

**CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT**



MEETING DATE: APRIL 11, 2012
TO: MEMBERS OF THE PLANNING COMMISSION
FROM: KEITH NEUBERT, PRINCIPAL PLANNER
RE: DEVELOPMENT PLAN REVIEW – DR 12-03

AGENDA ITEM NO. 2

A request by Larry Werner of Werner Construction, representing Sunset Auto Center, for Planning Commission consideration of a Development Plan to remodel an existing automobile dealership, including minor site improvements. The site is located at 1300 North H Street in the *Planned Commercial Development (PCD)* Zoning District (Assessor Parcel Number: 87-011-02). This action is exempt from the California Environmental Quality Act (CEQA).

SCOPE OF REVIEW:

The Planning Commission is being asked to consider:

- If the project meets the property development standards for the Planned Commercial Development (PCD) zone;
- If the proposal is consistent with the Architectural Review Guidelines;
- If the Conditions of Approval are appropriate for the project; and
- If the required Findings of Fact can be made.

The Planning Commission has the authority to approve, conditionally approve, or deny project architecture (Lompoc City Code Section 17.104.020 et seq.).

PLANNING COMMISSION ACTION:

1. Adopt Resolution No. 722 (12) based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval; or
2. Provide alternate direction.

SITE DATA:

1. Property Owner James and Martha Pagliotti
2. Site Location 1300 North H Street
3. Assessor Parcel Numbers 87-011-02
4. Site Zoning Planned Commercial Development (PCD)
5. General Plan Designation General Commercial
6. Site Use Existing Car Dealership
7. Surrounding Uses/Zoning North: Bank / PCD
South: Car Dealership / PCD
East: Residential / 7-R-1
West: Shopping Center / PCD
8. Project area approximately 4.6 acres

CONFORMANCE WITH ADOPTED CITY POLICIES:

General Plan:

General Plan designation for this property is *General Commercial* and the stated purpose is:

To provide commercial areas for a wide variety of retail, office, and service-oriented enterprises which meet the needs of residents and visitors. To accommodate commercial uses which operate more effectively outside the other commercial areas of the community.

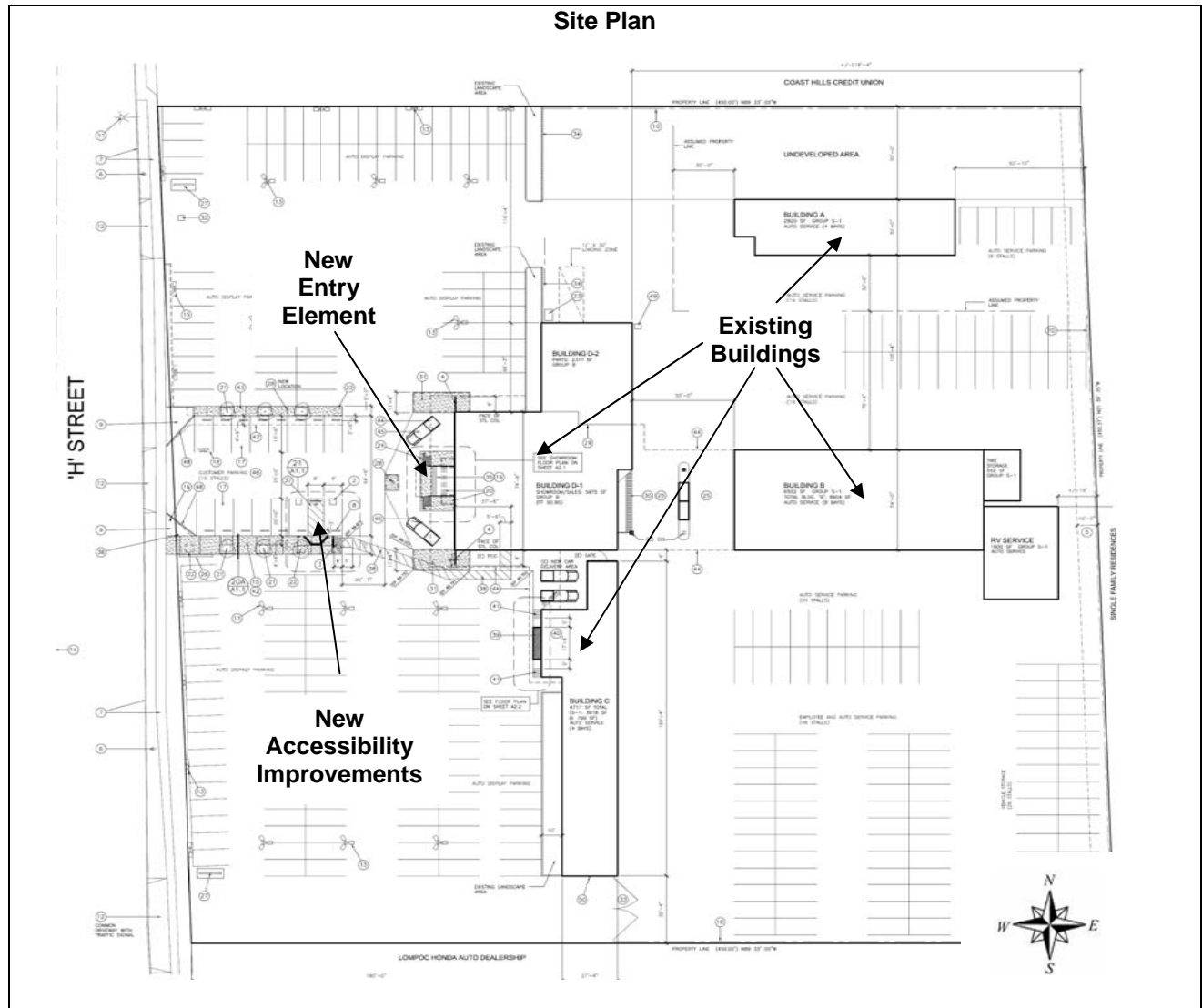
As proposed, the project would be consistent with the General Plan designation and all applicable policies.

