

**MINUTES OF THE REGULAR MEETING
OF THE LOMPOC PLANNING COMMISSION
March 12, 2008**

ROLL CALL: Commissioner Helen Free
Commissioner Judith Grames-Lyra
Commissioner Frank Hain
Commissioner Robert Lingl
Commissioner Jack Rodenhi

ABSENT: None

STAFF: Community Development Director Arleen Pelster
Planning Manager Lucille Breese
Assistant City Attorney Matt Granger
Principal Planner Keith Neubert
Assistant Planner Gina Lopez
Staff Assistant Angela Wynne
Development Services Assistant Cherridah Weigel

APPROVAL OF MINUTES:

It was moved by Commissioner Lingl, seconded by Commissioner Free, that the Minutes of December 10, 2007 be approved. The motion passed on a unanimous voice vote with Commissioner Hain abstaining.

ORAL COMMUNICATIONS:

None

CONSENT CALENDAR:

1. **CUP 96-10 – CONDITIONAL USE PERMIT – STATUS REPORT**
Continued from, 2007 meeting

A status report on compliance with Conditions of Approval for the Lompoc Church of God in Christ at 333 North Second Street (Assessor Parcel Number: 85-052-20).

2. **CUP 99-01 – CONDITIONAL USE PERMIT RENEWAL**

A request by Steve Kadel, representing the Door Christian Fellowship, for Planning Commission consideration of a renewal of Conditional Use Permit – CUP 99-01. The renewal will allow continued church operation at 408 North H Street to February 8, 2011 (Assessor Parcel Number 87-242-09). The church is located in a *Central Business (C-2)* Zoning District. This action is exempt pursuant to the California Environmental

It was moved by Commissioner Lingl and seconded by Commissioner Free that the Consent Calendar be approved. The motion passed on a 5-0-voice vote.

PUBLIC HEARING ITEM:

1. DR 05-21 – SIGN PROGRAM AMENDMENT

A request by Steve Khroyan of Evergreen Development, the project representative, for Planning Commission consideration of an amendment to an approved Sign Program. The proposed amendment consists of the addition of a second monument sign for the Palm Square Shopping Center. The property is located in the *Planned Commercial Development (PCD)* Zoning District at 1009 North H Street (Assessor Parcel Number: 89-011-36). This action is exempt pursuant to the California Environmental Quality Act (CEQA).

Assistant Planner Gina Lopez summarized the written staff report.

PUBLIC HEARING OPEN

Public Hearing opened at 6:35 p.m.

Public Hearing closed at 6:37 p.m.

Teresa Brown, L & I Signs – was available for questions.

PUBLIC HEARING CLOSED

It was moved by Commissioner Lingl and seconded by Commissioner Grames-Lyra that the Planning Commission adopt Resolution No. 538 (08) approving an amendment to the Palm Square Shopping Center Sign Program (DR 05-21), based upon the Findings of Fact in the Resolution and Conditions of Approval. The motion passed on a roll call vote of 5-0.

2. GP-07-03 – GENERAL PLAN AMENDMENT / ZC 07-03 – ZONE CHANGE / CUP 07-04 – CONDITIONAL USE PERMIT / LOM 576 – VESTING TENTATIVE SUBDIVISION MAP

A request from Michael Letzt of BJ Gunner Investments, LLC, project applicant, for Planning Commission consideration of the following:

- 1) GP 07-03 - A General Plan Amendment to amend the land use designation for the site from *General Commercial* to *Office Commercial*;
- 2) ZC 07-03 - A Zone Change to amend the City's Zoning Map designation from *Planned Commercial Development (PCD)* to *Commercial Office (CO)*;

3) CUP 07-04 - A Conditional Use Permit for eighty (80) senior apartment units, 12,550 square feet of commercial office space, and 4,170 square feet of commercial retail, and/or restaurant space; and

4) LOM 576-P - A Vesting Tentative Parcel Map requesting subdivision of an approximately 2.69 acre site to create six (6) commercial condominiums and one (1) residential condominium.

The Planning Commission will consider a recommendation to the City Council for Density Bonus on the site to allow the number of senior housing residential units at 37% greater than the standard density allowed in a High Density Residential District.

The project includes demolition of an existing bowling alley constructed circa 1960. The building is approximately 28,000 square feet in size and includes 24 bowling lanes, a restaurant, bar, banquet room and separate tenant space. The structure is not listed on the City of Lompoc Cultural Resources List or California Register of Historical Resources. A Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA) and circulated to the State Clearinghouse on February 8, 2008 (SCH No. 2008021031).

The project is proposed on two (2) existing adjacent parcels totaling approximately 2.69 acres in size, located at 1420 East Ocean Avenue (Assessor Parcel Numbers: 85-150-17, 18).

Commissioner Frank Hain excused himself from Agenda Item Number 2 and did not participate. He left the Council Chambers.

Principal Planner Keith Neubert summarized the written staff report.

Commissioner Grames-Lyra asked about the difference between condominiums and apartments and asked the size requirements for a single unit and parking requirements. Commissioner Lingl asked for clarification regarding certification of the Negative Declaration and Mr. Neubert outlined the steps.

PUBLIC HEARING OPEN

Public Hearing opened at 6:55 p.m.

Public Hearing closed at 8:37 p.m.

Dave Cross of Fletcher-Cross Associates, Project representative – introduced project team in attendance; provided project background data, discussed deficiencies of the current building; noted recent structural studies; and, suggested moving the bowling alley to a big box store.

Detlev Peikert, Peikert and Associates, Architect – provided Power Point presentation.

Robert Todd, Lompoc resident/operator of the Lompoc Lanes – indicated his opposition to the project, and his support of the continuation of the bowling alley.

Phillip Degenhart, Lompoc resident – stated that he would support the project at a different location and expressed concerns for the commuter community.

Bob Manning, Lompoc resident – indicated opposition to the project and stated that the General Plan encourages private recreational opportunities. Noted that the proposed project needed many concessions from the Zoning Ordinance requirements.

John Harney, Lompoc resident – stated support for the bowling alley and requested it remain. He noted that he had recently explored an opportunity to purchase the business.

Liz Schmidt, Lompoc resident – indicated she was a former City of Lompoc Beautification Commissioner; expressed concern with proposed density and supported the retention at this location.

Robert McGuire, Lompoc resident – indicated support of the bowling alley and noted that he performs there every weekend.

Denny Anderson, Lompoc Chamber of Commerce – stated the consensus of the Chamber Board was the bowling alley is a valuable recreational facility and improves the quality of life for the community residents and visitors.

Bud Owen, County resident – indicated agreement with all prior speakers regarding the bowling alley.

Dr. Michael Harris, Lompoc Vet Clinic – indicated support of the bowling alley. He questioned commercial aspect of proposed project; expressed concern that the proposed project would impact his business; and stated the availability of commercial vacant property within the City.

Shirley Garcia, Lompoc resident – complimented the visual aspect of the project; expressed doubt that a need for senior housing exists; and noted her support for the bowling alley.

Olga Barraza, Lompoc resident – indicated agreement with prior speakers; questioned the increased density and lack of parking, and noted this is the wrong site for this type of development.

Dan Turocy, Lompoc resident – asked if the bowling alley could be potentially considered a historical resource and indicated the importance of the bowling alley for the community.

Frank Signorelli, Lompoc resident – asked if a market study was performed for the proposed project; questioned the need for additional senior housing; and asked the Commission to consider the minimum square footage of each unit.

Anita Penner, Lompoc resident – indicated support for the bowling alley.

Gennie Stets, Lompoc resident – indicated support for the bowling alley.

Arleen Lewis, Lompoc resident –expressed appreciation for the proposed project but noted it was in the wrong area and stated her support of the bowling alley.

Loni Johnston, Lompoc resident – indicated agreement with prior supporters; voiced concerns about social issues and loss of recreational choices; and asked if a needs analysis was performed for proposed project.

