

# MINUTES

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## SPECIAL MEETING OF THE LANCASTER PLANNING COMMISSION

May 11, 2009

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### CALL TO ORDER

Chairman Vose called the meeting to order at 7:00 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, Chairman Vose.

Absent: None.

Also present were the Deputy City Attorney (Joe Adams), Planning Director (Brian Ludicke), General Plan Project Manager (Dave Ledbetter), Principal Planner (Silvia Donovan), City Engineer (Carlyle Workman), Associate Planner (Chuen Ng), and Recording Secretary (Tess Epling).

### PUBLIC BUSINESS FROM THE FLOOR

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Nicole Parson commented that her name was not reflected correctly in the previous General Plan and that she met every deadline, the last one being with DWP. She went on about water, sacrifice, movies such as Fifth Element, War Games and Terminator, watershed and hydrology, cobblestone walkways, per capita use in downtown development instead of recycled water, global warming and AB32.

## **PUBLIC HEARING**

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Dave Ledbetter presented the staff report. He gave an in-depth overview of the General Plan program. He went over the packet of materials submitted to the Commission.

Dave Ledbetter provided an overview of the highlights of the General Plan program, including the community outreach program, and formulation of the general plan alternatives and the preferred plan recommendation.

Dave Ledbetter gave a PowerPoint presentation showing the Planning Commission Land Use Recommendation, compared to the existing land use map.

Dave Ledbetter discussed the land use request letters received since the last meeting, including the following: a request by Desert Vineyard Church (item B7a) to redesignate half acre of church property from Urban residential (UR) to Light Industrial (LI), of which staff is recommending approval; a request by Hillsvieview Homes (item C9a) to redesignate property on the northwest corner of 30<sup>th</sup> East and Avenue J-8 from Urban residential (UR) to commercial (C), of which staff is recommending denial; and a request by Dr. Kumar (item C15b) for a redesignation of five acres from Non-urban residential (NU) to Office professional (OP) on the northeast corner of 30<sup>th</sup> Street West and Avenue M, of which staff is recommending denial. There is also a request for a Specific Plan (SP) overlay for 120 acres of land located on the southeast corner of Avenue J and 110<sup>th</sup> Street West.

Chairman Vose thanked Dave Ledbetter for his hard work, effort and commitment in the General Plan Update endeavor. Dave Ledbetter acknowledged the presence of Susan Harden from RBF Consulting, who was instrumental in the outreach program, and in the formulation of the General Plan Citizens Advisory Committee (GPCAC).

Chairman Vose opened the hearing for public testimony. There were speakers in the audience who wished to comment, as follows:

Kris Venkatappa, representing Indian Cultural Association, spoke in support of Dr. Kumar's request, and asked for the Commission's consideration of the request. He states there is a need for a temple in the area because of the presence of the Indian community in the Antelope Valley. Vice Chair Smith explained that under the current land use of NU, a temple may be built with a conditional use permit (CUP). Commissioner Burkey inquired what would happen if the designation were to be changed to OP. Silvia Donovan explained that churches are not allowed in OP.

Dr. Anil Kumar, applicant, cited the reason for his request to build a temple. He explained that there is a need for a place of worship for the Indian community that resides in the Antelope Valley. Chairman Vose clarified that temple use in the current zone is allowed with a CUP application, and should the Commission approve the request to rezone the land to an OP designation, the applicant would lose the ability to build a temple. Dr. Kumar stated that the request for the OP designation would allow him to build an office building, which would provide a source of income to maintain the temple. Brian Ludicke stated that the area is largely Rural

residential, and while there are other church uses nearby, an office professional use on the corner of 30<sup>th</sup> Street West and Avenue M would be premature.

Indira Kumar, resident of Palmdale, CA, stated that her husband said what needed to be said, and she would just like to reiterate his request.

Dr. G.L. Vaghjani, resident of Palmdale, CA, stated that she was baffled by the technicalities involved. She is requesting for the Commission's guidance, wisdom and leadership to accommodate Dr. Kumar's request. She cited the substantial number of Indian residents in Antelope Valley and the need for a place to worship. There is land available for the temple to be built and Dr. Kumar, who is very generous, has come up with a plan to support the temple. Vice Chair Smith clarified that the use of the word "denial" does not mean that the Commission is not supporting request to build a temple. She explained that by leaving the current zoning as it is, applicant could proceed with their request through a CUP process.

Neena Suri, resident of Lancaster, CA, commented that it is very hard to commute from Antelope Valley to Los Angeles to worship. When they heard about Dr. Kumar's request, they were excited. She appreciates the people who can bring this to fruition.