Zoning Ordinance:

The zoning for the site is *Planned Commercial Development (PCD)*. The purpose of this zone is to *provide for the orderly development of commercial centers in conformance with the comprehensive land use element of the City. This district is intended to provide flexibility in the design arrangements of various types of commercial developments.* Planning Commission review and approval of the plans for this project will assure the orderly development of the site.

Site Plan:

Site improvements include a new entry element, new handicapped accessible parking, accessible path-of-travel from the street to the building entrance, as well as other accessibility up-grades.



A Condition of Approval is included to ensure that any landscaping and/or irrigation that is destroyed or disturbed during construction will be replaced. Any changes to the approved plant palette shall be reviewed by the Planning Division staff prior to installation (COA P19).

Existing signage for the Sunset Auto Center was approved in 1996. The size of the proposed signage shown on the plans is no larger than the existing approved signage. Prior to installation, the proposed signage will be reviewed and approved at staff level to ensure conformance with the City Sign Regulations (COA P7).

Based upon the information provided on the plans, the development would be in conformance with the Zoning Ordinance.

Architectural Review Guidelines:

The proposal includes a new entry element and showroom parapet remodel. The existing stucco parapet will be replaced with new aluminum composite panels. The new parapet color will be Metallic Aluminum with a 12-inch high blue accent band along the bottom. The new entry element is constructed using the same aluminum composite panels in a blue color. The remaining portions of the existing buildings will be painted white and silver.

