

**MINUTES OF THE REGULAR MEETING  
OF THE LOMPOC PLANNING COMMISSION  
September 11, 2006**

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

**ABSENT:** None.

**STAFF:** Community Development Director Arleen Pelster  
City Planner Lucille Breese  
Assistant City Attorney Matthew Granger  
Associate Planner Keith Neubert  
Planning Intern Gina Lopez  
Staff Assistant Angela Wynne

**APPROVAL OF MINUTES:**

It was moved by Commissioner Fink and seconded by Commissioner Rodenhi to approve the Minutes of August 14, 2006, with corrections to Agenda Item 2. The motion passed on a voice vote of 5-0.

**ORAL COMMUNICATIONS:**

Dave Pierce, resident – noted large quantities of dust on West Central Avenue from the Sea Breeze construction site, stated concern that agreement with developer regarding dust control is not being enforced, and indicated that a call had been placed to the Air Pollution Control District.

Ms. Breese indicated that an engineering inspector has been on the project site, that the City does have a dust abatement plan on file, and reported on the project's progress. Ms. Breese stated that it is the opinion of the Engineering Division that the dust is being controlled to the best of the developer's ability.

Commissioner Harman indicated that he had spoken with the engineering inspector about the project site's dust and had observed a tremendous amount of dust at the site. Commissioner Harman suggested that work on the project cease until the dust is controlled. Commissioner Harman stated that action should be taken immediately.

Commissioner Rodenhi clarified that the Mitigated Monitoring program is approved by the Planning Commission and that perhaps this issue should be discussed at the Joint Council Meeting. Commissioner Fink agreed with Mr. Pierce and Commissioner Harman, noting his

observations of the dust and mud on Central Avenue. Ms. Breese restated the date of the Joint Council/Commission Meeting.

Don Kirsh stated his agreement with prior comments, noted his expectations of predictable levels of dust, and indicated that the dust resulting from this project is excessive.

**CONSENT CALENDAR:**

**1. LOM 528 – VESTING TENTATIVE SUBDIVISION MAP TIME EXTENSION**

A request for an extension of time submitted by Kerry Moriarty, the property owner, for Vesting Tentative Subdivision Map LOM 528 to subdivide a 41,650 square-foot parcel of land into 16 parcels. The property is located in the *High Density Residential, Planned Development (R-3, PD)* Zoning District at 115 South Third Street (Assessor Parcel Number: 85-150-47). The time extension request is Categorically Exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

**2. LOM 538 – TENTATIVE SUBDIVISION MAP TIME EXTENSION**

A request for an extension of time submitted by Sue Ehrlich, representing the Lompoc Housing and Community Development Corporation (LHCDC), the property owner, for Tentative Subdivision Map LOM 538 to subdivide a 14,000 square foot parcel of land to create five (5) residential condominiums. The property is located in the *High Density Residential, Planned Development (R-3, PD)* Zoning District at 516 North T Street (Assessor Parcel Number: 89-161-12). The time extension request is Categorically Exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

It was moved by Commissioner Fink and seconded by Commissioner Ruhge that the Planning Commission approve the Consent Calendar. The motion passed on a voice vote of 5-0.

**PUBLIC HEARING ITEMS:**

**1. ZONE CHANGE – ZC 06-01, CONDITIONAL USE PERMIT – CUP 06-01  
**Continued from July 10, 2006****

A request by Peikert Group Architects representing Lompoc Housing & Community Development Corporation (LHCDC) for a Conditional Use Permit (CUP 06-01) and Zone Change (ZC 06-01) to allow the construction and operation of the Casa del Desarrollo project at 114 South K Street (Assessor Parcel Numbers 91-102-18 & -19).

The proposal is for a single room occupancy (SRO) facility with 19 studio units, approximately 400 square feet in size, and a 1,080 square foot community room, including an office and restrooms for use by the residents. The proposed SRO will include on-site management of the facilities and oversight of the residents. All units will be targeted to single person households at or below 35% of Santa Barbara County medium income. A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

City Planner Lucille Breese noted that the project applicant has requested that the Public Hearing be continued.

