

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

June 15, 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

Vice Chair Smith 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), Planning Director (Brian Ludicke), Principal Planner (Silvia Donovan), Assistant Planner (Brigitte Ligons), City Engineer (Carlyle Workman), and Recording Secretary (Joy Reyes).

CONSENT CALENDAR

1. APPROVAL OF MINUTES

It was moved by Commissioner Burkey and seconded by Vice Chair Smith to approve the Minutes from the Regular Meeting of May 18, 2009, and Minutes from the Special Meeting of March 23, April 13, and May 11, 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. CONDITIONAL USE PERMIT NO. 07-12

Chairman Vose opened the public hearing at 6:03 p.m. to hear a continued request by AV California, LLC for the construction of a 219,904 square-foot commercial center, anchored by a 139,410 square-foot home improvement store with an attached 31,659 square-foot outdoor garden center; a total of eight buildings and a separate car wash facility are proposed on the project site; one of the buildings would consist of a combined gas station/convenience store; the other buildings would be used for retail, fast food, and a drug store on 21.32± gross acres located at the northwest corner of 60th Street West and Avenue K.

Silvia Donovan presented the staff report. She referred to additional materials provided tonight by the applicant to address issues raised previously by the Commission, which focused on truck circulation, semi-truck parking and loading zones. The site plan shows the truck loading and unloading zone for the gasoline station. Chairman Vose noted that the truck movement showed in Exhibit I is a backing movement over the tanks. Carlyle Workman stated that the trucks would be making a left-turn off of 60th Street West, backing in parallel to the tanks, pulling out, and exiting onto Avenue K, and that it would be a 75-foot wide vehicle lane. The diagram shows that vehicles would be backing up.

The Commission requested for a semi-truck parking on pads B and D, which is included in Exhibit 3 and scenario options 1 and 2. Scenario 1 includes two semi-truck parking spaces, whereas Exhibit 3 shows access in-and-out for semi-truck circulation. Option 2 has the applicant providing semi-truck parking space parallel to the driveway access between pads B and D, which will make it difficult for pedestrian access, and results in a loss of 31 parking spaces. Commissioner Burkey inquired if two options were provided for pads B and D, to which Silvia Donovan replied yes, and that it was discussed at the agenda review.

The applicant provided a neighborhood outreach within four square miles. The applicant had worked with four neighbors, and approved the hammerhead turnaround configuration. They also received an additional 26 feet of land, and staff requested front and side yard landscaping, which the neighbors were happy with staff recommendation. Gina Rossall, Westside School District Superintendent, was happy with the student safety plan. The applicant has provided a modified phasing plan so that Phase 2 would only contain construction of the Lowe's building.

Commissioner Jacobs inquired how parking stall requirement was calculated for the gas station and carwash. Silvia Donovan explained that parking for car washes is the same for typical retail centers, and parking is factored in for the number of employees. Commissioner Jacobs asked if all parking spaces around the island for the proposed Pad E were necessary for this center. Silvia Donovan stated that all parking spaces are reciprocal spaces between pads. Chairman Vose noted that the site plan does not show any loading area for Pad E.

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

David Sinclair, representing the applicant, acknowledged staff in the outreach effort, as well as that of the public, and the neighbors' willingness to work with them. He mentioned that the architect is also present.

Chairman Vose stated that, for the record, the Commission received the outreach effort report dated June 5, 2009, and some correspondence from Paul and Karen Ferguson, and Dawn Mercer Fee.

Hany Malak, architect for the project, provided information on pad E. Currently, there is no gas station operation, and at such time, applicant will return to the Commission to show how the truck maneuvering movements. For Pad C loading situation for CVS, applicant has elongated the loading area; CVS is flexible with the size of truck at 62 feet; delivery is once a week for 40 minutes each time; additional deliveries are from vendors such as Coke, Pepsi, etc. Commissioner Burkey asked if it would be a 'double rig' backing up on Pad E, to which Mr. Malak responded that it would be a single (not double) lift of a 75-foot single trailer.

Chairman Vose asked if the applicant reviewed the conditions, including student safety, to which the applicant replied in the affirmative.

Dawn Mercer Fee, resident of Lancaster, CA, distributed a copy of LA Times article, and thanked everyone for this project, which she thinks is long overdue.

Josefin Klasson, recently relocated from Sweden, voiced her support of the project and stated that she was looking forward to the project.

Jose Mantelongo, resident of Lancaster, CA, also in favor, stated that he was excited about this project on the westside.

