

MINUTES

**SPECIAL MEETING OF THE
LANCASTER PLANNING COMMISSION
Monday, March 11, 2024
5:00 PM**

View this Meeting on the web:

<https://www.cityoflanasterca.org/our-city/departments-services/city-clerk/meetings-agendas-and-minutes/public-meetings-web-streaming>

CALL TO ORDER

Chairman Vose called the meeting to order at 5:08 pm.

INVOCATION

Led by Commissioner Birden.

PLEDGE OF ALLEGIANCE

Led by Commissioner Tufts.

ROLL CALL

Present: Chairman Vose, Vice Chairperson Derryberry, Commissioners Birden, Loa, Moore, and Tufts.

Absent: Commissioner Underwood.

Also present were: Director of Community Development – Larissa De La Cruz, Assistant Director of Community Development – Planning & Permitting, Patti Garibay, Assistant Director of Public Works – City Engineering, Nicholas Godin, Senior Engineers, Matt Simons and Stephen Carrillo, Senior Planner, Jocelyn Swain, Planners, Shannon Edwin, Kendall Brekke, Elizabeth Hull from Best, Best, and Krieger (BB&K), Attorneys at Law, and Administrative Assistant, Sandra Moreno.

There were twenty-seven people in the audience.

PUBLIC BUSINESS FROM THE FLOOR

Any person who would like to address the Planning Commission on any agenda item is requested to complete a speaker card for the Recording Secretary, and identify the agenda item you would like to discuss. Each person will be given the opportunity to address the Planning Commission at the time such item is discussed by the Planning Commission. **Speaker cards are available at the rear of the Council Chambers. Individual speakers are limited to three (3) minutes each. Individual comments are limited to three (3) minutes each unless a different time is announced.**

MINUTES

1. Approval of Minutes from the Regular Meeting of February 26, 2024

Commissioner Tufts made a motion to approve the minutes from the Regular Meeting of February 26, 2024. Commissioner Birden seconded the motion.

The motion carried with the following vote of (6-0-0-0-1):

AYES:	Vose, Deryberry, Birden, Loa, and Tufts.
NOES:	None.
ABSTAIN:	Moore.
RECUSED:	None.
ABSENT:	Underwood.

NEW PUBLIC HEARINGS

2. Conditional Use Permit No. 22-016

Planner, Kendall Brekke, presented the staff report. Staff recommends to adopt Conditional Use Permit (CUP) No. 22-016 to allow for cultivation, manufacturing, distribution, and retail sales of cannabis within a proposed industrial building at the southeast corner of Market Street and Enterprise Parkway (APN: 3128-008-017) in the Light Industrial (LI) zone

The Planning Commissioners asked Legacy Support - Project Manager, Kenneth Verosa (Applicant) if he agreed with the Staff Report and Conditions of Approval. Mr. Verosa accepted the Staff Report and Conditions of Approval. Chairman Vose had concerns regarding the emission of odor from the site. Additionally, he had questions

regarding the security of the location, being the site is located around vacant land. Vice Chair Derryberry, questioned the applicant if they had other locations, the applicant stated, they currently would only have one. In addition, the applicant acknowledges there would not be odor released from the site, as they would be using various filters to purify the air. The applicant will be providing private security and the area will be fenced. Commissioners addressed to the public, that the City does not select the location, the applicant does and this particular project is Zone properly meeting the criteria.

There were no public speakers for this item.

Vice Chairperson Derryberry, Adopt Resolution No. 24-07 approving Conditional Use Permit (CUP) No. 22-016 to allow for cultivation, manufacturing, distribution, and retail sales of cannabis within a proposed industrial building at the southeast corner of Market Street and Enterprise Parkway (APN: 3128-008-017) in the Light Industrial (LI) zone, and authorizing staff to execute and file a Notice of Exemption. Commissioner Birden seconded the motion.

