

AGENDA ITEM: 5.

DATE: 07-19-10

STAFF REPORT

CONDITIONAL USE PERMIT NO. 10-15

DATE: July 19, 2010
TO: Lancaster Planning Commission
FROM: Planning Department
APPLICANT: Three Angels Historic Adventist Church
LOCATION: 211 East Avenue K-6, Suite D
REQUEST: A Conditional Use Permit to allow a church in an existing building in Specific Plan No. 80-02

RECOMMENDATION: Adopt Resolution No. 10-33 approving Conditional Use Permit No. 10-15.

BACKGROUND: There have been no prior hearings before either the City Council or the Planning Commission concerning this property.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The subject location is designated LI (Light Industrial), with a SP (Specific Plan) overlay by the General Plan, and is zoned SP 80-02 (Specific Plan No. 80-02, Lancaster Business Park). It is currently developed with a 19,711 square-foot building of which 3,000 square feet is proposed to be occupied by the applicant. The General Plan designation, zoning, and land use of the surrounding properties are as follows:

	<u>GENERAL PLAN</u>	<u>ZONING</u>	<u>LAND USE</u>
NORTH	LI (SP)	SP 80-02	Light industrial and office professional uses
SOUTH	LI (SP)	SP 80-02	Light industrial and office professional uses
EAST	LI (SP)	SP 80-02	Light industrial and office professional uses
WEST	LI (SP)	SP 80-02	Light industrial and office professional uses

PUBLIC IMPROVEMENTS: The site is bounded to the south by E. Avenue K-6. All utilities are available to serve the site.

ENVIRONMENTAL REVIEW: The proposed project is not subject to the California Environmental Quality Act (CEQA) per Section 15061(b)(3), which states that “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” Since the proposed project is a use permit for a church at an existing facility, no impacts on environmental resources would be expected to occur.

LEGAL NOTICE: Notice of Public Hearing was mailed to all property owners within a 500-foot radius of the project, posted in three places, posted on the subject property, and noticed in a newspaper of general circulation per prescribed procedure.

ANALYSIS: The applicant is requesting approval for a church (Angels Historic Church) to operate within a 3,000 square-foot unit, located in an existing 19,711 square-foot building located in the Lancaster Business Park. The church would operate during weekday evenings, from 6:30 p.m. to 9:00 p.m., Tuesday, Wednesday and Friday. On Saturdays, the church will operate from 9:00 a.m. to 9:00 p.m. Four other tenants are located in the same building, including a driving school, cabinet shop, automobile repossession facility, and another church.

There is sufficient parking on the project site to accommodate the proposed church, based on the number of parking spaces available, and the hours of operation of each tenant. There are 67 spaces on the project site. The existing businesses currently yield a parking demand of 62 spaces (see parking calculation below).

Business	Sq. ft.	Parking ratio	Spaces required (Angels Historic Church hours: Tue/Wed/Fri 6:30 to 9 pm, Sat 9 am to 9 pm)	Spaces required (all other hours)
Suite A – Rightway Driving School Hours: Mon-Sun, 8 am to 6 pm	4,562	1/400	12	12
Suite B – Telford’s Cabinets Hours: Mon-Fri, 7 am to 4 pm	3,234	1/400		8
Suite C – Grace Reformed Church Hours: Sun, 9:30 am to 7:30 pm	1,215 (sanctuary)	1/45		27
Suite D – Angels Historic Church	1,215 (sanctuary)	1/45	27	
Suite E/F – Inyo Recovery LTD Hours: Mon-Fri, 8 am to 6 pm	5,720	1/400		15
Total spaces needed (67 spaces available)			39	62

The proposed church would generate an additional parking demand of 27 spaces, given a 1,215 square-foot sanctuary area and a parking ratio of one (1) space per every 45 square feet. Since the

proposed church will operate during Tuesday, Wednesday and Friday evening hours and Saturdays, all businesses would be able to locate at the project site and avoid any parking conflicts. The only other business that would be open at the same time as Angels Historic Church is the driving school (on Saturdays), which yields a demand of 12 spaces. According to an employee, the driving school has a classroom that accommodates up to 40 students, but these students are not drivers and are typically dropped off and picked up at the facility.

