

**CITY OF LOMPOC  
PLANNING COMMISSION STAFF REPORT**



**MEETING DATE:** NOVEMBER 13, 2006  
**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** KEITH C. NEUBERT, ASSOCIATE PLANNER  
**RE:** ZONE CHANGE – ZC 06-06 / TENTATIVE  
SUBDIVISION MAP – LOM 558 /  
PRELIMINARY/ PRECISE DEVELOPMENT  
PLAN – DR 05-43

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**AGENDA ITEM NO. 1**

A request by S. Michael Kim, representing the property owner, for Planning Commission review of the following:

- 1) **ZC 06-06** – A Zone Change to amend the City’s Zoning Map designation from *High Density Residential (R-3)*, 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*;
- 2) **LOM 558** - A Tentative Subdivision Map requesting subdivision of an approximately 1.9 acre site to create forty (40) residential condominiums; and
- 3) **DR 05-43** - A Preliminary/Precise Development Plan for the construction of a 40-unit residential condominium project including on-site parking and landscaping.

The property is approximately 1.9 acres in size and located at the southwest corner of Walnut Avenue and Seventh Street (Assessor Parcel Number: 85-150-09). A Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

**SITE DATA:**

1. Property Owner. . . . . David Yen
2. Site Location. . . . . Southwest corner of Walnut Avenue and Seventh Street
3. Assessor Parcel Number. . . . . 85-150-09
4. Site Zoning. . . . . High Density Residential (R-3)

- 5. General Plan Designation. . . . . High Density Residential
- 6. Site Use. . . . . Existing Dwelling
- 7. Surrounding Uses/Zoning. . . . . North: Residential (7-R-1)  
South: Hotel (PCD)  
East: Future Hospital (PF)  
West: Vacant Lot (R-3)
- 8. Project area. . . . . Approximately 1.9 acres

**PROPOSAL:**

The applicant is requesting approval of:

Zone Change (ZC 06-06) – The site is currently zoned *High Density Residential (R-3)*. 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*.

Tentative Subdivision Map (LOM 558) – The applicant is requesting subdivision of an approximately 1.9 acre site to create forty (40) residential condominiums.

Preliminary/Precise Development Plan (DR 05-43) – The *Planned Development (PD)* designation requires a Preliminary/Precise Development Plan for the project on the site. Zoning Ordinance Section 7703 and 7704 allows a certain amount of flexibility from the strict adherence of the development standards to allow a quality project for the benefit of the community. Approval of the Preliminary/Precise Development Plan allows the applicant to build the specific project approved. The Planning Commission will review the project and make a recommendation to the City Council. The project must meet the criteria for density in the underlying zone. Minor changes to the project require additional review by the Commission; major changes will require Council review.

**CONFORMANCE WITH ADOPTED CITY POLICIES:**

**1. Zone Change (ZC 06-06)**

Section 8887 of the Zoning Ordinance requires the Planning Commission to hold a public hearing and make a recommendation to the City Council regarding a request for a zone change.

The site is currently zoned *High Density Residential (R-3)*. 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 (PD)* designation is requested to allow an adjustment of the setbacks and building separation requirements for the project. The request for a Planned Development Overlay allows the City Council and the Planning Commission to consider a certain amount of flexibility from the strict adherence of the Zoning Ordinance in order to develop a quality project for the benefit of the community. This Development Plan is intended to serve as a Preliminary/Precise Development Plan to meet requirements of Lompoc City Code Sections 7703 and 7704.

Approval of the Preliminary/Precise Development Plan allows the applicant to build the specific project as approved. Any minor change to the project would require additional review by the Commission; a major change would require City Council approval.

Approval of the Tentative Subdivision Map (LOM 558) is contingent upon City Council approval of the Preliminary/Precise Development Plan (DR 05-43) and the Zone Change (ZC 06-06) (LOM COA P5, DR COA P10).

## **2. Tentative Subdivision Map (LOM 558)**

### **Authority:**

The Planning Commission has the authority to approve, conditionally approve, or deny a Tentative Subdivision Map (Lompoc City Code Section 2832). LCC Section 2812 requires a finding of conformity of the proposed division with the General Plan, which is included as part of the Commission resolution of approval on this Subdivision Map.

### **Subdivision Review Ordinance:**

Section 2863 *Planned Residential Developments* contains specific development standards for a Preliminary/Precise Development Plan. These standards are in addition to the standards in the Zoning Ordinance, which are discussed under the analysis of DR 05-43.

1. *Requires a minimum of two (2) amenities for residential developments of 25 to 49 dwellings units.*

The developer is proposing a community area with a swimming pool, spa, and clubhouse.

2. *The developer shall propose the size and type of the amenities to be provided.*

The amenities are located at the center of the site accessible to all residents of the complex.

3. *Lot coverage shall not exceed that prescribed by the underlying zone classification.*

Lot Coverage for the *High Density Residential (R-3)* zoning district as listed in Section 7606 of the Zoning Ordinance states: *Not more than 60 percent of the total lot area shall be devoted to main and accessory building area, parking area, driveway and covered patio.* The applicant is proposing that buildings, parking area, driveway, and covered patio cover 49,210 square feet of the site. This is approximately 60% of the total land area.

4. *Required off-street parking shall be provided in accordance with the provisions of the Zoning Ordinance. Additional parking for storage of recreational vehicles, trailers, and other miscellaneous vehicles shall be provided at a rate of one (1) space for each seven (7) dwelling units. If spaces for such vehicles are not provided, then project codes, covenants, and restrictions shall prohibit recreational vehicle parking within the project.*

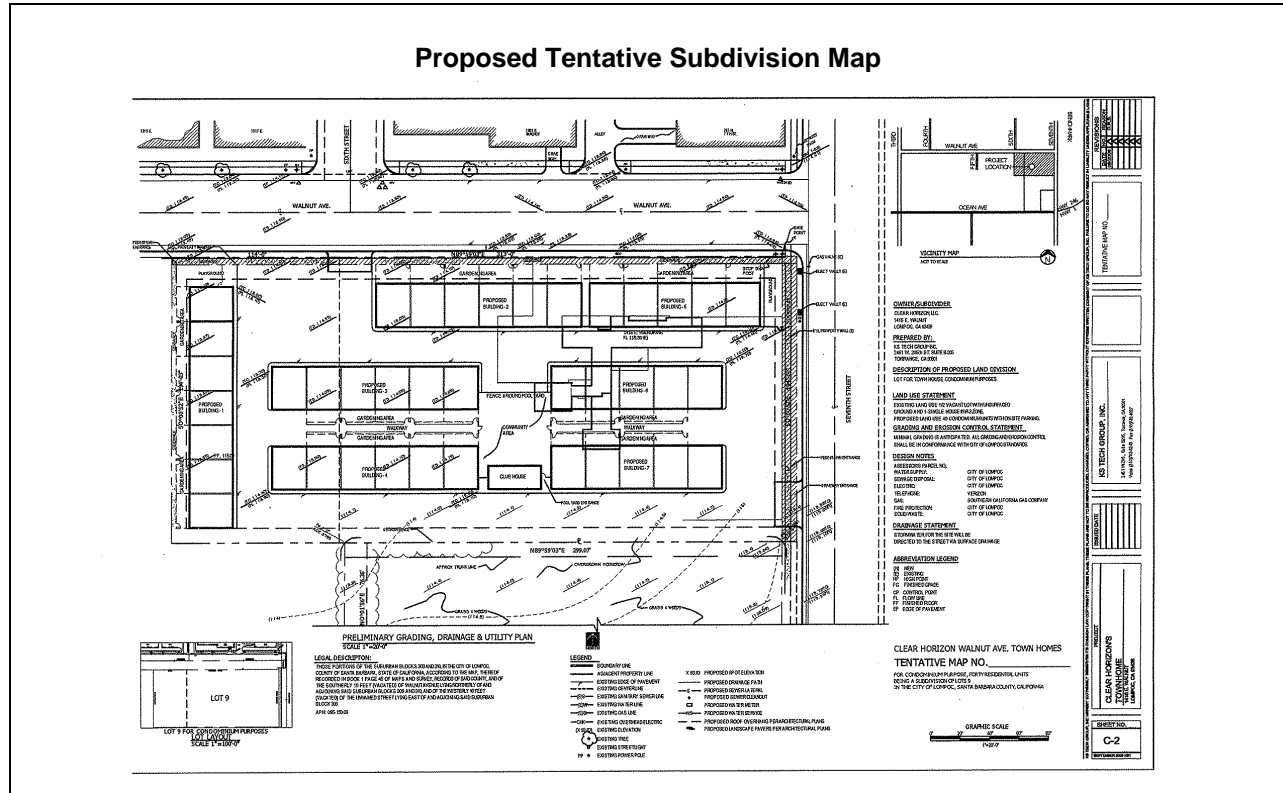
No storage area is proposed on the plans; therefore, a Condition of Approval (DR COA P50) is included requiring a restriction in the Covenants, Conditions, and Restrictions (CC&Rs).

