

**MINUTES OF THE REGULAR MEETING
OF THE LOMPOC PLANNING COMMISSION
May 12, 2004**

ROLL CALL: Commissioner Jack Rodenhi
 Commissioner Ralph Harman
 Commissioner Ann Ruhge
 Commissioner Ron Fink

ABSENT: Commissioner Ed Shoemaker

STAFF: City Planner Lucille Breese
 Assistant City Attorney Matt Granger
 Staff Assistant Angela Wynne

APPROVAL OF MINUTES:

On a motion by Commissioner Fink and seconded by Commissioner Harman, the Minutes of the April 12, 2004 were approved on a voice vote of 3-0-2 with Commissioner Ruhge abstaining and Commissioner Shoemaker absent.

ORAL COMMUNICATIONS:

None.

CONSENT CALENDAR:

(All items listed under Consent Calendar are considered to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the time the Commission votes on the motion to adopt.)

PUBLIC HEARINGS:

1. CUP 97-01 – CONDITIONAL USE PERMIT

A request was submitted by James W. Smith, representing the Word of Grace Christian Centre, for Planning Commission consideration of a Conditional Use Permit for the expansion of the Word of Grace Christian Centre. The church is currently located at 1012 North H Street in suites B, E, and F. The proposal includes relocating the sanctuary from suite B to 1010 North H Street; suite B will be retained for church offices. No changes are proposed for the fellowship areas in suites E and F. The site is zoned *Planned Commercial Development (PCD)* (Assessor Parcel Number: 87-011-13). A Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA)

City Planner Lucille Breese summarized the written report.

PUBLIC HEARING:

Public Hearing opened at 6:35 p.m.

Public Hearing closed at 6:36 p.m.

Public Hearing Closed.

Commissioner Harman questioned prior use of this property, which City Planner Lucille Breese identified as commercial. Commissioner Harman also asked if this use required additional documentation regarding the availability of the property for the primary uses and Ms. Breese indicated notice was not required in the *Planned Commercial Development* zone.

It was moved by Commissioner Fink, seconded by Commissioner Ruhge, that the Planning Commission adopt Resolution 344 (04) approving CUP 97-01 for an expansion of the Word of Grace Christian Centre based on the Findings of Fact noted in the Resolution and subject to the attached Conditions of Approval. The motion passed on a voice vote of 4-0-1, with Commissioner Shoemaker absent.

**2. LOM 532 TENTATIVE SUBDIVISION MAP, ZC 03-05 ZONE CHANGE, DR 03-16 PRELIMINARY/PRECISE DEVELOPMENT PLAN
Withdrawn at the request of the applicant**

A request by Don Popma, the property owner, for Planning Commission review and consideration of:

- 1) LOM 532 – a Tentative Subdivision Map requesting subdivision of a 49,000 square-foot parcel of land into 4 parcels for condominium purposes.
- 2) ZC 03-05 – a Zone Change proposal to amend the City's Zoning Map designation for the site. The current Zoning Map designations for the site are *High Density Residential (R-3)* and *High Density Residential, Planned Development (R-3, PD)*; the applicant is requesting a change to *High Density Residential, Planned Development (R-3, PD)* which would conform to the City's General Plan Designation for the site of *High Density Residential*. The Planned Development designation is requested to allow an adjustment of the setbacks and minimum building separation requirements for the project.
- 3) DR 03-16 – a Preliminary/Precise Development Plan for the construction of a 24-unit complex; six (6) units on each lot, including on-site parking and landscaping.

It is proposed that the project be constructed in phases; each phase consisting of six (6) units on one lot, including on-site parking and landscaping. The project is located at 302 East Maple Avenue (Assessor Parcel Numbers: 87-251-01, 13). A Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

3. DR 04-05 - PLANNING COMMISSION INTERPRETATION

A request by David Pick of Pick Properties, for a Planning Commission determination that a 71,550 square foot storage facility with accessory services and a caretaker unit is an allowable use in the *Business Park* District in accordance with Section 8453.5 of the Zoning Ordinance. The applicant proposes to construct such a facility in the *Business Park* District on a 5.12-acre portion of Assessor Parcel Number 93-450-39; however, the proposed use is not a permitted use in this District. The proposed location is at the northeast corner of North O Street and Aviation Drive, north of the existing Wal-Mart facility and south of the City of Lompoc Airport. This action is statutorily exempt pursuant to Section 15270, Projects which are disapproved, of the California Environmental Quality Act (CEQA).