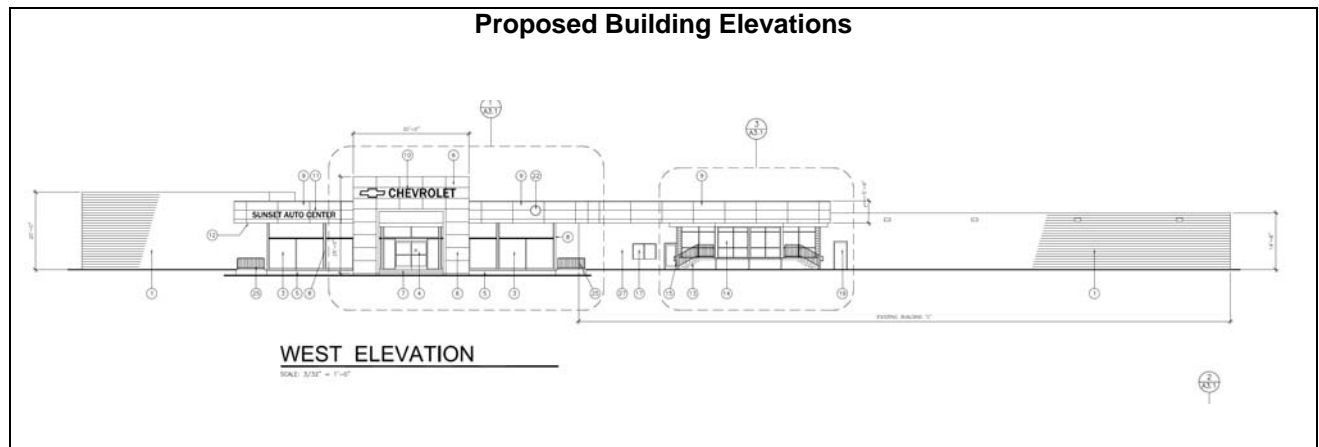
The Architectural Review Guidelines state:

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All building elevations visible to the public shall be designed and architecturally treated. The choice of materials, colors, and the level of detailing shall be thoughtfully integrated into the design. All elevations need not look alike; however, a sense of overall architectural continuity is encouraged.

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Code-required elements, such as parapet walls and screen walls, shall be treated as an integral part of the architecture and these elements shall not visually weaken the design.



A color/material board and photos of the site will be available at the meeting for review.

The new entry will add depth to the building and the composite panels will provide a more modern updated architecture. The remodeled parapet walls enhance the overall appearance of the building and will aid in screening roof mounted equipment to ensure consistency with the Architectural Review Guidelines.

The surrounding area is commercial, with residential to the east. This project provides an architectural style that is compatible with the surrounding area. As proposed, the project is consistent with the City's Architectural Review Guidelines.

STAFF REVIEW:

No Development Review Board (DRB) meeting was held for the project since the request is limited to architecture and minor site improvements. Plans were routed to all pertinent departments/divisions. The Building and Engineering Divisions have included conditions related to the project.

The DRB recommends approval of DR 12-03 subject to the attached Conditions of Approval.

ENVIRONMENTAL REVIEW:

The project is categorically exempt from review pursuant to Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA). A Notice of Exemption will be filed for the project following the Commission action.

NOTICING:

On March 30, 2012:

- 1) Notice of the Public Hearing was published in the Lompoc Record;
- 2) Notices were mailed to property owners within 300 feet by US mail;
- 3) Notices were placed on the City website; and
- 4) The project site was posted by City staff.

APPEAL RIGHTS:

Any person has the right to appeal the Planning Commission action to the City Council within ten days of the action. Contact a Planning Division staff member for the required appeal form; the fee is \$257.80.

ATTACHMENTS:

1. [Draft Resolution 722 \(12\)](#) and [Conditions of Approval](#)
2. Site Plan and Elevations
(Planning Commission only – plans available in Planning Division for review)

Staff Report has been reviewed and approved for submission to the Planning Commission			
Teresa Gallavan Economic Development Director / Assistant City Administrator	Date	Lucille T. Breese, AICP Planning Manager	Date

RESOLUTION NO. 722 (12)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A DEVELOPMENT PLAN FOR THE REMODEL OF AN EXISTING AUTO DEALERSHIP (DR 12-03)

WHEREAS, a request was received from Larry Werner of Werner Construction, representing Sunset Auto Center, for Planning Commission consideration of a Development Plan to remodel an existing automobile dealership, including minor site improvements. The site is located at 1300 North H Street in the *Planned Commercial Development (PCD)* Zoning District (Assessor Parcel Number: 87-011-02); and

WHEREAS, the request was considered by the Planning Commission at a duly-noticed public meeting on April 11, 2012; and

WHEREAS, at the meeting of April 11, 2012, _____ was present and answered Planning Commissioners' questions and addressed their concerns; and

WHEREAS, at the meeting of April 11, 2012, _____ spoke in favor of, and _____ spoke in opposition to, the project; and

WHEREAS, this project is categorically exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOMPOC RESOLVES AS FOLLOWS:

SECTION 1: After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that the proposed project, as conditioned, meets the requirements of the Lompoc City Code and is consistent with the applicable policies and development standards, therefore it can be found that:

- A. The site for the proposed use is adequate in size and topography to accommodate said use, and all yards, spaces, walls and fences, parking, loading, and landscaping are adequate to properly adjust such use with the land and uses in the vicinity.
- B. The conditions stated in the decision are deemed necessary to protect the public health, safety, and welfare.
- C. The site of the proposed use relates to streets and highways adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed use.