5. *Minimum open space area shall be required for R-3 density of 40% of the project. At least one-half of the total open space requirement shall be devoted to open space usable by the residents.*

The applicant is proposing the following uses on the site:

Building Coverage and Drive Area	49,210 sq. ft.	60%
Landscaping and other	<u>33,690 sq. ft.</u>	<u>40%</u>
Total	82,900 sq. ft.	100%

The landscaped area and common open area total 40% of the site in open space, all of which is usable by the residents.



The Tentative Subdivision Map expires twenty-four months from the date of approval unless the applicant requests a time extension prior to the expiration. A Condition of Approval is included to advise the applicant of the map expiration date (LOM COA P4).

**Staff Review:**

Section 2826 of the Subdivision Ordinance requires Subdivision Review Board (SRB) review of Tentative Subdivision Maps for conformance with the criteria listed in the Ordinance. The SRB is required to report its findings to the Planning Commission.

A Subdivision Review Board (SRB) meeting was held on August 7, 2006. The applicant met with staff to discuss the proposal and the draft Conditions of Approval for the Tentative Subdivision Map were formulated. As a result of the SRB meeting, the Tentative Subdivision Map was revised and resubmitted on October 4, 2006. The following project specific comments were received regarding the revised Tentative Subdivision Map:

Engineering Division – stated that a dedication of an additional 10-feet of Seventh Street right-of-way is required on the Final Map (LOM COA EN8); and the south half of Walnut Avenue shall be widened along the entire frontage of the development, including street improvements. Additionally, the correct Walnut Avenue right-of-way shall be shown on the map (LOM COA EN9).

Electric Division, Water Division, Wastewater Division – stated that Public Utility Easements shall be dedicated on the final map for public facilities installed within the development (LOM COA E1, W1, and WW1).

In accordance with Section 2832 of the Lompoc City Code, the SRB recommends that the Planning Commission adopt Resolution No. 523 (06) and certify the Mitigated Negative Declaration approving the proposed Tentative Subdivision Map with the attached draft Conditions of Approval.

### **3. Preliminary/Precise Development Plan (DR 05-43)**

#### **Authority:**

Section 7705 – Regulations, Limitations and Restrictions of the Zoning Ordinance allows the Commission to recommend to the Council the adoption of a Preliminary/Precise Development Plan with restrictions more or less restrictive than those specified in the City regulations. The project must be *designed to protect property values in the vicinity of the subject property and to protect and enhance the public peace, health, safety and general welfare of persons residing, working in, and passing through the neighborhood.*

#### **Architectural Review Guidelines:**

There are seven buildings proposed on the site containing a total of forty condominium units. Each building is three stories high with a den and two-car garage on the first floor, the main living space on the second floor and the bedrooms on the third floor. Each unit is approximately 1,750 square feet in size and contains three bedrooms and three bathrooms.

The exterior building finishes are stucco with Spanish tile roof shingles. Each building features cream, tan, and terra cotta colored stucco with a dark green tile roof. All seven buildings consist of the same color palette, however, the color placement varies with each building.

The Architectural Review Guidelines state:

#### **Page 5, Item 6**

*All proposed buildings or structures should be sensitive to the neighborhood character.*

#### **Page 5, Item 8**

*Entry to garages should be incorporated into the architecture of the dwelling to minimize visual prominence.*

**Page 6, Item 10**

*Multiple buildings on the same site shall be designed to create a strong visual relationship between the buildings with subtle variety in building size and mass.*

**Page 6, Item 13**

*All building elevations visible to the public shall be designed and architecturally treated. The choice of materials, colors, and the level of detailing shall be thoughtfully integrated into the design. All elevations need not look alike; however, a sense of overall architectural continuity is encouraged.*

The second and third stories of the front building elevation are cantilevered, providing a covered entrance to the units. Arched windows and balconies are shown on the third story. The rear building elevation consists of arched windows on the third story, balconies on the second and third stories, cultured stone at the base of the building in between the garages and detailed chimneys. The side building elevations include arched windows on the third story and horizontal cornice moulding to break up the three stories. The windows utilized on all elevations will have panes to add detail to the structures.

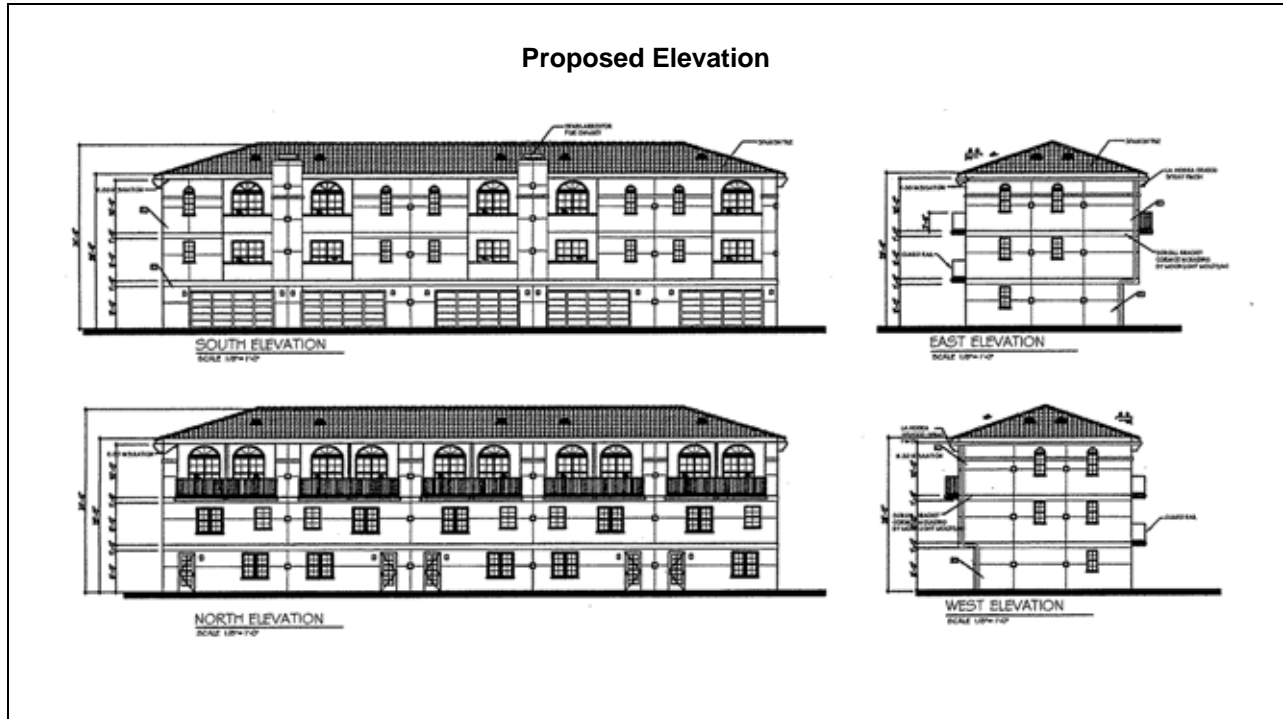
The front and rear elevations provide sufficient architectural detail to meet the City's architectural Review Guidelines. The side elevations, however, provide very little architectural detail and will be highly visible from the street. A Condition of Approval is included requiring additional architectural detail on the side elevations. The changes shall be reviewed by staff at plan check and approved, if appropriate (DR COA P61).

**Landscaping and Fencing**

Landscaping is an integral component of any project. Landscaping Conditions of Approval have been included (DR COA P22-36). A conceptual landscape plan was included in the project submittal. Preliminary review indicates that the plans are generally acceptable, final review and approval will occur during the plan check process.

