

**MINUTES OF THE REGULAR MEETING
OF THE LOMPOC PLANNING COMMISSION
June 14, 2004**

ROLL CALL: Commissioner Jack Rodenhi
Commissioner Ralph Harman
Commissioner Ann Ruhge
Commissioner Ron Fink
Commissioner Ed Shoemaker

ABSENT: None.

STAFF: Community Development Director Arleen Pelster
City Planner Lucille Breese
Assistant City Attorney Matt Granger

APPROVAL OF MINUTES:

On a motion by Commissioner Harmon and seconded by Commissioner Fink, the Minutes of the May 10, 2004 were unanimously approved on a voice vote of 5-0-0 with a correction to Page 4.

ORAL COMMUNICATIONS:

Jane Anderson. Ms. Anderson noted that the General Plan designation on the south side of Laurel Avenue, between North 'E' Street and North 'G' Street, was changed to *Light Industrial*. She noted that a trucking company is using a vacant lot in that area for truck repair and indicated that she filed a complaint several weeks with the City. She noted that other complaints have been filed and she indicated that a city staff member had told her to take her complaint to the mayor or the Planning Commission for action.

At the Commission's request, City Planner Lucille Breese indicated that the complaint had been received and that staff will be contacting the property owner regarding the violation. She noted that as with most code enforcement cases, it may take some time to resolve. Ms. Anderson inquired of the Commission if they could tell her how long and Commissioner Rodenhi indicated that it depends on the property owner's compliance with the City's directive.

CONSENT CALENDAR:

(All items listed under Consent Calendar are considered to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the time the Commission votes on the motion to adopt.)

1. CUP 89-03 – CONDITIONAL USE PERMIT RENEWAL

A request submitted by The Lodge of Lompoc (formerly Franciscan Manor) for the required 5-year review of the Conditional Use Permit (CUP 89-03) for the facility located at 1420 West North Avenue (APN: 89-040-032 and -033). The review was imposed in connection with Tentative Parcel Map LOM 485-P. This action is Exempt pursuant to the provisions of the California Environmental Quality Act (CEQA).

It was moved by Commissioner Fink that the Planning Commission approve the items on the Consent Calendar. The motion was seconded by Commissioner Ruhge and approved on a voice vote of 5-0.

PUBLIC HEARINGS:

1. DR 04-05 - PLANNING COMMISSION INTERPRETATION

(Continued from May 12, 2004 Commission meeting)

A request by David Pick of Pick Properties, for a Planning Commission determination that a 71,550 square foot storage facility with accessory services and a caretaker unit is an allowable use in the Business Park District in accordance with Section 8453.5 of the Zoning Ordinance. The applicant proposes to construct such a facility in the Business Park District on a 5.12-acre portion of Assessor Parcel Number 93-450-39; however, the proposed use is not a permitted use in this District. The proposed location is at the northeast corner of North O Street and Aviation Drive, north of the existing Wal-Mart facility and south of the City of Lompoc Airport.). This action is statutorily exempt pursuant to Section 15270, Projects which are disapproved, of the California Environmental Quality Act (CEQA).

City Planner Lucille Breese summarized the written report.

Commissioner Rodenhi requested that Ms. Breese clarify the location of the Business Park Zoning District, inquiring if it extended essentially from the property under discussion east to V Street and Ms. Breese responded affirmatively. Commissioner Shoemaker noted for the record that he had talked with the applicant requesting the interpretation, Mr. David Pick, after a past Planning Commission meeting.

PUBLIC HEARING

Public Hearing opened at 6:45 p.m.
Public Hearing closed at 7:00 p.m.

David Pick. Mr. Pick indicated that he is the applicant. Mr. Pick noted that he only intends to use 4.5 acres of the property north of the Lompoc Corners Shopping Center for his proposed business. He discussed the need to consider the demand and developability of property when considering alternate uses. He noted that he felt the City has enough property zoned Business Park. He noted he did not include the land which was designated for aviation-related uses nor the vacant Pactuco property when considering the supply of Business Park Land. He noted that he understands why mini storage facilities are typically not popular in communities because they do not generate sales tax or high employment numbers and discussed why his product was different. He described the industry's history and reviewed the unique provisions which makes his business different from a mini storage.

Public Hearing Closed.

Commissioner Shoemaker inquired of Mr. Pick regarding the job creation. He inquired as to how many jobs the proposed facility would be likely to create and Mr. Pick responded twelve (12). Commissioner Shoemaker also inquired about the number of jobs in Mr. Pick's Riverside project and Mr. Pick indicated that it was under construction and employment had not yet begun. Commissioner Shoemaker also discussed with Mr. Pick the delay on the parcel map which was associated with this property.

Commissioner Fink inquired of staff with regard to the other two projects referenced in the staff report in other jurisdictions, inquiring whether those projects located in properly-zoned areas. Ms. Breese responded that the City of Santa Maria had done a General Plan Amendment and a Zone Change to allow the mini storage in its current location in the City of Santa Maria and noted that the City of Riverside's facility was located in a *Light Industrial Zone* and that a Conditional Use Permit had been issued for the caretaker unit.

