

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION Monday, November 13, 2023

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CALL TO ORDER

Chairman Vose called the meeting to order at 5:07 p.m.

INVOCATION

Led by Commissioner Birden

PLEDGE OF ALLEGIANCE

Led by Commissioner Moore, a retired Marine, in honor of the Marine Corps birthday.

ROLL CALL

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

Absent: Commissioners Tufts.

Also present were: Director of Community Development, Larissa De La Cruz, Assistant Director of Community Development – Planning & Permitting, Patti Garibay, Senior Engineer, Stephen Carrillo, Senior Planner, Jocelyn Swain, Planner, Mitzi Alvarado, Planner, Shannon Edwin, Senior Specialist, Keri Colgrove, Stephen Deitsch from Best, Best, and Krieger (BB&K), Attorneys at Law, and Administrative Assistants, Heather Breheny and Sandra Moreno.

There were 15 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 October 16, 2023

Vice Chairperson Harvey made a motion to approve the minutes from the Regular Meeting of October 16, 2023. Commissioner Birden seconded the motion.

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

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

After the approval of the minutes, Chairman Vose announced for the record, correspondence that had been received for each agenda item, as well as updates that were made to agenda item documents ahead of the meeting. He also made note of uncontested letters that were received from applicants.

NEW PUBLIC HEARINGS

2. Tentative Tract Map No. 69560, Variance No. 23-001

Senior Specialist, Keri Colgrove, presented the staff report. Staff recommends to adopt Resolution No. 23-33, approving Tentative Tract Map (TTM) No. 69560 and (Variance) VAR No. 23-001 to allow for the subdivision of 3.5 gross acres into 15 single-family lots, a reduction of corner lot width standards in the R-7,000 zone located between 7th Street East and 8th Street East, north of Avenue J-6, and adopting a mitigated negative declaration.

There were no public speakers.

Vice Chairperson Harvey made a motion and Commissioner Moore seconded the motion, to move to adopt Resolution No. 23-33, approving TTM No. 69560 and VAR No. 23-001, to allow for the subdivision of 3.5 gross acres into 15 single-family lots and a reduction of corner lot width standards in the R-7,000 zone located between 7th Street East and 8th Street East, north of Avenue J-6 and adopting a mitigated negative declaration.

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

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

ABSENT: Tufts.

3. Conditional Use Permit No. 23-002

Chairman Vose requested a motion to continue this agenda item until the December meeting.

There were no public speakers.

Commissioner Derryberry confirmed whether the motion was to continue this agenda item, once confirmed, he moved to continue the hearing in December. Vice Chairperson seconded the motion to move the public hearing for Conditional Use Permit (CUP) No. 23-0, to the December Regular Planning Commission Meeting.

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

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

4. Conditional Use Permit No. 23-013

Chairman Vose, again, requested a motion to continue this agenda item until the December meeting.

There were no public speakers.

Commissioner Derryberry made a motion to continue agenda item four and Commissioner Moore seconded the motion to continue the public hearing for CUP No. 23-013 at the December Regular Planning Commission Meeting.

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

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

5. Tentative Tract Map No. 83590

Planner, Mitzi Alvarado, presented the staff report. Staff recommends to adopt Resolution No. 23-34, TTM No. 83590, to allow for the subdivision of 28.5 gross acres into 106 single-family lots in the R-7,000 zone located at the northwest corner of Avenue J and 35th Street East and adopting a Mitigated Negative Declaration.

There were no public speakers on this item.

Stephen Deitsch, of BB&K, read into record the changes made to the Conditions of Approval on this TTM. The applicant, Kris Pinero, agreed to and accepted the updated conditions.

Vice Chairperson Harvey made a motion to adopt Resolution No. 23-34, TTM No. 83590, to allow for the subdivision of 28.5 gross acres into 106 single-family lots in the R-7,000 zone located at the northwest corner of Avenue J and 35th Street East and adopting a Mitigated Negative Declaration and Commissioner Moore seconded the motion.

