

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

May 18, 2009

CALL TO ORDER

Chairman Vose called the meeting to order at 6:00 p.m.

INVOCATION

Commissioner Burkey did the invocation.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present: Commissioners Burkey, Ervin, Haycock, Jacobs and Malhi, Vice Chair Smith and Chairman Vose.

Absent: None.

Also present were the Deputy City Attorney (Joe Adams), Principal Planner (Silvia Donovan), Assistant Planner (Dan Miller), City Engineer (Carlyle Workman), and Recording Secretary (Joy Reyes).

CONSENT CALENDAR

1. APPROVAL OF MINUTES

It was moved by Commissioner Malhi and seconded by Vice Chair Smith to approve the Minutes from the Regular Meeting of April 20, 2009, and Minutes from the Special Meeting of March 2, 2009. Motion carried with the following vote:

AYES: Commissioners Burkey, Ervin, Haycock, Jacobs and Malhi, Vice Chair Smith and Chairman Vose.

NOES: None.

ABSTAIN: None.

ABSENT: None.

NEW PUBLIC HEARINGS

2. TENTATIVE TRACT MAP NO. 70238/CONDITIONAL USE PERMIT NO. 07-19

Chairman Vose opened the public hearing at 6:05 p.m. to hear a request by Jusdyco, Inc; Lancaster, LLC for a Residential Planned Community for 160 individual detached airspace condominiums, with 1.7± acres of common open space in the MDR (Moderate Density Residential, 6.6 to 15 dwelling units per acre) Zone.

Dan Miller presented the staff report.

Dan Stitt, representing the applicant, came forward and stated that they have a good and unique project to present. He appreciates the work staff has put into it, and concurs with the conditions of approval. Commissioner Jacobs was concerned that public parking spaces would not be adequate, citing that parking for complex as a whole is 69 off-street for cars in front of individual complex. Garages are probably 20 feet by 20 feet (20'x20'), which is a narrow space for two cars, and residents would probably end up using the garage for storage, which would reduce the total number of parking spaces even further. He also wanted to know where Waste Management will pick up the trash. Architect Sergio Sandowski came forward and pointed on the site plan where each unit will have its own trash can. Chairman Vose asked Mr. Sandowski if he was aware that the City requires three trash containers. The architect explained that trash pick-up will be rolled out to curbside.

Commissioner Jacobs indicated that he was concerned there will not be enough parking per cluster, especially during trash days. The architect stated that they have 500 spaces (100 more than the minimum requirement). He proposed limiting parking for one stall per cluster (taking away 1) during trash days, and conducting a study as to how many spaces will be taken. Chairman Vose noted the size of covered parking (20'x20' garages), and questioned the availability of onsite storage. Commissioner Jacobs was concerned that most residents will their garages as storage; thus, lessening/limiting parking spaces in the street.

Commissioner Haycock, speaking as the only commissioner living in a condominium unit, stated that there are problems all the time for guest parking. Their condominium complex has more spaces allotted for guest parking than necessary, and they still encounter issues. She concurs with Commissioner Jacobs. She suggested lowering the number of units for this project to make way for additional parking and trash containers. The architect replied that at this time, he cannot answer for his applicant about reduce the number of units.

Chairman Vose asked to clarify whether the rear yard/fence is less than five feet from each unit, and inquired this area would be used for. The architect replied that it can be used as any other buffer between units/buildings.

Chairman Vose inquired if it was only one type of housing, i.e., single-storey, to which the architect responded yes. Chairman Vose commented that a 20'x20' feet garage is insufficient.

Chairman Vose cited that the parking section requires one-fourth space off-street parking per unit, in this case, should come up with 40 spaces. However, he only counted (9) per site plan: (5) by the basketball court and (4) by the tot lot. The architect pointed out that these are

private streets. Chairman Vose explained that the code requires a minimum of one off-street parking space for every four units.

Chairman Vose mentioned that the project does not meet the amenities requirement as called for in the RPD zone, there is only a 1½ acre lot with a basketball area; no clubhouse, no youth activity center. The architect replied that there is a tot lot, and that putting a pool area in place of a basketball court may be considered. Chairman Vose also noticed that it does not meet the requirements of walkability, since there is no existence of trail and no opportunity for pedestrians to circulate. There is no common trash disposal located in the public areas. The architect responded that containers could be added at the park.

Randy Viall, resident of Lancaster, CA, stated that as a homeowner living down the street from this project, he has following issues: traffic coming across Lancaster Boulevard (currently a dirt road); parking; developer's plan for units - will they be sold, rented, leased; increased crime in the area; dust and debris; and whether the project will be gated.

Laura Viall, resident of Lancaster, CA, stated that she has five children who walk home from school, and was concerned with construction traffic, with a projected 937 vehicles coming down on unmaintained road without traffic light.

