

**RESOLUTION NO. 666 (10)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING THAT THE CITY COUNCIL APPROVE A PRELIMINARY/PRECISE DEVELOPMENT PLAN FOR THE CONSTRUCTION OF A 24-UNIT APARTMENT COMPLEX WITH ON-SITE PARKING AND LANDSCAPING AT 109 SOUTH THIRD STREET (DR 09-11)**

**WHEREAS**, a request was received from Kerry Moriarty, the property owner, for consideration of a Preliminary/Precise Development Plan for the construction of a 24-unit apartment complex including on-site parking and landscaping. The project is located at 109 South Third Street (Assessor Parcel Number: 85-150-47); and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on January 13, 2010; and

**WHEREAS**, at the meeting of January 13, 2010, Kerry Moriarty, the property owner, and Leonard Grant of LGA Architecture, the project representative, were present and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of January 13, 2010, no one spoke in favor of, or in opposition to, the project; and

**WHEREAS**, the Planning Commission has recommended City Council certification of the Mitigated Negative Declaration for the project as required by the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, THE LOMPOC PLANNING COMMISSION RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission recommends that the City Council find that:

The *Planned Development (PD)* zoning designation allows either more or less restrictive requirements, regulations, limitations and restrictions including height and bulk limitations, arrangements and spacing of buildings and other improvements, and the Development Plan (DR 09-11) proposed for the development is designed to meet the needs of the proposed residential uses, therefore it can be found that:

- A. That all requirements, regulations, limitations, and restrictions for the project have been designed to protect property values in the vicinity of the subject property, and enhance the public peace, health, safety and general welfare of persons residing, working in, and passing through the neighborhood.
- B. That Zoning Ordinance Sections 17.032.040 and 17.032.050 allow a certain amount of flexibility from the strict adherence of the development standards to allow a quality project for the benefit of the community. The *Planned Development (PD)* designation is requested to allow an adjustment of the lot coverage and parking requirements for the project.

- C. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed use.
- D. That the site for the proposed use is adequate to provide for the recreational needs of future residents; and
- E. That the proposal complies with the requirements of the City's Architectural Review Guidelines.

**SECTION 2:** Pursuant to Public Resources Code Section 21089 and Section 15074 of the California Environmental Quality Act Guidelines, the Initial Environmental Study and Mitigated Negative Declaration prepared for the project show that there is no substantial evidence that the proposed project may have a significant effect on the environment; therefore, it can be found that:

- F. The Mitigation Measures attached as Exhibit B to this Resolution are included for conformance with the Mitigated Negative Declaration; and
- G. The proposed Development Plan does not have a significant effect on the environment.


**SECTION 3:** Based upon the foregoing, the Planning Commission recommends that the Council approve the Preliminary/Precise Development Plan DR 09-11, subject to the conditions of approval and Mitigation Measures which are attached.

The foregoing Resolution, on motion by Commissioner Hain, seconded by Commissioner Rodenhi, was adopted at the Planning Commission meeting of January 13, 2010 by the following vote:

**AYES:** Commissioner Hain, Rodenhi, Hamilton

**NOES:** None

**ABSENT:** Commissioner Free, Gonzales

  
Arleen T. Pelster, AICP, Secretary

  
Jack Rodenhi, Chair

Attachments: Exhibit A – Conditions of Approval  
Exhibit B – Mitigation Measures  
Exhibit C – Site Plan  
Exhibit D – Elevations

**RESOLUTION NO. 667 (10)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC RECOMMENDING THAT THE CITY COUNCIL APPROVE A ZONE CHANGE (ZC 09-02) FOR THE THIRD STREET APARTMENT PROJECT**

**WHEREAS**, a request was received from Kerry Moriarty, the property owner, for review and consideration of a proposal to amend the City's Zoning Map designation for the .96 acre property located at 109 South Third Street from *High Density Residential, Planned Development (R-3, PD)* to *High Density Residential, Planned Development (R-3, PD)*. The request includes a 24-unit apartment complex to be constructed with on-site parking and landscaping (Assessor Parcel Number: 85-150-47); and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on January 13, 2010; and