It was moved by Commissioner Fink and seconded by Commissioner Harman that the Planning Commission continue this item. Commissioner Harman requested that floor plans be submitted for consideration. The motion passed on a vote of 4-0-1 with Commissioner Grames-Lyra abstaining.

## **2. LOM 563-P – TENTATIVE PARCEL MAP**

A request by Morris Sobhani, the applicant, for Planning Commission consideration of a proposal to subdivide an approximately 1.62 acre parcel of land into two (2) parcels. The site is located in the *Planned Commercial Development (PCD)* Zoning District at 209 West Pine Avenue (Assessor Parcel Number: 89-070-49). A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

Associate Planner Keith Neubert summarized the staff report.

### **PUBLIC HEARING OPEN**

Public Hearing opened at 6:47 p.m.  
Public Hearing closed at 6:50 p.m.

Morris Sobhani, Owner – indicated his agreement of the conditions as stated but expressed confusion with the Fire and Building conditions. Commissioner Rodenhi indicated they were standard.

### **PUBLIC HEARING CLOSED**

It was moved by Commissioner Ruhge and seconded by Commissioner Grames-Lyra that the Planning Commission certify the Negative Declaration and adopt Resolution No. 509 (06) approving LOM 563-P, a Tentative Parcel Map, 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. DR 06-11 – DEVELOPMENT PLAN REVIEW**

A request by Steve Rarig of Rarig Construction, representing the property owner, for Planning Commission consideration of a proposal to construct an 18,000 square-foot warehouse building including parking and landscaping. The proposed project is located on the north side of the 1200 block of West Chestnut Avenue in the *Commercial Industrial (CM)* Zoning District (Assessor Parcel Number: 91-040-61). This action is exempt pursuant to the California Environmental Quality Act (CEQA).

Associate Planner Keith Neubert summarized the written staff report.

#### **PUBLIC HEARING OPEN**

Public Hearing opened at 6:52 p.m.

Public Hearing closed at 7:02 p.m.

Steve Rarig, Rarig Construction – indicated agreement with the Conditions of Approval.

Commissioner Harman noted staff concerns with the project's western elevations and asked Mr. Rarig if revisions had been submitted. Mr. Rarig replied that the revisions will be similar to the southern portion of the building and those revisions will be discussed with Planning staff.

Kevin Hall, resident – asked what would be stored in the warehouse and provided the Commission with two (2) pictures (described as depicting the dumping of hazardous materials). Mr. Hall expressed concern with potential property value and requested that a wall and trees be added to the project to offset an industrial look.

Charlie Wilks, Wilco Maintenance Supervisor –stated that chemicals are not stored within the warehouse and provided an explanation of the company's operations. Mr. Wilks noted that the building is strictly for storage, the operation is monitored by government regulations, and that landscaping will be placed in the Chestnut Avenue setback. Mr. Wilks indicated that the warehouse will be strictly utilized for storage of cardboard, plastic containers, and finished product.

#### **PUBLIC HEARING CLOSED**

Commissioner Harman asked Mr. Neubert to explain the plan for circulation of truck traffic. Mr. Neubert responded that truck traffic would utilize Chestnut Avenue. Commissioner Fink stated that with the construction of the warehouse, the applicant will reduce the amount of truck traffic to one occurrence per month, and indicated his approval of the project.

It was moved by Commissioner Fink and seconded by Commissioner Ruhge that the Planning Commission adopt Resolution No. 510 (06) approving DR 06-11 allowing the construction of a warehouse building, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval. The motion passed on a vote of 4-1 with Commissioner Harman voting no.

Commissioner Rodenhi suggested that Mr. Hall contact Mr. Wilks to review the Wilco operation.

#### 4. **CUP 06-07 – CONDITIONAL USE PERMIT**

A request by John Anton of Anton and Associate, representing Lompoc Foursquare Church, for Planning Commission consideration of a proposal for a Conditional Use Permit to allow an approximately 1,995 square foot addition to an existing two-story church building. The site is located in the *Commercial Office (CO)* Zoning District at 125 North C Street (Assessor Parcel Numbers: 85-133-03, 04). A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

Associate Planner Keith Neubert summarized the written staff report.