Dan Stitt came up to rebut and stated that the applicant is required to do improvements on Lancaster Boulevard. Dust is controlled by watering, and construction traffic issues could be worked out through re-routing. The architect clarified that the units are single family detached homes for sale. Chairman Vose asked if the CC&R would limit it to owner-occupied only (meaning no rentals), to which the architect responded yes.

Chairman Vose closed the public hearing at 6:42pm.

Deputy City Attorney Joe Adams clarified that the CC&R's could be amended by the majority of the members, or however it is structured (two-thirds vote, etc.), and reviewed by City Attorney and Planning Director.

Chairman Vose stated that for the 40 off-street parking spaces required on the RPD, and it is up to the Commission's discretion to accept applicant's proposal on addressing parking issues. Commissioner Ervin concurred with Commissioners Jacobs and Haycock that there are important issues that need to be addressed. Commissioner Haycock asked if the developer would be willing to work on improving the project if a motion were to be made to continue the item.

The Commissioners concurred that the following issues need to be addressed: parking, trash disposal/containers, additional recreational amenities, clarify in the CC&R the type of vehicles allowed, size of garage for R-7,000 is 20'x20' to meet requirements of ordinance and not sub-standard). Chairman Vose stated that with the 20'x20' size garage, it is clear that none of the utilities are located inside. The Commission also noted that the developer could have taken individual unit space to put the units closer together to create a larger common space/park. They also wanted the issue of walkability and traffic to be addressed.

The Deputy City Attorney will confirm statement that the units shall be owner occupied. Chairman Vose mentioned that the staff report states that the units will be owner occupied per developer.

It was moved by Chairman Burkey and seconded by Commissioner Haycock to continue Conditional Use Permit No. 07-19 and Tentative Tract Map No. 70238 for 60 days to allow applicant to address Commission's concerns. Motion carried with the following vote:

AYES: Commissioners Burkey, Ervin, Haycock, Jacobs and Malhi, Vice Chair Smith and Chairman Vose.

NOES: None.

ABSTAIN: None.

ABSENT: None.

3. TENTATIVE TRACT MAP NO. 70861

Chairman Vose opened the public hearing at 7:11 p.m. to hear a request by Lancaster Economic Development/Redevelopment Agency for a subdivision for seven lots (six lots located in the high density residential zone and one in the commercial zone) on 6.23± gross acres located at the southwest corner of Beech Avenue and Avenue I.

The reading of the staff report was waived and there were no speakers card submitted.

Chairman Vose closed the public hearing at 7:12 p.m.

It was moved by Commissioner Burkey and seconded by Commissioner Haycock to continue Tentative Tract Map No. 70861 indefinitely. Motion carried with the following vote:

AYES: Commissioners Burkey, Ervin, Haycock, Jacobs and Malhi, Vice Chair Smith and Chairman Vose.

NOES: None.

ABSTAIN: None.

ABSENT: None.

4. AMENDMENT TO TITLE 17 OF THE LANCASTER MUNICIPAL CODE (ZONING ORDINANCE)

Chairman Vose opened the public hearing at 7:12 p.m. to hear a request by the City of Lancaster to amend Title 17 (Zoning Ordinance) of the Municipal Code modifying the expiration date for Conditional Use Permits and increasing the allowable number of extensions for Site Plan Reviews and Conditional Use Permits.

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

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

It was moved by Vice Chair Smith and seconded by Commissioner Malhi to adopt Resolution No. 09-14 recommending to the City Council approval of an amendment to Title 17 (Zoning Ordinance) of the Municipal Code modifying the expiration date for Conditional Use Permits and increasing the allowable number of extensions for Site Plan Reviews and Conditional Use Permits. Motion carried with the following vote:

AYES: Commissioners Burkey, Ervin, Haycock, Jacobs and Malhi, Vice Chair Smith and Chairman Vose.

NOES: None.

ABSTAIN: None.

ABSENT: None.

5. PROPOSED VACATION OF EXCESS STREET RIGHT-OF-WAY

Chairman Vose opened the public hearing at 7:15 p.m. to hear a request by the Planning Department to review proposed vacation of excess street right-of-way and determine if it is in conformity with the General Plan, located approximately 17,777 square feet of Date Avenue and Jackman Street located between Jackman Street and Kettering Street.

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

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

It was moved by Commissioner Burkey and seconded by Vice Chair Smith to find that the vacation of excess right-of-way at the location described is in conformance with the adopted General Plan. Motion carried with the following vote:

AYES: Commissioners Burkey, Ervin, Haycock, Jacobs and Malhi, Vice Chair Smith and Chairman Vose.

NOES: None.

ABSTAIN: None.

ABSENT: None.

DIRECTOR'S ANNOUNCEMENTS

None.

COMMISSION AGENDA

Next special meeting is scheduled on June 29, 2009 at 6:00 p.m.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDA ITEMS

None.

ADJOURNMENT

Chairman Vose declared the meeting adjourned at 7:18 p.m. to Monday, June 8, 2009, at 5:30 p.m., in Planning Large Conference Room.

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster