



Adopted April 10, 2019

**Minutes of the Regular Meeting of the Lompoc Planning Commission
Wednesday, March 13, 2019, at 6:30 p.m.
City Hall, 100 Civic Center Plaza, Council Chambers**

ROLL CALL: Commissioner Christopher Braxton
Commissioner Federico Cioni, Vice-Chair
Commissioner Nicholas Gonzales, Chair
Commissioner Sasha Keller
Commissioner Mary Leach

STAFF: Planning Manager Brian Halvorson
Assistant Planner Hannah Nguyen
Assistant City Attorney Brian Wright-Bushman

ORAL COMMUNICATIONS: None

PUBLIC HEARING ITEMS:

DR 18-09 – Johnson Industrial Building

A request for a Development Plan from Steven Reese (Architect), representing property owners Ronnie and Leigh Johnson for Planning Commission consideration of a proposal to construct a 7,661 square foot industrial building for office and wine storage. The project site is 15,000 square feet in size and located at 204 and 208 East Laurel Avenue (APN's: 085-022-007 & -008) in the Industrial (I) zoning district. This action is exempt pursuant to Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA).

Commissioner Leach stated that she had a conflict of interest and stepped down from the dais.

Assistant Planner, Hannah Nguyen summarized the written staff report with a PowerPoint presentation.

Commissioner Keller inquired about the awnings and their placement relation to the block wall.

Assistant Planner, Hannah Nguyen stated the awnings would be installed over the door above the height of the six (6) foot block wall so they are visible from the street.

Steve Reese, architect stated his concerns with some of the Conditions of Approval (COA):

- P33 is requesting the project use a brown walk-on bark, and stated they would like the option to use a river rock as ground cover, feels that it would be more complimentary to the building and less maintenance;
- F1 refers to Fire System Protection Engineer, would like to have the option of a C-16 Licensed Fire Sprinkler Contractor design the Fire Sprinkler system, if legally allowed;
- F12 refers to a sign that reads "FACP" Fire Alarm Control Panel Room. This project does not have a Panel Room, and there will be a Fire Control Panel but not a separate room for the Panel;
- GR9 refers to a minimum of a 5% slope away from the building for the first 10 feet, I believe this would be assuming that is if there is earth adjacent to the building, we have walkways and landings. It is against the accessibility regulations to provide a 5% slope, it is limited to 2%, would like condition to be clarified;
- P51 asks that an additional 24-inch box strawberry tree be installed, not opposed to installing

another tree, would like it not to be a strawberry tree;

- P60 the Staff decided what tree we should install, would like to suggest an olive tree, they are drought tolerant and the applicant grows them on their ranch.
- EN10 states that trees are not allowed to be placed within 10 feet of public utilities. Would like it clarified that it may not be possible to install a tree where Planning Staff is requesting if it does not comply with Engineering Conditions.

The property has 17 feet of landscaping in the front of the building, a 10 foot landscape easement and 7 foot parkway, and a masonry spilt face wall and a concrete rock with a sliding wrought iron gate.

- P52 refers to the 3 foot landscape strip staff would like located on the east side of the property where we have the wheel stops and the west side of the parking lot where the accessible stall is, I do not feel that there is enough room for landscaping in this area.
- P53 refers to awnings, I have discussed with the owner that we can provide the awnings, not sure if it is necessary;
- P54 noting that the 2 inch space along the wall and the fence have gravel placed there, we were going to concrete this area for better drainage and fewer weeds, would like condition revised;
- P55 ok with;
- P56 hours of operation would like to see modified to 6:30 A.M. to 6:30 P.M. for both the office and the warehouse;
- P58 we don't anticipate having any storage but there could be cause for temporary storage, would like modified to include temporary storage;
- P60 again would like the ability to choose which type of trees are used.

OPEN PUBLIC HEARING

John Linn, Resident, found discerning information from the staff report troublesome, distributed a color-coded site plan of the project to the Commissioners to help them ascertain where the awnings are located. Would support removing landscaping and awnings from project conditions. Voiced concern with Floor Area Ratio (FAR) for this project and the Zoning Ordinance update could possibly render this project non-conforming if approved today at 52% then Zoning Ordinance update changes to 50%. Feels that the limitations on hours of operation and storage for this project is not in line with other Industrial Zoned projects in the City.

Steve Bridge, Resident, a proponent of the project, thinks it is a good plan. Concerned with the limitation on hours of operations, inconsistencies with accessory use percentage with project plans in conformance with the Zoning Ordinance update, and Conditions of Approval asking for items to be implemented at this time for what could become a possible future use.