- D. The proposed use will have no adverse effect upon the abutting and surrounding property from the permitted use thereof.

SECTION 2: Based upon the foregoing, DR 12-03 is approved as proposed on April 11 2012, subject to the conditions attached as Exhibit A which are incorporated by reference as if fully set forth herein.

The foregoing resolution, on motion by Commissioner _____, seconded by Commissioner _____, was adopted at the regular Planning Commission meeting of April 11, 2012, by the following vote:

AYES:

NOES:

Lucille T. Breese, AICP, Secretary

Nicholas Gonzales, Chair

Attachment: [Exhibit A – Conditions of Approval](#)

**CONDITIONS OF APPROVAL
DR 12-03 – SUNSET AUTO CENTER REMODEL
1300 NORTH H STREET – APN: 87-011-02**

The following Conditions of Approval apply to the plans for DR 12-03, received by the Planning Division and stamped on March 9, 2012, and reviewed by the Planning Commission on April 11, 2012.

I. PLANNING

Planning - General Conditions

- P1. All applicable provisions of the Lompoc City Code are made a part of these conditions of approval in their entirety, as if fully contained herein.
- P2. In conformity with Sections 17.140.010, 17.152.010, and 17.152.020 of the Lompoc City Zoning Ordinance, the violation of any condition listed herein shall constitute a nuisance and a violation of the Lompoc City Zoning Ordinance and the Lompoc City Code. In conformity with Sections 1.24.010 and 1.24.060 of the Lompoc City Code, a violation of the Lompoc City Code and the Lompoc City Zoning Ordinance is a misdemeanor and shall be punishable as provided by law. In addition to criminal penalties, the City may seek injunctive relief. The applicant agrees to pay for all attorney's fees and costs, including, but not limited to, staff time incurred by the City in obtaining injunctive relief against the applicant as a result of a failure of the applicant to fully perform and adhere to all of the Conditions of Approval.
- P3. The applicant is advised that certain fees and charges will be collected by the City prior to issuance of building permits and/or prior to issuance of certificates of occupancy.
- P4. These conditions of approval shall be noted on the construction drawings filed for any building permits, including the Planning Commission resolution number and the applicant's signed affidavit agreeing to comply with the conditions.
- P5. All revisions made by the Planning Commission and specified in the planning conditions of approval shall be shown on a revised site plan, which shall be reviewed by the Planning Division prior to submittal of construction drawings.
- P6. Minor changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Economic Development Director/Assistant City Administrator (EDD/ACA) or her designee and approved if acceptable. Major changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Planning Commission and approved if acceptable.
- P7. Prior to the installation of any signage or sign related construction the applicant shall obtain all appropriate permits. Approval of these plans with signage indicated does not imply approval of signage.

P8. Owner agrees to and shall indemnify, defend, protect, and hold harmless City, its officers, employees, agents and representatives, from and against any and all claims, losses, proceedings, damages, causes of action, liabilities, costs and expenses, including reasonable attorney's fees, arising from or in connection with, or caused by (i) any act, omission or negligence of Owner, or their respective contractors, licensees, invitees, agents, sublessees, servants or employees, wherever on or adjacent to the Property the same may occur; (ii) any use of the Property, or any accident, injury, death or damage to any person or property occurring in, or on or about the Property, or any part thereof, or from the conduct of Owner's business or from any activity, work or thing done, permitted or suffered by Owner or its sublessees, contractors, employees, or invitees, in or about the Property, other than to the extent arising as a result of City's sole active negligence or to the extent of any willful misconduct of the City; and (iii) any default in the performance of any obligations of Owner's part to be performed under the terms of this Agreement, or arising from any negligence of Owner, or any such claim or any action or proceeding brought thereon; and in case any action or proceedings be brought against the City, its officers, employees, agents and representatives, by reason of any such claim, Owner, upon notice from City, shall defend the same at its expense by counsel reasonably satisfactory to City.