#### **PUBLIC HEARING OPEN**

Public Hearing opened at 7:08 p.m.

Public Hearing closed at 7:10 p.m.

Bernie Federman, Pastor – indicated that the plan revised was smaller than the Planning Commissioner had previously approved.

Steve Reese, Anton & Associate – indicated that the project was the same as previously approved, only scaled down with minor internal changes made for budgetary reasons.

#### **PUBLIC HEARING CLOSED**

Commissioner Harman complimented the project architecture.

It was moved by Commissioner Harman and seconded by Commissioner Fink that the Planning Commission certify the Negative Declaration and adopt Resolution No. 517 (06) approving CUP 06-07 allowing the sanctuary expansion, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval. The motion passed on a vote of 5-0.

## **5. DR 06-13 – DEVELOPMENT PLAN REVIEW**

A request by Steve Rarig of Rarig Construction, representing the property owner, for Planning Commission consideration of a proposal to construct an approximately 30,000 square foot building to be utilized for wine processing. The proposed project site is located at the terminus of Aviation Drive in the *Business Park (BP)* Zoning District (Assessor Parcel Number: 93-450-53). A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

Associate Planner Keith Neubert summarized the written staff report.

Commissioner Ruhge asked if the developer will be developing Barton Avenue along the project frontage and Mr. Neubert affirmed that Barton Avenue will be constructed by the development of each parcel (to Aviation Drive) and that there will be access to the project from both Barton Avenue and Aviation Drive.

### **PUBLIC HEARING OPEN**

Public Hearing opened at 7:14 p.m.

Public Hearing closed at 7:16 p.m.

Steve Rarig, Rarig Construction – indicated agreement with all stated Conditions of Approval and requested clarification on EN 32 (on page 12), noting that the intent is to begin the grading of the project site while Barton Avenue is being constructed. Mr. Rarig agrees not to take occupancy of the building until Barton Avenue is completed. Mr. Neubert indicated that consultation with the Engineering Division would need to occur.

### **PUBLIC HEARING CLOSED**

Commissioner Ruhge noted that this project was consistent with the City's attempts to encourage the wine industry.

It was moved by Commissioner Ruhge and seconded by Commissioner Rodenhi that the Planning Commission certify the Negative Declaration and adopt Resolution No. 519 (06) approving DR 06-13 allowing the construction of a wine processing facility, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.

Commissioner Grames-Lyra inquired about loading dock space, noting that the plans allow for one truck and asked about positioning of a second truck. Mr. Neubert stated that a requirement would be added to the site plan and to the plan check. Commissioner Fink asked about Condition EN32 and allowing staff to work through the details. Mr. Granger indicated that staff would coordinate the timing.

The motion passed on a vote of 5-0.

## **6. CUP 06-06 – CONDITIONAL USE PERMIT**

A request by John Anton of Anton and Associate, representing Joe Barto, for Planning Commission consideration of a proposal for a Conditional Use Permit to allow adjustment of the front yard setback in conjunction with development of a site which contains existing structures and fences. The property is located at 300 North G Street in the *Commercial Manufacturing (CM)* Zoning District (Assessor Parcel Number: 85-022-02). A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

City Planner Lucille Breese summarized the written staff report.

### **PUBLIC HEARING OPEN**

Public Hearing opened at 7:20 p.m.

Public Hearing closed at 7:25 p.m.

Steve Reese, Anton & Associate – indicated that the Conditional Use Permit would allow a better utilization of the project site.

John Linn, resident – indicated his approval of the project and thanked Mr. Barto for the improvements being made to the area.

Ray Leslie, resident – indicated his approval of the project and noted the amount of weeds and trash in various commercial sites in the City.

### **PUBLIC HEARING CLOSED**

It was moved by Commissioner Grames-Lyra and seconded by Commissioner Harman that the Planning Commission adopt certify the Mitigated Negative Declaration and adopt Resolution No. 520 (06) approving CUP 06-06, a Conditional Use Permit to allow deviation from the certain Development Standards of the Zoning Ordinance, based upon the Findings of Fact in the Resolution and subject to the attached Conditions of Approval. The motion passed on a vote of 5-0.

## **7. DR 06-14 – DEVELOPMENT PLAN REVIEW**

A request by Jorge Magana representing El Toro Bronco Restaurant, for Planning Commission consideration of a proposal to change the colors on the existing building. The restaurant is located at 1002 North H Street in the *Planned Commercial Development (PCD)* Zoning District (Assessor Parcel Number: 87-011-013). This action is exempt from review pursuant to the California Environmental Quality Act (CEQA).

City Planner Lucille Breese summarized the written staff report.

## **PUBLIC HEARING OPEN**

Public Hearing opened at 7:30 p.m.  
Public Hearing closed at 7:34 p.m.

Lilia Mendoza, owner – indicated that the proposed changes will assist with the visibility of her business, noted that the shopping center owner does not oppose color changes, and informed the Commission of the City Beautification Award recently received by the business.

## **PUBLIC HEARING CLOSED**

Commissioner Ruhge agreed with the proposed color change, noting that it will be a nice addition to the area. Commissioner Harman stated that the business owner is taking a positive approach to attract customers and indicated his agreement with Commissioner Ruhge.

It was moved by Commissioner Harman and seconded by Commissioner Fink that the Planning Commission provide positive direction to staff and the applicant regarding the color choices for the building. The motion passed on a vote of 5-0.

The Commission took a 10-minute break from 7:40 p.m. to 7:50 p.m.

## **8. ZONE CHANGE – ZC 06-05**

Planning Commission consideration of a comprehensive revision to the City's Zoning Map affecting parcels throughout the City of Lompoc. The City proposes to achieve consistency between the Land Use Element Map of the General Plan and Zoning Map for conformance with the General Plan.

If adopted, the proposed Zone Change will be effective on designated properties to conform to the General Plan. A Negative Declaration has been prepared for this project in accordance with the California Environmental Quality Act (CEQA).

Planning Intern Gina Lopez summarized the written staff report.

Commissioner Fink asked if the zone change would change any use of current property owners. Ms. Breese clarified that since the adoption of the General Plan Land Use Element in 1997, all property had to be developed in conformance with the General Plan designation. She indicated that applicants had to process a Zone Change and incur the cost and time involved. This action by the City would make the Zoning Map consistent as required by State law and simplify the development process for future applicants.

## **PUBLIC HEARING OPEN**

Public Hearing opened at 8:02 p.m.  
Public Hearing closed at 8:44 p.m.

Morris Sobhani, business owner – requested that the Planning Commission continue the item until the General Plan can be revisited. Mr. Sobhani provided the Commission a history of his property and expressed concern over tenant limitations which could result in increased vacancy rates.

John Linn, resident – presented a written document, stated that the notice was legally inadequate, stated he felt that a new or supplemental Environmental Impact Review was necessary for the Zone Change, stated that the bulk of tenants will be required to obtain Conditional Use Permit, and that the General Plan is too far out of date to rely on.

Tom King, resident – indicated that he has recently developed two industrial properties and that he was not advised of zone changes.

Archie Nogle, resident – asked how the zone change will affect his property and stated his disapproval of any changes affecting his property.

Martha Barajas, resident – stated her opposition to the proposed change and stated that the proposed change is inconsistent with conditions in her neighborhood.

Jonatha Linn, resident – indicated her opposition to the zone change, referring specifically to property she owns on Riverside Drive.

Nicholas Gonzales, resident – indicated opposition to and confusion with the zone change, expressed concern with the number of parcels involved and the potential reduction of use, and concurs with Mr. Sobhani that the General Plan should be revisited. Mr. Gonzales stated that the Planning Commission works to increase affordable housing and the zone change would result in reduction in the number of future units.

Mary Leach, resident – indicated she was on the Planning Commission in the 1980's and on the General Plan Advisory Committee (GPAC) when the Land Use changes were recommended. She noted that the life of a General Plan is approximately 20 years. Ms. Leach stated that she did not receive the notice of proposed zone change, requested the Planning Commission revisit the General Plan, and noted that the proposed changes should have occurred years ago.