It is proposed that the project be gated. A combination block wall with wrought iron fencing is proposed around the development with rolling wrought iron gates at each entrance. A Condition of Approval is included to ensure review of wall placement and treatment prior to issuance of grading permits for the project (DR COA P16). Additionally, the rolling gates at the Walnut Avenue and Seventh Street project entrances shall be set back at least 20-feet from the Walnut Avenue and Seventh Street curb face to provide room for one vehicle to pull out of the public street travel way before entering through the private gate (DR COA EN36).

As conditioned, the project would be consistent with the Architectural Review Guidelines.



Photos of the site and a color / material board will be available at the meeting for review.

The surrounding area is residential and the proposed project is sensitive to the varied development that exists in the neighborhood. As conditioned, the project is consistent with the City's Architectural Review Guidelines.

**General Plan:**

**Land Use Element – Land Use Designation:**

The General Plan designation for this property is *High Density Residential* and the stated purpose is:

*To provide residential areas which offer convenient pedestrian access to commercial services and give local residents the opportunity to live near employment centers. This designation can also stimulate reinvestment in older-established areas which can accommodate higher densities.*

The proposed use, residential condominium complex, is consistent with the General Plan Land Use Designation.



Housing Element – Affordable Housing Requirements:

The City has made a commitment to address its housing needs by implementing the policies of the Housing Element. One of the central goals identified in the Housing Element is the provision of a choice of housing opportunities for all economic segments of the community. This includes households unable to afford market-priced housing. Policy 1.11 of the Housing Element ensures that all residential projects address the need for affordable housing within the community and help satisfy the regional fair share housing allocation. This policy is provided below:

*Policy 1.11                      With the exception of areas within the Old Town Redevelopment Project, Amendment No. 2 area, in all residential developments of ten units or more, at least 10% of all the units shall be affordable to very low-, low-, and median-income households. If it is determined to be infeasible to provide 10% of the units within the very low- to median-income category on-site, off-site provision of the units shall be acceptable or payment of an in-lieu fee shall be acceptable provided that the fee shall be applied to housing within the City.*

The proposed project is not located within the Old Town Redevelopment Project, Amendment No. 2 area, and therefore at least ten (10) percent of all the units must be affordable. The proposed project consists of 40 residential condominium units and four (4) affordable units are required. The applicant must designate the affordable units on the site plan and record a covenant through the City of Lompoc prior to occupancy (DR COA P53).

Redevelopment Agency:

The proposed project is located outside the City of Lompoc Old Town Redevelopment Project Area, Amendment No. 2, and does not require Redevelopment Agency review.