The motion carried with the following vote of (6-0-0-0-1):

AYES:	Vose, Derryberry, Birden, Loa, Moore, and Tufts.
NOES:	None.
ABSTAIN:	None.
RECUSED:	None.
ABSENT:	Underwood.

3. Conditional Use Permit No. 23-019

Senior Planner, Jocelyn Swain, presented the staff report. Staff recommends to adopt a Conditional Use Permit to allow for the construction and operation of the Lancaster Clean Energy Center consisting of a 650-megawatt (MW) photovoltaic solar facility; 330 megawatt-hour (MWh) battery long-duration energy storage system; 400 megawatt-electrical (MWe) of electrolyzers, liquified and gaseous hydrogen storage; and associated equipment on 1,338 acres in the RR-2.5 (rural residential, minimum lot size 2.5 acres) zone and RR-2.5 with the Eastside Overlay zone bound by 40th Street East, 70th Street East, Avenue J, and Avenue L (APNs: 3384-018-001, -002, -003, -004; 3384-017-001, -002, -003; 3384-015-013; 3384-016-013, -014; 3170-012-002).

Vice Chairman Derryberry recused himself at the beginning of the presentation. The Planning Commission invited the applicant to the stand. Representing Element Resources, Steven Meheen the Chief Executive Officer, Chairman Vose asked Mr. Meheen if they accept all new revised conditions of approval. The applicant accepted all new revised conditions. Commissioners stated staff had met with community members and the applicant has revised plans to address the community concerns. There were question about the phasing of hydrogen facilities and blast wall. The application stated the blast wall was mandated per federal government code and the product is odorless. The Commission asked for clarification of a Class 8 semi-truck. The semi-trucks will transport the hydrogen and they will also operate on hydrogen.

There were ten public speakers for this item. Teresa Maupin, had concerns about the traffic, noise, pollution, and the future of the project. Chairman Vose reassured Ms. Maupin there are various steps applicants would need to take to complete the project. Alton Wilkerson is a local electrician who supports the project and the career opportunities it will bring to the community. David Marin, was concerned about the impact on the roadways. Elaine MacDonald is President of Water Master and was concerned about the water quality being compromised and who the water source for the project would be. Joe Sullivan, a representative from the International Brotherhood of Electrical Workers (IBEW) supports the project and its opportunity to create new jobs for the community. Don Kasper, was concerned about groundwater pumping and the Valley Fever Zone. Mr. Kasper was also concerned about the air quality in the zone. Daniel Osbone, supports the project and hopes to partner with Element Resources to construct. Melissa Gaudi, had concerns about the increase of traffic in the area. Mitch Klein, a representative from IBEW supports the project. Peter Conner, had concerns about safety, traffic, and the visual appearance of the site. Senior Planner, Jocelyn Swain addressed the community members' concerns regarding the number of trucks and adding the new truck traffic, by stating the existing trucks would no longer be heading there as the agricultural farm would be gone. The water would be provided by private lease with Bolthouse Farms. In regards to the air quality, the site would be required to have signage on the property for contact information should there be dust or odors. The project screens out of a VMT study and traffic study. Roads are routinely checked for normal wear and tear, as the project is not responsible for the maintenance or upkeep of roads. The roads were last treated in 2014, and are not currently scheduled for the five-year maintenance plan. Chairman Vose requested streets to be observed and mentioned the split jurisdiction of some of the roads with LA County.

Commissioner Moore, made a motion to Adopt Resolution No. 24-08 approving Conditional Use Permit No. 23-019 to allow for the construction and operation of the Lancaster Clean Energy Center on 1,338 acres in the RR-2.5 and RR-2.5 with the Eastside Overlay zones generally bound by 40th Street East, 70th Street East, Avenue J, and Avenue L (APNs: 3384-018-001, -002, -003, -004; 3384-017-001, -002, -003; 3384-015-

013; 3384-016-013, -014; 3170-012-002), adopting the Initial Study/Mitigated Negative Declaration (SCH #2024020266), approving the Mitigation Monitoring and Reporting Program and authorizing staff to execute and file the Notice of Determination. Commissioner Tufts seconded the motion.

