

**MINUTES OF THE REGULAR MEETING
OF THE LOMPOC PLANNING COMMISSION
August 25, 2010**

ROLL CALL: Commissioner Helen Free
Commissioner Nick Gonzales
Commissioner Kate Griffith
Commissioner Frank Hain
Commissioner Jack Rodenhi

STAFF: Community Development Director Arleen Pelster
Planning Manager Lucille Breese
Assistant City Attorney June Ailin
Rachel Cook, Gatzke, Dillon and Ballance
Tony Locacciato, Principal, Impact Sciences
Principal Planner Keith Neubert
Assistant Planner Morgen Benevedo
Staff Assistant Angela Wynne

ORAL COMMUNICATIONS:

None.

APPROVAL OF MINUTES:

None.

CONSENT CALENDAR:

None.

PUBLIC HEARING ITEM:

Commissioner Gonzales and Commissioner Griffith recused themselves from this item.

**1. CONDITIONAL USE PERMIT – CUP 10-04
Continued from August 11, 2010 meeting**

A request by Antonio Moretti, representing A Taste of Santa Rita Hills, for Planning Commission consideration of a proposal for a Conditional Use Permit to operate a wine tasting room in an existing building. The project is located at 1505 East Chestnut Avenue in the *Business Park (BP)* Zoning District (Assessor Parcel Number: 99-520-03). This action is exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

Morgen Benevedo summarized the written staff report.

PUBLIC HEARING OPEN AT 6:35 p.m.

Don Ramirez, resident – stated his concern about wine tasting rooms and the potential for intoxicated drivers.

Antonio Moretti, applicant – stated that a wine tasting room is not a bar; that tasting involves one ounce of product and then the patron decides if a purchase will be made; and indicated that wine tasting rooms are incorrectly perceived.

Cheryl Wilson, resident – indicated her support for wine tasting rooms and noted that many wineries provide transportation for customers.

PUBLIC HEARING CLOSED AT 6:38 p.m.

Commissioner Hain acknowledged Mr. Ramirez' concerns. Commissioner Free noted that the Planning Commission has approved Conditional Use Permits for wine tasting rooms; that the project is near existing wine tasting rooms; and, noted the project's appropriateness.

It was moved by Commissioner Hain and seconded by Commissioner Free that the Planning Commission adopt Resolution No. 681 (10) based upon the Findings of Fact in the Resolution and subject to the Conditions of Approval. The motion passed on a voice vote of 3-0-2 with Commissioner Gonzales and Commissioner Griffith not participating.

Commissioner Gonzales and Commissioner Griffith returned to the Dias.

2. ENVIRONMENTAL IMPACT REPORT (EIR 09-02) AND DEVELOPMENT PLAN (DR 08-09)

John Rogge, representing the property owner, has requested Planning Commission review of the following:

- **EIR 09-02** – The Final Environmental Impact Report (FEIR), prepared for the project described below, prepared by Impact Sciences and circulated through the State Clearinghouse (SCH No. 2009081045) pursuant to the requirements of the California Environmental Quality Act (CEQA);
- **DR 08-09** – A Development Plan for the addition of approximately 41,433 new net square feet of retail area to an existing 104,453 square foot Walmart store.

The property is approximately 12.03 acres located at 701 West Central Avenue at the northeast corner of the intersection of West Central Avenue and North O Street in the City of Lompoc (Assessor Parcel Number 93-450-36).

Ms. Breese read the project description and described actions requested of the Planning Commission this evening.

Tony Locacciato, Principal, Impact Sciences summarized the Environmental Review Report and provided an overview of findings and conclusions.

Mr. Neubert summarized additional information on hearing notification and noted that police and fire staff were available for questions. Ms. Breese indicated that supplemental information was provided to the Commissioners and staff, noting that e-mails and letters received after distribution of the staff report, and up to and including tonight's meeting, will be posted as supplemental information on the City's website.

Commissioner Rodenhi asked for clarification of the Planning Commission was to consider as a basis for the evening's decision. Ms. Breese indicated that the Commission will consider if the Environmental Impact Review (EIR) is an adequate document and provides information necessary for a decision. The Planning Commission will then consider aspects of the developmental review. Zoning, conformance with adopted ordinances, development standards and architecture, land use, and findings as presented in the Resolution.