Commissioner Harman expressed appreciation to the staff for gathering the information referenced by the applicant, but noted that it did not change his opinion and he still felt that a mini storage complex was not suitable for this location.

It was moved by Commissioner Harman, seconded by Commissioner Fink, that the Planning Commission adopt Version A of Resolution 345 (04) finding that a mini storage facility does not fall within the intended purpose of the Business Park District, and is not consistent with the uses listed as permitted in the Business Park District, therefore, mini storage facilities are not permitted in the Business Park District. Commissioner Harman noted that his motion did not include direction to the applicant to apply for a General Plan Amendment and Zone Change for the property in order to facilitate construction of a mini storage facility.

Under discussion, Commissioner Rodenhi indicated that he felt the project was a good one, however he was not in favor of opening the Business Park Zoning District to mini storage throughout. He recommended the applicant apply for a General Plan Amendment and Zone Change. Commissioner Ruhge commented that she concurred with Commissioner Harman and indicated that the information provided did not establish a difference between this business and the typical mini storage warehouse. Commissioner Shoemaker noted that he read the Minutes and the information provided to the Commission very carefully. He indicated that the applicant knew when he had purchased the property that it was not zoned for mini storage and indicated that he does not agree with either Resolution A or B because this type of use does not belong in the Business Park. Commissioner Shoemaker indicated he felt that land in the Business Park should be protected for future use. He also discussed the possibility of changing the zoning to *Commercial Manufacturing (C-M)* for this parcel west to O Street and then retaining the Business Park designation for the remainder of the Business Park area. Commissioner Shoemaker noted that when smaller homes and smaller lots are approved in Planned Developments, it creates a lack of storage and this may be why mini storage facilities are in demand. The motion passed on a roll call vote of 5-0.

2. LOM 534 – LOT LINE ADJUSTMENT

A request by Barry Cunningham of JM Development, Inc., for Planning Commission consideration of a proposal of a lot line adjustment to reconfigure the size and dimensions of four (4) existing parcels. The number of parcels will remain the same. The property is located in a *Commercial Industrial (C-M)* Zoning District at the northeast corner of Laurel Avenue and V Street (Assessor Parcel Numbers: 89-200-16, 18, 19, 25). A Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA).

Assistant Planner Keith Neubert summarized the written staff report.

PUBLIC HEARING

Public Hearing opened: 7:20 p.m.

Public Hearing closed: 7:21 p.m.

Barry Cunningham. Mr. Cunningham indicated he represented the applicant and noted that the action requested is intended to isolate and separate the concrete batch plant property. Mr. Cunningham requested approval and indicated that he was available for questions.

Public Hearing Closed.

It was moved by Commissioner Fink that the Planning Commission certify the Negative Declaration and adopt Resolution Number 349 (04) approving LOM 534 the proposed Lot Line Adjustment based upon the Findings of Fact in the Resolution and subject to the

Attached Draft Conditions of Approval. The motion was seconded by Commissioner Harman and passed on a voice vote of 5-0.

3. DR 04-07 – DEVELOPMENT PLAN REVIEW

A request by Michael L. Bailey of Watermill Express, for Planning Commission consideration of a proposal to construct an unmanned water-vending kiosk. The kiosk is approximately 56 square feet in size. The site is zoned *Planned Commercial Development (PCD)* and is located at 501 West Central Avenue in the Diversified / Lompoc Corners Shopping Center parking lot (Assessor Parcel Number: 93-450-42). This action is exempt pursuant to the California Environmental Quality Act (CEQA).

Assistant Planner Keith Neubert summarized the written staff report.

PUBLIC HEARING

Public Hearing opened at: 7:25 p.m.

Public Hearing closed at: 7:30 p.m.

Michael Bailey. Mr. Bailey indicated that he is representing the applicant and noted he was available for questions. He discussed with the Planning Commission that the company personnel checks the facility for trash and graffiti daily when they do their filter changes.

Public Hearing Closed.

It was moved by Commissioner Fink that the Planning Commission adopt Resolution Number 347 (04) approving DR 04-07 allowing the construction of a water vending kiosk, based on the Findings of Fact in the Resolution and subject to the attached Draft Conditions of Approval, noting that the applicant would return to the staff with revised plans removing the windmill feature. The motion was seconded by Commissioner Shoemaker. Commissioner Harman noted that he could not support the motion and indicated that this was merely a dressed-up vending machine. He indicated that he felt it would be a traffic hazard, would attract graffiti and trash, and could become a crime problem. The motion passed on a roll call vote of 4-1 with Commissioner Harman voting no.