CLOSE PUBLIC HEARING

Planning Manager, Brian Halvorson spoke to the reasoning behind the Planning Division Conditions of Approval, would prefer not to change other Divisions Conditions when there is not a representative from those departments:

- P33, not that River Rock cannot be used but since we are in a dry climate we prefer to use the brown walk-on bark as it better at holding the moisture in the ground, keeps the dust down, and rocks can be picked up and thrown;
 - **Commissioner Braxton** stated bark would need constant replacing and cobblestone is drought friendly and will hold moisture as well as the bark. Feels the option of cobblestone should be provided to the applicant.

- **Commissioner Cioni** agrees.
- **Planning Manager, Brian Halvorson** reminds the Commission that this could be precedent-setting and the City has standard conditions for bark and we would prefer not to see rock throughout the whole City. River rock cannot be considered drought tolerant; drought tolerant would mean it uses less water and water stays in the ground.
- **Consensus:** Bark and River Rock combination will be allowed.
- F1 and F12:
 - There are no representatives from Fire here this evening.
 - **Commissioner Cioni** notes that the project does not plan to have a Fire Alarm Control Panel Room, inquired if this is a carryover Condition.
 - **Consensus:** confer with Fire staff;
- GR9:
 - **Consensus:** confer with Engineering staff for clarification to ensure the project is not delayed in issuing a Building Permit;
- P51 and P60:
 - **Planning Manager, Brian Halvorson** stated staff is amenable to Olive trees as long as they comply with the City of Lompoc Master Tree List;
- EN10 – not addressed;
- P52:
 - **Planning Manager, Brian Halvorson** confirmed that the Code states for every five (5) parking spaces should be one (1) tree, optionally you could not have the planter but still plant the required number of trees. Length of parking stall is required to be 20 feet, but can be 17 feet when a 3 foot planter is utilized.
 - **Steve Reese, architect** stated that there is not enough room on the site to accommodate additional trees in the parking area. He also noted that State coded requires parking stalls to be 18 feet in length for accessibility purposes.
 - **Assistant Planner, Hannah Nguyen** spoke to the Landscaping Code requirements for the City.
 - **Commissioner Gonzales** expressed concern regarding the growing of trees in the parking area with the possibility of mature trees impeding larger vehicles. Inquired if the trees in the parking area could be mitigated without setting precedent.
 - **Planning Manager, Brian Halvorson** stated the trees in the parking area could be a smaller variety of tree, could work with the City Attorney regarding the possibility of trees being located anywhere on the site, not having to be limited in the parking area.
 - **Commissioner Cioni** expressed that the code is stating that trees are needed but is not necessarily stating where they need to be located on the site.
 - **Planning Manager, Brian Halvorson** conferred with **Assistant City Attorney Brian Wright-Bushman** there is a code section stating a hardship may be granted if there are safety concerns.
 - **Commissioner Gonzales** stated he felt there is a safety issue and requested that the landscaping in the parking lot not be required.
 - **Assistant City Attorney Brian Wright-Bushman** clarified section 17.092.040F that the Community Development Director may approve the relocation of planters if the configuration of the lot creates a hardship or unsafe condition. Relocation of planters, not the elimination of.
 - **Planning Manager, Brian Halvorson** stated he is comfortable with three (3) trees being located on the front of the lot across from the residential.
- P53:
 - **Steve Reese, architect** stated applicant would be willing to have a small awning extending the width of the storefront, does not want to place an awning on the other side of the building.