Owner further agrees to and shall indemnify, defend, protect, and hold harmless the City, its officers, employees, agents and representatives, from and against any and all actions brought by any third party to challenge the Project or its approval by the City, including environmental determinations. Such indemnification shall include any costs and expenses incurred by Agency and City in such action(s), including reasonable attorney's fees.

Planning - Architectural Conditions

- P9. The Architectural Review approval granted by the Planning Commission is valid for one year from date of approval and will expire on April 11, 2013. A one-year extension may be granted by the Economic Development Director/Assistant City Administrator (EDD/ACA) or her designee if the applicant so requests prior to the expiration date.
- P10. All facades which extend above the roofline shall be finished on all elevations exposed to public view.
- P11. All mechanical, ventilation, and utility equipment shall be architecturally screened to prevent visibility from public view and shall be designed and placed to harmonize with the major structures on the site and with the neighborhood.
- P12. Foam material shall not be used for architectural features from the ground level to six (6) feet above ground level. Foam material may be used on portions of the building which are a minimum of six feet above ground level.

Planning - Site Plan Conditions

- P13. If new lighting is proposed, one copy of the lighting plan shall be submitted to the Engineering Division with the grading/improvement plans. A separate copy shall be submitted to the Building Division with the building plans. The lighting plan shall be reviewed and approved by the Engineering and Planning Divisions prior to issuance of any permits for the project. The plan shall incorporate the following:

Details for external light fixtures both on and off the building(s), all lighting within private streets (including conduit and wiring), external illuminated signage, and any light fixtures at ground level. All lighting shall be shielded to prevent glare and minimize light intrusion to adjacent properties.

- P14. No outside vending machines, except fully enclosed newspaper racks, shall be allowed on site.

Planning - Air Quality Conditions

- P15. Dust (PM₁₀) - a dust abatement program shall be prepared by the applicant and submitted with the grading/improvement plans. The program shall be reviewed and approved by the City Engineer, Senior Environmental Coordinator, and Planning Manager prior to issuance of grading permits. The dust abatement program shall include, but is not limited to, the following dust control measures:
- a. Sprinkle all construction areas with water (recycled when possible) at least twice a day, during excavation and other ground-preparing operations, to reduce fugitive dust emissions.
 - b. Construction sites shall be watered and all equipment cleaned in the morning and evening to reduce particulate and dust emissions.
 - c. Cover stockpiles of sand, soil, and similar materials, or surround them with windbreaks.
 - d. Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces or have adequate freeboard to prevent spillage.
 - e. Post signs that limit vehicle speeds on unpaved roads and over disturbed soils to 10 miles per hour during construction.
 - f. Soil binders shall be spread on construction sites, on unpaved roads, and on parking areas; ground cover shall be re-established through seeding and watering.
 - g. Sweep up dirt and debris spilled onto paved surfaces immediately to reduce resuspension of particulate matter through vehicle movement over those surfaces.
 - h. Require the construction contractor to designate a person or persons to oversee the implementation of a comprehensive dust control program and to increase watering, as necessary.
 - i. The name and 24/7 contact information for the person responsible for dust control shall be provided to the City prior to issuance of grading permits.
 - j. If dust is not controlled on the site, the City shall shut down work on the project until the applicant can provide adequate dust control.
 - k. Streets and alleys surrounding the project shall be kept clean and free of dirt.

P16. Ozone (O₃) Precursors: (NO_x and ROC)

- a. All construction equipment engines and emission systems shall be maintained in proper operating order, in accordance with manufacturers' specifications, to reduce ozone precursor emissions from stationary and mobile construction equipment.
- b. If feasible, electricity from power poles or ground lines shall be used in place of temporary diesel- or gasoline-powered generators.

