

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

June 19, 2006

CALL TO ORDER

Vice Chairman MacPherson called the meeting to order at 7:05 p.m.

INVOCATION

Commissioner Manuel Salazar gave the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Mary Faux led the Pledge of Allegiance to the flag of the United States of America.

ROLL CALL

Present: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

Absent: Chairman Mann.

Also present were the Deputy City Attorney (Doug Evertz); Associate Planner (Silvia Donovan); Assistant Public Works Director/City Engineer (Steve Dassler); Recording Secretary (Anita Davis) and an audience of approximately 65 people.

CONSENT CALENDAR

1. APPROVAL OF MINUTES

It was moved by Commissioner Troth and seconded by Commissioner Faux to approve the Minutes of the regular meeting of May 22, 2006. Motion carried with the following vote:

AYES: Commissioner Faux, Commissioner Troth and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: Commissioner Salazar.

ABSENT: Chairman Mann.

NEW PUBLIC HEARINGS**2. ONE YEAR EXTENSIONS****a. CONDITIONAL USE PERMIT NO. 02-04 /
TENTATIVE TRACT MAP NO. 47771**

Vice Chairman Macpherson opened the public hearing at 7:10 p.m. to hear a request submitted by Forecast Homes, a K. Hovnanian Company to grant a one-year extension for a residential planned development of 288 single family lots and 3 open space lots on 80± gross acres located at the northeast corner of 90th Street West and Avenue I in the R-7,000 Zone.

The staff report was presented by Silvia Donovan. Adrian Fernandez was present on behalf of applicant. A letter of acceptance of the conditions of approval was received from applicant. There were speakers in the audience who wished to comment as follows:

Ginger Stout, Lancaster, California, requested to have the project manager of this development contact Antelope Acres Town Council regarding mitigation measures and asked that a new EIR be prepared on the project.

Mr. Fernandez agreed to set up a meeting with Antelope Acres Town Council, and to meet with Mr. Stout immediately following tonight's public hearing.

Vice Chairman Macpherson closed the public hearing at 7:17 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Salazar approve CUP 02-04/TTM 47771 with the added condition that applicant meet with Antelope Acres Town Council. Motion was withdrawn and modified without condition to adopt CUP 02-04/TTM 47771. Motion was rescinded by Commissioner Salazar with a new motion to grant CUP 02-04/TTM 47771 with a one year extension. Motion was rescinded by Commissioner Salazar with a new motion to grant a one-year extension to April 19, 2007 based on the findings contained in the staff report, and subject to the revised attachment to PC Resolution No. 03-20. Motion was seconded by Commissioner Faux. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

b. VESTING TENTATIVE TRACT MAP NO. 53642

Vice Chairman Macpherson opened the public hearing at 7:22 p.m. to hear a request submitted by Pacific Communities Builder, Inc. to grant a one-year extension for a subdivision of 156 single family lots on 40± acres located on the northeast corner of Avenue K-8 and 60th Street West in the R-7,000 Zone.

The staff report was not presented as the applicant submitted a letter to staff agreeing to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Vice Chairman Macpherson closed the public hearing at 7:23 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Troth and seconded by Commissioner Salazar to grant a one-year extension to April 19, 2007 based on the findings contained in the staff report, and subject to the revised attachment to Resolution No. 04-19. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

c. TENTATIVE TRACT MAP NO. 060573

Vice Chairman Macpherson opened the public hearing at 7:23 p.m. to hear a request submitted by First Pacifica Housing Corp. for a subdivision of 81 single family lots on 20± gross acres located on the south side of Avenue I, approximately 320 feet west of 30th Street West in the R-7,000 Zone.

The staff report was not presented as the applicant submitted a letter to staff agreeing to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report. Vlad Voytillo was present on behalf of applicant.

Vice Chairman Macpherson closed the public hearing at 7:30 p.m., whereby Commission discussion ensued.

Vice Chairman Macpherson addressed the applicant regarding lack of dust control issues on other projects handled by First Pacifica Housing Corp., advised of the Commission's concern regarding dust control on future projects, and discussed possible dust control mitigation measures to be implemented.

It was moved by Commissioner Troth and seconded by Commissioner Faux to grant a six-month extension, based on the findings contained in the staff report, subject to Revised Attachment to PC Resolution No. 04-17, and with the direction to applicant to address dust control issues. Applicant to return before the Planning Commission on December 18, 2006. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

d. TENTATIVE TRACT MAP NO. 060780

Vice Chairman Macpherson opened the public hearing at 7:32 p.m. to hear a request submitted by K Street East, LLC for a subdivision of 41 single family lots on 15± gross acres located on the southeast corner of Avenue K and 25th Street East in the R-10,000 Zone.