Latika Singh, resident of Lancaster, CA, moved in Antelope Valley in 1997, and came tonight to support Dr. Kumar. She asked the Commission about the CUP process.

Pradeep Singh, resident of Palmdale, CA, stated that he has lived here for 20 years and he was excited when he heard Dr. Kumar's request. He is hoping to work out things.

Bharat Bhatt, resident of Lancaster, CA, stated that from listening to what the Commissioners are saying, it seems like the applicant can go forward with their request. He urged the members to consider the request as he would like to see this happen.

Vandana Vij, spoke in support of request, and stated that she would like to see this go forward. She explained that in the Indian culture, they would like to go to a temple when there is a milestone happening in their life. The long commute down south to go to a temple is difficult.

Victor Vera, representing Sun Construction, came to speak regarding 50<sup>th</sup> Street West and Lancaster Boulevard and staff's recommendation to change the land use designation in that area from Multi- and Urban residential to Non-urban residential, in order to create a buffer from the prison. They have a conditional use permit (CUP) and a tentative tract map (TTM) being heard by Planning Commission next week. Chairman Vose clarified that the existing General Plan will apply to active projects.

Jeff Little, representing Jusdyco Inc., stated that they have two tentative tract maps submitted that staff is recommending approval. He was concerned that the Non-urban residential prison buffer would affect their present and current projects. Chairman Vose elucidated that an active project will not be affected by the General Plan update.

David Sinclair, speaking on behalf of AV Land regarding its request for land use designation change on items B4 and C3 in the request letters log, stated that as a GPCAC member, it was agreed that there should be a balance in the community. Issues are being dealt with right now on the 60<sup>th</sup> Street West corridor, due to lack of foresight of having commercial designation along that corridor. Commissioner Burkey agreed that commercial designations should be planned ahead of time.

Lisa Hvolboll, representing Hill View Homes, clarified their request to redesignate the corner of Avenue J-8 and 30<sup>th</sup> Street East to a commercial designation. She believes that this will be a great location to accommodate a small neighborhood shopping center.

Jim Gilley is representing Martin Fourough who owns 120 acres on the west side in outlying areas. He states that for the property to be put to good use, it would require a major land use effort such as a specific plan. A specific plan overlay would not require a density change at this point, but would allow them to get into the planning process with Commission and staff. Brian Ludicke opined that he has no objection to the Specific Plan overlay. It has to be made clear, though, that this does not constitute an endorsement of an increase in density, as it will begin to compromise the basic principles of the General Plan.

Jim Gilley, representing Infinity 26 (item C4b), stated that a new revised map has been submitted. The revised plan shows a residential buffer between the requested commercial designation at the corner of 40<sup>th</sup> Street West and Avenue K, and the large-lot residential uses to the west.

Dan Stitt, the engineer representing Dave Shamsian for the project on 50<sup>th</sup> Street West between Lancaster Boulevard and Avenue I, stated that it was good to hear that their projects will be processed under the existing General Plan.

Athena Bowyer, representing Royal Investors Group, stated that they currently have one of the lands next to the buffer zone on 50<sup>th</sup> Street West. If a new proposed land use designation of NU was to be adopted, it would be in very close proximity and adjacent to high density projects. She commented that they are not in opposition to some sort of buffer, but a smoother transition would be more appealing to a builder in the future.

Chairman Vose closed the public hearing at 8:30 p.m. Chairman Vose deemed it appropriate to take up each tab and discuss them.

For Tab 1 (Staff Report), there were no questions.

For Tab 2 (Amendment to General Plan Policy Document), there were no questions, comments and/or concerns.

For Tab 4, Chairman Vose noted that the Commission already dealt with it.

For Tab 5 (request letters log), which the Commission already considered other than the five letters discussed tonight, Chairman Vose suggested taking up each one to get the general consensus of the body.

For item B4, Commissioner Ervin stated that the City would avoid controversy and create transparency if commercial areas are identified sooner, instead of later. Commissioner Malhi and Burkey concurred. The Commission agree to support request item B4, changing the southwest corner of 70<sup>th</sup> Street West and Avenue K to commercial.

The Commission recommended item B7a, redesignating properties north of Avenue J and west of 17<sup>th</sup> Street West.