**WHEREAS**, at the meeting of January 13, 2010, Kerry Moriarty, the property owner, and Leonard Grant of LGA Architecture, the project representative, were present and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of January 13, 2010, no one spoke in favor of, or in opposition to, the project; and

**WHEREAS**, the Planning Commission has recommended City Council certification of the Mitigated Negative Declaration for the project as required by the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, THE LOMPOC PLANNING COMMISSION RESOLVES AS FOLLOWS:**

**SECTION 1:** The existing General Plan Land Use designation for the subject site is *High Density Residential*, which is consistent with the proposed zoning of *High Density Residential, Planned Development District (R-3, PD)*; therefore, it can be found that:

- A. The proposed zoning is consistent with the General Plan Land Use Designation.

The site is adjacent to streets which contain necessary infrastructure to support the proposed use of the property; therefore, it can be found that:

- B. The area is afforded the services and facilities appropriate for the proposed zoning.

The proposed Zone Change will provide a designation compatible with the existing adjacent land uses; therefore, it can be found that:

- C. The proposed modification is required for the public necessity, convenience, and general welfare.

**SECTION 2.** Pursuant to Public Resources Code Section 21089 and Section 15074 of the California Environmental Quality Act Guidelines, the Initial Environmental Study and Mitigated Negative Declaration which have been prepared for the proposal show no substantial evidence that the project may have a significant effect on the environment, and therefore it can be found that:

- D. The proposed use, as conditioned, does not have a significant effect on the environment.


**SECTION 3:** The Planning Commission resolves that this resolution shall be forwarded to the City Council with the Commission recommendation that the Council approve ZC 09-02.

The foregoing Resolution, on motion by Commissioner Hain, seconded by Commissioner Hamilton, was adopted at the Planning Commission meeting of January 13, 2010 by the following vote:

**AYES:** Commissioner Hain, Hamilton, Rodenhi

**NOES:** None

**ABSENT:** Commissioner Free, Gonzales

  
Arleen T. Pelster, AICP, Secretary

  
Jack Rodenhi, Chair

Attachment: Exhibit A – Map

**RESOLUTION NO. 668 (10)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
LOMPOC RECOMMENDING THAT THE CITY COUNCIL APPROVE A  
DENSITY BONUS FOR THE THIRD STREET APARTMENTS PROJECT  
(DR 09-11)**

**WHEREAS**, a request was received from Kerry Moriarty, the property owner, for consideration of a Density Bonus for the Third Street Apartments project. The request is for a 20% density bonus, which would allow a total of 24 apartment units on the site. The project is located at 109 South Third Street (Assessor Parcel Number: 85-150-47); and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on January 13, 2010; and

**WHEREAS**, at the meeting of January 13, 2010, Kerry Moriarty, the property owner, and Leonard Grant of LGA Architecture, the project representative, were present and answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of January 13, 2010, no one spoke in favor of, or in opposition to, the project; and

**WHEREAS**, the Planning Commission has recommended City Council certification of the Mitigated Negative Declaration for the project as required by the California Environmental Quality Act (CEQA).

**NOW, THEREFORE, THE LOMPOC PLANNING COMMISSION RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that:

- A. The proposed density bonus is consistent with the criteria identified in Government Code Section 65915(b)(1) allowing a 20% density bonus if a project designates 5% of the total units for a very low income household.
- B. The proposed density bonus is not materially detrimental to the public health, safety, and welfare, nor injurious to property and/or improvements in the vicinity of the development.
- C. The proposed density bonus does not result in an overall development pattern that is incompatible with other structures in the immediate vicinity.


**SECTION 2:** The Planning Commission resolves that this resolution shall be forwarded to the City Council with the Commission recommendation that the Council approve a density bonus for the Third Street Apartments project.

The foregoing Resolution, on motion by Commissioner Rodenhi, seconded by Commissioner Hain, was adopted at the Planning Commission meeting of January 13, 2010 by the following vote:

**AYES:** Commissioner Rodenhi, Hain, Hamilton

**NOES:** None

**ABSENT:** Commissioner Free, Gonzales

  
Arleen T. Pelster, AICP, Secretary

  
Jack Rodenhi, Chair