Melva McClotchy, County resident – expressed concerns with proximity to the vet clinic and noted sick dogs bark and make noise.

Bess Christiansen, Lompoc resident – indicated agreement with prior speakers; noted that business and residential use is too close together; and questioned delivery truck access.

Stella Reed, Lompoc resident – indicated agreement with all prior speakers and questioned location of elevators in relation to the parking lot.

Lawrence Craig, Lompoc resident – owns the Pro Shop in the bowling alley; stated doubt that another bowling alley will be provided to the community; and asked the applicant if they would be willing to rebuild or relocate the current bowling alley to another site.

Suzanne Osequera, Lompoc resident – indicated agreement with all prior speakers.

Ed Shoemaker, Lompoc resident – stated concern with losing commercial and industrial sites for residential use and noted the benefit bowling has for community seniors.

Arlen Sechrest, Lompoc resident – noted that the bowling alley attracts seniors to relocate to Lompoc; asked that the Planning Commission adhere to current parking regulations; and stated that the Cypress Avenue and Seventh Street intersection is dangerous.

Ralph Harman, Lompoc resident – indicated that commercial uses and professional offices have different needs; that Seventh Street and Ocean Avenue shopping is not convenient; questioned security for the residents; and noted that the project may increase impact on City Fire and Police Department service requests.

Pete Dreuss, County resident – indicated support of the bowling alley.

Cecilia Walker, County resident – indicated support of the bowling alley and requested that the Commission visit the bowling alley on a Friday evening to witness the community support.

Larry Werner, Lompoc resident – indicated support of the bowling alley. Expressed concern with other recreational facilities that have closed since his youth include billiard parlors, the Drive-In, a miniature golf course, and car hops.

Terrell Day, Lompoc resident – indicated support for the bowling alley.

Joy Browder, Lompoc resident – asked audience members by show of hands who opposed demolition of bowling alley (majority of audience) and urged the Planning Commission to deny the project or to ask the applicant to come back to with a bowling alley included in the project.

Belinda Thomas, Lompoc resident and General Manager of Ocean Lanes – indicated support for the bowling alley and discussed benefit to the community.

Butch Browder, Lompoc resident – indicated support for the bowling alley; noted it is a facility provided at no cost to the City; and asked if the City would fund a new bowling center.

Mitsi Hall, Lompoc resident – questioned an outside developer knowing the needs of the community; indicated support for the bowling alley; and asked the Planning Commission to listen to the voices of Lompoc.

Bruno Borneo, Ocean Lanes property owner of project site – indicated that the building is in disrepair and current tenant has not made repairs; stated that facility is not economically viable; and noted financial losses over the years due to lack of community support.

Frank Thompson, Housing Consultant for project – stated that the project is intended for independent living; noted project is 100% accessible to the physically disabled; indicated the applicant can provide a market study; noted that the existing building is not structurally stable, and asked for the Planning Commission approval.

Steven Elliot, County resident – indicated concerns with density, safety and traffic for the proposal.

Bud Owen, Lompoc resident – expressed doubt that senior housing is an issue for Lompoc citizens.

PUBLIC HEARING CLOSED

The Planning Commission took a break from 8:38 to 8:47 p.m.

The following section has been documented verbatim to address the Planning Commission's request at the May 14, 2008 Planning Commission meeting that additional detail be provided showing their discussion:

Tape C ends during the break, tape D starts recording after Planning Commission has resumed discussion.

Commissioner Free (tape starts mid-sentence) "square foot question that, did that infact include some portion of a patio, and it still is 50% short of what is normally expected. Does that 500 square feet actually include a patio?"

David Cross "I believe it does. Ah, the architects gonna again show the layout of the 500 square foot."

Commissioner Free "sighs"

Detlev Peikert "Mr. Chair, Commissioner um, the drawing shows, ah the square footage, what we refer to as the net square footage, just of the room itself without including the walls or the closets, or any of the other ancillary spaces, the unit is 500 square feet or maybe it's 499 square feet, exclusive of the balcony when you calculate it uh on the basis on the net square footage of the unit itself what it encompasses, what's encompassed by the exterior walls of the unit. So, that's, the other gentleman was mistaken in his understanding of how these numbers are derived. These numbers on here strictly to show the actual square footage of the interior of the room without any of the walls."

Commissioner Free "And the 500 includes the, the walls."

Detlev Peikert "Includes the interior walls."

Commissioner Free "Interior walls."

Detlev Peikert "Correct."

Commissioner Rodenhi "Just as a, as a, an a rejoinder on that, that's the normal way of calculating the square footage (Commissioner Free "Yes."), of any facility (Detlev Peikert "Yes, sir.") that's on the outside of the walls, it's not just the internal."

Detlev Peikert "Well, there's, there's two, uh, kinds of calculations. One is called gross square footage, which would include all the exterior walls per se, and the net square footage includes not the exterior walls but rather the interior walls and typically the centerline of the demising walls, that's how it's calculated."

Commissioner Rodenhi "Thank you Mr. Peikert."

Commissioner Free "I have a light, I think I have another question on here, but I can't see it (laughing). Um, oh, the one other thing about the increase in sales tax, which I found kind of interesting because, I think the inference was that these people already live in Lompoc and so they're spending money here already?"

Detlev Peikert "Uh, it's referring to the retail commercial space (Commissioner Free "OK."), that would be open there. So, not just for the seniors that live there, but for others to shop at."

Commissioner Free " Thank you."

Commissioner Rodenhi "So, Commissioner Grames-Lyra."

Commissioner Grames-Lyra "Hello, the invisible woman. Um, I had several questions. When you're talking about an evacuation plan for the, what did you say 48 % handicapped people, 40. (Detlev Peikert "Uh, 40") 40 % OK, sorry, um, wouldn't it seem reasonable that on the first floor you would have a ramp to the outside rather than stairs, because I have a handicapped daughter and believe me, um, she weighs 350 pounds and I don't think that a fireman is gonna wanna carry her out."

Detlev Peikert "I believe we have, uh, do we ramp access? We do, I mean that's a standard requirement, so there is ramp access."

Commissioner Grames-Lyra "There is ramp access to the first floor?"

Detlev Peikert "Yes."

Commissioner Grames-Lyra "OK, cuz I didn't see that."

Detlev Peikert "And, and in addition as he pointed out from the second floor."

Commissioner Grames-Lyra "OK. The exterior walls which your talking about when you're including the 500 square feet, which actually should be 550 square feet, but anyway, if you included the exterior walls on each one of those units, (clearing throat), you could only include the exterior walls on the balcony side, isn't that correct? Because, otherwise you'd be counting those exterior walls twice? On each side of each unit there is another unit."

David Cross "You just..."

Detlev Peikert "Let me just explain it one more time, I don't think it's all that. This, this is a exterior wall right here, this is on the outside of the building. When we count the net square footage, not the gross, the net square footage of the unit we don't include that wall, cuz that's exterior, but these walls are inside the building, and therefore they are called demising walls, they separate one unit from another, in that case you would calculate to the centerline of that demising wall."

Commissioner Grames-Lyra "The centerline. (Detlev Peikert "Yes.") OK, so that's, gets that straight. Uhm, I'm concerned about the traffic on se-, Seventh Street. Uh, I've been over there and that is a very steep street that goes up that hill and I'm concerned that people trying to go up and down that street, particularly older people, or the trucks that are going in

and out might have problems on that, uhm, on that street. Are there ways of coming into that?"

Detlev Peikert "Well, lets, go back to the site plan. So, the, the hill that you're referring to is, you can see the contour lines going across the street (Commissioner Grames-Lyra "right, right, uhuh") right here, the hill is up here and then this is the top of it and then it goes back down again. (Commissioner Grames-Lyra "uhuh" affirming) But the vehicular access is actually is at the low level, at the same level of the ground floor and the parking lot here at Seventh Street and once again on this side it's perhaps slightly elevated above the ground floor, but it's still very close to the same level as the parking lot. That's the vehicular access. So, that's where the vehicles would be coming and going."

Commissioner Grames-Lyra "OK. So, they would have to drive from Cypress Avenue or off of Ocean and turn into Seventh Street there. Is that where the loading and unloading is also?"

Detlev Peikert "Maybe some loading and unloading that could happen in front of for example this commercial building here or inside the parking area here. (Commissioner Grames-Lyra "uhuh") a, but the vehicles can circulate through and come in either this side and drive out here, or come in here and drive out this way, or circle around the parking area and come back out this way."

Commissioner Grames-Lyra "Isn't there supposed to be a designated loading and unloading area where you're not taking up the parking spaces of the people that live there?"

Undiscernible conversation.

Detlev Peikert "Well the people, that's a good point, the people that live here of course they park inside the garage here. So they're not, there's no veh- trucks or anything coming into the garage to, to load and unload. Loading, uh, zone would be you know for the medical offices, for example would be right here, ah and on occasion some vehicles like UPS truck or something might park short term in a parking space, like any other visitor to the commercial spaces."

Commissioner Grames-Lyra "So, in other words while they're loading or unloading they're blocking off that exit?"

Detlev Peikert "Oh, this exit is allows for two-way traffic it's wide enough to, that a vehicle can stop at the curb here."

Commissioner Grames-Lyra "Uhum. A large truck?"

Detlev Peikert "Well, these, you know, your questions, I mean we can try to answer them here. It's a little difficult with the, the site plan up on the screen, but certainly we working with your staff ah and the Conditions of Approval that, that req- have that require us to comply with all of the requirements of the City of Lompoc's a loa- Zoning Ordinances etc.."

Commissioner Grames-Lyra "Right, well, um, of course, I'm just curious because I wanna know how the traffic's going to flow, you know? I'm (Detlev Peikert "I understand.") I just, uh, was wor- wondering about that. And, yo- talked about your security and yet you have a stairway that comes down from the first level to the street, now this is stairway (Detlev Peikert "--- by this over here) secure also (Detlev Peikert "this, this stairway here, which one.") I'm not sure which one it was, a (Detlev Peikert "this one") you mentioned that there was a stairway that came directly from the building to the street, and I wondered, and it went to a patio area, um, and I just wondered if that was also that area was going to be um a safety area, a secure area, so that somebody just coming off the street doesn't, couldn't come up into the patio area and get into the building."

Detlev Peikert "That's correct, all of these exits here, like this one for example would have some sort of security device that would ring an alarm if some one tried to break into that, ah without permission."

Commissioner Grames-Lyra "K, so, now, I have another question about the rooms themselves, I noticed that rooms themselves had bathtubs but no showers?"

Detlev Peikert "All of the, the rooms that show bathtubs would have fully handicap accessible grab bars etc. uh, and showers, so it's a tub shower combination."

Commissioner Grames-Lyra "I see, so that somebody who couldn't step up over the bath tub rim, could also bathe?"

Detlev Peikert "Some who could not step up over the bath, well there are grab bars that would enable that person to lower (GL "If they were physically able to do that.") themselves in to the- I'm sorry..."

Commissioner Grames-Lyra "But, so, there are bathtubs today that have those little opening side things that's why I thought maybe you were talking about that you were going to upgrade the bathtub to of those where they could just push open the door and go in, in their wheel chair and bathe that way."

Detlev Peikert "Are you thinking about a roll-in shower?"

Commissioner Grames-Lyra "Yeah, like a roll-in shower, or a bathtub that has the door, I've seen those."

Detlev Peikert "Um, I think your raising some, some good issues, we're not at the level of detail yet where we're in the construction documents and fine tuning those kinds of details, but certainly we will have the maximum amount of uh accessibility, uh that we, we can provide and that is also required of us by building codes, etc."

Commissioner Grames-Lyra "OK. Ah, you talked about the um, amount of what you would charge per month a \$437.00 to \$947.00 ah per month and um, I know we're not supposed

to bring up what the consultants said, but there was supposed to be some kind of norm that said anything over 30% of your income was an overpayment and to my calculations according to your annual incomes of \$11,130.00 and \$32,220.00 your, um, per month amount would run \$278.00 per month and \$806.00 per month, and you are saying that it's going to be \$437.00 and \$947.00. So, I suppose, that accounts for the numbers of renters that overpay in this area."

Detlev Peikert "Ask Mr. Thompson to answer that question."

Frank Thompson "I didn't bring my calculator, but um those are the published number of the State Department of Housing, that we gave you. So, and the way that they calculate them is one and half persons per room. So, you probably have on person per room, if you're coming up with those figures."

Commissioner Grames-Lyra "Unless you can come up with a half person somehow."

Frank Thompson "Statistical. Hey, this is fully in compliance with the State codes."

Commissioner Grames-Lyra "I see. So."

Frank Thompson "And in addition to that the households get a allowance for privately paid utilities."

Commissioner Grames-Lyra "On top of that do they pay an association fee (Frank Thompson "There's no-") or some other kind of services fee (Frank Thompson "None.") for the services that you um called um on site management of the facilities and oversight of the residence, is like some (Frank Thompson "No additional fee.") additional fees. No (Frank Thompson "It's prohibited") additional fees."

Frank Thompson "That's correct."

Commissioner Grames-Lyra "I see. What is included in the active and passive outdoor recreation amenities?"

David Cross "Well, you have the open space, you have the water element, you have the seating, and then you have enough open space there that people can, I mean for seniors can, um have essentially an outdoor walking area and strolling area which is significant in size, um, I don't know big it is exactly, but it's a pretty good size platform up there on top of the podium, it's private and the green square that shows in this is a grassy area at the ground floor, so there's plenty of room there to ah you know walk their dog or stroll with their friends or something, um obviously they can also walk around the outside of the um, facility. And with the other thing that we have is the, uh, we told you about the indoor recreation amenities, which include two exercise rooms. Is that the kind of question you're asking me?"

Commissioner Grames-Lyra "Um, that was the actually the next question I was going to ask you about the indoor one. So, you don't have um, like, a an area for bicycling or, or, um, ping-pong or any other kind of active thing outdoors? Sh- You know, horse shoes, or whatever?"

David Cross "Oh, there's plenty of room for horse shoes. I wouldn't say that we usually have ping-pong, I guess it might be a possibility, uh on the indoor spaces that we have stationary bicycles and treadmills and those types of things, and I would also like to note that we found useful to have a women's area separate from the men's exercise area, and that's why there's two."

Commissioner Grames-Lyra "I see. So, no pool table in, in the indoor one?"

David Cross "It's just too early for us to have drawn that stuff yet, there's sufficient equipment, they're not just empty rooms."

Commissioner Grames-Lyra "OK, well, what I wondering about was if there was going to be like a visitors room or uh, a, uh activities room, where people could have art lessons or something like that?"

David Cross "We do have that, we have a computer room, we also have a business center. (Commissioner Grames-Lyra "uhuh") So, we found those to be very a useful, this is about, this is about the 10th facility of this type that I have been involved with."

Commissioner Grames-Lyra "Ah, will customers, um, or patients or employees th- go to the other places like the restaurants and the medical center, are they gonna also share the courtyard?"

David Cross "Yes. The medical center pr- pretty much is a passive use, but the employees there could have lunch and uh, you know people waiting for their appointment could sit outside rather than indoors, yes. The security devices that Detlev talked about, (Commissioner Grames-Lyra "uhuh") would not keep people out of the green courtyard square."

Commissioner Grames-Lyra "Right. So, any one could go through the medical center and come out through the patio?"

David Cross "Come out through the? Come out to the patio. (Commissioner Grames-Lyra "To the patio.") It's at the same level. Yeah, it's just across the walkway. The green patio. (Commissioner Grames-Lyra "Ah.") You have an upper podium level which is private to the residents of the project."