Nik Guiler, resident of Lancaster, CA, stated that he was in favor of the project on the westside of town.

William Ball, representing a coalition of seniors and disabled seniors living on the Westside, expressed support for the project because they would no longer have to drive 5 to 6 miles to the nearest retail center, and could take part in the community.

Chairman Vose closed the public hearing at 6:37pm.

Commissioner Ervin commented that he was concerned with the gas station, and hopes that it will be planned and constructed well.

It was moved by Vice Chair Smith and seconded by Commissioner Malhi to adopt Resolution No. 09-09 approving Conditional Use Permit No. 07-12, including revised site plan and conditions. 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.

Commissioner Burkey wanted to clarify that by approving this plan, the gas station does have direct drive through access to unloading gas. Brian Ludicke responded that should the Commission feel it is necessary to add that condition, they should do so. Chairman Vose pointed out that should the applicant apply for an alcohol CUP, the conditions could be revisited. Commissioner Burkey then decided to leave the conditions as is.

The Commission concurred to move up Agenda Item No. 6, as this is related to Item No. 2.

NEW PUBLIC HEARINGS

6. CONDITIONAL USE PERMIT NO. 09-03

Chairman Vose opened the public hearing at 6:42 p.m. to hear a request by Gaffield Beach CVS LLC/Long's Drugstores California LLC for incidental off-sale alcoholic beverage establishment (Type 21) on the northwest corner of 60th Street West and Avenue K.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report.

Hany Malak, architect, stated that they are in concurrence with all the conditions except for Condition No. 2, which they are requesting to amend the hours of operation from 7:00 a.m. to 12:00 a.m., to be in conjunction with the hours of operation of the store.

Scott McGuff, District Manager for CVS in the Antelope Valley, appreciates the 7:00 a.m. start, and is excited to have a drugstore on this side of town.

Chairman Vose closed the public hearing at 6:46 p.m.

It was moved by Commissioner Jacobs and seconded by Commissioner Haycock to adopt Resolution No. 09-17 approving Conditional Use Permit No. 09-03, with amendment to the hours of operations from 8:00 a.m. to 12:00 a.m. to 7:00 a.m. to 12:00 a.m. Motion carried with the following vote:

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

NOES: Commissioners Burkey and Ervin.

ABSTAIN: None.

ABSENT: None.

Commissioner Ervin opined that increase in alcohol sales also causes increase in loitering, so he would vote against it.

3.a. CONDITIONAL USE PERMIT NO. 07-08 EXTENSION

Chairman Vose opened the public hearing at 6:48 p.m. to hear a request by Insite Development LLC for a development of mix-use project consisting of a maximum of 140 new dwelling units, and re-use of existing commercial buildings for restaurant and entertainment /lounge purposes, including on-site sale of alcoholic beverages, on 4.27± acres bounded by Lancaster Boulevard, Elm Avenue, Milling Street, and Fig Avenue.

Silvia Donovan presented the staff report. There were no speakers card submitted.

Chairman Vose closed the public hearing at 6:49 p.m.

It was moved by Vice Chair Smith and seconded by Commissioner Haycock to grant a one-year extension to June 18, 2010, based on the findings contained in the staff report, and subject to added Condition Nos. 17-20, and all other previously approved conditions. 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. GENERAL PLAN AMENDMENT NO. 09-01/PREZONING NO. 09-01

Chairman Vose opened the public hearing at 6:50 p.m. to hear the following requests by the City of Lancaster: 1. Amend the City of Lancaster General Plan land use designation for 1,358± acres from NU (Non-Urban Residential, 0.4 to 2.0 dwelling units per acre) to HI (Heavy Industrial); with an added request to amend 25 acres from NU to MR1 (Multi-Residential, 6.6 to 15.0 dwelling units per acre) 2. Prezone 362 acres to LI (Light Industrial), 35 acres to MHP (Mobile Home Park), and 5,435 acres to RR-2.5 (Rural Residential 1 unit per 2.5 acres) and 1,358 to HI (Heavy Industrial); with an added request to prezone an additional 25 acres (for a total of 60 acres) to MHP (resulting in a reduced prezoning of 5,410 acres to RR-2.5; on 7,190± gross acres bounded to the north by Avenue E, to the south by Avenue H between 20th Street East and Division Street, and Avenue G between Division Street and 25th Street West, to the east by 20th Street East, and to the west by 25th Street West.

