

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

April 21, 2008

CALL TO ORDER

At 7:08 p.m., Mr. Ludicke indicated that since the Chairman and Vice Chairman were not present, the first order of business was the selection of Chairman Pro Tem for tonight's meeting. Commissioner MacPherson was elected Chairman Pro Tem based on a motion made by Commissioner Faux and seconded by Commissioner Salazar.

INVOCATION

Ken Jones, Assistant Pastor at Lancaster Baptist Church, 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, MacPherson and Salazar

Absent: Chairman Mann and Vice Chairman Troth

Also present were the Deputy City Attorney (Joe Adams), Planning Director (Brian Ludicke), Principal Planner (Silvia Donovan), Assistant Planners (Dan Miller and Brigitte Ligons), Principal Civil Engineer (Carlyle Workman), Recording Secretary (Joy Reyes), and an audience of approximately 50 people.

CONSENT CALENDAR

1. APPROVAL OF MINUTES

It was moved by Commissioner Salazar and seconded by Commissioner Faux to approve the Minutes of the Regular Meeting of March 17, 2008. Commissioner MacPherson abstained. The quorum would remain because the abstention was due to absence as opposed to conflict of interest. An abstention on the part of Commissioner MacPherson would still constitute a quorum if the other two votes are in favor. Motion carried with the following vote:

AYES: Commissioners Faux and Salazar.

NOES: None.
ABSTAIN: Commissioner MacPherson.
ABSENT: Chairman Mann and Vice Chairman Troth.

CONTINUED PUBLIC HEARINGS

3. **CONDITIONAL USE PERMIT NO. 06-02 & TENTATIVE PARCEL MAP NO. 69776**

Commissioner MacPherson abstained, stating that he is an adjunct Professor at Antelope Valley College. The item will be continued to the next regularly scheduled Planning Commission Meeting due to lack of quorum.

NEW PUBLIC HEARINGS

8. **CONDITIONAL USE PERMIT NO. 83-20 AMENDED 2**

Commissioner MacPherson abstained because the architectural firm that he is employed with is the firm working on this project. This item will be continued to the next regularly scheduled Planning Commission Meeting due to lack of quorum.

CONTINUED PUBLIC HEARINGS

2. **CONDITIONAL USE PERMIT NO. 04-06**

Commissioner MacPherson opened the public hearing at 7:17 p.m. to hear a request by Ray Lim to withdraw the project to expand the existing drive-thru dairy to 2,500 square feet and convert to a mini-mart; construct a gas station with 4 pump islands, and a 4,000 square-foot building for restaurant and retail uses at 500 East Avenue K in the C Zone.

The reading of the staff report was waived. There was nobody in the audience who wished to speak in opposition to the request.

Commissioner MacPherson closed the public hearing at 7:17 p.m.

It was moved by Commissioner MacPherson and seconded by Commissioner Salazar to approve applicant's request to withdraw the project. Motion carried with the following vote:

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

4. **CONDITIONAL USE PERMIT NO. 07-09**

Commissioner MacPherson opened the public hearing at 7:18 p.m. to hear a request by Pedro Arevalo for a Conditional Use Permit to allow the existing skating rink to be used as a banquet hall for wedding receptions, quinceaneras, birthday parties, etc., including appurtenant live music incidental to private party, and for the sale of beer (Type 40 License) on 2.5± acres located on the west side of 23rd Street West and approximately 922 feet north of Avenue I (45341 23rd Street West).

Silvia Donovan presented the staff report. Commissioner Salazar inquired if the security issue was brought up at the meeting staff had with the applicant. Ms. Donovan responded that there are two security guards available on site at all times for events, including skating events. Condition No. 11 addresses this issue whereby the Director is given the authority to impose security measures if necessary. Commissioner Salazar inquired if no alcohol would be served during skate time. Commissioner MacPherson wanted to clarify if alcohol would be served at private events even when minors are present, to which Ms. Donovan answered in the affirmative.

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

Rene Guzman, representing Holiday Skating Rink, stated that they met with staff several times. They completely understand the Conditional Use Permit, and they want to emphasize that there will be no alcohol sales during skating events.