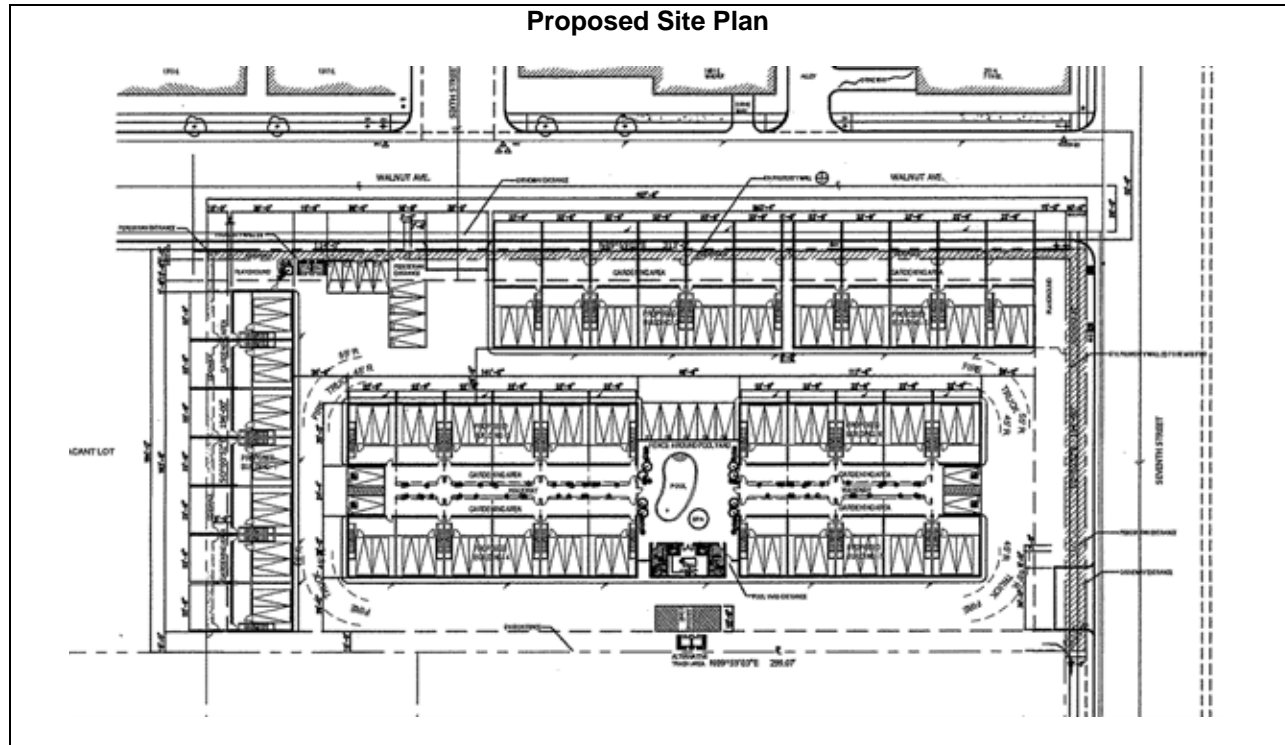
**Zoning Ordinance:**

Zoning Ordinance Section 7701.a – Uses Permitted, notes that *no P-D District may be established in an existing residential neighborhood on land that has been previously developed.* This section of the Zoning Ordinance was adopted in 1990 and was intended to prohibit developers from attempting to apply the Planned Development Overlay to property for the purpose of constructing additions or modifications to existing structures.

One single-family dwelling exists on the site. The dwelling will be demolished and the site will be developed in its entirety (DR COA P60).

Site Plan:

Vehicular access is provided off of Walnut Avenue and Seventh Street. A private drive circles the development providing access to each building. Each of the forty units has a private yard enclosed with a 30-inch high wood fence. A common open space area with a swimming pool, spa, and clubhouse is located at the center of the development.



The High Density Residential (R-3) development standards are noted below:

<u>Category</u>	<u>Required/Maximum</u>	<u>Proposed</u>	<u>Area where project requires relaxation of standards</u>
<u>Height</u>	35 feet	34 feet 6 inches	
<u>Building Separation</u>	20 feet between main buildings	5 feet between building 2 and 5	**
<u>Lot Coverage</u>	60 Percent Maximum includes main & accessory buildings, parking, driveways, and covered patios	Building, parking, driveway, and covered patio coverage 49,210 sq. ft. or 60%	
<u>Front Yard Setback</u>	15 feet from property line	13 feet from property line along East Walnut Avenue. 15 feet from property line along Seventh Street.	**

<u>Category</u>	<u>Required/Maximum</u>	<u>Proposed</u>	<u>Area where project requires relaxation of standards</u>
<u>Rear Yard Setback</u>	10 feet from property line	12 feet from property line (west)	
<u>Side Yard Setback</u>	5 feet from property lines	10 feet from property line (south)	
<u>Maximum Density</u>	2,000 sq. ft. of land area per dwelling unit	82,900 sq. ft.  (2,000 sq. ft. x 40 units = 80,000 sq. ft.)	
<u>Parking</u>	2 garage spaces per unit	2 garage spaces per unit	
<u>Minimum floor area of dwelling units</u>	<u>3 bedroom units</u> 960 sq. ft.	<u>3 bedroom units</u> approx. 1750 sq. ft.	

As shown in the above table, the Planning Commission is being requested to allow relaxation of development standards in the *High Density Residential, Planned Development (R-3, PD)* Zoning District in the areas of setbacks and building separation for the project.

- The required front yard setback is 15 feet. The applicant is proposing a front yard setback of 13 feet from the property line to the buildings along East Walnut Avenue. The applicant is requesting relaxation of this standard to provide additional usable space at the center of the project.
- The required building separation is 20 feet between main buildings. Buildings 2 and 5 are separated by 5 feet. All other building separations meet the zoning requirements. The applicant is requesting relaxation of this standard to break up the building for aesthetic reasons.

The Planned Development Overlay allows a certain amount of flexibility from the strict adherence of the development standards to allow a quality project for the benefit of the community. As conditioned, the project is consistent with the Zoning Ordinance requirements with the Planned Development Overlay.

