

AGENDA ITEM: 3.

DATE: 04-19-10

## STAFF REPORT

### CONDITIONAL USE PERMIT NO. 88-15 (Amended)

DATE: April 19, 2010

TO: Lancaster Planning Commission

FROM: Planning Department

LOCATION: ±49 acres at the northwest corner of 10<sup>th</sup> Street West and Avenue K-8

REQUEST: Amendment of Section A.1 of the Antelope Valley Auto Mall Design Standards to expand the allowable range of uses permitted in the Auto Mall, including the sales and leasing of recreational vehicles

RECOMMENDATION: Adopt Resolution No. 10-15 approving Conditional Use Permit No. 88-15 (Amended).

BACKGROUND: The Auto Mall was approved under Conditional Use Permit No. 88-15 on January 9, 1989. As part of this approval the Commission adopted the Antelope Valley Auto Mall Design Standards (AVAMDS), which established the requirements for allowable uses and development requirements in the Auto Mall area.

DISCUSSION: The Lancaster Redevelopment Agency is requesting a modification of the language of Section A.1 of the AVAMDS. Currently, the specific language of Section A.1 states: “The dealerships will include sales and leasing of new and unused cars, vans (including van conversions), trucks, jeeps, motorcycles and/or incidentally, the sale and leasing of used vehicles and the sale of parts.” The proposed language would expand this to include recreational vehicles, as well as supportive commercial uses. Additional language would provide some clarity on vehicle service and that the majority of revenues at each auto dealership must be derived from the sale and leasing of new vehicles.

The proposed change is being sought in order to provide some additional flexibility in the types of vehicle sales allowed in the auto mall, as well as provide clarity that uses which are supportive of the primary intent of the auto mall (sales of new vehicles) can also be allowed. Staff supports the request because it does allow for some additional flexibility, which is important as modifications occur in the automobile sales industry. However, the language of the proposed amendment retains sufficient control so that the vehicle sales nature of the complex remains the primary element.

#### **Attachments:**

Resolution No. 10-15

## RESOLUTION NO. 10-15

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 88-15 AMENDED, REVISING SECTION 1.A OF THE ANTELOPE VALLEY AUTO MALL DESIGN STANDARDS

WHEREAS, an amended conditional use permit has been requested by the Lancaster Redevelopment Agency revised Section 1.A of the Antelope Valley Auto Mall Design Standards, approved under Conditional Use Permit No. 88-15; and

WHEREAS, notice of intention to consider the granting of a Conditional Use Permit has been given as required in Article V of Chapter 17.32 of the Lancaster Municipal Code and in Section 65905 of the Government Code of the State of California; and

WHEREAS, staff has conducted necessary investigations to assure the proposed revision would be consistent with the intent of the adopted design standards; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended approval of this amended conditional use permit; and

WHEREAS, public notice was provided as required by law and a public hearing was held on April 19, 2010; and

WHEREAS, this Commission hereby finds, pursuant to Section 15305 of the State CEQA Guidelines, that the proposed project qualifies for a categorical exemption under Class 5, because it involves only a minor revision to land use limitations, and hereby authorizes the filing of a Notice of Exemption pursuant to the requirements of CEQA; and

WHEREAS, this Commission hereby adopts the following findings in support of approval of this application:

1. The proposed revision will be consistent with the adopted General Plan, since it would still allow for commercial vehicle sales and related uses consistent with the intent of the C (Commercial) land use designation.
2. The requested revision will not:
  - a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, because the use of the auto mall site would remain primarily for vehicle sales, including the added provisions allowing sales of recreational vehicles.
  - b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, because the use of auto mall property would not significantly change.

- c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare, because adequate utilities and access are provided to the auto mall site.
3. The proposed auto mall site is adequate in size and shape to accommodate any modifications in dealership activities allowed by this revision, because adequate design and development standards already established will remain in place.
4. The proposed site is adequately served:
  - a. By Avenue K-8, 10<sup>th</sup> Street West, and the internal auto mall streets, which are improved as necessary to carry the expected vehicular and pedestrian traffic from the proposed uses; and
  - b. By other public or private service facilities, including sewer, water, fire, and polices services are required.
5. The proposed use qualifies as a minor land use limitation modification under Class 5, Section 15305 of the State CEQA Guidelines and will not create a significant effect on the environment.

WHEREAS, this Commission after considering all evidence presented, further finds that approval of the proposed conditional use permit will promote the orderly growth and development of the City:

NOW, THEREFORE, BE IT RESOLVED:

This Commission hereby approves Conditional Use Permit No. 88-15 (Amended), revising Section 1.A of the adopted Antelope Valley Auto Mall Design Standards to read as follows:

1. Description/Location of the Project

The project site is located in the central part of the Antelope Valley within the City of Lancaster. More specifically, the project site covers approximately 49 acres of land bounded by 10<sup>th</sup> Street West to the east, Avenue K-8 to the south, and State Highway 14 (Antelope Valley Freeway) to the west. The Antelope Valley Auto Mall is a vehicle shopping complex containing several auto dealerships. "Auto Dealership" shall mean and refer to the business of retail sale, service, and leasing of new and unused cars, vans (including van conversions), trucks, recreational vehicles, jeeps and/or motorcycles, constituting more than fifty percent (50%) of the actual gross revenues of each Auto Dealership, and the incidental sale, leasing, and service of used car, vans (including van conversions), trucks, recreational vehicles, jeeps and/or motorcycles, the sale of new

and used parts for such vehicles, and similar uses supportive of the retail sale and leasing of new and unused cars, vans (including van conversions), trucks, recreational vehicles, jeeps and/or motorcycles, and other uses approved by the Agency.

PASSED, APPROVED and ADOPTED this 19<sup>th</sup> day of April 2007, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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JAMES D. VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

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BRIAN S. LUDICKE, Planning Director  
City of Lancaster