Commissioner Grames-Lyra "But the, but the lower one anyone?"

David Cross "The lower one is public."

Commissioner Grames-Lyra "The lower one is public. So, the people that are having mental problems from the medical facility could go up there too?"

David Cross "I, I mean, I don't know what we said about mental problems at the medical facility."

Commissioner Grames-Lyra "Well, you have a medical facility there, I don't know exactly what that's for."

David Cross "I don't know either. It's a condominium that we're gonna to sell."

Commissioner Grames-Lyra "Oh, OK. So it could be to anybody?"

David Cross "It could be to the general public."

Commissioner Grames-Lyra "So, it doesn't necessarily mean that it's gonna be a medical facility?"

David Cross "It's what is consistent with the CO Zoning, that we're asking you to put on the property."

Commissioner Grames-Lyra "Oh. OK. Ah, you answered my question about, a, how, um, secure you were gonna have the seniors from their from parking units, and-"

David Cross "Right. So, again from the parking is totally secure. (Commissioner Grames-Lyra "Right.") So you understand that you would have a garage door opener (Commissioner Grames-Lyra "Right.") to get into the parking facility, and once you're in there, then you would have an access key to get to the elevator and the stairs."

Commissioner Grames-Lyra "Right, and that, that seems to be good. Is there gonna be a sprinkler system inside the units?"

David Cross "In every single space, bigger than about ten square feet."

Commissioner Grames-Lyra "OK. And is there separate parking for the restaurant?"

David Cross "Yes, the, I mean the parking for the restaurant is intended to be those spaces, the front line on the North side of the property up where the writing is that says shelter provided Southwest. Those -"

Commissioner Grames-Lyra "I'm trying to fi-, can you point that out?"

David Cross "Yeah, it's in the gray area, it's on the right hand side of the gray area"

Commissioner Grames-Lyra "Oh, right in there."

David Cross "That's correct."

Commissioner Grames-Lyra "Oh so, they're coming, the customers for the restaurant are coming in the same -"

David Cross "Seventh Street."

Commissioner Grames-Lyra "Seventh Street that the other people come into also?"

David Cross "Residents I suspect are gonna come off of Cypress, because the entry to the parking garage is off of Cypress."

Commissioner Grames-Lyra "Uhuh."

David Cross "We intended that to be one way, (Commissioner Grames-Lyra "Uhum.") and those residence would exit into that parking lot that would then go out to Seventh."

Commissioner Grames-Lyra "I see. So, anyone who's in the parking area under the garage they have only one entrance and one exit."

David Cross "Except for emergencies."

Commissioner Grames-Lyra "And-"

David Cross "Emergencies they can go either way."

Commissioner Grames-Lyra "I see, so, ok, so, um, is there a parking space in that garage for every person that's going to be living there?"

David Cross "There are 75 spaces in the garage. We do not anticipate that the 80 households will have 75 vehicles, and yes we will have parking permits."

Commissioner Grames-Lyra "For, for every single person. Otherwise anybody else would have to park in the open parking space, right?"

David Cross "The commercial spaces a, are adequate under the parking provisions for the commercial. So the gray spaces are adequate for the commercial areas."

Commissioner Grames-Lyra "OK, um, OK, thank you very much."

David Cross "My pleasure."

Commissioner Rodenhi "Commissioner Free"

Commissioner Free "I had a follow up question on Commissioner Grames-Lyra, about the ADA in the bathroom. Um, the reason is, I'm a property manager by profession. (David

Cross "I like that") But, ah, I know that preparing things for ADA takes a lot of space, it takes up a lot of space. And with a 500 square foot unit, if in fact that, um that roll in shower has not been provided for already in the plans, the amount of living space, even though it'll still be 500 square feet, the amount of living space is gonna be considerably less, because I've tried to convert units (David Cross "Absolutely") to ADA application and it's, it's a tough thing. So, my question to you is are any of those units as you have them currently planned fully ADA approved?"

David Cross "This is my understanding of what we're required to do. 5% of the units in the building have to be fully accessible to ah, wheelchair handicapped. Which typically means, just as you've pointed out, that the bathroom has to be slightly bigger, and in our case, I believe it may be the right size, or may be about 6 inches off. That would mean that the closet in the adjacent bedroom would be smaller, and also as you probably know then, the fixtures in that bathroom are different than the fixtures in another bathroom because what we have to do is provide for a turning circle for a person in a wheelchair that may have their legs straight out in front of them, so the turning circle is now almost seven feet around. And that includes a special toilet, and a special um, a sink for them, as well as the roll in shower, which is typically a tiled, um, shower. Now, let me tell you a little bit about the structure, we anticipate that the parking structure be made out of Spancrete, which is 3 foot wide and about 100 foot long pieces of concrete that are put up on a frame up there, and on top of that, you pour a concrete slab, which is the foundation slab for the building that's on top of there. If you know in advance, which we will, where those fully accessible units are gonna go the floor is depressed where those showers are gonna go, and in that way there's no bump, there's no up hill roll, or anything else, the people in the wheelchairs, if they run water everywhere in the bathroom it'll run to the drain. So, for those 5% of the units at least, will be built to that standard."

Commissioner Free "Well, you, you're- this disclaimer of at least, leads me to another question. If you have 40 some people, um, how comfortable are you with 5%, being the good number? A, a nobody knows."

David Cross "Question, really good question. No, the 40% here are not all wheelchair handicapped of course. We are talking about all types of disabilities, hearing, (Commissioner Free "Right.") vision, ah speech impaired, ah all types of impairments, (Commissioner Free "Sure.") not just physical. And then of the physically disabled not all of them are wheelchair handicapped, of course. But I think that we would prefer, and I'm looking at the ah developer here, prefer to have more than 5% that would be fully accessible on that second floor."

Commissioner Free "Yes, having, having said what you did about the construction, how you have to go about it. It would not be very easy to retrofit."

David Cross "No."

Commissioner Free "So, so you could have a waiting list of people in wheelchairs, because you had 5% or something?"

David Cross "That's correct. Although, I think that Detlev was trying indicate, and we do find this to be the case, that there a number of methods for a person in a wheelchair to transfer, which, some of which are pretty amazing. Um, for people to get from to a wheelchair to a handicapped accessible seat which is waterproof ah in the shower. So, even though we see on the drawing that is was a tub/shower, most of those tub walls are very short now days, they're very, very short."

Commissioner Free "Well, I, yeah, I don't wanna beat a dead horse, I just want to acknowledge the fact that there's some discrepancies here in, in, in maybe what we're planning for and what the real, real world might be."

David Cross "I appreciate your question. I don't think we want to anticipate that it's 40% wheelchair handicapped."

Commissioner Free "No, uhum. (David Cross "OK.") Um, I guess that was it right now."

David Cross "That's very good. Thank you."

Commissioner Free "Ah, but you did point out, I had a question about the parking, where the entrance was, and it is up on that corner, the entrance to the garage is on that corner?"

David Cross "Yeah, a couple of reasons for that. Obviously, a one-way driveway can functionally be a little more narrow. Now this drive way is intended to be a two-way drive way and those conditions were addressed in the Conditions from the DR-"

Commissioner Free "The Cypress Street one?"

David Cross "All of the driveways are two-way driveways. But in fact, we want them to be one-way for most purposes, so people would come in, I think they'll come in off of Cypress, then can come is off of Seventh if they want to, enter at that far corner and then exit through the other."

Commissioner Free "But that is not the intent for commercial people to come in up there is it, and the going to the restaurant, and to the office-"

David Cross "Frankly I can't see any reason why commercial traffic would enter on Cypress, because the commercial facilities are down on Seventh Street."

Commissioner Free "Only if you've got exit only here."

David Cross "No, no, no."

Commissioner Free "So."

David Cross "Oh, totally, that's a two-way. And as Detlev pointed out you could easily do a circle around the open parking and come back out on Seventh."