Ray Chavira, representing AV Alcohol Tobacco & Drug Coalition, said that the staff report was not readily available when he stopped by Planning Department to get a copy. The new Alcohol Ordinance has been in place for the past 30 days. From his experience, this type of mixed use, such as that of the Greek Orthodox Church, has problems with one-day permits from the ABC. He had an opportunity to talk to the ABC Director in Cerritos regarding his background experiences with these. Cascades is also one example of a mixed use business that you cannot figure out if the business is really what they purport to be. Selling alcohol at midnight in a residential area would be disastrous – cops would not be enough to patrol the area. He does not mean to say it derogatorily but his particular ethnic group has serious problems with alcohol. There are a lot of potential for risks; ABC violations occur mostly in eating places and where there are sales to minors. He would strongly request for the continuance of this item.

Mr. Guzman was called back to respond. He stated that the ABC Director is not based in Cerritos. ABC has some disciplinary actions against an establishment; they have a registration that goes through the administrative process. It is similar to a criminal court, and based on facts, the judge makes a determination. He is not aware of any violations committed by the skating rink so he is not sure where Mr. Chavira's information came from; therefore, he would like to see a copy of the report. As for the sale of alcohol to minors, it is one of the great concerns of the City. The applicant has agreed to the condition of no sale/consumption of alcohol during skating hours. The Type 40 license that the skating rink is applying for actually allows minors to remain; however, the applicant has agreed to very strict conditions that the law regulates. This CUP has been ongoing for almost a year; he sees no reason why this item should be continued as parties have been given the opportunity to give their input. In fact, ABC has pre-approved this application pending the approval of the CUP.

Commissioner Salazar inquired if the issue of training the staff has been looked into. One of the conditions indicates that all employees serving alcohol must attend the State ABC

LEAD training, which is an intense training by ABC investigators and experts. Commissioner Faux said there was a concern whether security was armed, and asked if it was something that the Sheriff's Department recommended. Ms. Donovan responded that they did not have any issues with that, and agreed to the conditions as they were written. It did not really state whether security should be armed or not. The applicant indicated that the security personnel would actually be armed.

Commissioner MacPherson closed the public hearing at 7:34 p.m. Commissioner MacPherson commented that it seems to him that this CUP application is problematic in as much as the skating rink has had several incidents, based on reports by the Sheriff's Department. He is having a problem with the inclusion of all events (quinceneras, banquets, weddings, etc) with the operation of the skating rink. For years, the facility's use has been known as a skating rink and a recreational center for children. Personally, he does not think that he can support this application.

It was moved by Commissioner MacPherson and seconded by Commissioner Salazar to deny Resolution No. 08-05 and Conditional Use Permit No. 07-09. Motion carried with the following vote:

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

Mr. Ludicke indicated that an appeal may be filed with the City Council upon payment and filing of the appropriate filing fee and forms within 10 working days.

5. VESTING TENTATIVE TRACT MAP NO. 61818 - EXTENSION

Commissioner MacPherson opened the public hearing at 7:36 p.m. to hear a request by Frontier Homes for a subdivision of 131 single family lots in the R-7,000 Zone on 40± gross acres located on the southeast corner of Avenue H and future 15th Street East.

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.

Commissioner MacPherson closed the public hearing at 7:37 p.m.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to grant a one-year extension to December 19, 2008, based on the findings listed and subject to the Revised Attachment to Resolution No. 05-84. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.
NOES: None.
ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

6. **TENTATIVE TRACT MAP NO. 66680, TENTATIVE PARCEL MAP NOS. 69747 & 70303**

Commissioner MacPherson opened the public hearing at 7:38 p.m. to hear a request by Stratham Homes for the following: Tentative Tract Map No. 66680 is a subdivision for 238 single family lots; Tentative Parcel Map No. 69747 is a subdivision for the property west of 55th Street West into two parcels; and Tentative Parcel Map No. 70303 is a subdivision for the property east of 55th Street West into two parcels; both parcel maps would be for financial purposes to allow the individual parcels to be sold.

The reading of the staff report was waived since staff's recommendation is to continue the item.