Commissioner Ervin stated that he would like to approve request item C3, because of the importance to plan for commercial designations in advance. Vice Chair Smith wanted clarification as to why staff did not support a redesignation of commercial on the corner of 70<sup>th</sup> Street West and Avenue J, but initially supported commercial for 70<sup>th</sup> Street West and Avenue K. Brian Ludicke answered that staff support of original request was predicated that it was more central to urbanizing area. The lot sits at a corner where long-term growth pattern is shown. Brian further explained that in a letter staff wrote in November 2008, support of that corner would be with the understanding that it will not be a precedent for further westward expansion of the UR designation. From a Planning Director's standpoint, there is a concern over any effort to jump the urbanizing area line prematurely. Commissioner Haycock opined that she is more likely to follow staff recommendation, which is based a lot on what will happen in the future. Commissioner Ervin acknowledged Commissioner Haycock's comments, and stated that he still would like to be forward looking, and support the redesignation of 70<sup>th</sup> Street West and Avenue J to commercial, to avoid controversy in the future. Commissioners Burkey and Malhi and Vice Chair Smith concurred. By a vote of 4-3, item C3 request was approved.

Brian Ludicke explained that request item C4b was a difficult one for staff. Brian stated he is not certain that this would be the appropriate location for commercial designation, because there are already two commercial locations on 40<sup>th</sup> Street West and Avenue L, and additional 10 acres on the southeast corner of that intersection. Nearby residents to the west have also reacted negatively in the past to any proposed land use changes to commercial. The revised request shows some residential that would buffer the corner commercial use from the large-lot residences to the west, but there is also some concern regarding the orientation of the commercial use. There is a preference that the commercial uses face Avenue K, but that would restrict the configuration of the residential buffer. Commissioners Haycock, Jacobs and Malhi stated they support the request. Chairman Vose was inclined to support a commercial designation, but he was concerned about the lateness of the request, and community has no opportunity to comment. Commissioner Burkey stated that he would like neighborhood participation. Commissioner Ervin was also concerned about the lateness in documentation. Vice Chair Smith agreed that it is a great location for commercial designation so she will support it. Item C4b was approved (4-3), and it was agreed upon to orient the commercial designated area to Avenue K.

For item C9a, Brian Ludicke explained that if the requested parcels were to be made commercial, it would result in three 10-acre lots within a mile of each other along 30<sup>th</sup> Street East. Placing commercial uses along a secondary road makes some sense, if there is a neighborhood serving value. However, given the growth pattern on the eastside, he would not recommend it at the proposed site when there are adequate sites available half a mile north and

south of it. It is better kept on the major streets. The Commission unanimously agreed with staff recommendation.

For item C15b, Vice Chair Smith stated that there was already a discussion that by denying this request, the Commission is allowing the applicant to proceed with the request to build a temple.

For Parcel Nos. 3267-011-002 and 003 on 105<sup>th</sup> Street West and Avenue J, Brian Ludicke stated that staff had no objection to the SP overlay. His concern was that it not be interpreted as an endorsement of discontinuous urban development, nor a precedent for an increase in density. The Commission voted unanimously to approve applicant's request.

Chairman Vose wanted to make sure with staff that Exhibit D (the Planning Commission Land Use Recommendation map) will be modified and attached to the resolution, should the Commission decide to adopt it.

It was moved by Vice Chair Smith and seconded by Commissioner Ervin to approve Resolution No. 09-12 recommending that the City Council certify the Final Environmental Impact Report (EIR) and Master Environmental Assessment (MEA), adopt the environmental findings, adopt a Statement of Overriding Considerations, adopt the Mitigation Monitoring and Reporting Program, and adopt the General Plan Update that encompasses the entire City. 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**

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Brian Ludicke announced that there will be no more special meetings on the General Plan. The Commissioners will be informed of the date the item will be heard before the City Council. Brian Ludicke acknowledged and thanked Dave Ledbetter, General Plan Project Manager, for his hard work and commitment to see the project through.

## **COMMISSION AGENDA**

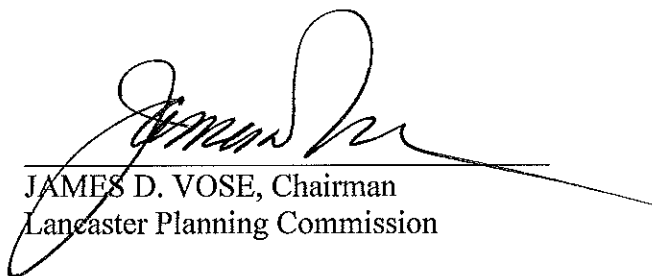
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The next regular Planning Commission meeting is scheduled on May 18.

**ADJOURNMENT**


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Chairman Vose declared the meeting adjourned at 9:15 p.m. to Monday, May 18, 2009, at 6:00 p.m. in the Council Chambers, Lancaster City Hall.



JAMES D. VOSE, Chairman  
Lancaster Planning Commission

ATTEST:



BRIAN S. LUDICKE, Planning Director  
City of Lancaster