City Planner Lucille Breese summarized the written report and outlined the Environmental Review process that staff was utilizing to the Commission.

PUBLIC HEARING:

Public Hearing opened at 6:43 p.m.
Public Hearing closed at 7:15 p.m.

Commissioner Ruhge inquired as to the cost and staff time involved with an applicant requesting General Plan Amendment and Zone Change. City Planner Lucille Breese stated that such a request would be processed concurrently with the Development Plan and requires an additional public hearing by the Council.

David Pick of Pick Properties identified himself as the project developer, a member of the City of Solvang Planning Commission, and other offices held. Mr. Pick stated that he had recognized a demand for self-storage in Lompoc. Mr. Pick is seeking to build warehouses for small businesses including freight forwarding, storage of items, and periodic displays. He noted that in his research he disagreed with the staff and had determined that storage is allowable in the *Business Park Zone*, according to the State General's Office's definition of storage. He indicated that he has spent \$24,000 to prepare project plans and the required boards and is seeking an answer as to why storage is being denied in this area when the City has not yet properly defined a storage facility. Mr. Pick stated that by accepting deliveries for businesses, this project is exempt from the Self Storage Service Act. Mr. Pick provided an exhibit outlining a current tenant list at other facilities. Mr. Pick stated that this business differentiates from regular self-storage in that this facility has 24-hour accessibility and record retrieval (both pick-up and storage). The walls in the building are non-weight

bearing, enabling customers to increase or decrease the rental space as needed. Each rental space has individual door locks and 24-hour security cameras. Mr. Pick indicated that this project will employ more employees per acre than nearby businesses and asks for the Planning Commission's support.

Commissioner Rodenhi asked about the employment potential for the project. Mr. Pick replied that the business would employ approximately 12 full time employees, including 2-3 employees in record retrieval, office staff, and a caretaker. Mr. Pick also noted that one rental unit will be utilized for freight forwarding and perhaps several units for small truck and equipment rental. Mr. Pick stated that 12 parking spaces are proposed on the project site. Commissioner Ruhge asked Mr. Pick if it would be a problem if the zoning of this site were changed to a commercial zone. Mr. Pick stated that City staff would still oppose the change but it would not change the use of the business. Commissioner Harman discussed Mr. Pick's definition of warehouse versus mini-storage and the method of accepting deliveries for businesses.

Commissioner Fink asked Assistant City Attorney Matt Granger if this business fits into the definition of a *Business Park*. Mr. Granger indicated that by Mr. Pick's admission, this business is a hybrid and noted that a certain percentage of time the business operates as a self-storage facility. Mr. Granger stated that the Commission has the discretion to allow this business to be established in the *Business Park Zone*. Mr. Granger indicated that staff's concern is that if this business is allowed to operate in the zone, a precedent will be set to allow similar businesses to operate in the *Business Park* zone.

Commissioner Fink discussed the FAA occupancy limits adjacent to runways and indicated that he was considering asking the applicant to request a zoning change.

Commissioner Rodenhi asked Mr. Granger for additional information, self-storage designation versus warehouse designation. Mr. Granger clarified that the question before the Commission is if this type of self-storage is a proper usage with the *Business Park Zone* and he advised the Planning Commission that they have the authority to allow the use. Commissioner Rodenhi stated that this business appears significantly different from traditional self-storage due to the employment of 12 individuals.

Commissioner Harman indicated that this project looks like a self-storage facility. He is concerned about a pattern of a project being approved, then completed by another developer with changes to the initial project.

A motion by Commissioner Harman, seconded by Commissioner Fink, that the Planning Commission adopt Resolution No. 345 (04) to determine that mini-storage uses are not permitted in the *Business Park* District.