Commissioner Free "OK, one other question about the street there. I can see that restaurant or whatever they're gonna be loading and unloading, having run restaurants, is big time stuff comes in and out of there, foods being delivered. I don't live other there and I have not seen if there is any street parking, but I can guarantee you that a guy, delivery guy is not going park way back there and pull, push his dolly into those restaurants very easily for delivery. So, I think you kind of almost alluded to and backed off, that maybe that they would do some of it from the street, is-?"

David Cross "Well, we didn't get any conditions on that. But I imagine if the, ya know, streets and roads determined that it was a problem, that that would either be a commercial loading curb or else a red curb. So, in terms of controlling traffic, a but, again there were no conditions on that in our review."

Commissioner Free "Thank you."

Commissioner Rodenhi "Commissioner Lingl"

Commissioner Lingl "Thank you. Um, something positive, no, uh, first of all I, I, it hasn't been said, um some people said the, we don't need the building. I think it is a very attractive building, um, who's the architect? Which, um. It's a very attractive building and I think um a building like that coming into town, whether we are going to keep the bowling alley or not I think that building is probably more attractive than the bowling alley. That said, let me ask a couple more difficult questions. Um, the, a, Commissioner Free had, was talking a little bit about the commercial trucks coming in, and um, Dr. Harris actually, when he was up there, talk, started talking about it, and he did have some good points. The servicing of the commercial building in that area, cutting off his business on Seventh Street, um, and, and then I have another follow-. If, if you can address those? I mean, I, we talked a little bit about the servicing of the trucks, Commissioner Free brought it up, but, you don't anticipate any real problems with that?"

David Cross "Um, well, let me, I'm ask a question of the architects in a minute myself. But, um, about the access to the veterinary business, now, I think your probably aware, I believe the veterinary business is about 90 feet of frontage, originally, they're two lots now. Uh, on Ocean, and at those parking spaces I think there is 4 or 5 of them and in the past they used to back in and out of those spaces, which is a bad situation, and I think we all recognize that. And I know that you have had a permit review and permit conditions about that building. I know that um the veterinarian has been, through perseverance, was able to get the 50 foot lot between that commercial building that we have out at Ocean and his original veterinary business. That 50 foot lot, is a weird left over piece from when this was subdivided in the 50's and it has no driveway to Ocean. The driveway to Ocean is where this building in gonna go and what he was talking about is that when we build that building he's not gonna have a drive way cut to Ocean. That's was he's talking about. I don't know how we can solve that problem for him. So, that's one thing, about your question, which is not

our problem is basically what I'm saying. Um, the other part of it about the loading, let me a, just ask the architects here for a minute. So I do want to point out that um, where we have that heavy dashed line up against the veterinary it's not a zero lot line. That's a 4-foot set back with a sidewalk. And it, I agree that some ah, pallet jacks will have a hard time going down a 4-foot sidewalk, but that's available to them as well as the much improved public sidewalk on the front of the property. So the question really now is would there be a loading zone in front of this, or would they load out of the parking lot. Again, we did not get conditions on that. Um, that, I will tell you that Seventh Street is pretty wide. Um, but of course you couldn't park too close to the corner without causing a problem. Ah, one thing I think that would probably do, is that, I'm sure that your streets and roads will have some sort of traffic control in that area, cuz they're certainly not gonna want people to park there all day long in a heavily trafficked zone. So, whether that's gonna be, you know, a 15 minute zone or a commercial loading zone only. I would not expect that would be just a unmarked curb in the future."

Commissioner Lingl "K. Um, and then I just wanna get back to traffic a little bit again. I did see a traffic report, and it talks about, it is, the traffic has been studied in that area and it'll be in a, I believe is Class C, which Lompoc right now is mostly A's and B's. So will be a very busy section by Lompoc standards. Um, I'm concerned because we talked a little bit about where the seniors, or anyone, any resident in there, their recreational areas. You've got some nice recreational areas in there and you said they can walk around. But actually they, I don't know where they're going to walk. Definitely not on Ocean Avenue. Seventh Street, that one area of Seventh Street they may have some but definitely not beyond Cypress. That's where that very tall hill is. Ah, so they're not going to be walking that way. Probably just up Cypress Avenue is really the only walking area that they're going to be, a sen-, a person 'll be able to walk on. There are no parks in the area. Um, (David Cross "Beattie Park") Bea- Bea- there not gonna walk up Seventh Street. I mean, that, if, Beattie Park is a beautiful park and if they could get there, I don't see many seniors walking up the hill. Ah, ah, let's see that be, ah, West, East of there, going up Cypress, from, beyond Cypress Avenue. It's a very, very steep hill."

David Cross " Right, I agree."

Commissioner Lingl "So, I don't think they're gonna get there, River Park is too far. Um, you did do some nice internal-"

David Cross "I totally appreciate your concern. I, you what I have to tell you, I would ask you, if you could do it, I'll show you the facility in Santa Barbara. Now, like the Planning Commissioner, former Planning Commissioner said that you know it was not exactly comparable, and that's true. None of these facilities are gonna be exactly comparable. (Commissioner Lingl "Uhuh") Lompoc needs are gonna be different than other places, absolutely. I'm a 100% with that. Um, and that is why we provided, if you look at the floor plan of the second and third floor on the residential, that we'd put so many recreational facilities, this population for the most part, they can't walk four blocks, they won't walk five blocks, they can't go that far. They need the bus stop to be right there, they need their car to be right there, and they're not gonna be walking in the neighborhood. So, I mean, yeah

they'll walk around the block to walk their dog and so forth, but they're not gonna be going further that. So their need for the baseball park and so forth is pretty much as a spectator."

Commissioner Lingl "OK. The question is does the elevator go to the third floor?"

David Cross "Yes. Right, from the garage to the second and third, right. Now the commercial people have no access to the elevator. They don't need it, it's just the residents and guest."

Commissioner Rodenhi "Commissioner Grames-Lyra, did you have another question?"

Commissioner Grames-Lyra "Yes, I did. I cannot see the people who service the restaurant as parking on Seventh Street without a lot of problems. First of all, any large truck that's parked there would um cut out the visibility for anybody who is um, coming out of that driveway so there would be no visibility until they got into the middle of the street. Ah, secondly the driveway is so long a to the first area where they could park that they're going to do the lazy man's way of parking in the driveway next to the building. I'm just can see that happening, and um, I see that as a problem if there was an emergency, or um, I mean the garbage, the trash cans aren't they right there (David Cross "They are.") at the edge of that driveway, there's where the garbage truck is going to be, blocking that entrance and exit. So anybody who is in the parking area as a customer or as a client um or as a visitor would have to use the Cypress Avenue exit, which is going to be ah impacting that, that area up there. The um, um, like was brought up before, that the um walking area is very limited. I don't see that there any possibilities for any kind of active um, active activity uh outside this building. I, I think the building is ah, interesting but ah, lacks in landscaped areas and, and ah, areas to, to uh, just enjoy the outdoors there. I mean, you, you're trapped in that little cell with your, with your little balcony. You know, that's what I see it as. And, um, I see there are some problems that need to be resolved and I think that if we ah, continue this um, we could um, maybe get a better plan."

David Cross "Now that you brought that up, um, Mr. ah, Chairman, ah, we would like to have a continuance. We've heard everything you've said especially about ah, the parking, ah, the access on Seventh Street, some of the other things. Want to be able to have an opportunity to ah, put into place some of the things you talked about and bring it back."

Commissioner Rodenhi "Well, um, OK, that ah that seems like that's an interesting idea. Ah, specifically what kinds of things are you thinking that you would like to readdress in a continuance?"