- **Planning Manager, Brian Halvorson** spoke to how the planners review blank walls and implement the Architectural Review Guidelines and the types of treatments recommended for blank walls.
- **Assistant Planner, Hannah Nguyen** reviewed her site visit noting that other buildings in the area are adorned with architectural treatments and recommend architectural treatments for this project to have neighborhood compatibility.
- **Commissioner Cioni** recommends having the Condition revised to state that one (1) awning is required over the main entrance of the building.
- **Commissioner Gonzales** inquired if Staff would agree to one (1) awning.
- **Planning Manager, Brian Halvorson** agreed with the one (1) awning.
- P54 – not discussed;
- P55 ok with – not discussed;
- P56:
 - **Commissioner Gonzales** asked Staff to explain how they came to require these hours of operation.
 - **Planning Manager, Brian Halvorson** stated that the hours of operation are in the project description that is submitted at the time of application, and if the applicant wishes to amend the hours to 6:30 A.M. to 6:30 P.M. there were no objections.
 - **Commissioner Gonzales** requested that the hours of operation be removed at this time, and if complaints are made there is a mechanism to address them;
- P54:
 - **Commissioner Cioni** notes that P54 was not addressed.
 - **Commissioner Gonzales** states he is fine with concrete over gravel.
 - **Planning Manager, Brian Halvorson** stated that when the project was reviewed by Storm Water they recommended gravel due to the fact that concrete is impervious and we would have a drainage issue when water is displaced off concrete. If we changed to concrete the plan would require another Storm Water review for the handling of water along that strip of land.
 - **Steve Reese, architect** referred to Condition S6 which states “...plans shall show compliance with the stormwater requirement for five (5) percent or less Effective Impervious Area (EIA) over the whole property.” If this section of the property were to be concrete, we would be under the five (5) percent.
 - **Planning Manager, Brian Halvorson** stated the area can be concreted, he will work with the applicant on any drainage issues;
- P58:
 - **Planning Manager, Brian Halvorson** stated that there is a major issue with allowing outdoor storage. This entire site is completely maxed out with the building, parking lot, drive aisles, roll up doors, landscaping, accessibility, there is no area, no physical area on this site for storage to be located. Strongly advise against allowing outdoor storage. If a storage container is placed anywhere on the site, you would block a car from parking, block a drive aisle, someone will not be able to access a part of the building. There is no room on this site for outdoor storage.
 - **Commissioner Cioni** suggested no permanent outdoor storage be allowed.
 - **Steve Reese, architect** stated that the owner is not looking to have permanent outdoor storage but would like the ability to have temporary storage if needed.
 - **Planning Manager, Brian Halvorson** stated that a Temporary Use Permit may be obtained for temporary use of a storage container.
 - **Commissioner Gonzales** change condition to state no permanent outdoor storage.
- P60 addressed;
- P57:
 - **Commissioner Cioni** would like to discuss P57; someone in the audience mentioned it. Requested clarification from staff.

- **Planning Manager, Brian Halvorson** stated there have been issues with warehouses changing and intensifying uses, and not realizing this increases certain requirements such as parking. This Condition is meant to serve as a notification if there is a change of use there could be additional requirements.
- **Commissioner Cioni** agrees with providing notification not sure it needs to be in the Conditions.
- **Planning Manager, Brian Halvorson** stated the Condition may be struck.

Commissioner Cioni clarified that Conditions WW4 and WW5 are not required to be in the Conditions of Approval for this project.

Planning Manager, Brian Halvorson stated that is correct, Conditions WW4 and WW5 are not required to be in the Conditions of Approval for this project.

MOTION: It was moved by **Commissioner Cioni**, seconded by **Commissioner Braxton**, that the Commission adopt Resolution No. 899 (19) approving a Development Plan (DR 18-09) for the Johnson Industrial Building, based upon the Findings of Fact in the Resolution, and subject to the attached amended Conditions of Approval.

VOTE: The motion passed on a voice vote of 4-0-1, with **Commissioner Leach** not participating.

DR 05-35 / SP 04-01 – 5 Year Time Extension request for the Burton Ranch Specific Plan Area Development Agreement

A request by The Towbes Group on the behalf of Harris Grade Partners, L.P.; Patrick J. McCarthy and Bridget M. McCarthy; Donald M. Jensen and Lynn D. Gray; Lompoc Ranch Joint Venture; Joe A. Signorelli, Jr.; Adam Peter Signorelli; Gus Thomas Signorelli for Planning Commission review and consideration of a five (5) year time extension for the Development Agreement (DA) for the Burton Ranch Specific Plan (BRSP) Area scheduled to expire May 31, 2019. The Planning Commission will make a recommendation to the City Council regarding the requested time extension. The BRSP area is located on approximately 150 acres at the intersection of Highway 1 (Purissima Road) and Harris Grade Road in the City of Lompoc (APN: 097-250-002, -005, -040, -050, -051, -062 and -069).

Planning Manager, Brian Halvorson, summarized the written staff report with a PowerPoint presentation.

OPEN PUBLIC HEARING

Jon Martin, Harris Grade Partners, stated that they are interested in moving the project forward in the next few years, asking for a five (5) year extension for the Development Agreement so it remains in effect while the project is under construction. Available to answer any questions the Commission has regarding the project.

Derek Hansen, The Towbes Group, thanked the Commission for hearing the item. Echoed Mr. Martin in moving the project forward in the near future.