The staff report was not presented as the applicant submitted a letter to staff agreeing to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Vice Chairman Macpherson closed the public hearing at 7:32 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to grant a one-year extension to April 19, 2007 based on the findings contained in the staff report, and subject to Revised Attachment to PC Resolution No. 04-18. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

3. RECEIVE PUBLIC COMMENT FOR FIELDSTONE DRAFT ENVIRONMENTAL IMPACT REPORT RE VESTING TENTATIVE TRACT MAP NO. 060291 AND VESTING TENTATIVE TRACT MAP NO. 060664

Vice Chairman Macpherson opened the public hearing at 7:33 p.m. to receive comments concerning the draft Environmental Impact Report re Vesting Tentative Tract Map No. 060291 and Vesting Tentative Tract Map No. 060664. Vice Chairman Macpherson advised that this is a public hearing to hear testimony from the public, there would be no decision at the end by the Commission and that there would be a 3-minute time period per speaker for those desiring to present verbal comments. He further advised that any speaker at tonight's comment session who had further comments may submit those additional comments in writing to the Planning Department. There were speakers in the audience who wished to comment as follows:

Please see Reporter's Transcript attached hereto and incorporated herein by reference.

Vice Chairman Macpherson closed the comment session at 8:15 p.m.

4. TENTATIVE TRACT MAP NO. 061248

Vice Chairman Macpherson opened the public hearing at 8:15 p.m. to hear a request submitted by United Engineering Group, LLC for a subdivision of 164 single family lots on 41± gross acres located on the southwest corner of Avenue J and future 35th Street East in the R-7,000 Zone.

The staff report was not presented as the applicant submitted a letter to staff agreeing to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Vice Chairman Macpherson closed the public hearing at 8:16 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Salazar and seconded by Commissioner Troth to adopt resolution No. 06-47 approving Tentative Tract Map No. 061248. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

5. TENTATIVE TRACT MAP NO. 061303

Vice Chairman Macpherson opened the public hearing at 8:16 p.m. to hear a request submitted by United Engineering Group, LLC for subdivision for 76 single family lots on 20.19± gross acres located on the northwest corner of Avenue J and 30th Street East in the R-7,000 Zone.

The staff report was not presented as the applicant submitted a letter to staff agreeing to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Vice Chairman Macpherson closed the public hearing at 8:17 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Troth and seconded by Commissioner Faux to adopt resolution No. 06-48 approving Tentative Tract Map No. 061303. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

6. TENTATIVE PARCEL MAP NO. 062251

Vice Chairman Macpherson opened the public hearing at 8:18 p.m. to hear a request submitted by Todd Norville and Marci Kloss for a subdivision of 2 single family lots on 5± gross acres located on the north side of Avenue L-8 approximately 671 feet east of 20th Street West in the RR 2.5 Zone.

The staff report was not presented as the applicant submitted a letter to staff agreeing to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Vice Chairman Macpherson closed the public hearing at 8:18 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Troth and seconded by Commissioner Faux to adopt resolution No. 06-49 approving Tentative Tract map No. 062251. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

7. TENTATIVE TRACT MAP NO. 063031

Vice Chairman Macpherson opened the public hearing at 8:19 p.m. to hear a request submitted by Pacific Land Company for a subdivision of 25 single family lots on 10± gross acres located on the southwest corner of Lancaster Boulevard and future 32nd Street East in the R-7,000 Zone.

The staff report was not presented as the applicant submitted a letter to staff agreeing to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Vice Chairman Macpherson closed the public hearing at 8:19 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to adopt Resolution No. 06-50 approving Tentative Tract Map No. 063031. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

8. TENTATIVE TRACT MAP NO. 063112

Vice Chairman Macpherson opened the public hearing at 8:20 p.m. to hear a request submitted by Pacific Land Company for subdivision of 126 single family lots on 32.0± gross acres located on the southeast corner of 15th Street East and Avenue H-8 in the R-7,000 Zone.

The staff report was not presented as the applicant submitted a letter to staff agreeing to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Vice Chairman Macpherson closed the public hearing at 8:20 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to adopt Resolution No. 06-51 approving Tentative Tract Map No. 063112. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

9. TENTATIVE TRACT MAP NO. 063201

Vice Chairman Macpherson opened the public hearing at 8:21 p.m. to hear a request submitted by Hill View Homes, Inc. for subdivision of 19 single family lots on 4.7± gross acres located on the north side of Avenue J-8 and approximately 660 feet west of 20th Street West in the R-7,000 Zone.