Planning - Mitigation Monitoring Conditions

P17. In accordance with Lompoc City Code Section 8.08.030.E, hours of construction shall be limited to:

- Monday through Friday - between the hours of 7:00 a.m. and 6:00 p.m.
- Saturday - between the hours of 9:00 a.m. and 6:00 p.m.
- Sunday - None

Minor modifications to the hours of construction may be granted by the Planning Manager.

Planning - Project Specific Conditions

P18. A temporary use permit shall be obtained from the Planning Division prior to installation of a construction trailer on the project site.

P19. Any landscaping and/or irrigation that is destroyed or disturbed during construction shall be replaced. Any changes to the approved plant palette shall be reviewed by the Planning Division staff prior to installation.

II. FIRE

No General or Project Specific Conditions

III. POLICE DEPARTMENT

No General or Project Specific Conditions

IV. ENGINEERING

Engineering - Project Specific Conditions

EN1. All public utilities such as water mains, sewer mains, electric lines, electric transformers, etc., within the development shall be located within public utilities easements (PUE). **Provide documentation that the existing electric transformer north of Building D-2 and the associated underground cables feeding from H Street are within a PUE. If the transformer and cables are not within an existing PUE, a PUE shall be dedicated by grant deed as outlined below.**

PUE's shall be dedicated by grant deed and prepared by a licensed land surveyor or qualified civil engineer. The grant deed form to be used will be provided by the Engineering Division and is available in electronic format.

Applicant shall submit a draft copy of the deed (including an 8-1/2"x11" deed map) to the Engineering Division for review and approval. With draft submittal include all referenced documents and a preliminary title report current within the last ninety days.

After the Engineering Division has reviewed and approved the draft grant deed the Applicant will submit the original deed to the Engineering Division for acceptance and recordation. The submitted deed originals must be signed by the grantee(s) and notarized, and signed and stamped by a licensed land surveyor or qualified civil engineer. A PUE deed ready for recordation shall be on file in the Engineering Division prior to approval of the Improvement Plans.

- EN2. Any landscape and irrigation plans required by the Planning Division shall be approved by the Public Works and Utility Departments prior to Improvement Plan approval by the Engineering Division. An approval block shall be provided on the landscape plan title sheet for the City Engineer's signature.
- EN3. All trees & large rooted shrubbery must be planted at least ten feet away from public utilities, including, but not limited to, water, sewer, electric, storm drain, cable, telephone, etc.
- EN4. Replace the area (approximately 5 L.F.) of asphalt sidewalk approximately 20' from the north driveway entrance along H Street. The replacement sidewalk shall be in accordance with City of Lompoc Standard Drawing 614. A Caltrans Encroachment Permit will be required for any work performed within Caltrans ROW.
- EN5. Provide an access ramp from the existing sidewalk into the existing cross walk (crossing H Street) north of the signal on the south edge of the project site. The ramp shall be per City Standard Drawing 606, ramp RD5 or as approved by the Engineering Division.
- EN6. An Encroachment Permit shall be obtained from the Engineering Division for any work within City street right-of-way or easement.
- EN7. Prior to final approval by the Engineering Division, any public improvements damaged during construction shall be repaired as directed by the Public Works Inspector and in conformance to City of Lompoc Standard Plans and Specifications.

V. BUILDING

Building - General Conditions

- B1. Project shall comply with the most recent adopted City and State building codes.
- B2. Plans shall be submitted by a California licensed architect and/or engineer.
- B3. A separate grading plan complying with Appendix J, CBC and City standards is required.
- B4. Approved fire-resistive assemblies shall be provided for occupancy and/or exterior wall protection. Parapets may be required in accordance with the CBC and CFC.
- B5. Dimensioned building setbacks and property lines, street centerlines, and between buildings or other structures shall be designated on plot plans.