4. DR 04-09 – DEVELOPMENT PLAN REVIEW

A request by Othello Abata of A & A Builder/Design, representing the property owner, for Planning Commission consideration of a proposal to construct an approximately 2,400 square foot building on the site of the existing Holiday Inn Express, and convert existing office space to two additional guestrooms. The proposed building is two-storied high and contains a conference room, exercise room, maintenance room, storage room, and office space. The site is zoned *Planned Commercial Development (PCD)* and is located at 1417 North H Street

(Assessor Parcel Number 93-450-35). This action is exempt pursuant to the California Environmental Quality Act (CEQA).

Assistant Planner Keith Neubert summarized the written staff report.

PUBLIC HEARING

Public Hearing opened at 7:40 p.m.

Public Hearing closed at 7:43 p.m.

Othello Abata. Mr. Abata indicated that he is the applicant and requested approval of the project. In response to a question by Commissioner Harman, Mr. Abata noted that the conference room would have a capacity of seating thirty people.

Public Hearing Closed.

The Planning Commission discussed whether or not there was adequate turn around area on the northern driveway. Mr. Neubert noted that it was a twenty-five foot wide driveway which meets City standards. Mr. Abata approached the Commission and indicated that he could eliminate one extra parking space in order to increase the turning area size.

It was moved by Commissioner Harman that the Planning Commission adopt Resolution Number 348 (04) approving DR 04-09 allowing the construction of an approximately 2,400 square foot building on the site of the existing Holiday Inn Express and conversion of existing office space to two additional guest rooms, based on the Findings of Fact noted in the Resolution and subject to the attached Draft Conditions of Approval. The motion was seconded by Commissioner Ruhge and passed on a voice vote of 5-0.

NEW BUSINESS:

Election of Chair and Vice-Chair

Commissioner Fink commented that the Planning Commission had been functioning very well with Commissioner Rodenhi as the Chair and Commissioner Harman as the Vice Chair and suggested that continuing the Chair and Vice Chair would be prudent for the remainder of the year. He nominated Commissioner Rodenhi as Chair and Commissioner Harman as Vice Chair. Commissioner Rodenhi indicated that he would be willing to serve but he was also open to providing another Commissioner the opportunity to act in this capacity. With no further discussion, Commissioner Rodenhi was elected to serve at Chair and Commissioner Harman was selected to serve at Vice Chair for the remainder of the calendar year.

Commissioner Harman requested that the staff advise the Planning Commission of the status of Ms. Anderson's complaint which was related during Oral Communications. Commissioner

Fink indicated he concurs. He also asked staff to look into the condition of the parcel for which the lot split was approved earlier on the agenda.

Commissioner Shoemaker noted that there are weeds on the west side of H Street at Laurel and H Street which is on the parade route and he hoped they would be removed before the Flower Festival. He also stated that during discussion of the 148 acre proposal in Miguelito Canyon, which was known as Fiesta Development, residents had told the City Council that their properties were dangerous due to mud slides and other unstable soil conditions. Commissioner Shoemaker indicated that he felt the Building Division should do inspections to preserve the safety of these residents and their structures. He also discussed why weed abatement was not done on developed land, only vacant land, and discussed several other complaints he had regarding Planning Staff's follow-up on approved projects. For example, he noted that the Planning Staff has not required the Chumash Casino parking area to be moved and was told that it was a phased project.

Community Development Director Arleen Pelster clarified that Code Enforcement is an ongoing duty undertaken by the Planning Division. She noted that while the Code Enforcement Officer position, which is a staff member of the Building Division, is currently vacant, that staff member had assisted with field inspections on cases involving planning and building code violations. However enforcement of the Zoning Ordinance has always been undertaken by Planning staff and they continue to do so.

Commissioner Rodenhi noted that he would like to call attention to several successes on recent development. He noted that the project at F Street and College Avenue, for which the Council had recently upheld a decision made by the Planning Commission to deny an appeal to change roof colors, had been restored to the original approval and looked very nice in the neighborhood. He also noted that the Air/Sea storage containers which had typically been stored behind Wal-Mart are gone and thanked the Planning staff for their efforts in that area. Commissioner Harman then noted with regard to Wal-Mart and customers who utilize the Chumash Casino bus that it appears that Wal-Mart is not concerned if people park there because many of the people are their customers also and that they could certainly allow them to use the parking lot.

ORAL COMMUNICATIONS:

None.

WRITTEN COMMUNICATIONS:

None.

DIRECTOR/STAFF COMMUNICATIONS:

Community Development Director Arleen Pelster noted that the airport property Zone

Change and General Plan Amendment would be going to the City Council on June 15, 2004. She noted that a workshop will be held with the City Council and the Planning Commission on Wednesday, July 14, 2004 regarding the Wye Specific Plan and noted that the project at F Street and College Avenue had the change of roof material as required by the Planning Commission and ultimately the City Council.

COMMISSION REQUESTS:

None.

NUMBER OF PEOPLE IN ATTENDANCE: 9

ADJOURNMENT:

On a motion by Commissioner Fink and seconded by Commissioner Rodenhi, the meeting was adjourned 8:10 p.m.

Arleen T. Pelster, AICP
Secretary

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Jack Rodenhi
Chair