

# MINUTES

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## REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION Monday, November 21, 2022

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### **CALL TO ORDER**

Chairman Vose called the Regular Meeting to order at 5:04 p.m.

### **INVOCATION**

Led by Commissioner Birden.

### **PLEDGE OF ALLEGIANCE**

Led by Chairman Vose.

### **ROLL CALL**

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

Absent: Commissioners Moore and Tufts.

Also present were Community Development Manager (Larissa De La Cruz), Assistant City Attorney (Jocelyn Corbett), Planner (Monique Garibay), Senior Engineer (Stephen Carrillo), Senior Engineer (Matt Simons), and Recording Secretary (Heather Breheny). There were seven people in the audience.

Chairman Vose gave an update on Commissioner Moore's recovery. He has been released from the hospital and mentioned that Moore appreciates all the well wishes and prayers that were sent his way.

## **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 17, 2022**

There were no public speakers on this item.

Commissioner Tufts made a motion and Commissioner Underwood seconded the motion for the approval of the minutes for the Regular Meeting of October 17, 2022.

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

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

## **NEW PUBLIC HEARINGS**

### **2. Conditional Use Permit No. 16-02 Amend**

Community Development Manager, Larissa De La Cruz, presented the staff report on Jocelyn Swain's behalf. Staff recommends the adoption of Resolution No. 22-29 approving an amendment to Conditional Use Permit No. 16-02 to allow for the construction and operation of a 48-megawatt battery storage facility within an existing photovoltaic solar facility and adopting the Addendum to the Initial Study/Mitigated Negative Declaration approved on March 14, 2017.

There were several public speakers for this agenda item. Jennifer Bailey and Joshua Murphy, of Antelope Acres, both spoke about their concerns of fires caused by solar batteries and the response time from emergency services in that regard. According to Jennifer, there have been several fires caused by batteries close to or adjacent to her property that she has had to extinguish herself, because the fire department is not permitted to extinguish due to.

Dallas Pugh, the applicant, was available for questions. Chairperson Harvey voiced concerns about the lack of information or updates in regard to how the applicant plans to oversee fire safety or mitigate battery fires. She mentioned her current concerns are very similar to her concerns back in 2017 when the Planning Commission originally reviewed the solar development, being the only Commissioner who was against the project and voted no. Commissioner Underwood asked some questions of the applicant as well.

Chairman Vose informed the Commission and audience that the battery storage was previously approved the Planning Commission, that this afternoon's vote was to simply begin the process of development for said storage. In Vose's discussion with the applicant, it was confirmed that their site has not had any fires since it's development in 2017.

Commissioner Derryberry made a motion and Commissioner Underwood seconded the motion to adopt Resolution No. 22-29 approving an amendment to CUP No. 16-02, to allow for the development of a 48-megawatt battery storage facility within the existing photovoltaic solar facility.

The motion carried with the following vote of (4-1-0-0-2):

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

### 3. **Conditional Use Permit No. 22-06**

Community Development Manager, Larissa De La Cruz, presented the staff report on behalf of Jocelyn Swain. Staff recommends the adoption of Resolution No. 22-23 approving Conditional Use Permit No. 22-06 for the construction of a pylon sign up to 25 feet in height located at 43112 15<sup>th</sup> Street West, in the Hospital zone.

The applicant, Eddie Arango on behalf of Kaiser Permanente, was available for questions. Chairperson Harvey inquired about wind, the applicant is confident that there would not be any concern in that regard, due to the placement and angle or direction of the sign.

There were no public speakers for this item.

Chairperson Harvey made a motion and Commissioner Birden seconded the motion to adopt Resolution No. 22-23 approving an amendment to CUP No. 22-06 for the construction of a pylon sign up to 25 feet in height located at 43112 15<sup>th</sup> Street West, in the Hospital Zone.

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

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

4. **Tentative Tract Map No. 83661**

Planner, Monique Garibay, presented the staff report on behalf of Mitzi Alvarado. Staff recommends the adoption of Resolution No. 22-32 approving Tentative Tract Map (TTM) No. 83661 to allow for the subdivision of 10 gross acres into 34 single-family lots in the R-7000 zone located at the Northeast Corner of 35<sup>th</sup> Street West and Avenue J-8 and adopting a Mitigated Negative Declaration.

There was a speaker for this item, the applicant was present to assist with questions. John Christensen lives close to the proposed development site and voiced concerns about how this development could affect traffic, specifically, traffic surrounding the neighboring elementary school. Traffic Engineer, Matt Simons, discussed with the community member some details in which will mitigate some of the concerns John had voiced. Matt informed him that all traffic development requirements for the City have been met and that some of the concerns John shared would need to be addressed with the school district, as some of the issues he raised were out of our jurisdiction. Matt mentioned he would give him contact information for whom he could potentially reach out to in that regard.

Commissioner Derryberry made a motion and Chairperson Harvey seconded the motion to adopt Resolution No. 22-32 approving TTM No. 83661 to subdivide 10 gross acres into 34 single-family lots in the R-7000 zone located at the Northeast Corner of 35<sup>th</sup> Street West and Avenue J-8 and adopting a Mitigated Negative Declaration.

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

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

## COMMUNITY DEVELOPMENT MANAGERS ANNOUNCEMENTS

Larissa De La Cruz confirmed with the Commission that the December Regular Planning Commission meeting will be held on the date reserved for the Special Meeting, December 12<sup>th</sup>, 2022 in keeping with Quorum and allowing all to enjoy their holiday season. January's meeting will be held on January 9<sup>th</sup>, in lieu of the Special Meeting to be held that day as well. Thank you to all and Happy Thanksgiving!

## COMMISSION AGENDA

### 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.*

Speaker John Christensen informed the Commission about an entire Hydrogen Facility he had found for sale online. He believed it would be a great asset to Lancaster and is being sold for a decent price. He gave Larissa the printout of information he brought with him with the sale details, the Commission thanked him for his time.

## ADJOURNMENT

The meeting was adjourned at 6:18pm to the Special Meeting on December 12, 2022, at 5:00 p.m., in the Lancaster City Hall Council Chambers.

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JAMES VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

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HEATHER BREHENY, Recording Secretary  
City of Lancaster