

**MINUTES OF THE REGULAR MEETING
OF THE LOMPOC PLANNING COMMISSION
May 13, 2015**

ROLL CALL: Commissioner Federico Cioni
Commissioner Allan Clark -- absent
Commissioner Ron Fink
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. CUP 15-03 – Conditional Use Permit

A request by Steve Arrowood, of Montemar Winery, for Planning Commission review and consideration of a Conditional Use Permit to allow expansion and interior remodel of the existing winery, located at 1501 East Chestnut Court, Suites B and E, in the *Industrial (I)* Zoning District (Assessor Parcel Number: 099-520-001). This action is exempt from the California Environmental Quality Act (CEQA).

Commissioner Fink advised the audience that he wanted to clear up any miscommunication regarding the topic of the discussion by the Planning Commission. The discussion would be about a Conditional Use Permit to allow an expansion of the Montemar Winery not a revocation of any existing permits.

Planning Manager Lucille Breese summarized the written staff report; advised that supplemental information has been provided to the Commission and the applicant; described expanded uses taking place beyond the existing Minor Use Permit; indicated the project was located in an industrial zone and certain uses are permitted per the Zoning Ordinance; suggested adding the word "architectural" to Condition of Approval (COA) P-16 for clarification; and, noted Deputy Fire Marshal Dena Foose was present to discuss life safety issues for the project.

Deputy Fire Marshal Dena Foose addressed the Commission; advised the Fire Department concern was for life safety which includes sanitation; stated the original Building permit approval had an occupant load of 19 people within the building with nothing shown in the rear yard, under the administrative Minor Use Permit issued in 2012; and, noted staff does not design a project but attempts to work with the applicant to be sure their concept meets the required Building and Fire Codes and is safe for the community.

Commissioner Fink asked what occupant load number triggered additional requirements and Ms. Foose advised that generally, an occupant load over 50 persons would require additional exits, toilets, corridors, etc.

Commissioner Leach asked about sanitation requirements and Ms. Foose advised her that the building code requires a specific number of fixtures based upon occupancy.

Commissioner Rodenhi asked what the number would be and Ms. Foose advised that the Conditions of Approval were written in response to the project proposed by the applicant, again noted staff does not design a project but verifies the calculations of the architect/engineer for the specific project and indicated fire codes were generally written as a result of some tragedy to prevent loss of human life occurring

Commissioner Cioni asked about the proposed occupant load and Ms. Foose advised it appears, from the plans prepared by the project architect, that the occupant load would be in excess of 50 people, this is in excess of the 19 people shown on the plans approved in 2012.

Commissioner Leach indicated an increase from 19 to 50 people would appear to generate a need for additional toilets.

Commissioner Cioni asked if the occupancy for a business was generally below 50 but the business wanted to occasionally hold a special event how would that be handled in the calculations. Ms. Foose advised the staff would issue a Temporary Use Permit with COA requiring whatever additional safety features were necessary for the anticipated temporary occupancy load.

Commissioner Fink asked the audience for a show of hands from those who were in support of the project and approximately 25 people raised their hand. He invited anyone with anything specific to say on the topic to speak during the public hearing and advised there would be a three (3) minute time limit.

OPEN PUBLIC HEARING

Steve Arrowhead, project applicant – advised the Commission of his history in Lompoc with Montemar Winery; stated there have been no complaints; referred to activities in Buellton and the Funk Zone in Santa Barbara; stated that there are benefits to the City from the wine industry; noted his belief that the MUP allowed his outdoor activities.

Commissioner Fink noted the discussion was of the proposed CUP and asked Mr. Arrowood if he had read the proposed Conditions of Approval COA. Mr. Arrowood agreed he had, however he disagreed with many of them; provided a letter from his landlord and other tenants supporting his proposal; stated he had attempted to speak with the new building personnel and staff changes in the past few years had been confusing to applicants; indicated he will comply with Fire COA but objects to assembly calculations; noted he does not want to be constrained in having outdoor activities, stated the previous staff had approved the project as described in the MUP; noted outdoor activities were accepted as a part of the wine tasting experience in other areas.

The Commission discussed hours of operation, ABC licensing requirements and definitions, special events, outdoor display, and amplified music with the applicant.

Grant Gideon, general contractor for Montemar – stated he would work close with the City; expressed belief the occupancy can be resolved without a special permit; and noted parking is not a problem at the site.

Dennis Avila, owner of 246 Wine and Beer Tours – stated it is important to support a project that brings people to the area.

Steve Pepe, Clos Pepe Winery – stated his vineyard is located in Santa Barbara County with a winery in the City; agreed the Commission may not resolve the issue tonight but should bifurcate the project; noted the City hasn't accepted food trucks; referred to Industrial Way in Buellton and how that area has developed; noted a TUP may sound like a good idea but may overwhelm the City resources; and agreed parking and amplified music may be a problem.

Jack Armena – stated he is a supporter of Montemar and live music; expressed concern with a TUP applying to charitable events; and stated additional costs could be prohibitive for non-profits.