The motion carried with the following vote of (5-0-0-1-1):

AYES:	Vose, Birden, Loa, Moore, and Tufts.
NOES:	None.
ABSTAIN:	None.
RECUSED:	Derryberry.
ABSENT:	Underwood.

4. Tentative Tract Map No. 23-001 (TTM 83573)

Planner, Shannon Edwin, presented the staff report. Staff recommends to adopt Tentative Tract Map to subdivide the subject property into 68 lots (67 single-family residential lots and one common area lot) in the R-7,000 (single-family residential, minimum lot size 7,000 square feet), zone.

There were three public speakers for this item. Ralph Arellano, a nearby neighbor was concerned about infrastructure, traffic, and open space area shown on plans. Diane Luna, inquired about a traffic study and impact study as her property has been directly affected by crashes. Ms. Luna also inquired about the project timeline. Nicola Arellano, had concerns about traffic, safety, and new residential impact on the community. Planner, Shannon Edwin addressed the vacant lot as a commercially zoned area. At this moment nothing is proposed. There is also no set construction date. Traffic questions were deferred to Traffic Engineer, Matt Simons. Simons stated the project is not large enough to meet the requirements for a Local Transportation Report. However, once the project is complete the traffic can be monitored. Applicant representative, Kris Pinero from Rodeo Credit Enterprises, LLC mentioned they are in negotiation with a buyer and cannot provide a timeline and the commercial lot will be developed separately.

The Planning Commission had no questions for this item.

Commissioner Tufts, Adopt Resolution No. 24-09 approving Tentative Tract Map No. 23-001, Tentative Tract Map for the subdivision of approximately 18.5 gross acres into 68 lots (67 single-family residential lots and one common area lot) in the R-7,000 zones located at the northwest corner of Avenue K and 40th Street West (APNs: 3153-025-043 and 3153-025-019) adopting the Initial Study/Mitigated Negative Declaration (SCH# 2024020265), approving the Mitigation Monitoring and Reporting Program and

authorizing staff to execute and file the Notice of Determination. Commissioner Tufts seconded the motion. Commissioner Birden seconded the motion.

The motion carried with the following vote of (6-0-0-0-1):

AYES:	Vose, Derryberry, Birden, Loa, Moore, and Tufts.
NOES:	None.
ABSTAIN:	None.
RECUSED:	None.
ABSENT:	Underwood.

PUBLIC BUSINESS FROM THE FLOOR

This portion of the agenda allows an individual the opportunity to address the Commission on any subject regarding City business. Under state legislation, no action can be taken on non-agenda items. Members of the public should be aware of this when addressing the Planning Commission regarding items not specifically referenced on the agenda. Please complete a speaker card for the Recording Secretary, speaker cards are available at the rear of the Council Chambers. **Individual speakers are limited to three (3) minutes each.** *Individual comments are limited to three (3) minutes each unless a different time is announced.*

There were no public speakers.

COMMUNITY DEVELOPMENT ASSISTANT DIRECTOR ANNOUNCEMENTS

Director, Larissa De La Cruz and Assistant Director, Patti Garibay welcomed Commissioner Becky Loa and congratulated Vice Chairperson Derryberry. Assistant Director, Patti Garibay, suggested the cancelation of the April 15th meeting as projected originally slated for the date will not be ready to appear before the Planning Commission. Mrs. Garibay reminded the Commissioners to complete Form 700 before, the April 2nd deadline.

COMMISSION AGENDA

Chairman Vose thanked staff and Commissioners for their work.

ADJOURNMENT

The meeting was adjourned at 5:35 P.M. to the Regular Meeting on April 15, 2024, at 5:00 P.M., in the Lancaster City Hall Council Chambers.

JAMES VOSE, Chairman
Lancaster Planning Commission

ATTEST:

SANDRA MORENO, Recording Secretary
City of Lancaster