**Staff Review:**

A Development Review Board (DRB) meeting was held for this project on August 7, 2006. The applicant met with staff to discuss the proposal and draft Conditions of Approval were formulated. As a result of the DRB meeting, the plans were revised and resubmitted on September 18, 2006. The following project specific comments were received regarding the revised plans:

Engineering Division – comments include the widening of the south half of Walnut Avenue, construction and replacement of sidewalk and driveway approaches, restriction of parking on the internal streets, lighting for the development and a setback requirement for the entrance gates on Walnut Avenue and Seventh Street (DR COA EN28-36).

Aviation/Transportation Division – commented on the requirement of a 170-foot bus turnout with bus shelter long the Seventh Street project frontage (DR COA A4).

Solid Waste Division – commented on the location of the trash enclosures (DR COA SW6).

Electric Division – commented on public electric easements and the undergrounding of utilities (DR COA EL8-9).

Water Division – commented on the fire hydrants, water main connections, and items to include on the improvement plans (DR COA W8-10).

Wastewater Division – commented on the abandonment of the old sewer connection and the installation of a new sewer main (DR COA WW14).

The Development Review Board (DRB) has developed a series of standard conditions of approval (COA) to advise applicants of possible requirements during the development review process. Project specific conditions are included when staff can determine what they should be from the conceptual plans provided for Commission review. A complete plan check occurs after construction plans have been submitted to the Building Division for building permits. Please note that not all COA included with the Planning Commission Resolution for the project may be applicable. If the applicant has questions and/or concerns regarding specific conditions, he/she should contact the department/division that is recommending the condition. DRB members do not attend the Commission meeting and Planning staff cannot answer specific questions regarding conditions recommended by other departments/divisions.

The DRB recommends that the Planning Commission adopt Resolution No. 525 (06) recommending City Council approval of DR 05-43 as the Preliminary/Precise Development Plan for the project, subject to the attached Conditions of Approval.

### **ENVIRONMENTAL DETERMINATION:**

An Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA). No significant impacts were identified and a Mitigated Negative Declaration has been prepared for Commission review and recommendation to the City Council for approval. A Notice of Determination will be filed following the City Council action as required by CEQA.

A project specific Traffic and Circulation Study was prepared for the project by Associated Transportation Engineers of Santa Barbara (ATE). Based upon the Final Traffic and Circulation Study dated June 21, 2006, the proposed 40-unit condominium would not cause any significant transportation or circulation impacts as defined by CEQA.

### **NOTICING:**

On October 20, 2006:

- 1) Notice of the Public Hearing was published in the Lompoc Record.

On November 3, 2006:

- 1) The project site was posted by City staff; and
- 2) Notices were mailed to property owners within 300 feet by US mail.

### **APPEAL RIGHTS:**

Any person has the right to appeal the Planning Commission action to the City Council within ten days of the action. Contact a Planning Division staff member for the required appeal form, the fee is \$36.70.

### **RECOMMENDATION:**

**It is recommended that the Planning Commission:**

1. **Certify the Negative Declaration and adopt Resolution No. 523 (06) approving LOM 558, the proposed Tentative Subdivision Map, based upon the Findings of Fact in the Resolution and subject to the attached draft Conditions of Approval.**
2. **Recommend that the City Council:**
  - a) **Certify the Negative Declaration;**
  - b) **Adopt Resolution No. 524 (06) recommending that the City Council approve the proposed Zone Change to High Density Residential, Planned Development (R-3, PD); and**

- c) **Adopt Resolution No. 525 (06) recommending that the City Council approve DR 05-43 as the Preliminary/Precise Development Plan for the project.**

**ATTACHMENTS:**

1. Draft Resolution No. 523 (06) and Conditions of Approval
2. Draft Resolution No. 524 (06)
3. Draft Resolution No. 525 (06) and Conditions of Approval
4. Initial Study and Mitigated Negative Declaration
5. Site Plan, Floor Plans, Elevations, and Tentative Subdivision Map  
(PC only with staff report, documents available for review in Planning Division)

<b>Staff Report has been reviewed and approved for submission to the Planning Commission</b>			
<b>Arleen T. Pelster, AICP Community Development Director</b>	<b>Date</b>	<b>Lucille T. Breese, AICP City Planner</b>	<b>Date</b>