Peter Work – discussed the growth of the wine industry in Lompoc for employment; noted the benefit to other business; and stressed the importance of attracting creative people to the area.

Jacob Cole, local musician – asked the Commission what concern they had with amplified music? Commissioner Fink asked what level did amplified music become a concern? Mr. Cole replied amplified music has been a regular event in the ghetto and stated a rock band is approximately 120 db with acoustic band between 60-70 db. Commissioner Fink suggested Mr. Cole could assist Mr. Arrowood with information regarding amplified music.

CLOSE PUBLIC HEARING

Commissioner Rodenhi suggested that since Mr. Arrowood has operated for the past 18 months without complaints, he present a plan for consideration based upon that business model for consideration, and cautioned the Commission will need to have some boundaries on the permit.

Commissioner Fink suggested continuing the hearing to a future date while allowing the expansion of the existing MUP to allow wine production in Suite B.

Attorney Malawy noted the MUP is not on the agenda but agreed with allowing the wine production while continuing the wine tasting and special event discussion.

MOTION: It was moved by Commissioner Leach, seconded by Commissioner Rodenhi, that the Commission adopt Resolution 795 (15) based upon the Findings of Fact in the Resolution including the proposed Conditions of Approval to allow expansion of the Montemar winery production operation into Suite B and to continue the discussion of the wine tasting and special events in Suite E to allow additional information to be presented by Mr. Arrowood and staff at a future date.

Adding "architectural" to COA P16.

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

Commissioner Leach asked about the status of the proposed Wine Overlay. Mr. Arrowood indicated he had positive response on the Overlay but since the City had signed a contract with a consultant to update the Zoning Ordinance the vintners were reluctant to pay for the work but were more inclined to wait for the update. Staff advised there was a consultant available to prepare the Overlay immediately, which would take approximately six (6) months or if the Overlay was part of the Zoning Ordinance update it would take approximately two (2) years to complete. Commissioner Cione supported the Overlay approach which would allow the ghetto to grow. Commissioner Rodenhi suggested the City Council might be able to assist with the timing of the Overlay.

2. DR 15-05 – Landscape Modification to Development Plan

A request by Chris Zikakis, representing RocketTown Honda, for Planning Commission review and consideration of a landscaping modification to the Development Plan to remodel an existing automobile dealership. The site is located at 1224 North H Street in the *Planned Commercial Development (PCD)* zoning district (Assessor's Parcel Number: 087-450-040). This action is exempt pursuant to Section 15301 of the California Environmental Quality Act (CEQA).

Planning Manager Lucille Breese summarized the written staff report and advised that supplemental information had been presented.

OPEN PUBLIC HEARING

Chris Zikakis of RocketTown Honda – advised the Commission that it was his intent to improve the appearance of the dealership; indicated the existing trees were messy and the cost to water was extensive; the proposal was to minimize the use of water while remaining sensitive to the required buffers; proposed a wooden guardrail to the east and planting the hedge at the centerline of the buffer; indicated the need for visibility along H Street; requested a change to COA P17 to allow the tree removal on Sunday when the dealership wasn't open; and, agreed to the rest of the COA.

Commissioner Leach noted along the southern corridor it would be too stark without any vegetation and agreed with the need to modernize the landscaping.

CLOSE PUBLIC HEARING

MOTION: It was moved by Commissioner Fink, seconded by Commissioner Cioni, that the Commission adopt Resolution 802 (15) based upon the Findings of Fact in the Resolution including the proposed Conditions of Approval with a change to

- COA P 17 allowing work on Sunday from 10 to 5; and
- COA P 18 requiring a wooden guardrail as proposed.

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

3. GP 15-01 – General Plan Amendment – Bikeways Map

Planning Commission review of a General Plan Amendment to the 2030 Bikeways Map to change the designation on the segment between North V Street and North O Street from a Class 1 along the southern airport boundary to a Class 3, along Aviation Drive. An Environmental Impact Report (EIR 09-01) was prepared for the 2030 General Plan Update and certified by the City Council on November 19, 2013 for the Circulation Element (SCH No. 2008081032). An Addendum has been prepared pursuant to the provisions of the California Environmental Quality Act (CEQA).

Planning Manager Lucille Breese summarized the written staff report

OPEN/CLOSE PUBLIC HEARING

MOTION: It was moved by Commissioner Fink, seconded by Commissioner Cioni, that the Commission adopt Resolution 803 (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 Clark absent.

NEW BUSINESS -- None

ORAL COMMUNICATIONS -- None

WRITTEN COMMUNICATIONS -- None

APPROVAL OF MINUTES -- None

DIRECTOR/STAFF COMMUNICATIONS:

Planning Manager Lucille Breese advised the Planning Commission:

- There are business items for the June 10 meeting.

COMMISSION REQUESTS -- None

ADJOURNMENT: Commissioner Fink adjourned the meeting at 8:30 p.m.

Lucille T. Breese, AICP
Secretary

Ron Fink
Chair