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

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

6. General Plan Amendment No. 17-007, Zone Change No. 17-006

Senior Planner, Jocelyn Swain, presented the staff report. Staff recommends to adopt Resolution No. 23-35, recommending approval to City Council of General Plan Amendment (GPA) No. 17-007 to change the general plan designation to Light-Industrial (LI) and Zone Change (ZC) No. 17-006 to change the zoning to LI for 160 gross acres located on the south side of Avenue H between 50th Street West and 55th Street West, 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).

We had two public speakers on this item. Lance Brough, who opposed the project due to the potential negative impacts the establishment may have on his home, which is located right across the street of the proposed development. The other speaker, Andrew Heiger, did not oppose the project, however, discussed potential environmental or biological impact issues. Chairman Vose and the commissioners discussed their concerns, and shared their thoughts, with staff and the applicant.

Vice Chairperson Harvey made a motion to adopt Resolution No. 23-35, recommending approval to City Council of GPA No. 17-007 to change the general plan designation to LI and Zone ZC No. 17-006 to change the zoning to LI for 160 gross acres located on the south side of Avenue H between 50th Street West and 55th Street West, adopting the Initial Study/Mitigated Negative Declaration, approving the MMRP and authorizing staff to execute the NOD. Commissioner Moore seconded the motion.

The motion carried with the following vote of (5-2-0-0-1):

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

Chairman Vose confirmed to the public that this agenda item would now go to the December 12th, 2023 City Council meeting and that anyone who has an interest would have the opportunity to address the City Council on this proposed project.

7. General Plan Amendment No. 23-001, Zone Change No. 23-001, Tentative Tract Map No. 23-003

Senior Planner, Jocelyn Swain, presented the staff report. Staff recommends the adoption of Resolution No. 23-36, recommending approval to the City Council for GPA No. 23-001 to change the general plan designation to Multi-Residential (MR) 1 and ZC No. 23-001 to change the zoning to Moderate Density Residential (MDR), approving TTM No. 23-003 (TTM 84221) for the subdivision of approximately 45 gross acres into 109 lots located on the west side of Sierra Highway between Avenue H and Avenue H-8, adopting the Initial Study/Mitigated Negative Declaration (SCH# 2023100288), approving the MMRP and authorizing staff to execute the NOD.

There were four public speakers on this item. Speakers were, Diana Voorhies, Maribel Olmos, Brenda Nellis, and Leona Jones. The majority of speakers opposed the development due to the possibility of increased crime, traffic, noise, and a decline in neighborhood quality. The commission discussed with both staff and the applicant, Kevin Harbison, all of the community members concerns.

Stephen Deitsch, of BB&K, read into record the revised conditions of approval. The applicant agreed to the changes.

Commissioner Moore made a motion to adopt Resolution No. 23-36, recommending approval to the City Council for GPA No. 23-001 to change the general plan designation to MR1 and ZC No. 23-001 to change the zoning to MDR, approving TTM No. 23-003 (TTM 84221) for the subdivision of approximately 45 gross acres into 109 lots located on the west side of Sierra Highway between Avenue H and Avenue H-8, adopting the Initial Study/Mitigated Negative Declaration, approving the MMRP and authorizing staff to execute the NOD and Commissioner Underwood seconded.

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

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

COMMUNITY DEVELOPMENT MANAGERS ANNOUNCEMENTS

Assistant Director of Community Development – Planning & Permitting, Patti Garibay addressed the Commission and public. She wanted to wish everyone a safe and Happy Thanksgiving and looked forward to our upcoming meeting in December, which is likely be another full agenda.

Director of Community Development, Larissa De La Cruz, introduced to the public and Commission, Keri Colgrove, a Senior Specialist within the Planning department. This was her first project and presentation before the Planning Commission.

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 was adjourned at 6:52 p.m. to the Regular Meeting on December 11, 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