The staff report was presented by Silvia Donovan. Carl Malak, present on behalf of applicant, stated agreement to the conditions of approval. There were speakers in the audience who wished to comment as follows:

Sharon Kleven, Lancaster, California, expressed opposition to project, stating that she wanted her street to remain a cul-de-sac and did not want Avenue J-5 to go through, and expressed concern regarding child safety issues due to increased traffic if J-5 is allowed to go through.

A letter was received from DeBlauw Builders regarding the mini storage facility adjacent to the project, raising concerns regarding drainage and potential water damage issues.

Commissioner Troth inquired regarding water issues raised in DeBlauw letter.

Steve Dassler clarified potential harm to mini storage property and suggested a condition be implemented to waterproof the storage facility wall and/or deter water from reaching the wall.

Commissioner Troth inquired if a continuance would be feasible to address the potential issues and possible mitigation measures.

Vice Chairman Macpherson closed the public hearing at 8:27 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Troth and seconded by Commissioner Salazar to continue Tentative Tract Map No. 063201 to July 17, 2006. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

10. TENTATIVE TRACT MAP NO. 064244

Vice Chairman Macpherson opened the public hearing at 8:40 p.m. to hear a request submitted by Global Investment and Development, LLC for a subdivision for 37 single family lots on 9.92± gross acres located on the northeast corner of 42nd Street West and Jackman Street in the R-7,000 Zone.

The staff report was not presented as Dennis Sloan was present on behalf of applicant, stating agreement to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Vice Chairman Macpherson closed the public hearing at 8:41 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to adopt Resolution No. 06-53 approving Tentative Tract Map No. 064244. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

11. TENTATIVE TRACT MAP NO. 064249

Commissioner Troth abstained and removed himself from the public hearing on this Agenda Item. Vice Chairman Macpherson opened the public hearing at 8:42 p.m. to hear a request submitted by Andrew J. Eliopoulos for a subdivision of 9 single family lots on 5.0± gross acres located on the southwest corner of Avenue M-4 and 32nd Street West in the SRR Zone.

The staff report was not presented as Thanasi Papoulias, present on behalf of applicant, stated agreement to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Vice Chairman Macpherson closed the public hearing at 8:44 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Faux and seconded by Commissioner Salazar to adopt Resolution No. 06-54 approving Tentative Tract Map No. 064249. Motion carried with the following vote:

AYES: Commissioners Faux and Salazar, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: Commissioner Troth.

ABSENT: Chairman Mann.

Commissioner Troth resumed participation in the public hearing.

12. TENTATIVE TRACT MAP NO. 064320

Vice Chairman Macpherson opened the public hearing at 8:45 p.m. to hear a request for submitted by Dan Yam, Riggies Tang and John Soe for a subdivision of 17 single family lots on 5.0± gross acres located south of Avenue I approximately 300 feet west of 15th Street East in the R-7,000 Zone.

The staff report was not presented as a letter was received from applicant agreeing to the conditions as stated in the staff report, there were none in the audience who wished to speak in opposition to the request, and the Commission wished to waive the staff report.

Vice Chairman Macpherson closed the public hearing at 8:45 p.m., whereby Commission discussion ensued.

It was moved by Commissioner Troth and seconded by Commissioner Salazar to adopt Resolution No. 06-55 approving Tentative Tract Map No. 064320. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

CONTINUED PUBLIC HEARINGS

13. TENTATIVE PARCEL MAP NO. 061949

At the request of applicant, this agenda item was continued to August 21, 2006.

It was moved by Commissioner Salazar and seconded by Commissioner Faux to continue TPM No. 061949 to August 21, 2006. Motion carried with the following vote:

AYES: Commissioners Faux, Salazar and Troth, and Vice Chairman MacPherson.

NOES: None.

ABSTAIN: None.

ABSENT: Chairman Mann.

COMMISSION AGENDA

The topic for discussion at the Agenda Review and for the July Planning Commission hearing will be elevations for single family residential along arterial streets.

DIRECTOR'S ANNOUNCEMENTS

None.

PUBLIC BUSINESS FROM THE FLOOR – NON-AGENDA ITEMS

None.

ADJOURNMENT

Vice Chairman Macpherson declared the meeting adjourned at 8:49 p.m. to Monday, July 10, 2006 at 5:00 p.m., in the Community Development Conference Room.

BRUCE MACPHERSON, Vice Chairman
Lancaster Planning Commission

ATTEST:

BRIAN LUDICKE,
Planning Director
City of Lancaster