Wald Fasold, President Board of Directors, Mission Hills Community Services District (MHCS D), expressed support for the extension of Development Agreement. Expressed concerns for some wording in the staff report; Page 4, bullet point 4 "...with potential amendments related to how the project is served from a utilities standpoint." this is a point of conjecture and we would like the statement removed. There is a Local Area Formation Commission (LAFCO) agreement between the City of Lompoc and the MHCS D that we feel is a binding agreement for Water and Wastewater services to be provided for the BRSP by MHCS D.

Steve Dietrich, Board of Directors MHCS D, stated that Burton Ranch is going to provide MHCS D with a site for well and storage development at Onstott and Harris Grade Road and feels that this area is not an appropriate place for domestic water and there is a well downstream from a former burn dump site.

John Linn, resident, spoke in support of the time extension.

CLOSE PUBLIC HEARING

Commissioner Gonzales request staff to comment on issues raised by public comment.

Planning Manager, Brian Halvorson stated that the bullet point on page 4 of the staff report is for informational purposes, it is not creating any changes to the Development Agreement. As of now, there have not been any changes to how the project is being served therefore no updates are required for the Environmental Impact Report (EIR). The well is not apart of the Development Agreement or the Time Extension that we are discussing this evening.

Commissioner Leach inquired if the well was part of the original agreement and considered in the original EIR.

Derek Hansen, The Towbes Group stated that there is a proposed well on the Towbes map at Onstott and Harris Grade Road and feels that this is an issue between The Towbes Group and MHCS D, not the City of Lompoc.

Commissioner Gonzales agreed. The project before the Commission this evening is a Time Extension.

Commissioner Leach inquired if the development impact fees will remain at the 2007 amounts.

Assistant City Attorney Brian Wright-Bushman stated the development fee impact clause stated in the original agreement that freezes the development impact fees for five (5) years, unsure if the first amendment addresses the development impact fees.

Commissioner Leach stated that the 2014 extension continues to freeze the development impact fees.

Assistant City Attorney Brian Wright-Bushman state that it would still hold. Prior to the decision of the Commission, Staff would like to present changes to Planning Commissioner Resolution No. 900 (19) Section 2 after May 31, 2024, to include "subject to changes in the names of the parties approved by the City Attorney's Office".

MOTION: It was moved by **Commissioner Cioni**, seconded by **Commissioner Keller**, that the Commission adopt Resolution No. 900 (19) as amended recommending the City Council extend the Development Agreement for the Burton Ranch Specific Plan (BRSP) (SP 04-01/ DR 05-35), based upon the Findings of Fact in the Resolution, and subject to the attached Second Amendment to the BRSP Development Agreement.

VOTE: The motion passed on a voice vote of 5-0.

NEW BUSINESS: None

ORAL COMMUNICATIONS:

Steve Bridge, Resident, stated that the Commission has a hard job and commended them on a good job this evening. Recommended that the Commission not codify items that do not need to be codified.

WRITTEN COMMUNICATIONS: None

APPROVAL OF MINUTES:

MOTION: It was moved by **Commissioner Leach**, seconded by **Commissioner Gonzales**, that the Commission adopt the minutes of September 12, 2018.

VOTE: The motion passed on a voice vote of 3-0-2, with **Commissioner Keller and Commissioner Braxton abstaining.**

DIRECTOR/STAFF COMMUNICATIONS: None

COMMISSION REQUESTS:

- **Commissioner Leach** inquired about the March 27, 2019, Planning Commissioner Agenda.
 - **Planning Manager, Brian Halvorson** stated that the Commission would be discussing Metal Storage Containers and two (2) Map Time Extensions for Burton Ranch.
- **Commissioner Braxton** inquired on the status of the minutes for October, November, and December.
 - **Planning Manager, Brian Halvorson** stated that Staff is working on them and we will be getting caught up with the minutes.

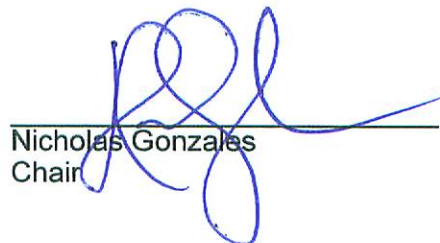
ADJOURNMENT:

MOTION: It was moved by **Commissioner Braxton**, seconded by **Commissioner Gonzales** to adjourn the meeting at 8:13 P.M. to a Special Meeting on Wednesday, March 27, 2019, 6:30 P.M. in City of Lompoc, Council Chambers.

VOTE: The motion passed on a voice vote of 5-0



Brian Halvorson
Secretary



Nicholas Gonzales
Chair