David Cross "Um, you already addressed some concerns about, ah, the traffic flow within the structure. Ah, we wanna be able to show you, ah, greater, ah, amenities as far as recreational area. Um, we also wanna give you an opportunity to review that structural report. We, in fact we have the structural engineer here if you would like to ask him a couple questions, but um, (Commissioner Grames-Lyra "Yes, I would") we wanna be able to ah, to come back to you with ah, after listening to what you've heard and present a, um, some changes on the project."

Commissioner Free "What about density?"

Commissioner Rodenhi "Well- OK, actually."

Commissioner Grames-Lyra "Square footage."

Commissioner Rodenhi "Yeah, so long as we're ah, so long as we're bringing up some things that, that we'd like to maybe have considered. Um, if I could, ah, Keith there's no loading space involved in this um, at least not that I remember, was there one planned?"

Keith Neubert "There is a Condition of Approval, P71, that does require a loading zone on site and we will require that to be on shown on the plans that are submitted for building permits."

Commissioner Rodenhi "OK, so, right now that's not planned into the drawing that we see there (Keith Neubert "Correct.") and somewhere or another that's gonna have to be planned in?"

Keith Neubert "That's correct."

Commissioner Grames-Lyra "Uhuhm."

Commissioner Rodenhi "OK."

Commissioner Free "And then that would decrease the amount of parking? Is that correct?"

Commissioner Rodenhi "That's correct."

Keith Neubert "It wouldn't. It would not decrease the number of parking spaces, they could simply show it an area um, that ah, possibly in that circular drive or another area that will not decrease the parking."

Commissioner Rodenhi "OK. Um, among the things you might consider while you're ah, ah, taking an extra month; I would um, when I drive through a shopping center and one store is fenced off from another one and I'm on my way out, only I find out that suddenly there's curbs all round me and there's no way to get of thing except by goin' down that way, um, I always find that really irritating and always cuss the Planning Commission whenever that, whenever that happens. And, um, I'm ma-, I'm just the reason I'm suggesting that I think ah it would be unfortunate to block off the access to that ah, veterinarian building there um, if it's possible. I mean that's clearly something that's your prerogative, ah, you'd have to decide that you wanted to do that, but ah, ah, I, I would like to ,ah, limit the number of places where ah, you know, you find your self running into curbs. To me, I see that the servicing of the commercial facility is major issue. Um, it looks like ah, yo- your doing a really commendable job of, of utilizing this space as much as possible, but um, ah, it seems like it's just a, it's a real tight out there on the corner and ah, and the comments that have

been made about that being a busy corner and cutting off visibility and so forth, I think are valid. Um, and there's no telling what kind of vehicle would be required to service a restaurant in that area. The, the, ah, the Richof trucks are usually semis or their at least, yeah. Ah, some of the, some of the things that are possibly causing some of this trouble are also what makes this a profitable project, but they have to do with the density. And if you can't fit that many units in, it's gonna be more expensive per unit obviously. Um, but while you're considering ah, this over the next month, it might be, it might be good to take a look at that as well. My last thing and I was really kinda disappointed that we all focused so much on the bowling alley ah, that um, we didn't give adequate consideration to the building. The thing that, that ah, that I'm seeing about that building is that it's a 40-foot high building and to my knowledge we don't have a single building in Lompoc 40 feet high. Our limit has been 35 feet and to my knowledge we've stayed with that. And I'm wondering if it would be possible in order to minimize the visual impact on the, on the ah, properties south of there ah, whether it might be possible to ah, sculpt the project down a little further into the, the grade. Ah, I think that the thing that your doing with the, with the, the pedestal parking that's a thing that we've needed here in Lompoc for a long time. And I , you know I, um, I think that's a really good way to utilize this, this ah, this lot. So I think you've done a good thing there. And honestly, for all of you that came here to support the bowling alley, I think you have to recognize that, um the bowling alley has major structural problems. Ah, it isn't supporting a business well. Um it's not a, if it were a very profitable business ah, it would be entirely possible to build a replacement for it. Ah, with, got a, well of course, I guess we don't have the Office Max now, because that's gonna become a gym. But, but there are some other, other ah, open store spaces in town. And so if it were adequately profitable to support the current owner, it would be profitable enough to ah, to ah, install elsewhere in town. So, I think you all said a lot a really great things about bowling and ah, um, I think all of 'em are true, but I think that it just for this particular building it's gonna be a, it's gonna be a, just well nigh impossible for that to continue."

Unclear voice speaking from the audience.

Commissioner Rodenhi "I'm talking for myself. It's the only one I can speak for. Um, so anyway, OK, so, ah I would like to see you come back in month. Um and I would certainly entertain a motion for a continuance up here, um. Lucille, did you-."

Commissioner Grames-Lyra "I would like to say something"

Arleen Pelster "We would like to ask you to continue it to a date uncertain. The April Planning Commission meeting is full; the May Planning Commission meeting has a couple of large items on it. What we may have to do is depending on how long it takes the applicant to revise their plans and us to review it, um, the Planning Commission has a fairly loose policy that you will hold a second meeting in a month, if necessary, and it looks like our workload may need that. So, if you could just pick a date uncertain, we will have to notice it again, but I think that's, that's you know a good thing too, because there's a lot of interest in this project."

Commissioner Rodenhi "I'm sorry. Yeah, obviously I ah, I misspoke when I said to plan it a month out. OK. So ah, but we had further comments. Commissioner Games-Lyra, I'm through with my comments now if you'd like to say something."

Commissioner Games-Lyra "Whenever you're done. Thank you. Ah I would also like for them to address the 550 square feet for each unit, while they're doing that, um, revision. And, um, also I would like the opportunity to be able to ah, talk with someone about the um, structural ah, plans that we just received, just before thus, this meeting, and that I did not get chance to even look at. Th-, ah, the um, inspection report is um, I understand that when the building was built in 1960 the earthquake ah, requirements were in effect since 1938 and they should have had proper earthquake um, provisions for that, for that building. Um that should've had uh, in fact, I've, I've heard from some people that they did ha- indeed have steel in there and so it's perhaps it's between the walls and the, and the roof where there, there weren't the proper um, strapping or whatever, but um, I would like to be able to go over this ah structural evaluation and um, and have a chance to comment on that."

Commissioner Rodenhi "So Commissioner Games-Lyra are you asking then, that we ask them to bri-, to have the structural engineer come back at the continued meeting?"

Commissioner Games-Lyra "Yes."

Commissioner Rodenhi "OK, great."

Commissioner Free "Um, Mr. Chairman, I don't like to lead anybody on or lead anybody astray and have then do a lot of work, um, because that presumes that with enough changes the decision has been made. And I'm not, um, I'm not sure, are you making a motion that we continue it, or how does that work?" (Tape D and E overlap on this sentence.)

Commissioner Rodenhi "Well, at the-"

Commissioner Free "As oppo-, as opposed to taking a vote tonight?"

Commissioner Rodenhi "Well, OK, um, if we con-, um, if we continue it, then ah, they'll have a chance to address some of the issues that might lead us to decide against this particular project."

Commissioner Free "But before that there were two items in front of that that would, we would have to recognize the General Plan change and a Zoning change, I mean we'd have to approve that before anything else came. Am I, am I not correct?"

Commissioner Rodenhi "Yeah, that's correct."

Commissioner Free "And so we would be postponing making that decision and they would continue to work on this item as if we had made a decision on the changing the General Plan and the Zoning."

Commissioner Rodenhi "I agree with you that, um. I certainly don't want to lead them on with the assumption that we're um, ah, that we've already made the decision. Um, and I guess at that point then I would, I would ah, maybe ask, ah, would you like to consider the General Plan Amendment and the Zone amendment during this meeting um, and so that we have some certainty about that?"

Commissioner Free "I, I'm just, yes, I just thinking for the applicant's sake that that would be the proper thing to do."

Commissioner Rodenhi "That doesn't seem unreasonable."

Commissioner Free "No."

David Cross "Although we are fully comfortable if coming back with those changes so you can help, it would help you make the decisions on those two items as well."

