

**MINUTES OF THE REGULAR MEETING  
OF THE LOMPOC PLANNING COMMISSION  
September 14, 2016**

**ROLL CALL:** Commissioner Federico Cioni  
Commissioner Allan Clark  
Commissioner Ron Fink  
Commissioner Mary Leach  
Commissioner Jack Rodenhi

**STAFF:** Planning Manager Lucille Breese  
Assistant City Attorney Jeff M. Malawy

**ORAL COMMUNICATIONS:** None

**PUBLIC HEARING ITEMS:**

**LOM 555 – Time Extension Request**

A request, submitted by Marshall Ochylski, representing the property owner, Tri W Enterprises, Inc. for Planning Commission review and consideration of:

- **LOM 555** - time extension for the Vesting Tentative Subdivision Map LOM 555 to subdivide a 5.13 acre parcel of land into 60 residential parcels.
- **Development Agreement** – to establish a Community Facilities District (CFD) to cover the cover the cost of operation and maintenance of the project frontage along the property site. The Planning Commission will make recommendations to the City Council regarding the above noted requests.

The property is approximately 5.13 acres in area located at the intersection of Ocean Avenue and U Street (Assessor Parcel Number 091-110-034 and 091-110-035).

A Mitigated Negative Declaration was prepared pursuant to the provisions of the California Environmental Quality Act (CEQA); distributed to the State Clearinghouse (SCH No. 2006051019); and was certified by the City Council on August 1, 2006. An addendum has been prepared for the Development Agreement pursuant to CEQA.

Planning Manager Lucille Breese summarized the written staff report, indicated that staff was following direction provided at the joint City Council and Planning Commission meeting on June 21, 2016 regarding time extension for Vesting Tentative Subdivision Maps, and noted she had spoken with the project applicant who indicated agreement with all conditions of approval.

## OPEN PUBLIC HEARING

Gene Gideon, resident – noted he had no objection but was unclear what action was being taken, stated the property has been for sale, and trash was constantly on the site.

Chairman Fink responded that the City was considering a time extension to allow additional time for construction of a residential development and requested staff to send information on the development to Mr. Gideon.

## CLOSE PUBLIC HEARING

Commissioners had questions regarding the purpose of the Development Agreement and the difference between the Home Owners Association (HOA) and the Community Facilities District (CFD).

City Attorney Malawy explained these are different entities – the HOA takes care of the common area on the private property including roads and amenities and the residents pay the HOA, where the CFD will fund the future ongoing operation and maintenance in the public right of way which the residents will pay the City on their tax bills. The on-going maintenance is currently being paid out of the General Fund.

Commissioner Leach asked if truck deliveries in alley were addressed in the original approval. Staff responded any trucks delivering to the adjacent commercial site would have to comply with City codes and specific restrictions would have been placed on the development plan for the shopping center.

Commission Clark noted these were separate residential developments with the same name and noted minor corrections in the Development Agreement.

**MOTION:** It was moved by Commissioner Fink, seconded by Commissioner Cioni, that the Commission adopt Resolution No. 841 (16) approving a Time Extension for Vesting Tentative Subdivision Map (LOM 555), based upon the Findings of Fact in the Resolution and subject to the attached Conditions of Approval.

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

**MOTION:** It was moved by Commissioner Fink, seconded by Commissioner Cioni, that the Commission adopt Resolution No. 844 (16) recommending the City Council approve and execute a Development Agreement with Tri W Enterprises, Inc., based upon the Findings of Fact in the Resolution and subject to the attached Conditions of Approval, including minor corrections as noted.

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

### **LOM 554 – Time Extension Request**

A request, submitted by Marshall Ochylski, representing the property owner, Tri W Enterprises, Inc. for Planning Commission review and consideration of:

- **LOM 554** - time extension for the Vesting Tentative Subdivision Map LOM 554 to subdivide a 1.36 acre parcel of land into thirteen residential parcels.
- **Development Agreement** – to establish a Community Facilities District (CFD) to cover the cover the cost of operation and maintenance of the project frontage along the property site. The Planning Commission will make recommendations to the City Council regarding the above noted requests.

The property is approximately 1.36 acres in area located at the intersection of Ocean Avenue and R Street (Assessor Parcel Number 091-110-047).

A Mitigated Negative Declaration was prepared pursuant to the provisions of the California Environmental Quality Act (CEQA); distributed to the State Clearinghouse (SCH No. 2006051017); and was certified by the City Council on August 1, 2006. An addendum has been prepared for the Development Agreement pursuant to CEQA.

The Commission dispensed with a staff report due to the similarities in the projects.

#### OPEN / CLOSE PUBLIC HEARING

**MOTION:** It was moved by Commissioner Fink, seconded by Commissioner Fink, that the Commission adopt Resolution No. 840 (16) approving a Time Extension for Vesting Tentative Subdivsion Map (LOM 554), based upon the Findings of Fact in the Resolution and subject to the attached Conditions of Approval.

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

**MOTION:** It was moved by Commissioner Fink, seconded by Commissioner Clark, that the Commission adopt Resolution No. 843 (16) recommending the City Council approve and execute a Development Agreement with Tri W Enterprises, Inc., based upon the Findings of Fact in the Resolution and subject to the attached Conditions of Approval, including minor corrections as noted.

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

**NEW BUSINESS:** None

**ORAL COMMUNICATIONS:**

Tom Davidson, member of the Economic Development Committee (EDC) and Commercial Real Estate Broker spoke representing a commercial caterer who has signed a lease in the Zotovich property and would like to do retail sales of food in the Wine Ghetto. He read from the City's *Temporary Use Permit (TUP)* standards and requested consideration by the City to process a TUP rather than a CUP, which is more expense and takes a longer period of time, to allow food service prior to the completion of the Zoning Ordinance.

**WRITTEN COMMUNICATIONS:** None

**APPROVAL OF MINUTES:**

**MOTION:** It was moved by Commissioner Leach, seconded by Commissioner Cioni, that the Commission adopt the minutes of July 13, 2016 as corrected.

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

**DIRECTOR/STAFF COMMUNICATIONS:**

Planning Manager Lucille Breese advised the Commission there are business items for the October Planning Commission meeting.

**COMMISSION REQUESTS:**

Commission Rodenhi spoke with Tom Davidson before Planning Commission meeting to provide the Temporary Use Permit (TUP) section of the Zoning Ordinance. Asks to amend to use Temporary Use Permit (TUP). Chairman Fink return to Planning Commission

**ADJOURNMENT:**

**MOTION:** It was moved by Commissioner Fink, seconded by Commissioner Leach, to adjourn the meeting at 7:01 pm.

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

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Lucille T. Breese, AICP  
Secretary

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Ron Fink  
Chair