- B6. All property lines and easements must be shown on the plot plan. A statement that such lines and easements are shown is required.
- B7. The Title Sheet of the plans shall include:
 - a. Scope of work
 - b. Occupancy group
 - c. Description of use
 - d. Type of construction
 - e. Height of the building
 - f. Floor area of building(s)
- B8. California accessibility regulations shall be incorporated within the plans.
- B9. Fire sprinklers may be required per Building, Fire and/or City Codes.
- B10. Project shall comply with current City and State water conservation regulations.
- B11. Dust and erosion control shall be in conformance with standards and regulations of the City of Lompoc.
- B12. The permittee shall put into effect and maintain all precautionary measures necessary to protect adjacent water courses and public or private property from damage by erosion, flooding, deposition of mud or debris originating from the site.
- B13. Certification of compliance with the grading plans and soils report shall be submitted to the Building Division prior to final approvals.
- B14. A licensed surveyor/engineer shall verify pad elevations, setbacks, and roof elevations.
- B15. Stairs, decks, platforms shall meet the strict guidelines in the most recent adopted Building Code.
- B16. Smoke and carbon monoxide detectors shall be provided in conformance with the most recent adopted Building and Fire Codes.
- B17. Building pads shall have a drainage gradient of 2% toward approved drainage facilities.
- B18. Buildings shall comply with the New Green Building Codes and the State's Energy Regulations Title-24. Title-24 energy forms shall be incorporated within the plans.
- B19. A sound transmission study shall be required. Mitigating factors shall be indicated on the plans.
- B20. Developer shall minimize the use of on-street parking, by construction workers and equipment, during construction. Temporary bathroom facilities for construction are required.

VI. STORM WATER

No General or Project Specific Conditions

VII. AVIATION/TRANSPORTATION

No General or Project Specific Conditions

VIII. SOLID WASTE

No General or Project Specific Conditions

IX. ELECTRIC

No General or Project Specific Conditions

X. WATER

No General or Project Specific Conditions

XI. WASTEWATER

No General or Project Specific Conditions

**CITY OF LOMPOC
PLANNING COMMISSION STAFF REPORT**



MEETING DATE: APRIL 11, 2012
TO: MEMBERS OF THE PLANNING COMMISSION
FROM: KEITH C. NEUBERT, PRINCIPAL PLANNER
RE: DR 12-03 – SUPPLEMENTAL INFORMATION
SUNSET AUTO CENTER REMODEL

The Building Official has requested the following changes to the proposed Conditions of Approval for DR 12-03 – Sunset Auto Center Remodel

V. BUILDING

Building - General Conditions

- B1. Project shall comply with the most recent adopted City and State building codes.
- B2. Plans shall be submitted by a California licensed architect and/or engineer.
- B3. **delete per Building Official**
- B4. Approved fire-resistive assemblies shall be provided for occupancy and/or exterior wall protection. Parapets may be required in accordance with the CBC and CFC.
- B5. Dimensioned building setbacks and property lines, street centerlines, and between buildings or other structures shall be designated on plot plans.
- B6. All property lines and easements must be shown on the plot plan. A statement that such lines and easements are shown is required.
- B7. The Title Sheet of the plans shall include:
 - a. Scope of work
 - b. Occupancy group
 - c. Description of use
 - d. Type of construction
 - e. Height of the building
 - f. Floor area of building(s)
- B8. California accessibility regulations shall be incorporated within the plans.
- B9. **delete per Building Official**
- B10. **delete per Building Official**

- B11. Dust and erosion control shall be in conformance with standards and regulations of the City of Lompoc.
- B12. The permittee shall put into effect and maintain all precautionary measures necessary to protect adjacent water courses and public or private property from damage by erosion, flooding, deposition of mud or debris originating from the site.
- B13. Certification of compliance with the grading plans and soils report shall be submitted to the Building Division prior to final approvals.
- B14. **delete per Building Official**
- B15. Stairs, decks, platforms shall meet the strict guidelines in the most recent adopted Building Code.
- B16. **delete per Building Official**
- B17. **delete per Building Official**
- B18. Buildings shall comply with the New Green Building Codes and the State's Energy Regulations Title-24. Title-24 energy forms shall be incorporated within the plans.
- B19. **delete per Building Official**
- B20. Developer shall minimize the use of on-street parking, by construction workers and equipment, during construction. Temporary bathroom facilities for construction are required.

No other changes are proposed to the Conditions of Approval attached to the staff report.

C: Michael McGivney, Building Official
June Ailin, Assistant City Attorney
Lucille Breese, Planning Manager
Larry Werner, Project Representative
George & Cheryl Bedford, Project Applicant
James & Martha Pagliotti, Property Owner
Anton and Associate Architect
DR 12-03 project file