice Chairman Troth and seconded by Commissioner Salazar to adopt Resolution No. 07-57 approving Conditional Use Permit No. 07-15 and Tentative Parcel Map No. 69768, with added Condition Nos. 50 and 51 from Conditional Use Permit No. 07-04; modified Condition No. 55 (sale hours of alcoholic beverages from 7:00 a.m. to 11:00 p.m.); modified Condition No. 35 (delivery hours between 6:00 a.m. and 11:00 p.m.); and added condition of conspicuously posting the requirements in public locations. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner MacPherson.

5. TENTATIVE PARCEL MAP NO. 69466

Chairman Mann opened the public hearing at 8:28 p.m. to hear a request by Dennis Pursley to subdivide 17 single family lots in the SRR Zone on 10± gross acres located on the southwest corner of 35th Street West and future Avenue M-4.

The Commissioners decided to waive the reading of the staff report since there was a letter from the applicant concurring to the conditions of approval, and there was no one who wanted to speak in opposition to the request.

Chairman Mann closed the public hearing at 8:28 p.m.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to adopt Resolution No. 07-58 approving Tentative Parcel Map No. 69466. Motion carried with the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner MacPherson.

6. ZONE CHANGE NO. 07-02

Chairman Mann opened the public hearing at 8:29 p.m. to hear a request by the Planning Department to amend Sections 17.16.060 and 17.16.070 of Title 17 of the City of Lancaster Municipal Code (Zoning Ordinance) to allow solar electrical generating plants within the Industrial (I) zones of the City, subject to a Director's Review.

Brian Ludicke presented the staff report. Currently, the City's Industrial zones limit electrical generating plants to the Heavy Industrial zones only and require the application of a

Conditional Use Permit. Technology has advanced tremendously over the past years. The City has been approached by one firm interested to look at a demonstration project, one site is in a Light Industrial area close to the Fox Field Airport. It will be beneficial to establish in the Zoning Ordinance a system that would allow for review of these types of facilities in a more expedited manner.

Chairman Mann closed the public hearing at 8:39 p.m.

It was moved by Vice Chairman Troth and seconded by Chairman Mann to approve Resolution No. 07-59 recommending to the City Council approval of an amendment to Title 17 of the Lancaster Municipal Code to allow solar electrical generating plants within the Industrial (I) zones subject to a Director's Review. Motion carried with the following vote:

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

NEW BUSINESS

7. PROCESS FOR ALCOHOL SALES CONDITIONAL USE PERMIT

Chairman Mann opened the public hearing at 8:40 p.m. to hear the proposed process for alcohol sales conditional use permits.

Brian Ludicke presented the staff report, indicating the proposed application/filing fee requirements for conditional use permits that would be mandated by the proposed alcohol ordinance being considered by the Council in January. He noted that the information in this policy would be presented to the Council in conjunction with the proposed ordinance.

Chairman Mann closed the public hearing at 8:45 p.m.

It was moved by Chairman Mann and seconded by Vice Chairman Troth to approve the draft policy on conditional use permits and administration for alcohol sales establishments under the proposed alcohol ordinance. Motion carried with the following vote:

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

DIRECTOR'S ANNOUNCEMENTS

- The City Council is scheduled to have a water workshop on January 29, 2008 at 5:00 p.m. at the Council Chambers. The Planning Commissioners were invited to attend.

COMMISSION AGENDA

- There will be a strategic planning meeting immediately after the January 14, 2008 Planning Commission agenda review.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDA ITEMS

- Tim May, representing May Centers, confirmed that LA County Water Works was not issuing will-serve letters.
- Felipe Sambrano, resident of Lancaster, CA, and speaking regarding Conditional Use Permit No. 07-15/Tentative Parcel Map No. 69768, was concerned that shopping carts would be left on the streets and that the speeding problem would worsen.

ADJOURNMENT

Chairman Mann declared the meeting adjourned at 9:04 p.m. to Monday, January 14, 2008, 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