Jim Dixon, resident – concurred with Ms. Leach and Mr. Sobhani, citing that to make changes nine years after the General Plan approval is not prudent. Mr. Dixon indicated that the Zoning Ordinance is over 30 years old and its application to new development is not acceptable.

Darrell Tullis, local business owner – asked that the Planning Commission recommend updating the General Plan and insure that property owners are not economically impacted.

Charles Eckert, resident – stated confusion with the proposal and is concerned that potential value is being taken away from property owners.

Ray Leslie, resident – indicated his agreement with all prior speakers regarding this issue.

Joe Barto, resident and business owner – indicated concern with future property value and ability to sell, and requested the Planning Commission reconsider the proposal.

Kimberly Smith, business owner – indicated opposition to the proposal and stated that she had specifically looked for industrial land when purchasing property.

### **PUBLIC HEARING CLOSED**

Commissioner Grames-Lyra expressed concern with the public comments heard and controversy expressed.

Commissioner Rodenhi asked Mr. Granger about the process of adopting the Zoning Ordinance and the General Plan. Mr. Granger indicated that the General Plan was adopted in 1997 and that projects are reviewed on a case-by-case basis. Mr. Granger clarified that the recommendation the Planning Commission is making to the City Council is to make the Zoning Map consistent with the General Plan Land Use Element. He noted that complaints could be appropriately addressed to the City Council at the future Public Hearing.

Commissioner Fink asked if the Commission is obligated to take action on this agenda item and asked Mr. Granger if the Planning Commission has the legal authority to proceed. Mr. Granger responded that it is the Commission's charge to make a recommendation on the Zone Change to the City Council. The Council can consider directing an update to the General Plan or the Environmental Impact Report (EIR).

Commissioner Ruhge expressed concern with the amount of time that has elapsed since the adoption of the General Plan.

It was moved by Commissioner Fink and seconded by Commissioner Rodenhi that the Planning Commission certify the Negative Declaration, approve Planning Commission Resolution No. 518 (06) recommending that the Council approve Zone Change ZC 06-05, and recommend that the City Council consider updating the General Plan based on the amount of public interest and the amount of time that has elapsed since the General Plan was adopted.

Commissioner Harman asked about State guidelines for General Plan updates. Ms. Pelster noted that the Housing Element must be updated every five (5) years and advised that the City has a current, certified Housing Element in place. Commissioner Rodenhi commented that this action was to make the Zoning Map consistent with the General Plan Land Use Map.

The motion passed on a roll call vote of 3-2 with Commissioner Grames-Lyra and Commissioner Ruhge voting no.

Commissioner Fink encouraged those citizens who spoke opposition to this agenda item to express their opinions at the next City Council meeting.

**NEW BUSINESS:** None

**ORAL COMMUNICATIONS:** None

**WRITTEN COMMUNICATIONS:** None

**DIRECTOR/STAFF COMMUNICATIONS:**

Ms. Pelster noted that the Joint Meeting with the City Council is scheduled for September 19, 2006 and that the Commission will receive an update on the current staffing of the Planning Division prior to the meeting. Ms. Breese indicated that there are business items on the October 9, 2006 Planning Commission meeting.

**COMMISSION REQUESTS:**

Commissioner Fink indicated that a 30-minute Joint Meeting with City Council is not adequate to discuss concerns of the Commission and requested additional meeting time. Ms. Pelster suggested the meeting begin at 6:00 p.m. and indicated that this request will be forwarded to the City Administrator for consideration.

Commissioner Fink requested that staff review the dust abatement plan for Sea Breeze, noting the dust is creating a nuisance for nearby residents. Commissioner Fink indicated that dust from the City Corporate Yard (on Laurel Avenue) should also be looked into.

**NUMBER OF PEOPLE IN ATTENDANCE:** 48

**ADJOURNMENT:**

It was moved by Commissioner Fink and seconded by Commissioner Rodenhi that the Planning Commission adjourn to the Regular Meeting scheduled for September 11, 2006. The motion passed on a voice vote of 5-0. The meeting was adjourned at 9:05 p.m.

---

Arleen T. Pelster, AICP  
Secretary

---

Jack Rodenhi  
Chair