

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION Monday, October 16, 2023

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 5:02 p.m.

INVOCATION

Led by Commissioner Birden.

PLEDGE OF ALLEGIANCE

Led by Chairman Vose.

ROLL CALL

Present: Chairman Vose, Vice Chairperson Harvey, Commissioners Birden and Derryberry.

Absent: Commissioners Moore, Tufts, and Underwood.

Also present were: Assistant Director of Community Development – Planning & Permitting, Patti Garibay, Senior Engineers, Stephen Carrillo and Matt Simons, Senior Planners, Jocelyn Swain and Cynthia Campaña, Planner, Mitzi Alvarado, Stephen Deitsch from Best, Best, and Krieger (BB&K), Attorneys at Law, and Administrative Assistants, Heather Breheny and Sandra Moreno.

There were 16 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 September 18, 2023

Vice Chairperson Harvey verified the date of the Regular Meeting Minutes (there was a typo on the agenda) and once confirmed, made a motion. Commissioner Birden seconded the motion for the approval of the minutes for the Regular Meeting of September 18, 2023.

The motion carried with the following vote of (4-0-0-0-3):

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

NEW PUBLIC HEARINGS

2. Conditional Use Permit No. 22-17

Planner, Mitzi Alvarado, presented the staff report. Staff recommends the adoption of Resolution No. 23-25, approving Conditional Use Permit (CUP) No. 22-17 for the construction and operation of a new car wash facility, retail tenant building and site improvements in the Commercial Planned Development (CPD) zone located near the southwest corner of 20th Street West and Avenue J (APN: 3123-005-042). The applicant was available for any questions.

Chairman Vose inquired about off-site improvements, specifically if left bound turns are restricted on 20th north bound. Senior Engineer, Matt Simons, confirmed that was correct and that there would be a raised median installed, right turn in and right turn out would be required.

Commissioner Derryberry inquired about the water usage of the car wash, from where the water was coming from and if the run-off water would be re-purposed. The architect for the project, Sevak Karabachian, mentioned that once the CUP was approved, they could then move forward with permitting and doesn't know at the moment which exact district the water would be coming from. He also mentioned that they will very likely be recycling the water, but didn't know full details at the time, as far as what that entails. Mitzi informed the Commission that should this project be approved, the applicants would have to abide by #58 of the Conditions of Approval (COA), which specifically mentions the recycling of water.

The applicant submitted an Uncontested Letter. There were no public speakers for this agenda item.

Commissioner Derryberry made a motion and Commissioner Birden seconded the motion to adopt Resolution No. 23-25, approving CUP No. 22-17 for the construction and operation of a new car wash facility, retail tenant building, and site improvements in the CPD zone located near the southwest corner of 20th Street West and Avenue J.

The motion carried with the following vote of (4-0-0-0-3):

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

3. Conditional Use Permit No. 23-006

Senior Planner, Jocelyn Swain, presented the staff report. Staff recommends to adopt Resolution No. 23-26, approving CUP No. 23-006 to allow for the construction and operation of a Courtyard Marriot hotel on ±1.99 gross acres located at the northwest corner of Avenue J-13 and 20th Street West in the CPD zone (APN: 3129-017-050). The applicant was available for questions.

Chairman Vose inquired as to whether this was the third project from Mr. Mamey, Jocelyn confirmed. Prior to the meeting, Chairman Vose asked staff if there was a typical Type 70 alcohol beverage consumption application in place. Jocelyn informed him that though there is not one presently, should the applicant decide to move forward with that in the future, they would have to file a separate Director's Review application, which would be a staff level approval process.

The applicant submitted an Uncontested Letter. There were no public speakers for this agenda item.

Vice Chairperson Harvey made a motion and Commissioner Birden seconded the motion to adopt Resolution No. 23-26, approving CUP No. 23-006, to allow for the construction and operation of a Courtyard Marriot hotel located at the northwest corner of Avenue J-13 and 20th Street West in the CPD zone.

The motion carried with the following vote of (4-0-0-0-3):

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

4. Conditional Use Permit No. 23-007

Senior Planner, Jocelyn Swain, presented the staff report. Staff recommends to adopt Resolution No. 23-27 approving CUP No. 23-007 for the construction and operation of a 3,596 square foot Quick Quack car wash located on ± 0.70 acres of 8.39 undeveloped acres within the existing commercial center at the northwest corner of 20th Street East and Avenue J in the CPD zone, (APNs: 3147-041-017, 3147-041-019, 3147-041-028, 3147-041-029).

The applicant was available for questions, however, Commissioner Derryberry's concerns about water usage and recycling had been answered during previous Quick Quack car wash projects brought to the Planning Commission.

The applicant submitted an Uncontested Letter. There were no public speakers for this item.

Commissioner Birden made a motion and Vice Chairperson Harvey seconded the motion to adopt Resolution No. 23-27, approving CUP No. 23-007 for the construction and operation of a 3,596 square foot Quick Quack car wash located within the existing commercial center at the northwest corner of 20th Street East and Avenue J in the CPD zone.

The motion carried with the following vote of (4-0-0-0-3):

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

5. Tentative Tract Map No. 62403, Conditional Use Permit No. 21-10

Senior Planner, Cynthia Campaña, presented the staff report. Staff recommends to adopt Resolution No. 23-28, approving TTM No. 62403 and CUP No. 21-10 for the subdivision of 235 single-family residential lots on $68.9\pm$ gross acres located at the southeast corner of 80th Street West and Avenue L (APNs: 3204-003-046 thru -049), allow for a Residential Planned Development (RPD) in the R-10,000 zone, and adopting a mitigated negative declaration.