Commissioner MacPherson closed the public hearing at 7:38 p.m.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to continue Tentative Tract Map No. 66680, Tentative Parcel Map Nos. 69747 and 70303 to the next regularly scheduled Planning Commission Meeting. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

NEW PUBLIC HEARINGS

7. **ONE YEAR EXTENSIONS**

a. **Tentative Tract Map No. 52719**

Commissioner MacPherson opened the public hearing at 7:39 p.m. to hear a request by Pacific Communities Builders, Inc. for a subdivision of 78 single family lots in the R-7,000 Zone on 20± gross acres located on the northeast corner of Avenue K and 50th Street West.

The reading of the staff report was waived. A letter of agreement to the conditions of approval as stated in the staff report was submitted. There were none in the audience who wished to speak in opposition to the request.

Commissioner MacPherson closed the public hearing at 7:40 p.m.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to grant a one-year extension to March 21, 2009, based on the findings contained in the staff report and subject to added Condition Nos. 11, 12, 13, and all other approved conditions. Motion carried with the following vote:

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

b. Tentative Tract Map No. 53642

Commissioner MacPherson opened the public hearing at 7:40 p.m. to hear a request by Pacific Communities Builders, Inc. for a subdivision of 161 single family lots in the R-7,000 Zone on 40.0± gross acres located at the northeast corner of 60th Street West and Avenue K-8.

The staff report was presented by Dan Miller. The applicant was present but declined to comment.

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

Wallace Michaelson, resident of Lancaster, CA, mentioned that when he signed up with KB Homes, Avenue K-4 was a full street width. Sometime last year when a dispute broke out between Pacific Communities and KB Homes, a chain link fence was erected immediately on the edge of the pavement. It is an unsafe street; if children are riding their bikes and cars are coming through, the children have nowhere to go. Additionally, Pacific Communities is not controlling the water run-off from the site. There is mud all along 60th Street West. He called Pacific to voice his concerns, but the person he had spoken to was obnoxious. He also called Planning and was told that nothing could be done, and that they were stuck between two disputing developers. He would like to request that this project not be granted an extension unless Avenue K-4 is put back.

Commissioner MacPherson closed the public hearing at 7:47 p.m. Commissioner Salazar requested Carlyle Workman to explain in detail what was going on in that development. Mr. Workman explained that as discussed in the last continuation, the applicant has constructed a fence on their property line, and they were conditioned to dedicate and improve Avenue K-4. However, according to the City Attorney, the City does not have the ability to require the dedication of the right-of-way prior to recordation of the final map. The one-year extension being requested would allow them to record the final map. If extension is not granted, the map would expire. The Deputy City Attorney opined that there is currently an undertaking agreement. Mr. Workman responded that the agreement entered into is to guarantee completion of the improvements. The quick resolution to this would be to grant the extension for the map to record, and the City would have the ability to deal with the right-of-way. Commissioner MacPherson stated that it is clear this situation is problematic and potentially unsafe. He recalls that this item has gone to Planning Commission before, and at that time he had hoped that the issue would be resolved. Here comes another extension request, and if the request is granted, it would take up to a year prior to recordation of the final map. Mr. Ludicke clarified that the State is looking at legislation that would grant blanket extensions to all active maps within the state. If that is the case, based on the mid-90's situation, there would not be another extension request coming before the Planning Commission. Commissioner MacPherson inquired what would

happen if the extension was denied. Mr. Workman said that nothing would happen and the fence would remain.

Commissioner MacPherson reopened the public hearing at 7:53 p.m. Commissioner MacPherson inquired if there was a potential safety hazard. John Jacobs, representing the applicant, stated that there are not any more hazards than what the Planning Commission has recognized. Commissioner MacPherson then asked if the applicant was willing to move the fence back, and Mr. Jacob responded that there was liability for operating in a private property.

Commissioner MacPherson reclosed the public hearing at 7:55 p.m. Commissioner Salazar asked Mr. Ludicke what he would recommend. Mr. Ludicke answered that the Commission could grant the extension, and then strongly suggest to move the fence back. If the extension is not granted, the project would expire and nothing would get done. Commissioner MacPherson voiced his disappointment that the Planning Commission is in this state of affairs as that of a double jeopardy.