Chuen Ng presented the staff report. He stated that the Commission should have a copy of a letter from Leisure Lakes Mobile Home Park in regards to a property west of the freeway, which they are requesting for a change to MHP designation. Chairman Vose inquired if staff has any recommendation to the Leisure Lake request. Brian Ludicke responded that staff would have preferred receiving the request earlier, although the requestor is the owner of the property who does have long-term plans of expansion of MHP. Staff does not oppose the request. Unlike the eastside of the freeway, the westside of the freeway is an integral part of a long-term expansion area of the Fox Field Corridor project.

Chairman Vose clarified that Resolution 09-15 would have specific acreage on it. Brian Ludicke replied that if the resolution is adopted, staff will ensure proper recalculation to move forward to the City Council.

Chuen Ng continued with the presentation of the staff report.

Pam Mills, resident of Los Angeles County, lives within the proposed area of Heavy Industrial, and commented on the lack of services and utilities. She is just opposed to being annexed to the City.

Ronyda McMichael, resident of Los Angeles County, is opposed to the request because residents in the area are low income families who cannot afford to relocate. The property is currently rural, and she would only support the request if the Health Department would provide services.

Alex Trosch, 13-year resident of that area, stated that he was undecided whether he was for or against the proposed General Plan amendment and rezoning since he does not have enough information. He read a written comment and questioned the motive behind the request, such as financial gain, imposing fines, code enforcement persecution, and intimidation on residents. He asked what would change if this goes into effect, and if it would improve the area.

Chairman Vose closed the public hearing at 7:11 p.m.

Brian Ludicke explained that in general, the City looked at the appropriate rezoning and the mix of uses to the area. LA County has it designated as a Desert Mountain zone, which simply allows anything, and certain uses already established in that area, if expanded, would have to meet the City's requirements. There is a provision for legally established residences to remain without becoming non-conforming, say, if an area would be designated HI. As for questions on code enforcement, it is not the City's intent to go after any targeted areas; however, in the long run, the City would want to deal with health and safety issues in that area.

It was moved by Commissioner Jacobs and seconded by Commissioner Malhi to adopt Resolution No. 09-15, a resolution of the Planning Commission of the City of Lancaster, recommending to the City Council approval of General Plan Amendment No. 09-01 and Rezoning No. 09-01. The resolution should also reflect the amount of MR and MHP land (79 acres) to accommodate the request of Leisure Lakes Mobile Home Park. 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.

Brian Ludicke stated that the City Council will take up the issue of the General Plan amendment and Rezoning on this area, and whether or not to adopt necessary actions to initiate the issue of annexation process on June 23rd at 6:00 p.m.

5. CONDITIONAL USE PERMIT NO. 05-23

Chairman Vose opened the public hearing at 7:18 p.m. to hear a request by Lancaster Baptist Church for the construction of a phased project to expand an existing church, school and college campus facilities including an outdoor amphitheater, athletic stadium and faculty housing in eleven phases over 20 years in the RR-2.5 and R-7,000 Zones, on 73± gross acres located on the southwest corner and southeast corner of Lancaster Boulevard and 40th Street East.

Commissioner Burkey indicated that he is currently a member of the Lancaster Baptist Church, but has no financial interest in the project. Based on the recommendation of the Deputy City Attorney, he can participate in the hearing.

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

Tim Christoson, representing the applicant and the pastor, stated that they are thankful for the role of the Commission and City staff on the project. They are also thankful for their role in serving the community

Jim Bickel, architect for the project, stated that they are thankful to staff for their assistance.

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

It was moved by Commissioner Burkey and seconded by Vice Chair Smith to adopt Resolution No. 09-16 approving Conditional Use Permit No. 05-23. 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

Brian Ludicke gave a reminder on the special meeting in July regarding the projects on 60th Street West & Avenue L.

COMMISSION AGENDA

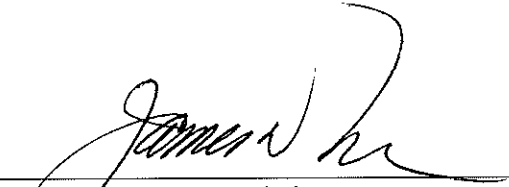
None.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDA ITEMS

Cleo Goss, resident of Lancaster, spoke about the project on 60th Street West and Avenue L, and the inadequacies and inaccuracies of the EIR findings.

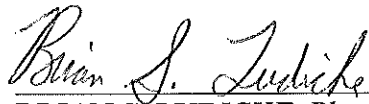
ADJOURNMENT

Chairman Vose declared the meeting adjourned at 7:28 p.m. to Monday, June 29, 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