Chairman Vose announced that prior to the hearing he verified with the Fair Political Practices Commission and Stephen Deitsch of BB&K, that the property in which he owns in proximity to the proposed development does not necessitate a need for him to recuse himself from this agenda item.

Chairman Vose inquired about the Phasing Matrix of the development and asked if the Commission could recommend, or request, that the developer include certain amenities to the first phase of the project. Both Chairman Vose and Vice Chairperson Harvey inquired about driveway directions, landscaping, and fencing. Commissioner Derryberry inquired about the neighboring, vacant

lots on the east side of the project and the zoning, Cynthia confirmed that we have received preliminary reviews for housing, but nothing formal has been submitted as of yet and the zoning is R-10,000.

An Uncontested Letter was received by the applicant, there were no public speakers on this item.

Commissioner Derryberry made a motion and Vice Chairperson Harvey seconded the motion to adopt Resolution No. 23-28, approving TTM No. 62403 and CUP No. 21-10 for the subdivision of 235 single-family residential lots located at the southeast corner of 80th Street West and Avenue L, allow for an RPD in the R-10,000 zone, and adopting a mitigated negative declaration.

The motion carried with the following vote of (4-0-0-0-3):

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

6. Tentative Tract Map No. 62478

Senior Planner, Jocelyn Swain, presented the staff report. Staff recommends to adopt Resolution No. 23-29 approving TTM No. 62478 for the subdivision of approximately 20 gross acres into 74 single family residential lots in the R-7,000 zone located at the southeast corner of Avenue I and 35th Street East (APNs: 3150-003-001, 3150-003-002), adopting the Initial Study/Mitigated Negative Declaration, approving the Mitigation Monitoring and Reporting Program (MMRP) and authorizing staff to execute the Notice of Determination (NOD). The applicant was available for questions.

The applicant submitted an Uncontested Letter. The Planning Commission received comment letters from the Antelope Valley Air Quality Management District (AVAQMD), Caltrans, California Department of Fish and Wildlife (CDFW), and neighboring property owners, Mr. and Mrs. Larry and Kathy Zipp. Jocelyn spoke with the Commission in regard to concerns that were raised, to include; water being provided by the district, improvements to be made around the development, and that the included MMRP does address concerns raised. There were no public speakers for this item.

Vice Chairperson Harvey made a motion and Commissioner Birden seconded the motion to adopt Resolution No. 23-29 approving TTM No. 62478 for the subdivision of approximately 20 gross acres into 74 single family residential lots in the R-7,000 zone located at the southeast corner of Avenue I and 35th Street East, adopting the Initial Study/Mitigated Negative Declaration, approving the MMRP, and authorizing staff to execute the NOD.

The motion carried with the following vote of (4-0-0-0-3):

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

7. Tentative Tract Map No. 61314

Planner, Mitzi Alvarado, presented the staff report. Staff recommends the adoption of Resolution No. 23-30 approving TTM No. 61314 to allow for the subdivision of 30 gross acres into 84 single-family lots in the R-10,000 zone located at the Southeast corner of Avenue K and 26th Street East (APN: 3170-007-056) and adopting a Mitigated Negative Declaration.

The applicant submitted an Uncontested Letter. The Planning Commission received a comment letter from Caltrans. There were no public speakers on this item.

Chairman Vose had a question in regard to the design and western boundary, in which it is required that the developer dedicate and improve a portion of a draining structure. Senior Engineer, Stephen Carrillo, confirmed the need for this, as this TTM is adjacent to an existing Master Planned drainage channel, in which this portion will now need to be completed.

Vice Chairperson Harvey made a motion and Commissioner Derryberry seconded the motion to adopt Resolution No. 23-30 approving TTM No. 61314 to allow for the subdivision of 30 gross acres into 84 single-family lots in the R-10,000 zone located at the Southeast corner of Avenue K and 26th Street East and adopting a Mitigated Negative Declaration.

The motion carried with the following vote of (4-0-0-0-3):

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

COMMUNITY DEVELOPMENT ASSISTANT DIRECTOR'S ANNOUNCEMENTS

Assistant Director of Community Development - Planning & Permitting, Patti Garibay, had two updates for the Planning Commission and public. She announced that all of the City's Planners are participating in the American Planning Association's annual, legislative update tomorrow (October 17, 2023). It gives them all an opportunity to familiarize themselves with updated bills that have been approved and how that impacts planning and housing and other developmental requirements. Patti also reminded the Commission that the upcoming November and December agendas are full and we'll want to be sure of quorum for those meetings.

Chairman Vose made mention that Community Development Administrative Assistant, Heather Breheny, provided for him the early 2024 Planning Commission meeting dates. Heather to send those tentative dates to the Planning Commission, with the understanding that they will be formalized once the City posted their calendar for 2024, to avoid any holiday's she may have missed. Tentative dates for early 2024 Planning Commission meetings are: January 22, 2024, February 26, 2024, March 18, 2024, and April 15, 2024.

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.

ADJOURNMENT

The meeting is adjourned to the Regular Meeting on November 13, 2023 at 5:00pm, in the Lancaster City Hall Council Chambers.

JAMES VOSE, Chairman
Lancaster Planning Commission

ATTEST:

HEATHER BREHENY, Recording Secretary
City of Lancaster