

Lompoc City Council Agenda Item

CITY COUNCIL MEETING DATE: August 3, 2010

TO: Laurel M. Barcelona, City Administrator

FROM: Keith C. Neubert, Principal Planner
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SUBJECT: City Council consideration of a Planning Commission recommendation for certification of a Mitigated Negative Declaration, approval of Zone Change (ZC 09-02) and Preliminary/Precise Development Plan (DR 09-11) for the Third Street Apartments 24-unit apartment complex. The property is approximately .96 acres located at 109 South Third Street (Assessor Parcel Number: 85-150-47).

RECOMMENDATION:

That the City Council:

1. Receive and review the Planning Commission recommendation;
2. Hold the public hearing;
3. Certify the Mitigated Negative Declaration and direct staff to file a Notice of Determination (NOD) for the project;
4. Waive further reading and introduce Ordinance No. 1565 (10) approving Zone Change (ZC 09-02) amending the City's Zoning Map;
5. Adopt Resolution No. 5659 (10) approving a Preliminary/Precise Development Plan (DR 09-11);
6. Adopt Resolution No. 5660 (10) approving a Density Bonus; or
7. Provide alternate direction.

PROPOSAL:

Kerry Moriarty, the property owner, has requested City of Lompoc consideration of:

1. ZC 09-02 – a Zone Change proposal to amend the City's Zoning Map designation for the site from one *High Density Residential, Planned Development (R-3, PD)* designation to another *High Density Residential, Planned Development (R-3, PD)* designation, which would conform to the City's General Plan designation for the site of *High Density Residential*;

2. DR 09-11 – a Preliminary/Precise Development Plan for the construction of a 24-unit apartment complex including on-site parking and landscaping; and
3. A density bonus on the site to allow the number of residential units at 20% greater than the standard density allowed in a High Density Residential District.

DISCUSSION:

The Planning Commission held a duly noticed public hearing on January 13, 2010, to consider recommendations to the City Council for the Third Street Apartments project. At the applicant's request, the Planning Commission removed a Condition of Approval recommended by staff requiring the carport roof pitch, colors and materials to match the proposed apartment buildings. The proposed carports have flat roofs and are shown on plan sheet P.1-1. Past apartment projects have been conditioned by the Planning Commission to require carport roof pitch, colors, and materials to match the proposed apartment buildings. The Planning Commission opted to strike this condition from the Third Street Apartments project. The City Council should carefully consider the architecture of the carports in their decision.

The Planning Commission staff report is Attachment No. 4 and the draft meeting minutes are Attachment No. 6 to this staff report. The Environmental Initial Study and Mitigated Negative Declaration are Attachment No. 7.

The staff report forms the basis for the discussions that the Planning Commission held. After reviewing the staff report, taking public testimony, and discussing the proposed project, the Commission:

1. Adopted Resolution No. 667 (10) recommending the Council approve the requested Zone Change (ZC 09-02) on a 3-0-2 vote with Commissioners Free and Gonzales absent;
2. Adopted Resolution No. 666 (10) recommending the Council approve the Preliminary/Precise Development Plan (DR 09-10) on a 3-0-2 vote with Commissioners Free and Gonzales absent; and
3. Adopted Resolution No. 668 (10) recommending the Council approve a Density Bonus for the project on a 3-0-2 vote with Commissioners Free and Gonzales absent.

FISCAL IMPACT:

The project would not fiscally impact the City of Lompoc. The developer bears all costs associated with the project.

PUBLIC NOTICE:

On July 23, 2010:

1. Notice of the public hearing was published in the Lompoc Record;
2. Notices were mailed to property owners within 300 feet of the subject site and persons who indicated interest in the project; and
3. The subject site was posted by staff.

Keith C. Neubert
Principal Planner

APPROVED FOR SUBMITTAL TO THE CITY ADMINISTRATOR:

Lucille T. Breese, AICP
Planning Manager

Arleen T. Pelster, AICP
Community Development Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Laurel M. Barcelona
City Administrator

ATTACHMENTS:

1. [Draft Ordinance No. 1565 \(10\) approving ZC 09-02](#)
2. [Draft Resolution No. 5659 \(10\) approving DR 09-11](#)
3. [Draft Resolution No. 5660 \(10\) approving Density Bonus](#)
4. [PC staff report dated January 13, 2010 \(w/o attachments\)](#)
5. [PC Resolution No. 666 through 668 \(10\) \(w/o attachments\)](#)
6. [Minute Excerpts from January 13, 2010 meeting](#)
7. [Environmental Initial Study and Mitigated Negative Declaration](#)
8. Site Plan and Elevations
(Item 8 is provided to the Council only; copies are available for public review at the Planning Division Counter)