It was moved by Commissioner MacPherson and seconded by Commissioner Salazar to grant a one-year extension to February 21, 2009, based on the findings contained in the staff report and subject to added Condition No. 11, and all other previously approved conditions. Commissioner MacPherson strongly urged the applicant to be a good neighbor, and resolve the safety issues that were brought up. Motion carried with the following vote:

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

c. Tentative Tract Map No. 60108

Commissioner MacPherson opened the public hearing at 7:59 p.m. to hear a request by Pacific Communities Builders for a subdivision of 18 single family lots in the SRR Zone on 10.58± gross acres located on the northeast corner of 35th Street West and Avenue M-6.

The staff report was presented by Silvia Donovan. There was a person in the audience who wished to speak, as follows:

Michael Miller, resident of Lancaster, CA, presented a photograph of the location. He said he walked the land daily, which is rich in flora and fauna. He said not to sacrifice its beauty with another subdivision especially when so many homes are vacant and are foreclosed on. He gave a reminder that tomorrow is Earth Day and that Mother's Day is coming soon so he urged the Commission to remember Mother Earth.

Commissioner MacPherson closed the public hearing at 8:02 p.m.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to grant a one-year extension to March 21, 2009, based on the findings contained in the staff report and

subject to added Condition Nos. 12, 13, 14 and all other approved conditions. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

d. Tentative Tract Map No. 60430

Commissioner MacPherson opened the public hearing at 8:03 p.m. to hear a request by American Premiere Homes for a subdivision of 82 single family lots in the R-7,000 Zone on 22.5± gross acres located on the northwest corner of Avenue K and 36th Street West.

The staff report was presented by Silvia Donovan.

There was a person in the audience who wished to make a comment, as follows:

Cynthia Rossi, resident of Lancaster, CA, stated that she has had concerns about dust control, and said she was at the Planning Commission last year for the same issue. She has not seen any indication that the developer has any concerns once they put the measures in to please the neighborhood and continue to be productive with the dust control. With the weather conditions this year, the fencing and screening are falling down. The developer has not been diligent to address these. She felt that the neighbors were left with the same problems.

Commissioner MacPherson closed the public hearing at 8:08 p.m. Commissioner MacPherson inquired from staff if the state the fence has been in and lack of adequate dust control constitute non-compliance of previous conditions and, therefore, merit denial of the request. Mr. Ludicke responded that given the fact that state law does not specifically spell out the requirements for a map extension, the answer to that would be 'yes'; however, he does not think that it would solve the problem. If denied, it would no longer have the ability to move forward. Subsequent problems such as vandalism could occur, and in such case, it would be nuisance, and the City could have recourse through a nuisance process against the property. Commissioner Salazar inquired if the applicant could be conditioned to get the fencing up to code. Mr. Ludicke stated that it would be incumbent upon the City to contact the applicant, but based upon the state of the company right now, it would probably be difficult for the company to make the same good faith effort they previously exhibited.

It was moved by Commissioner Salazar and seconded by Commissioner MacPherson to grant a one-year extension to March 21, 2009, based on the findings contained in the staff report and subject to added Condition Nos. 11, 12, 13, and all other previously approved conditions, along with requirement for applicant to bring dust control measures and fencing up to code within 90 days. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

e. Tentative Tract Map No. 60654

Commissioner MacPherson opened the public hearing at 8:17 p.m. to hear a request by MBM Developing Company for a subdivision of 8 single family lots in the R-7,000 Zone on 2.5± gross acres located on the south side of Avenue J approximately 165 feet east of 33rd 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.

Commissioner MacPherson closed the public hearing at 8:17 p.m.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to grant a one-year extension to February 18, 2009, based on the findings listed and subject to added Condition Nos. 6, 7, 8, and all other approved Conditions. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

f. Tentative Tract Map No. 60735

Commissioner MacPherson opened the public hearing at 8:18 p.m. to hear a request by Lancaster & 30th Street West, LLC for a subdivision for four parcels in the CPD Zone: 3 parcels at approximately 1.5 acres each and 1 parcel at approximately 16.5 acres located on the northeast corner of 30th Street West and Lancaster Boulevard.