Commissioner Free "But in fact, the changes would make maybe the pro-, the, what your doing acceptable, but with without those other two elements that we- the Planning Commission has the authority to propose to the City Council. I just feel in all fairness, that we, that we have to knuckle up and make those decisions."

Matt Granger "Yeah, Chairman Rodenhi, I might just point out to the Commission that the General Plan is a recommendation to the City Council so despite what the Cou- what the Commission does tonight that will go to the Council for hearing. And, the Zone Change however is a decision and that of the Planning Commission so that would either stand or would have to be appealed to the City Council. So, um, I guess my point is if you make a decision tonight, it still has to go to the City Council, just on the recommendation."

Commissioner Rodenhi "I understand that. Um, what I'm think is that the City Council is generally not a made any decision on ah, General Plan Amendments without a recommendation from the Planning Commission and, and almost always they follow our recommendation. Although they're certainly not obliged to. So-"

Matt Granger "Right, it's just if you make, if you make a decision tonight it's gonna on to the City Council um, so, you know, they wouldn't be able to come back and, and make an additional presentation."

Commissioner Free "Why not?"

Matt Granger "Because, whatever yo-, if you vote on a recommendation for the General Plan Amendment and the Zoning Change, those issues will go to City Council. (Commissioner Free "Right.") Then you're, then you're saying despite the fact in front of City Council on the Zoning Change and the General Plan, they're gonna come back and a-, a-, theoretically amend the project. I think it would be better to up as one package, I guess is what I'm saying. Rather than piece-meal fashion. Now, I understand there's y-, a-, the Commissioner

Free is trying to ah, perhaps eh-, economize ah, and not make them, the applicant do a bunch of work that um, may and up ah, not being fruitful for 'em, but if the applicant is asking for a continuance and their willing to bear that risk which I think I hear them saying (David Cross "Absolutely.") I would say there's, there's, it's probly gonna be easier for the Council to handle if it comes before them as, in one package with the Zoning Change, General Plan Amendment, and the plans as approved or disapproved by Planning Commission."

Commissioner Free "But if in fact for some reason, we did not appro-, we did not send forward our approval for the General Plan change and the Zoning. If we said we're not sending that forward, the applicant would have to appeal that anyway?"

Matt Granger "Correct. Well, th-, the General Plan goes regardless of your decision on the General Plan, it goes to the City Council. If you deny the project then the on-, it could go to City Council but the applicant would have to appeal it."

Commissioner Free "Yeah."

David Cross "If we had a preference we would prefer it to go as a package, so that we know it's all together as opposed to partially to City Council, then back to here."

Commissioner Free "I guess I'm concerned about leaving the community with a feeling that a decision has been made just because you got an extension. I'll just be honest with you, that bothers me. I mean that just - (Mumbling from the audience) As long everybody understands what the deal is. (Laughter) That, I just don't, I just don't think that's a good thing, personally I don't think a good thing -"

David Cross "We would just like an opportunity to present the best project possible. And we understand that, you know, your concerns but we also are willing to take that risk at, uh, you so aptly mentioned and we'd like to have an opportunity to come back and show you some changes and an improved project."

Commissioner Grames-Lyra "I agree with Commissioner Free that we should ah, make a vote on the General Plan Amendment and the Zone Change tonight."

Commissioner Rodenhi "OK. Um, is, I guess what we can do is we can try a uh, um, so we're going to decide whether we're going to vote tonight, I guess, rather than. So, can we have a motion to uh, would, would one of you like to propose a motion?"

Commissioner Grames-Lyra "I move that we vote on the General Plan Amendment and the Zone Change ah, GP 07-03 and ZC 07-03 ah, tonight."

Commissioner Rodenhi "Is the a second for that motion?"

Commissioner Free "Second."

Commissioner Rodenhi "K. Ah, All in favor of that motion say aye."

Commissioner Free, Commissioner Grames-Lyra, and Commissioner Lingl "Aye."

Commissioner Rodenhi "All opposed"

Commissioner Rodenhi "No."

Commissioner Hain not participating.

Commissioner Rodenhi "K, so that motion passes. So we will then ah vote on the uh, General Plan and the Zone Change Amendments er, and the Zone Change, ah, this evening then. So. Mr. Cross."

David Cross "Mr. Chair um, as long as you're voting on this we would prefer that you vote on all of those items. So, that –"

Commissioner Rodenhi "I understand. Um, at this point we have decided to vote on the ah, the General Plan Amendment and the Zone Change. Um, and, um, yeah, and, I think we're gonna leave it at that and then we can decide how far to go on."

David Cross "Excuse me, but don't you also have to vote on the Negative Declaration first?"

Commissioner Rodenhi "OK, let's see. K, alright, Let's take a break and while we regroup, while we do a little strategic planning up here."

The Planning Commission took a break from 9:50 to 9:55 p.m.

Commissioner Rodenhi "Whoa, please take your seats. So Mr. Cross (David Cross "Yes, sir.") thank you for your input tonight. Um, please have a seat we've got some, we're gonna haveta ah, move forward on this. OK."

Commissioner Free "Mr. Chairman, I'm ready to make a motion, and I, my question is to counsel. Can I put this all in one motion, counsel?"

Matt Granger "I think it's probly easiest to move to approve or deny the Negative Declaration."

Commissioner Free "And go straight down the l- uh."

Matt Granger "Uhuh."

Commissioner Free "Well, my first motion would be to certify the Mitigated Negative Declaration."

Commissioner Lingl "Second."

Commissioner Rodenhi "OK, moved and seconded the we miti-, that we ah, recommend (Commissioner Free "That we certify the Mitigated Neg.") that we certify the Mitigated ah, Negative Declaration um, any discussion on that motion. Ah, can we have a roll call vote?"

Arleen Pelster "Commissioner Lingl."

Commissioner Lingl "Yes."

Arleen Pelster "Commissioner Free."

Commissioner Free "Yes."

Arleen Pelster "Commissioner Rodenhi."

Commissioner Rodenhi "Yes."

Arleen Pelster "Commissioner Grames-Lyra"

Commissioner Grames-Lyra "Yes."

Arleen Pelster "Commissioner Hain is abstaining."

Commissioner Rodenhi "OK."

Commissioner Free "Shall I continue or shall I (Commissioner Rodenhi "If you, if you-") just shut up and let somebody else work." (Laughing)

Commissioner Rodenhi "No."

Commissioner Free "Number two, I would recommend that the City Council certify the miti-Mitigated Negative Declaration. Ah, we're recommending it, the certification of the Environmental Document without recommending approval of a project."

Commissioner Lingl "Second."

Commissioner Rodenhi "OK. Ah, all- Sure go ahead let's do a roll call vote."

Arleen Pelster "Commissioner Lingl."

Commissioner Lingl "Yes."

Arleen Pelster "Commissioner Free."

Commissioner Free "Yes."

Arleen Pelster "Commissioner Rodenhi."

Commissioner Rodenhi "Yes."

Arleen Pelster "Commissioner Grames-Lyra."

Commissioner Grames-Lyra "Yes."

Arleen Pelster "Commissioner Hain is abstaining."

Commissioner Free "Number three, I would um, the motion is that we deny the General Plan Amendment, oh, ah that we deny recommending the City Council appluve, approve the General Plan Amendment ah, GP 07-03 to change the land use."

Commissioner Rodenhi "And your reccom-, your motion is that we recommend to the City Council that they deny (Commissioner Free "That they deny.") the change to the General Plan Amendment."

Commissioner Free "Yes."

Commissioner Grames-Lyra "I second the motion."

Commissioner Rodenhi "OK. Any discussion. OK, roll call vote."

Commissioner Lingl "A question for staff. We're short one member, 2-2 vote?"

Matt Granger "A 2-2 vote is a no action, in this case would operate as a denial. So, what you would have here is essentially a denial of the General, a recommendation to the City Council of a denial of the Amendment to the General Plan."