Commissioner Fink stated that he views this project as a strong opportunity to be a successful business and believes that the land should be re-zoned. Commissioner Ruhge

stated that she would not support the resolution as this property is difficult to build on and this business is advantageous to local small businesses. Commissioner Rodenhi indicated that a significant amount of work will need to be performed if the project is to go forward and that a zoning change will require additional work also. He commented that he is not persuaded that this business is different from a storage facility. Commissioner Harman noted that he does not care to see the *Business Park Zone* allow mini-storage facilities and believes that there are other parcels of land available for a project of this nature. Commissioner Fink questioned if the Planning Commission will hear this project again and Ms. Breese stated that the Development Plan would be reviewed by the Planning Commission. Commissioner Rodenhi asks what a re-zoning request would place on the Planning staff workload.

On a roll call vote 2-2-1, the motion failed with Commissioner Harman and Commissioner Fink voting yes, Commissioner Rodenhi and Commissioner Ruhge voting no, and Commissioner Shoemaker absent.

Mr. Pick stated that other jurisdictions had approved the use and stipulated strict conditions that differentiated this type of facility from what is commonly known as 'self-storage'. Mr. Pick indicated that factors distinguishing a warehouse from a self-storage; operates a minimum of 18 hours daily, must conform and accept warehouse deliveries, and cannot collect delinquencies and overdue bills. Mr. Pick stated that he could present staff with these specific conditions. Upon request of Commissioner Harman, Mr. Pick indicated that the City of Palm Desert and the City of Riverside are two cities that have these specific conditions regarding warehouse facility operation.

On a motion by Commissioner Fink, seconded by Commissioner Ruhge, the Planning Commission agreed to continue this item to the June meeting, allowing the applicant and staff time to meet and review Mr. Pick's information. The motion passed on a roll call vote of 3-1-1, with Commissioner Ruhge, Commissioner Rodenhi, and Commissioner Fink voting yes, Commissioner Harman voting no, and Commissioner Shoemaker absent.

Mr. Granger will also review the Conditions of Approval submitted by Mr. Pick. Commissioner Harman asked staff to obtain Conditions of Approval from this project located in the City of Riverside and any other cities with similar projects.

NEW BUSINESS:

1. Election of a Planning Commission Chair.

On a motion by Commissioner Fink, seconded by Commissioner Ruhge, the Planning Commission will continue this item until all Commissioners are present.

ORAL COMMUNICATIONS:

None.

WRITTEN COMMUNICATIONS:

None.

DIRECTOR/STAFF COMMUNICATIONS:

City Planner Lucille Breese announced the addition of two Planning Technicians to the department, Laurie Tyler and Michael Conger.

Ms. Breese advised the Commission that an Appeal of the Planning Commission Determination regarding the project at F Street and College Avenue would be presented to the City Council at the May 18, 2004 Council meeting.

Ms. Breese stated that she had spoken with Mr. Hill of the Pactuco building regarding the amount of storage in the rear of the building. Mr. Hill will work with staff on the problem.

Ms. Breese informed the Commission of the Home Depot construction status.

COMMISSION REQUESTS:

Commissioner Fink stated that the west side of the City Yard sidewalk area on Laurel Avenue is in need cleaning (weeds, debris, etc).

Commissioner Rodenhi asked about the Pedigo project grading. Ms. Breese stated that during construction the Engineering Division is provided certifications that work is performed according to plan. There was a brief discussion of this project's grading.

Commissioner Rodenhi questioned the placement of second story windows in the Walnut Village project. Commissioner Fink noted that the City Fire Chief had attended a Planning Commission meeting to clarify the code requirements for second story windows. Commissioner Harman noted that this project was originally denied by the Planning Commission, later to be approved by the City Council.

NUMBER OF PEOPLE IN ATTENDANCE: 4

ADJOURNMENT:

On a motion by Commissioner Rodenhi and seconded by Commissioner Fink, the meeting was adjourned 8:35 p.m.

Arleen T. Pelster, AICP
Secretary

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Jack Rodenhi
Chair