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.

Commissioner MacPherson closed the public hearing at 8:18 p.m.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to grant a one-year extension to March 20, 2009, based on the findings contained in the staff report and subject to added Condition Nos. 11, 12, and 13. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann

g. Tentative Tract Map No. 61554

Commissioner MacPherson opened the public hearing at 8:18 p.m. to hear a request by Taft Corporation for a subdivision of 20 single family lots in the R-7,000 Zone on 5.0± gross acres located on the northeast corner of 55th Street West and Avenue J-4.

Silvia Donovan presented the staff report. There was none in the audience who wished to comment.

Commissioner MacPherson closed the public hearing at 8:19 p.m.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to grant a one-year extension to February 21, 2009, based on the findings contained in the staff report and subject to added Condition Nos. 6 and 7, and all other previously approved conditions. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

9. CONDITIONAL USE PERMIT NO. 07-06

Commissioner MacPherson opened the public hearing at 8:20 p.m. to hear a request by Crosspoint Development, LLC to construct a 19,028 square-foot commercial/retail center to include a convenience store, car wash, gas station, and a drive-thru restaurant in the CPD Zone on 2.5± gross acres located on the southwest corner of Avenue H and 10th Street West.

The staff report was presented by Brigitte Ligons. There were speakers in the audience who wished to comment, as follows:

Veronica Gordon Hock, resident of Lancaster, CA, stated that the corner of 10th Street West and Avenue H could be called a blood alley because of the fatal accidents that had occurred there. She wanted to know if a traffic light would be installed there because people who like to drink and drive go crazy along that road. Even if a curbside was to be put on the west side, it would not deter those crazy drivers. Ms. Hock stated that according to the staff report and Kelly from Planning confirmed that liquor would be sold at the convenience store. Forty feet from this project to Kingtree Road would be a dirt lot. People dump propane tanks at 120 degree weather. She does not want this project to be another Vallarta on Avenue I and 10th Street West where crime was rampant.

Ray Chavira, representing AV Alcohol, Tobacco and Drug Coalition, distributed an ABC crime statistic informational sheet earlier. The City has more alcohol outlets than Palmdale has.

He urged the Commission to approve the application with no alcohol sales permitted. He cited that the location is a high-crime district. The area needs quality restaurants, not junk fast food.

Samuel Morrow, resident of Lancaster, CA, voiced his concerns about noise pollution and accidents. He asked if there was to be a controlled traffic light on 10th Street West and Avenue H.

Ken Jones, resident of Lancaster, CA, inquired why this location was chosen. He stated he was speaking for the senior citizens living in the area. This location is a high-crime district. A lot of high speed traffic occurs. He requested to restrict future alcohol uses should the Commission approve the project. He also raised the issues of trash and security.

Applicant Mike Cohen responded that there was land dedicated for a median on Avenue H and 10th Street West; that he has not applied and does not plan to apply for a liquor license; and that he wanted to provide an affordable full-service car wash. In response to Commissioner Salazar's questions, security will be addressed as necessary, and that he talked to the neighbors indirectly via the City.

Commissioner MacPherson closed the public hearing at 8:41 p.m. Commissioner MacPherson inquired if traffic signal was to be installed on Avenue H and 10th Street West. Carlyle Workman responded that the City has a capital improvement project under construction to install a signal for that location. The City has asked the applicant to put a cash deposit to pay for the future construction of the median at the time the design of the intersection would allow it. Commissioner MacPherson asked if it is an enforceable condition that no alcohol sales be allowed should any future tenant wanting to sell alcohol apply for a new CUP under the new alcohol ordinance. Mr. Ludicke replied that he did not think the right to apply for the license could essentially be taken away based solely upon the premise that it would be bad in the future. Commissioner Salazar wanted more information on the undeveloped strip of land mentioned. Mr. Workman responded that the strip of land is not owned by the applicant. Commissioner Faux just wanted to ensure that all issues raised were properly addressed.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to adopt Resolution No. 08-08 approving Conditional Use Permit No. 07-06. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

10. TENTATIVE TRACT MAP NO. 61586

Commissioner MacPherson opened the public hearing at 8:46 p.m. to hear a request by Kim and Meyer Investment Company for a subdivision of 155 single family lots in the R-7,000 Zone on 38.81± gross acres located on the southeast corner of Avenue H and 20th Street East.