PUBLIC HEARING OPEN AT 6:58 p.m.

Ameilia Neufeld, Public Relations representative for the applicant - provided a PowerPoint presentation explaining that the request is for an expansion of an existing store which will utilize local products and add to the City's General Fund. She thanked the project supporters and staff.

Jeff Wagner, EDA Design Professionals, applicant representative – provided an outline of local Wal-mart store history and discussed changes to the site plan.

Robert Park, Perkowitz & Ruth Architects, applicant – discussed the project's architectural elements, colors and materials, landscaping, and sustainable features.

Ellen Berkowitz, Manatt, Phelps and Phillips, Wal-mart Land Use Counsel – noted that the project does not require General Plan, Zone Change, or Conditional Use Permit; requested certification of the EIR; noted agreement with the project's Conditions of Approval; stated Wal-mart is established in the community; and is requesting expansion to better serve customers; reviewed required Development Review findings; and discussed what constitutes urban decay.

Joe White, resident – noted discrepancy with May 2010 EIR version and questioned the quality of data.

Anita Dwyer, resident – expressed support for the project and stated competition was good for business.

Celene Rodriguez, resident – expressed support for the project and indicated lack of impact on existing small businesses.

Beatrice Blankenship, resident – expressed support for the project and Wal-mart as employer.

Thomas McBrian, resident – expressed support for the project and for jobs and shopping opportunity it will provide.

Rob Smith, resident – stated his concerns for the economic life of the community; suggested the City assist the applicant to occupy an existing vacant storefront; and expressed opposition to the expansion.

Fred Lamont, resident – expressed support for the project and the jobs it will provide.

David Eccles, resident – questioned sustainability of expansion and presented a list of reasons for his opposition to the expansion.

Ray Leslie, Lompoc business owner – expressed his opposition to the expansion since small business will be negatively affected.

Karen Frankenberger, resident – expressed support for the expansion, which will provide needed jobs.

Derek McLeich, resident – asked the Planning Commission to reject the EIR based on Urban Decay since the data in the EIR has changed and should be updated, and the impact of large stores on small business.

Don Ramirez, resident – agreed with Mr. McLeich and does not support the expansion.

Sandra Bean, resident – read her unpublished letter to the Lompoc Record opposing the expansion based on traffic and impact on local businesses.

Charles, Blair, resident – handed out copies of his letter which outlined possible negative outcomes of expansion and noted that food items do not generate sales tax.

Harry Keim, resident and Chairman of Citizens Against Wal-mart Expansion – noted definition of environmental stability of the city and stated he does not support the expansion.

Brian Cole, resident – noted increase in vehicle traffic and that the EIR stated local trade area will be overbuilt, and a potential loss of local jobs. He also expressed his opposition to the expansion.

Eric Timmons, resident – expressed his support for the expansion and noted he receives good value for his dollar.

Cheryl Wilson, resident – expressed support for the expansion and the jobs it will create.

Rosina McBrinn, resident – expressed support for the expansion and noted online shopping hurts small business.

Robert Hamilton, resident – expressed his opposition to the expansion; stated that the EIR noted the impact on local businesses and new businesses entering the City; and asked the Commission to not approve the project.

Doug Phillips, resident – expressed his opposition to the expansion and stated that the EIR didn't adequately address long term Urban Decay.

Greg Duparman, unincorporated resident – expressed opposition to the expansion and noted that H Street would become a ghost town.

John Linn, Lompoc business owner and resident – noted that the EIR for the proposed Community Center and the EIR for the WalMart expansion differ greatly regarding blight; that the EIR did not adequately address fire safety and the current understaffing in public safety; and indicated concern with economic impact of the expansion.

Rosemary Holmes, resident – expressed opposition to the expansion and suggested the expansion be placed on the ballot.

Robert Jeffers, resident – expressed support for the expansion and noted the difficulty of developing in Santa Barbara County.

Ralph Harman, resident – indicated his belief that the EIR is negligent in thoroughly investigating public safety service abilities and stated that the proposed architecture does not meet City Architectural Review Guidelines.