Commissioner Free "Cuz a ye-, a no yes, is a no."

Matt Granger "Well, a 2-2 tie, yeah."

Commissioner Rodenhi "OK, ah, no further discussion. Can we vote?"

Arleen Pelster "Commissioner Lingl."

Commissioner Lingl "Yes."

Arleen Pelster "Commissioner Free."

Commissioner Free "Yes."

Arleen Pelster "Commissioner Rodenhi."

Commissioner Rodenhi "No."

Arleen Pelster "Commissioner Grames-Lyra."

Commissioner Grames-Lyra "Yes."

Arleen Pelster "Commissioner Hain is abstaining."

Commissioner Free "And finally um, ah, the motion is that we um, deny um, the Resolution No. 586 (08) attachment 2 recommending that the City Council approve the Zone Change for the a, aforementioned parcels."

Commissioner Lingl "Second."

Commissioner Rodenhi "Any discussion. Vote."

Arleen Pelster "Commissioner Lingl."

Commissioner Lingl "Yes."

Arleen Pelster "Commissioner Free."

Commissioner Free "Yes."

Arleen Pelster "Commissioner Rodenhi."

Commissioner Rodenhi "No."

Arleen Pelster "Commissioner Grames-Lyra."

Commissioner Grames-Lyra "Yes."

Arleen Pelster "Commissioner Hain is abstaining."

Commissioner Rodenhi "At this point then ah, we have voted to deny the General Plan Amendment and deny the Zone Change. Um, so, there's no point in considering the other - (female voice speaking words are unclear) I'm sorry, we recommend to the City Council ah, that they deny the General Plan Amendment and the Zone Change. And, so, for, at this point there's not any point in us considering the remaining motions."

Arleen Pelster "No, you need, you need to act on them. And because you have recommended the General Plan remain the same, you would not be able to have the lawful grounds to approve the remaining applications because they would not be consistent with the General Plan."

Commissioner Rodenhi "So, we, can we consider those a whole then, as a single motion? K."

Matt Granger "Do you want 'em to do it singularly Arleen or do you want 'em to do it as a package? Usually we hav'em do 'em one by one just for clarity's sake, so."

Arleen Pelster "Yeah, let's just do it separately and that way, because they're all separate resolutions we have to prepare."

Commissioner Rodenhi "OK."

Matt Granger "So, Chairman if you would entertain that staff would appreciate that."

Commissioner Rodenhi "OK, ah, draft Resolution ah, 587 ah, I'm entertaining a motion."

Commissioner Free "On item 4 under the recommendations the motion would be that ah, what number, excuse me, number 5, that the motion would be that ah, we not adopt Resolution Number 587 approving the Conditional Use Permit that we- , right?"

Arleen Pelster "What you'd need to do is um, direct us to change that Resolution to deny the project."

Commissioner Free "So, I move that you change that Resolution to deny the project."

Commissioner Lingl "Second."

Commissioner Rodenhi "K. Any discussion."

Arleen Pelster "Commissioner Lingl."

Commissioner Lingl "Yes."

Arleen Pelster "Commissioner Free."

Commissioner Free "Yes."

Arleen Pelster "Commissioner Rodenhi."

Commissioner Rodenhi "Yes."

Arleen Pelster "Commissioner Games-Lyra."

Commissioner Games-Lyra "Yes."

Arleen Pelster "Commissioner Hain is abstaining."

Commissioner Rodenhi "Resolution 588."

Commissioner Lingl "Go to it Helen."

Commissioner Free "I'd forgotten the words I used on the other one. That you draft a new Resolution, am I correct?"

Commissioner Rodenhi "Yes."

Commissioner Free "Oh, I'm a fast learner. That you draft a new Resolution a ah, denying (Commissioner Rodenhi "Recommending to the-") recommending that deny the Vesting Tentative Parcel based upon the Findings Of, well I'm not on the findings of fact, just deny the Resolution. Is that correct? Deny the Resolution."

Commissioner Games-Lyra "I second the motion."

Commissioner Free "When you're in hole stop digging, right." (Laughing)

Commissioner Rodenhi "OK, any discussion. Vote."

Arleen Pelster "Commissioner Lingl."

Commissioner Lingl "Yes."

Arleen Pelster "Commissioner Free."

Commissioner Free "Yes."

Arleen Pelster "Commissioner Rodenhi."

Commissioner Rodenhi "Yes."

Arleen Pelster "Commissioner Games-Lyra."

Commissioner Games-Lyra "Yes."

Arleen Pelster "Commissioner Hain is abstaining."

Commissioner Rodenhi "And -"

Commissioner Free And finally, that you draft a Resolution, right (Commissioner Games-Lyra "uhum") denying that the Cou- (LB "Recommending that the -") Recommending that the Council not approve the Density (Arleen Pelster "Correct.") Bonus for the Ocean Plaza project."

Commissioner Games-Lyra "I second the motion."

Commissioner Rodenhi "Any discussion. Have a vote."

Arleen Pelster "Commissioner Lingl."

Commissioner Lingl "Yes."

Arleen Pelster "Commissioner Free."

Commissioner Free "Yes."

Arleen Pelster "Commissioner Rodenhi."

Commissioner Rodenhi "Yes."

Arleen Pelster "Commissioner Grames-Lyra"

Commissioner Grames-Lyra "Yes."

Commissioner Rodenhi "OK, so that's everything. So, um, at this point then um, the uh, the Planning Commission has ah, recommended to the City Council that they deny the Zone Change, excuse me, that they design, deny the General Plan change and they deny the Zone Change, and so the uh, other ah, resolutions ah, would not, basically ah, ah the other Resolutions would not make any sense for us to approve. So, um, I guess that's, that's the ah um, the substance of our decisions this evening on this project. So."

Arleen Pelster "Chairperson Rodenhi, we typically announce on a denial that these decisions are appealable (Commissioner Rodenhi "Right.") to the City Council and would be subject to a Public Hearing before the City Council if an interested party does choose to appeal. And if anyone would like information on how to appeal, they can contact us at the Planning Division tomorrow. There's also information in your agenda."

Commissioner Rodenhi "OK, um yes – (clapping from audience) And so Commissioner Hain if you would rejoin us."

Commissioner Rodenhi "And if you leave ah, as you're going out quietly. Um, we have a little bit more business to conduct here this evening."

This concludes the verbatim section of the Minutes.

NEW BUSINESS:

It was moved by Commissioner Lingl and seconded by Commissioner Grames-Lyra that Commissioner Rodenhi continue as the Planning Commissioner Chairperson. Commissioner Rodenhi indicated his agreement. The motion passed on a unanimous voice vote.

It was moved by Commission Lingl and seconded by Commissioner Rodenhi to nominate Commissioner Free as the Planning Commission Vice Chair. Commissioner Free indicated her agreement. The motion passed on a unanimous voice vote.

ORAL COMMUNICATIONS:

Ed Shoemaker, Lompoc resident – thanked the Commission for their decision regarding 1420 East Ocean Avenue.

Bess Christiansen, Lompoc resident – thanked the Planning Commission and shared additional historic facts at 1420 East Ocean Avenue.

WRITTEN COMMUNICATIONS:

None.

DIRECTOR/STAFF COMMUNICATIONS:

Ms. Pelster indicated that a number of business items will be on the April agenda.

COMMISSION REQUESTS:

Commissioner Rodenhi indicated appreciation for the extra two days to review and consider Planning Commissioner Agenda packets.

NUMBER OF PEOPLE IN ATTENDANCE: 90

ADJOURNMENT:

It was moved by Commissioner Lingl and seconded by Commissioner Free that the Planning Commission adjourn to the Joint Council Meeting scheduled for March 13, 2008. The motion passed on a unanimous voice vote. The meeting was adjourned at 10:10 p.m.

Arleen T. Pelster, AICP
Secretary

Jack Rodenhi
Chair