The staff report was presented by Silvia Donovan. There were none in the audience who wished to speak in opposition to the request.

Commissioner MacPherson closed the public hearing at 8:48 p.m.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to adopt Resolution No. 08-09 approving Tentative Tract Map No. 61586. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

Commissioner MacPherson requested for a brief recess at 8:49 p.m. The session reconvened at 8:55 p.m.

11. TENTATIVE TRACT MAP NO. 61907

Commissioner MacPherson opened the public hearing at 8:55 p.m. to hear a request by ELLIA Development Company for a subdivision of 22 single family lots in the R-7,000 Zone on 5.48± gross acres located on the northwest corner of Avenue J and 32nd Street West.

The staff report was presented by Silvia Donovan. Thomas Yuge, representing the applicant, indicated they have agreed to all conditions.

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

Cynthia Rossi, resident of Lancaster, CA, asked for the approval of the project be delayed at this time considering the housing downturn. Currently, the two-lane street has been greatly impacted by vehicular traffic during school hours. There is definitely more traffic and the area has grown tremendously.

Mr. Yuge responded that a singular access point would be better than multiple exits, and in meeting with staff, it was indicated they did not want any additional street entrances onto Avenue J. They will be required to widen southbound right-turn only lane. The project will provide additional safety features for the neighborhood.

Commissioner MacPherson closed the public hearing at 9:06 p.m.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to adopt Resolution No. 08-10 approving Tentative Tract Map No. 61907. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

12. VESTING TENTATIVE TRACT MAP NO. 67494

Commissioner MacPherson opened the public hearing at 9:07 p.m. to hear a request by Ben Sayani for a subdivision of 20 single family lots in the R-15,000 Zone on 9.55± gross acres located on the northwest corner of 52nd Street West and Avenue L.

The staff report was presented by Dan Miller.

There was somebody in the audience who wished to comment, as follows:

Paul Bisby, resident of Quartz Hill, CA, stated his comments and concerns, as follows: half the county and half the city maintain 52nd Street West; traffic flow egress from the development that creates more traffic; dust control should be in place; and inquired what the completion date would be for the project.

Fred Alba, representing the applicant, conceded that the drainage issue has been a problem in that area. On the south side, a box culvert goes into a ditch. They are conditioned to put in additional storm drain and improve the drainage situation. As for traffic, he would think that majority of people living in the subdivision would use the street on the south side of Avenue L for travel, since there is very little to the north to direct traffic to.

Commissioner MacPherson closed the public hearing at 9:16 p.m. Commissioner MacPherson wanted to confirm that 52nd Street is conditioned to improve for a 44-foot right-of-way. He cited that to the east of the site is LA County, so any potential finishing of right-of-way would be by the County. Mr. Workman responded that the applicant has to coordinate any improvement plans both with the City and County. A question arose regarding a provision that if project is approved, the applicant has to start development and complete it. Mr. Ludicke stated it would have improvement securities for public improvements. Commissioner MacPherson also asked if the existing ditch on the west side of 52nd Street would be replaced with a box culvert. Mr. Workman responded that a storm drain would be constructed, and that it would be the west half of the street improvements.

It was moved by Commissioner MacPherson and seconded by Commissioner Salazar to adopt Resolution No. 08-11 approving Vesting Tentative Tract Map No. 67494. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

13. SENIOR MOBILE HOME PARK ORDINANCE

Commissioner MacPherson opened the public hearing at 9:18 p.m. to hear a request by Planning Department for the amendment of Chapter 17.08 of the Lancaster Municipal Code establishing requirements and standards related to the establishment and conversion of senior-occupied mobile home parks, and making related amendments to portions of Chapter 17.04, 17.20 and 17.32 of the Lancaster Municipal Code related to the designation of senior mobile home parks.