Staff is recommending approval of the church based given the proposed operation hours, based on the site having sufficient parking, adequate access, and compatibility with the existing uses.

Respectfully submitted,

Chuen Ng, Associate Planner

cc: Applicant
Engineer

RESOLUTION NO. 10-33

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 10-15

WHEREAS, a conditional use permit has been requested by Three Angels Historic Adventist Church to allow a church in an existing building located in Specific Plan No. 80-02 (Lancaster Business Park), located at 211 East Avenue K-6, Suite D, as shown on the attached site map; and

WHEREAS, an application for the above-described conditional use permit has been filed pursuant to the regulations contained in Article I of Chapter 17.32 of the Lancaster Municipal Code; and

WHEREAS, a 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 performed necessary investigations, prepared a written report, and recommended approval of this conditional use application, subject to conditions; and

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

WHEREAS, the proposed project is not subject to the California Environmental Quality Act (CEQA) per Section 15061(b)(3), which states that “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” Since the proposal is a use permit for a church in an existing building, no impacts on environmental resources would be expected to occur; and

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

1. The proposed church located in a 3,000 square-foot unit of an existing industrial building will be in conformance with the General Plan land use designation of Light Industrial with a Specific Plan overlay (LI).
2. The proposed church would be located in Specific Plan 80-02, which permits similar gathering and classroom uses such as colleges/universities for learning and sharing of knowledge. Therefore, the same principles apply to churches, religious and social organizations.
3. The requested use at the location will not:
 - a. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, because the use is held within an enclosed existing building. The hours of operation will be from 6:30 p.m. to 9:00 p.m. on Tuesdays,

Wednesdays, and Fridays, and 9:00 a.m. to 9:00 p.m. on Saturdays, outside of the normal business hours for the adjoining uses.

- b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, because City development standards are met and adequate parking is provided. The building is within the height limits of Specific Plan 80-02, and is built with adequate setbacks from the adjacent street.
 - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare, because adequate sewer, water, drainage and improvements are available to serve the site.
4. The 3,000 square-foot unit located in the existing building meets all Zoning Ordinance and Specific Plan regulations because it is adequate in size and shape to accommodate the building setback; is located on a site with 67 parking spaces which can be shared based upon a 1,215 square-foot assembly area and compatible hours of operation; and includes landscaping and other development features to integrate the use with the surrounding areas.
 5. The proposed site is adequately served:
 - a. By East Avenue K-6, which is of sufficient width and is improved as necessary to carry the anticipated daily trips such use would generate; and
 - b. By other public or private service facilities, including sewer, water, fire, and police services as required.
 6. The proposed use is not subject to the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, as noted in the environmental review section of the staff report prepared for this project.

NOW, THEREFORE, BE IT RESOLVED:

This Commission hereby approves Conditional Use Permit No. 10-15, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 19th day of July 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster

ATTACHMENT TO PC RESOLUTION NO. 10-33
CONDITIONAL USE PERMIT NO. 10-15
CONDITIONS LIST
July 19, 2010

GENERAL ADVISORY

1. All standard conditions as set forth in Planning Commission Resolution No. 10-23 for Conditional Use Permits shall apply except for Condition Nos. 4, 5, 7, 8, 10, 11, 13, 14, 16-30, 35-37 and 42-49.
2. The church is approved for a 1,215 square-foot assembly area, with primary hours of operation from 6:30 p.m. to 9:00 p.m. on Tuesdays, Wednesdays, and Fridays, and from 9:00 a.m. to 9:00 p.m. on Saturdays. Any significant change in the hours of operation or increase in assembly area shall be submitted to the Planning Director for review to determine whether a modification to the conditional use permit is necessary.