Muriel Coudurier, resident – expressed her opposition to the expansion and discussed the needs of disabled shoppers.

The Planning Commission took a break at 8:30 p.m. and resumed at 8:45 p.m.

It was moved by Commissioner Griffith and seconded by Commissioner Free that the Planning Commission continue to hear public speakers and at 9:30 p.m. evaluate how many people still wished to speak; then continue this item to an undetermined future date. The motion passed on a unanimous voice vote.

PUBLIC HEARING RESUMED AT 8:45 p.m.

Robert Laufer, resident – expressed opposition to the expansion and discussed promotional material prepared by Wal-mart.

Doug Conley, resident – expressed support for the expansion and noted he worked on the original Wal-mart election.

Cory Young, resident – expressed opposition to the expansion and stated the EIR is limited in scope and does not adequately address Urban Decay.

Debbie Regis, resident – expressed support for the expansion and noted a number of charitable donations provided to the community by the local store.

Ken Smith, resident – expressed support for the expansion; discussed his history with the organization; and noted that due to the length of time necessary to prepare the EIR, some studies may appear dated.

Hugh Thompson, resident – expressed support for the expansion and shared belief that associates do a good job of assisting the disabled.

Carl Marshall, resident – expressed support for the expansion and noted that the expansion would benefit the community.

Glenn Heidlebaugh, resident – expressed support for the expansion and discussed his positive experience as a long-term associate.

Fausto Navarro, resident – expressed support for the expansion and noted the need for large stores.

Scott Bailey, resident – expressed concern that increased floor area would cause other business to not locate in Lompoc.

Carol Benham, resident – expressed opposition to expansion and indicated that the EIR should better address how revenue will be produced and provide more information on blight and urban decay.

Judy McKinnon, resident – expressed opposition to the expansion and stated that EIR indicated applicant will fund 14% of H Street and Central Avenue improvements and asked who will pay the remainder of the cost.

Joyce Howerton, resident – expressed opposition to the expansion and stated that the EIR did not adequately address critical issues and asked that the document be reviewed; noted that the possibility of a 24-hour Wal-mart was not addressed in the EIR for impacts; and asked the Planning Commission to not allow the expansion.

Joseph Maher, unincorporated resident – expressed opposition to the expansion and noted discrepancies between May 2010 version of EIR and final EIR.

Dewayne Holmdahl, resident – expressed support for the expansion and stated the City should support expansion of existing business.

Pat Gill, resident – expressed opposition to the expansion and questioned parking and proposed architecture.

Marty Cabral, Wal-mart Store Manager – expressed support for the expansion and stated that the community needs jobs and Wal-mart is a great company.

PUBLIC HEARING CLOSED AT 9:20 p.m.

Commissioner Rodenhi thanked the audience for their courtesy and attention to each of the speakers.

It was moved by Commissioner Griffith and seconded by Commissioner Free that the Planning Commission continue this item to a date uncertain. The motion passed on a unanimous voice vote.

NEW BUSINESS:

None.

ORAL COMMUNICATIONS:

Ralph Harman, resident – asked if additional letters, comments, e-mails may continue to be submitted for consideration on Public Hearing Item #2.

Don Ramirez, resident - asked if there will be another EIR document to review.

Ms. Ailin stated additional comments can continue to be received, however the City is not legally required to respond to them.

WRITTEN COMMUNICATIONS:

None

DIRECTOR/STAFF COMMUNICATIONS:

None

COMMISSION REQUESTS:

Commissioner Hain suggested that the City should continue to review additional correspondence relating to Public Hearing Item #2. Commissioner Gonzales indicated that additional materials was received at tonight's meeting and Ms. Pelster indicated that those documents would be included in the record.

NUMBER OF PEOPLE IN ATTENDANCE: approximately 140

ADJOURNMENT:

It was moved by Commissioner Free and seconded by Commissioner Rodenhi that the Planning Commission adjourn to the September 8, 2010 meeting. The motion passed on a unanimous voice vote. The meeting was adjourned at 9:35 p.m.

Arleen T. Pelster, AICP
Secretary

Jack Rodenhi
Chair