The staff report was presented by Brian Ludicke. Last August, the City Council adopted an emergency ordinance that put a moratorium on conversion of senior occupied parks to general age parks. They took that action and extended it for 11 months to give the City sufficient time to review the situation and consider the adoption of permanent change to the Zoning Code. What it would do is set a requirement that if 80 percent of the spaces were occupied by one occupant age 55 or over, it would be deemed a senior mobile home park. Under the ordinance, it would limit future occupancy or rental to at least one occupant being 55 or older. It does contain a mechanism that establishes an overlay zone. The MHP-S (Mobile Home Park – Senior) designation could be placed by the City (through zone change) or a request by a park owner. There are additional provisions proposed to deal with non-conforming status. The intent is to preserve and protect housing designed for senior occupancy. It is highly recommended that Resolution No. 08-12 be adopted, recommending to the City Council approval of the proposed senior mobile home park ordinance.

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

Ken Jones, resident of Lancaster, CA, would like to endorse this ordinance. He thinks it is a good protective ordinance for seniors.

Ray Chavira, representing Sherwood Mobile Home Park Homeowners Association, thanked the Commission for their great work over the past two years for other protective ordinance with all 28 mobile home parks for the City. On June 3, if Proposition 98 passes, rent control would be lost, and other protective measures successfully passed dealing with conversion would be for naught. The City of Los Angeles and The League of California Cities have taken a position against Proposition 98. He would hope that the new City Council would continue to further pursue Planning Commission direction.

William Crawford, resident of Desert Paradise Mobile Home Park, stated that when he moved in the park, it fit the name until he was told one day that the park would be an all-age family park. He stated it has been a downhill slide since. If he could afford to get into a senior mobile home park right now, he would.

Commissioner MacPherson closed the public hearing at 9:27 p.m.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to adopt Resolution No. 08-12, recommending to the City Council approval of the proposed senior mobile home park ordinance. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

NEW BUSINESS

14. DETERMINATION OF GENERAL PLAN CONSISTENCY FOR PROPOSED RIGHT OF WAY

Commissioner MacPherson opened the public hearing at 9:28 p.m. to hear a request by Planning Department for determination of General Plan consistency for proposed right-of-way vacation located at portions of Lancaster Boulevard and Yucca Avenue at the northeast corner of the intersection of Lancaster Boulevard and Yucca Avenue and a portion of Beech Avenue north of Avenue H-8.

The staff report was presented by Brian Ludicke.

There were none in the audience who wished to speak in opposition to the request.

Commissioner MacPherson closed the public hearing at 9:29 p.m.

It was moved by Commissioner MacPherson and seconded by Commissioner Faux to find that the vacation of the street rights-of-way at the locations described are in conformity with the adopted General Plan. Motion carried with the following vote:

AYES: Commissioners Faux, MacPherson and Salazar.

NOES: None.

ABSTAIN: None.

ABSENT: Vice Chairman Troth and Chairman Mann.

DIRECTOR'S ANNOUNCEMENTS

None.

COMMISSION AGENDA

Commissioner Salazar cited his service in Planning Commission, which he acknowledged was a commission of integrity. He commended staff for their hard work and dedication. He thanked the citizenry for their engagement and involvement, and encouraged them to continue their participation.

Commissioner Faux concurred with Commissioner Salazar's pronouncement and stated that it was a passion to do this, and that it was a privilege to serve.

Commissioner MacPherson congratulated Chairman Mann for his successful run for the City Council seat. He signified his pleasure to work with this Planning Commission, whose

members possess integrity and willingness to listen to all points of view. He also wanted to compliment the staff for their diligence and helpfulness.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDA ITEMS

None.

ADJOURNMENT

Commissioner MacPherson declared the meeting adjourned at 9:34 p.m. to the next regularly scheduled Agenda Review, in the Large Planning Conference Room, Lancaster City Hall.

APPROVE FOR THE RECORD:

JAMES D. VOSE, Chairman Pro Tem
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster