

**MINUTES OF THE REGULAR MEETING
OF THE LOMPOC PLANNING COMMISSION
June 12, 2006**

ROLL CALL: Commissioner Ron Fink
Commissioner Judith Grames-Lyra
Commissioner Ralph Harman
Commissioner Jack Rodenhi
Commissioner Ann Ruhge

ABSENT: None

STAFF: Community Development Director Arleen Pelster
City Planner Lucille Breese
Assistant City Attorney Matthew Granger
Assistant Planner Nathan Gilbert
Staff Assistant Angela Wynne

APPROVAL OF MINUTES:

It was moved by Commissioner Harman and seconded by Commissioner Fink to approve the Minutes of May 8, 2006. The motion passed on a voice vote of 5-0.

ORAL COMMUNICATIONS: -- None

CONSENT CALENDAR: -- None

PUBLIC HEARING ITEMS:

1. CUP 96-10 – CONDITIONAL USE PERMIT RENEWAL

A request by Dement Weaver, representing Lompoc Church of God In Christ, for Planning Commission consideration for renewal of Conditional Use Permit – CUP 96-10. The renewal will allow continued church operation at 333 North Second Street (Assessor Parcel Number 85-052-20) to October 14, 2008. The church is located in a *Commercial Industrial (CM)* Zoning District. This action is exempt from the California Environmental Quality Act (CEQA).

Assistant Planner Nathan Gilbert summarized the written staff report.

Rick Curtze, Building Official/Fire Marshal - provided a report to the Commission regarding the types of building and fire code issues a church must meet. Commissioner Grames-Lyra asked what specific conditions of approval of the building code were not being met in the building. Mr. Curtze responded that the Fire Department was overseeing the improvement of basic safety elements, such as exit signage and emergency lighting; he noted that the original Conditions of Approval dated back to 1996, and that the applicant has obtained applicable permits and approvals.

PUBLIC HEARING OPEN

Public Hearing opened at 6:41 p.m.
Public Hearing closed at 6:42 p.m.

PUBLIC HEARING CLOSED

Since it appeared that the applicant was not present, Commissioner Fink recommended a ninety (90) day continuance. Commissioner Fink asked Mr. Curtze if the applicant can complete the work within the 90-day timeline and Mr. Curtze replied that the time frame is feasible.

Pastor Willie Battles arrived at the meeting. He thanked the Planning Commission for the review and staff for their work. Pastor Battles stated his concern for parishioner's safety, indicated his intent to comply with all City requests, noted additional repairs identified at the last building inspection, and indicated concern whether repairs can be managed within the 90 days set forth due to the fact that professional help must be obtained.

It was moved by Commissioner Fink and seconded by Commissioner Grames-Lyra that the Planning Commission continue the hearing for ninety (90) days to allow the applicant sufficient time to submit plans to the Building Division. The motion passed on a voice vote of 5-0.

2. CUP 06-02 – CONDITIONAL USE PERMIT

A request by Leigh Garcia, representing Familia De Dios Baptist Church, for Planning Commission consideration of a proposal for a Conditional Use Permit to allow operation of a church in an existing building located at 117 South J Street (Assessor Parcel Number 91-102-06), in the *Planned Commercial Development (PCD)* Zoning District. A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

Assistant Planner Nathan Gilbert summarized the written staff report.

Commissioner Grames-Lyra asked if the restaurant was attached to the church and Mr. Gilbert indicated that the restaurant is located next door to the church, that it is in the same building but not a part of the church. Commissioner Grames-Lyra asked if the church and the restaurant would operate at the same time. Mr. Gilbert indicated that at some hours this would be the case and that parking was adequate for both uses.

PUBLIC HEARING OPEN

Public Hearing opened at 6:50 p.m.
Public Hearing closed at 6:52 p.m.

Tim Craeger, adjacent property owner – noted his opinion that parking is not adequate for the church patrons, outlined the current condition of existing parking spaces, and urged the Planning Commission to not allow the use.

PUBLIC HEARING CLOSED

Commissioner Harman asked Leigh Garcia, applicant, the number of members of the congregation. Ms. Garcia indicated approximately 65 to 70 people (which included children). Commissioner Harman asked if Ms. Garcia was aware of the Conditions of Approval and Ms. Garcia indicated affirmatively. Commissioner Rodenhi asked Mr. Gilbert about the parking requirements for the intended site and Mr. Gilbert referred to the staff report analysis. Commissioner Ruhge asked if a condition could be placed that parking will be available on a city parking lot and Ms. Breese indicated that parking off site was not counted toward required parking. Commissioner Harman stated that Conditional Use Permits are reviewed by the Commission if there are any complaints.

It was moved by Commissioner Fink and seconded by Commissioner Ruhge that the Planning Commission certify the Negative Declaration and adopt Resolution No. 487 (06) approving CUP 06-02 to allow operation of a church, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval. The motion passed on a roll call vote of 5-0.

3. CUP 06-03 - CONDITIONAL USE PERMIT

A request by Alan Grant, representing Starbuck-Lind Mortuary, for Planning Commission consideration of a proposal for a Conditional Use Permit to allow a caretaker's residence in an existing building located at 133 North A Street (Assessor Parcel Number 85-142-19), in the *Planned Commercial Development (PCD)* Zoning District. A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

Assistant Planner Nathan Gilbert summarized the written staff report.

Commissioner Grames-Lyra asked how the area proposed for a caretaker unit is currently being utilized. Mr. Gilbert indicated that the space is being utilized as office space.

PUBLIC HEARING OPEN

Public Hearing opened at 7:00 p.m.

Public Hearing closed at 7:02 p.m.

Alan Grant, Starbuck-Lind – stated that the second floor office is currently vacant, would like to add a wall to convert space to a bedroom, small kitchen, and bathroom. The proposal will provide security and affordable living quarters for an apprentice and that the proposed space will not change the footprint of the building.

PUBLIC HEARING CLOSED

Commissioner Grames-Lyra asked Building Official/Fire Marshal Rick Curtze if the building can meet the necessary code requirements to convert office space to living space. Mr. Curtze indicated the proposal would require full structural plan review.

It was moved by Commissioner Fink and seconded by Commissioner Ruhge that the Planning Commission certify the Negative Declaration and adopt Resolution No. 488 (06) approving CUP 06-03 to allow a caretakers unit, based upon the Findings of Fact in the Resolution and subject to the attached Conditions of Approval. The motion passed on a roll call vote of 5-0.

4. **CUP 06-04 – CONDITIONAL USE PERMIT**

A request by Maribel Espana, for Planning Commission review and consideration of a proposal to operate a market in the *Old Town Commercial (OTC)* Zoning District. The project is located in an existing building at 320 West Ocean Avenue (Assessor Parcel Number: 91-102-22). A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

Assistant Planner Nathan Gilbert summarized the written staff report.

Commissioner Harman asked about shopping cart storage and Mr. Gilbert indicated that it was unknown whether the business will utilize shopping carts. Commissioner Grames-Lyra asked if there would be two exits from the parking lot on Ocean Avenue. Mr. Gilbert indicated there would be no change to the existing parking lot, there is only one exit/entry on Ocean Avenue.

PUBLIC HEARING OPEN

Public Hearing opened at 7:09 p.m.

Public Hearing closed at 7:11 p.m.

Tim Creager, resident – agreed with Commissioner Grames-Lyra regarding access and inquired about alcohol sales.

PUBLIC HEARING CLOSED

Commissioner Harman asked Maribel Espana, applicant, about the use of shopping carts and Ms. Espana indicated negatively. Commissioner Harman asked about restrictions on vending machines and storage of low-pressure gas and propane tanks and Ms. Espana indicated that there are no plans to utilize these features. Commissioner Harman asked Ms. Espana if alcohol will be sold and Ms. Espana indicated negatively. Commissioner Grames-Lyra asked if the proposal would be a general food store selling fresh produce. Ms. Espana indicated it would be a Spanish market, grocery store, and a food 'take out'. Commissioner Fink asked Ms. Espana if she has read all the conditions on the Conditional Use Permit and Ms. Espana indicated affirmatively. Commissioner Harman asked that a restriction be placed on the outside vending machines. Ms. Breese indicated that this element would be included in the final Conditions of Approval.

Commissioner Grames-Lyra expressed concern with access to the site. Ms. Breese indicated that the site plan was reviewed by the Engineering Division with no additional comments or requirement and that since there is no change proposed to the existing configuration there will not be a CalTrans permit required.

It was moved by Commissioner Harman and seconded by Commissioner Ruhge that the Planning Commission certify the Negative Declaration and adopt Resolution No. 490 (06) approving CUP 06-04 to allow the operation of a market, based upon the Findings of Fact in the Resolution and subject to the attached Conditions of Approval. The motion passed on a roll call vote of 5-0.

5. **CHESTNUT CROSSING – MIXED USE INFILL DEVELOPMENT**
VESTING TENTATIVE SUBDIVISION MAP - LOM 552
ZONE CHANGE – ZC 05-06 / DEVELOPMENT PLAN - DR 05-36

The applicant is requesting review of a proposal to construct a mixed-use project, including residential and commercial uses with landscaping and parking at the northern entry to the City Old Town Commercial District. The applicant is requesting consideration of:

- Zone Change (ZC 05-06) on the parcels fronting G Street currently zoned *Central Business District (C-2)* to *Mixed Use (MU)*;
- Parcel Map (LOM 556) for 34 residential condominium and 19 commercial condominium units; and
- Development Plan (DR 05-37) architecture and site plan for approximately 27,550 square feet of commercial space and 62,590 square feet of residential including parking and landscaping to support the proposed uses for the project.

The existing structures will be removed and replaced with nine (9) new buildings of two (2) and three (3) stories.

The project site is comprised of seven (7) assessor parcel numbers (APN), generally located on the south side of Chestnut Avenue at North H Street, locally identified as the old Lompoc Ford dealership, and has a total area of 80,595 square feet as identified below:

Lot No	APN	Address	Area Sq. Ft.	General Plan	Zoning
1	085-081-01	239 North H St	14,007	Old Town Commercial	OTC
	085-081-02	233 North H St		Old Town Commercial	OTC
2 - 5	085-082-15	234 North H St	42,056	Old Town Commercial	OTC
	085-082-14	222 North H St		Old Town Commercial	OTC
6	085-082-03	231 North G St	24,532	Mixed Use	C-2
	085-082-04	227 North G St		Mixed Use	C-2
	085-082-05	223 North G St		Mixed Use	C-2

A Mitigated Negative Declaration (SCH No. 2006031105) has been prepared for the project pursuant to the requirement of the California Environmental Quality Act (CEQA).

City Planner Lucille Breese summarized the staff report.

PUBLIC HEARING OPEN

Public Hearing opened at 7:30 p.m.

Public Hearing closed at 7:45 p.m.

Jon Martin representing Martin Farrell Homes, project applicant – provided a Power Point presentation and discussed aspects of the proposal. He indicated that he would accept the Conditions of Approval (COA) however, he had concerns with specific COA. He was concerned with COA P49 regarding the number of affordable housing units that are required; COA 35 requiring pavers be installed in the sidewalk in front of the project; AT4 requiring a bus turnout in the project area; and EN8 requiring that utility lines to the project be placed underground.

Denny Anderson, Lompoc Chamber of Commerce – stated that the project will begin to define Old Town region, addresses in-fill issues, and provides opportunity for economic development. Mr. Anderson indicated that the applicant is meeting current city needs and provides a history of quality developments along the Central Coast. Mr. Anderson encouraged the Commission's support.

PUBLIC HEARING CLOSED

Commissioner Fink stated it may be best to forward questions on how the affordable housing is calculated to the City Council since it is a policy matter. He indicated that it would be appropriate for the Planning Commission to make a recommendation on the matter to the City Council for consideration. Commissioner Fink asked about AT4 (the bus turnout) and Ms. Breese indicated that this is a Public Works condition and suggested that the Commission may want to consider a continuance to allow the Public Works Department to address the Commission. Commissioner Fink asked about condition EL8 9 (undergrounding utility lines) and Ms. Breese suggested that the Commission may want to consider a continuance to allow the Utility Department to address the Commission. Commissioner Fink asked about the policy and practices of condition P49 (calculation of affordable housing units). Ms. Breese indicated that the policy exists in the City's General Plan, it has been the practice to 'round up' since a portion of a unit cannot be constructed, and it is not an option to pay an in-lieu fee in the Redevelopment Area.

Commissioner Harman asked Mr. Martin if space for a 440 gallon recycling container is available and Mr. Martin indicated that it could be accommodated on the site. Commissioner Harmon asked Mr. Martin the possibility of reducing the housing units by one and making the other units larger in order to meet the housing requirements. Mr. Martin indicated that this option would be more expensive to build, that the proposed units are large, approximately 2,000 square foot, noted that this is even possibly too large, noted the risk of selling condominiums, and would consider redesigning to provide the required six (6) affordable units.

Commissioner Grames-Lyra asked Mr. Martin if the bus turn out were relocated north of Chestnut, would there be more parking along H Street. Mr. Martin responded that the bus turn out is equivalent to nine (9) parking spaces. Commissioner Grames-Lyra asked if there would be a separation between the apartments on the second floor and business operation on the ground level. Mr. Martin stated that the commercial space is separate from the living

spaces above, that the condominiums on G Street (2 levels) are live/work and owned by one owner. Commissioner Grames-Lyra asked if there would be restrictions on business hours and Mr. Martin indicated negatively, citing that it is encouraged that some business be open in the evening hours. Commissioner Grames-Lyra asked if elevators will be available in the buildings and Mr. Martin answered affirmatively. Commissioner Grames-Lyra asked why the architecture differed on portions of the buildings. Mr. Martin stated that the building was purposefully intended to appear as though each section was added onto over time and that is was not one development. Commissioner Grames-Lyra stated that the architecture appears institutional and the towers appear overwhelming.

Commissioner Ruhge asked about the sidewalk pavers. Ms. Breese indicated the pavers are an Engineering condition and a part of the Old Town Specific Plan. The City will continue to replace pavers in some areas, however developers will be required to install pavers at new project sites. Ms. Breese stated that the Public Works department could address further concerns. Commissioner Ruhge stated that the project would be a great addition to the City. Commissioner Ruhge stated her agreement that the policy versus practice should be decided by the City Council, clarified that if the project was approved tonight is the applicant willing to accept the conditions, and asked that if the applicant and staff cannot agree on interpretation of certain conditions would the project return to the Planning Commission for consideration.

Commissioner Rodenhi and Commissioner Harman complimented the project design and architecture.

It was moved by Commissioner Harman and seconded by Commissioner Fink that the Planning Commission:

- 1) certify the Negative Declaration (MND), and
- 2) recommend that the City Council certify the Mitigated Negative Declaration (MND), and
- 3) adopt Resolution No. 494 (06) recommending that the City Council approve Zone Change ZC 05-06 for Assessor Parcel Numbers: 85-082-03, -04, -05 from *Central Business District (C-2)* to *Mixed Use (MU)*, and
- 4) adopt Resolution No. 495 (06) approving the Development Plan for the Chestnut Crossing development based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval, and
- 5) adopt Resolution No. 496 (06) approving Parcel Map LOM 552 based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval, and
- 6) to propose that Council consider an exception to allow the Chestnut Crossing development to provide five (5) affordable units instead of the required six (6) in exchange for the benefits that the project will provide to the community.

Commissioner Grames-Lyra complimented the project, agreed that the electrical condition appears to be too much for the developer to bear, and asked staff about possible additional parking area next to the theatre. Ms. Breese stated that the property is private and the City has no authority over its use.

The motion passed on a roll call vote of 5-0.

The Planning Commission took a break at 8:15 and resumed at 8:26 p.m.

6. **COASTAL MEADOWS - 42-UNIT RESIDENTIAL INFILL DEVELOPMENT**
VESTING TENTATIVE SUBDIVISION MAP - LOM 557 /ZONE CHANGE – ZC 05-07
/ PRELIMINARY/PRECISE DEVELOPMENT PLAN - DR 05-39

A request from Carlos Yanez of Coastal Vision, Inc, the property owner, for Planning Commission consideration of:

- Vesting Tentative Subdivision Map – LOM 557, creating 42 residential parcels and common areas;
- Zone Change – ZC 05-07, the proposed site is zoned *Medium Density Residential (R-2)* and the proposed use is permitted in this zone, the applicant is requesting a change to *Medium Density, Planned Development (R-2, PD)* to allow relaxation of minor development standards for the project; and
- Preliminary/Precise Development Plan – DR 05-39, to construct a 40-unit residential infill project on approximately 3.09 acres. The proposal will create approximately 36,690 square feet of residential space, and 48,422 square feet of open space. The residential units are proposed in sixteen (16) clusters of two (2) and three (3) unit town homes each.

Adjacent wetlands to the west of the project will remain as open space. The proposed project is located at 1275 North V Street (Assessor Parcel Number: 93-070-36). A Mitigated Negative Declaration (SCH No. 2006031092) has been prepared for the project pursuant to the requirement of the California Environmental Quality Act (CEQA).

City Planner Lucille Breese summarized the written staff report. She indicated that as a result of staff comments during the development stage of the project, the applicant had reduced the number of units from 42 to 40 to accommodate Solid Waste concerns.

PUBLIC HEARING OPEN

Public Hearing opened at 8:30 p.m.

Public Hearing closed at 9:04 p.m.

Richard Jenkins, resident – stated his opposition to the project and noted that it is too large and does not fit in the proposed area; noted concern with noise and foot traffic at the pool area; asked for clarification on the zone change; and expressed concern about asbestos on current building on site.

Steve Hay, resident – indicated concern with 50-foot easement buffer, placement of the recreational center, project density, and additional traffic on V Street. Mr. Hay stated his overall opposition to the project.

Debra Fettig, resident – thanked the developer for the consideration in changing the original three-story project to a two-story project; expressed concern for emergency services; noted the density of the project; and stated that the placement of two-story homes in the midst of single story homes is unacceptable.

Leroy Scolari, resident – expressed support of the infill project, noted that the proper zoning is in place for the project, and stated that the project will not negatively impact the area.

Jim Raggio, Lompoc Hospital Administrator – expressed support of the infill project and noted that this type of housing will assist with the work force shortage.

Marno Goetsch, resident – indicated his approval of the project.

Fred Cross, resident – indicated approval of the project.

Denny Anderson, Lompoc Chamber of Commerce – discussed concerns and difficulties in attracting entry-level professional workers to the area and indicated his approval of the project.

Alice Milligan, resident – indicated her support of the project; stated that the project preserved agricultural land; and noted that the blighted area will be greatly improved.

Valerie George, resident – stated her support of the project; read letters from Benjamin F. Hernandez and Frank Signorelli indicating support for the project; noted that the project was appropriately zoned, well designed, and that the developer has created a quality product, and indicated that she would like to see the project built.

Gloria Gaiten-Terrones, resident – stated she is the daughter of the original property owner; noted her approval of the project design for the site; and expressed her support of the project.

PUBLIC HEARING CLOSED

Commissioner Harman questioned the discussion in the Mitigated Negative Declaration (MND) regarding the amount of fill dirt required. Mark Austin representing Impact Sciences who prepared the MND, Mario Alarcon of Triad Holmes Engineering representing Coastal Vision, and Carlos Yanez of Coastal Vision addressed the issue and stated that the actual amount of fill would be less than identified in the document.

Commissioners Harman and Fink discussed the location of the pool with the applicant and possible methods of lessening the potential impact on neighboring property owners. Mr. Yanez explained that they had attempted to locate the amenity in other locations but there was an impact at any location.

Commissioners Grames-Lyra, Rodenhi, and Ruhge commented on the attractiveness of the project, how well it fit onto the site, and indicated support for this type of infill project to meet the residential needs of the community.

It was moved by Commissioner Grames-Lyra and seconded by Commissioner Ruhge that the Planning Commission:

- 1) certify the Negative Declaration (MND), and
- 2) recommend that the City Council certify the Mitigated Negative Declaration (MND), and
- 3) adopt Resolution No. 491 (06) recommending that the City Council approve Zone Change ZC 05-07 for the property at 1275 North V Street (Assessor Parcel Number: 93-070-36). from *Medium Density Residential (R-2)* to *Medium Density Residential, Planned Development (R-2, PD)*, and
- 4) adopt Resolution No. 492 (06) recommending that the City Council approve the Preliminary/Precise Development Plan for the 40 unit Coastal Meadows residential development based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval, and
- 5) adopt Resolution No. 493 (06) approving Parcel Map LOM 557 based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.

7. **TA 06-03 – TEXT AMENDMENT**

Planning Commission consideration of a Text Amendment to the City's Zoning Ordinance to amend Chapter 5, Section 8862 -- Non-Conforming Structures. The proposed Text Amendment will provide flexibility by allowing the Planning Commission to individually consider requests for Conditional Use Permits to allow deviation from certain development standards for existing uses where a previously developed property is being expanded and improved within the allowed zoning. If adopted, the Ordinance will be effective Citywide. A Negative Declaration has been prepared for this project in accordance with the California Environmental Quality Act (CEQA).

City Planner Lucille Breese summarized the written staff report.

PUBLIC HEARING OPEN

Public Hearing opened at 9:27 p.m.

Public Hearing closed at 9:28 p.m.

Commissioner Harman cited the need for the Text Amendment.

It was moved by Commissioner Fink and seconded by Commissioner Ruhge that the Planning Commission adopt Resolution No. 497 (06) recommending that the City Council certify the Negative Declaration and adopt Text Amendment TA 06-03, amending the Zoning Ordinance section related to the Non-Conforming Uses, Structures, and Lots. The motion passed on a roll call vote of 5-0.

NEW BUSINESS: -- None

ORAL COMMUNICATIONS: -- None

WRITTEN COMMUNICATIONS: -- None

DIRECTOR/STAFF COMMUNICATIONS:

Ms. Pelster advised the Commission that the July 4th City Council meeting has been cancelled. Ms. Pelster also advised the Commission that the staff may request a second meeting in July if enough projects are ready for review.

COMMISSION REQUESTS:

Commissioner Ruhge requested that the letter be sent to Saletti's Restaurant requesting that the lattice be removed from the patio area, the Commission concurred.

NUMBER OF PEOPLE IN ATTENDANCE: 40

ADJOURNMENT:

It was moved by Commissioner Fink and seconded by Commissioner Ruhge that the Planning Commission adjourn to the Regular Meeting scheduled for July 10, 2006. The motion passed on a voice vote of 5-0. The meeting was adjourned at 9:40 p.m.

Arleen T. Pelster, AICP
Secretary

Jack Rodenhi
Chair