

**MINUTES OF THE REGULAR MEETING
OF THE LOMPOC PLANNING COMMISSION
June 10, 2015**

ROLL CALL: Commissioner Federico Cioni
Commissioner Allan Clark
Commissioner Ron Fink - absent
Commissioner Mary Leach
Commissioner Jack Rodenhi

STAFF: Planning Manager Lucille Breese
Assistant City Attorney Jeff Malawy

ORAL COMMUNICATIONS -- None

CONSENT AGENDA -- None

PUBLIC HEARING ITEMS:

1. DR 14-11 -- Development Plan Review

A request from Gilda Cordova, representing Lompoc Land Holding LLC, for Planning Commission consideration of a proposal to construct a four-story hotel with parking and landscaping. The hotel is approximately 108,000 square feet and includes 156 guestrooms, meeting rooms, a dining area, and a swimming pool. The proposed project site is approximately 2.8 acres and is located at 1201 North H Street in the *Planned Commercial Development (PCD)* Zoning District (Assessor Parcel Number: 089-490-013). A Mitigated Negative Declaration has been prepared for the project pursuant to the requirements of the California Environmental Quality Act (CEQA).

Planning Manager Lucille Breese summarized the written staff report and noted a minor correction to Conditional of Approval (COA) S4.

OPEN PUBLIC HEARING

John Linn, resident – displayed the previously approved elevations; discussed history of the project; noted changes to building code and zoning ordinance since the original approval; indicated the proposed project was a 4-star hotel that would be a benefit to the community as other projects develop; and asked for Commission approval.

Gilda Cordova, Atul Patel, Saida Patel, applicants – agreed with proposed COA; stated they were anxious to begin the project; and requested approval of the project.

CLOSE PUBLIC HEARING

The Commission concurred that the project would be a positive addition to the community.

MOTION: It was moved by Commissioner Rodenhi, seconded by Commissioner Cioni, that the Commission adopt Resolution 804 (15) based upon the Findings of Fact in the Resolution including the proposed Conditions of Approval as amended.

VOTE: The motion passed on a voice vote of 4-0-1, with Commissioner Fink absent.

2. CUP 15-04 – Conditional Use Permit

A request from Alan Grant representing Starbuck-Lind Mortuary, for Planning Commission review and consideration of a Conditional Use Permit to allow conversion of the existing vacant building located at 138 North B Street (APN 085-142-011) into an assembly hall. The property is zoned *Mixed Use (MU)*. This action is exempt from the California Environmental Quality Act (CEQA).

Planning Manager Lucille Breese summarized the written staff report

OPEN PUBLIC HEARING

Alan Grant, applicant – noted he had nothing to add to the presentation and requested approval.

John Linn, resident – noted the project was an outstanding use of an existing building and an additional event space would be a benefit to the community.

CLOSE PUBLIC HEARING

MOTION: It was moved by Commissioner Cioni, seconded by Commissioner Clark, that the Commission adopt Resolution 805 (15) based upon the Findings of Fact in the Resolution including the proposed Conditions of Approval.

VOTE: The motion passed on a voice vote of 4-0-1, with Commissioner Fink absent.

NEW BUSINESS -- None

WRITTEN COMMUNICATIONS -- None

APPROVAL OF MINUTES --

- **Minutes of April 8, 2015:**

MOTION: It was moved by Commissioner Rodenhi, seconded by Commissioner Cioni, that the Commission accept the minutes of April 8, 2015 as presented.

VOTE: The motion passed on a voice vote of 3-0-1-1, with Commissioner Fink absent and Commissioner Leach abstaining.

- **Minutes of May 13, 2015:**

MOTION: It was moved by Commissioner Cioni, seconded by Commissioner Rodenhi, that the Commission accept the minutes of May 13, 2015 as presented.

VOTE: The motion passed on a voice vote of 3-0-1-1, with Commissioner Fink absent and Commissioner Clark abstaining.

COMMISSION REQUESTS:

- Status Report – CUP 12-04 -- CrossFit Ohana, 1299 West Laurel Avenue

Planning Manager Breese presented the 60-day status report and noted staff had met with Mr. Savella and Ms. Boyle regarding the building permit issuance and their letter had been attached to the status memo. Staff was requesting further direction from the Commission prior to bringing the item back to a public hearing for discussion.

Commissioner Rodenhi noted he was in agreement with allowing Mr. Savella more time to pick up the building permit but at some time a deadline would have to be set. Staff noted the Commission had set deadlines at the December 10, 2014 meeting and the status report was a result of those deadlines. He discussed the original 2012 project description and CUP approval process; noted concern with impact on adjacent residential neighborhood; indicated need to revisit project to provide a fair hearing to each party as a result of information that is now available; and discussed appropriate evidence.

Commissioner Clark noted there had been a lot of hearsay but there had been a professional noise study prepared on the use.

Commissioner Cioni noted facts had been presented; taxpayer money had been spent to hire a professional and the results had been received; and noted the site is zoned Industrial, a more intense use could be established by right without Planning Commission review.

Commissioner Leach indicated it may be appropriate to set more parameters for the business since it is operating under a CUP and not permitted by right.

The Commission discussed the Noise Ordinance standard and how it applies in this circumstance; the CUP process and the approval for the gym might be revisited based on new information regarding the intensity of the use; the type of Industrial uses that might be established by right in the building if the gym were to vacate as well as those currently established in the building; the original industrial/residential approvals; the location of the house in proximity to an industrial project; the need to add COA to mitigate the impact of the business on the residences; and, what type of mitigation could be imposed.

Attorney Malawy advised any business would be governed by the Noise Ordinance.

Commissioner Leach invited members of the audience to address the Commission but asked that they keep their comments brief. Attorney Malawy reminded the audience that no decision would be made this evening but the item would be returned for a public hearing in the future.

Richard Drago, property owner – noted he had presented a petition signed by residents of the development and had contracted with an independent analyst for a vibration analysis which was previously distributed.

Joe Lindsey, president of Lindsey Engineering – indicated he had been hired by Mr. Drago to do a vibration analysis and discussed his qualifications.

Bradley Hollister, attorney for Mr. Drago – reiterated points made in his letter of May 11, 2015 which was distributed prior to the May meeting.

James Rasmussen, Westpointe developer – noted he had lived in the house and sold it to Mr. Drago; and stated he would bring more neighbors to the next meeting.

Caitlin Boyle, co-owner of CrossFit Ohana – expressed concern with investing a substantial amount of money in the building if they could not continue their business in the location; stated the landlord was willing to assist in the cost but wanted a longer lease; and, indicated this was a decision they would have to make.

Blake Rasmussen – discussed his experience when visiting his parents at the residence and his personal experience with CrossFit facilities.

Darren Savella, co-owner CrossFit Ohana – discussed the original approval which allowed the industrial and residential uses to be closely located.

Sylvia King, gym member – reported she has a home adjacent to rail road tracks and although she is awakened 3 to 4 times a night, she has grown accustomed to the noise and vibration and supports the gym.

The Commission concurred there may be COA to be added to the CUP to attempt to mitigate any impact on the adjacent residential; expressed concern with imposing mitigations on a small business with limited resources; and noted the business would have to determine if it was worth it to remain in the current location and attempt to comply.

MOTION: It was moved by Commissioner Rodenhi, seconded by Commissioner Clark, that the staff be directed to return the CUP for possible modifications to the Conditions of Approval at a future date.

VOTE: The motion passed on a voice vote of 3-1-1, with Commissioner Cioni voting no and Commissioner Fink absent.

ORAL COMMUNICATIONS –

Sylvia King, gym member – suggested that members of the Planning Commission visit a class to see the impacts form themselves.

Chad Signorelli – noted there seems to be a conflict regarding the use and expressed concern that a study prepared by the complainant's consultant would be used for evidence.

COMMISSION REQUESTS (continued):

- Status Report – HUP 07-100 – Christopher Smith,

Planning Manager Breese presented the 60-day status report and noted the Code Enforcement Officer had driven by the site and the exterior was clear but there were still vehicles associated with the business visible and there was noise from the operation of the business. Mr. Smith has another 60-days to clear the situation and staff will report back.

DIRECTOR/STAFF COMMUNICATIONS:

Planning Manager Lucille Breese advised the Planning Commission:

- There are business items for the July 8 meeting;
- At the June 16 meeting, the City Council will consider the Planning Commission recommendation regarding the Industrial Parcels and the Bikeways Map; and
- At the June 16 meeting, staff will present an update on the Motorsports Park project.

ADJOURNMENT: Commissioner Leach adjourned the meeting at 7:45 pm

Lucille T. Breese, AICP
Secretary

Mary Leach
Vice Chair