

AGENDA ITEM: 4.

DATE: 08-16-10

STAFF REPORT

CONDITIONAL USE PERMIT NO. 95-12 AM2

DATE: August 16, 2010

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: Ahmad Ghaderi

LOCATION: 44015 20th Street West

REQUEST: Amendment of Conditional Use Permit No. 95-12 to include the addition of a 756 square-foot automatic drive-thru self-service car wash to an existing gas station/mini-mart in the CPD Zone

RECOMMENDATION: Adopt Resolution No. 10-36 approving Conditional Use Permit No. 95-12 AM2.

BACKGROUND: On December 11, 1995, the Planning Commission approved Conditional Use Permit No. 95-12, for the construction of a Texaco gas station and mini-market, which included two fast-food tenants. Due to ongoing code enforcement violations regarding landscape maintenance, a revised landscape plan was required and was approved by the Planning Director on October 16, 2002, for the undeveloped area to the north and west of the facility.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The subject location is designated C (Commercial) by the General Plan and is zoned CPD (Commercial Planned Development). 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	C, O	CPD, O	Mini-storage, Freeway
EAST	O	O	Vacant, Freeway
SOUTH	C	CPD	Vacant
WEST	C	CPD	Mini-storage

PUBLIC IMPROVEMENTS: The site is bounded by 20th Street West and Avenue J-8. Avenue J-8, a secondary arterial, is improved with two lanes of traffic in each direction including a right and left-turn lane at the intersection; 20th Street West is improved with three lanes of traffic in each direction including a right and left-turn lane at the intersection. All utilities are available to serve the site.

ENVIRONMENTAL REVIEW: The project is categorically exempt (Class 3 - Section 15303 – New Construction or Conversion of Small Structures) from the provisions of the requirements of the California Environment Quality Act (CEQA), because it consists of the construction of a 756 square-foot self-service car wash. The project has no value as habitat for endangered, rare, or threatened species. Approval of the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The site can be adequately served by all services.

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: Ahmad Ghaderi is requesting an amendment to Conditional Use Permit No. 95-12 for the construction of a 756 square-foot automatic drive-thru self-service car wash. Access would be provided by existing driveways located in Avenue J-8 and 20th Street West. Adequate circulation exists to the project and within the project site as shown on the site map.

The proposed self-service car wash would not include any additional employees, and customers would remain in their vehicles. As a result, no additional parking space is required.

The proposed car wash is separated by the nearest residence by approximately 450 feet. The said residence is separated from the car wash by a bermed freeway on-ramp connecting to southbound Highway 14, in addition to a mini-storage building. The proposed car wash would be located less than 300 feet from Highway 14, and therefore, typical highway noise would drown out any possible noise generated from the car wash. No other sensitive uses exist within 500 feet of the project site. Therefore, the project is not expected to create adverse noise levels for this residence.

City staff has received multiple complaints over the years regarding the condition of the landscaping along the northern and western portions of the property beyond the existing service station. Staff has verified that the specific area in question does have missing trees, weeds, and trash strewn throughout the landscaped area. The previous named Texaco Gas Station and mini-market was approved in 1995, with a conditional use permit, subject to a condition of approval that required landscape maintenance. The current applicant is further conditioned through this CUP amendment that prior to occupancy of the car wash, the applicant will landscape the site to match the approved landscape plans on file dated October 16, 2002. Staff will continue to monitor the landscaping.

Water conservation and quality are paramount in the design and operation of the car wash. The facility would utilize a water reclaim system consisting of a 1,500-gallon clarifier which includes an oil/sand separator. The water reclaim system is designed to minimize the amount of fresh water

required for each wash. Each wash cycle utilizes approximately 10 gallons of water, in which approximately 90 percent of the wash water will be recycled water.

The architectural elevations designed for this car wash match the exact materials as the existing building which consists of white block with a red middle band and a dark grey-blue base. The building includes a flat roof. The applicant is conditioned that prior to occupancy of the car wash; completed landscaping will match the approved landscape plans on file.

Staff believes that the project will establish a drive-thru self-service car wash that will augment the variety of goods and services that are currently available in this area of Lancaster. Staff feels that the proposed conditions of approval will ensure that the automatic drive-thru self-service car wash operates in a manner consistent with contemporary retailing strategies of customer convenience.

The project is consistent with the provisions of the C Zone, and in conformance with the General Plan Policy 19.3.1, which states: "Promote high quality development by facilitating innovation in architecture/building design, site planning, streetscapes, and signage". Therefore, staff is recommending that the Commission approve the request subject to the proposed conditions of the project based on the site having sufficient area to accommodate the proposed development, adequate access and services being available for the use, and the lack of significant adverse effects on the surrounding areas.

Respectfully submitted,

Christopher Aune, Assistant Planner

cc: Applicant
Engineer

RESOLUTION NO. 10-36

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 95-12 AM2

WHEREAS, a conditional use permit has been requested by Ahmad Ghaderi for the addition of a 756 square-foot automatic drive-thru self-service car wash to an existing gas station/mini-mart. The proposed project is located in the CPD Zone on 2.70± gross acres of developed land located at 44015 20th Street West, 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, 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, a written report was prepared by staff which included a recommendation for approval of this conditional use permit subject to conditions; and

WHEREAS, public notice was provided as required by law and a public hearing was held on August 16, 2010; and

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

1. The proposed 756 square-foot automatic drive-thru self-service car wash will be in conformance with the General Plan land use designation of C (General Commercial) for the subject property, and with the following various goals, objectives, policies, and specific actions of the General Plan:
 - Policy 19.3.1 “Promote high quality development by facilitating innovation in architecture/building design, site planning, streetscapes, and signage.”
2. The requested use at the location proposed will not:
 - a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, because 450 feet separate the nearest residence from the project site, the site includes an approximate 200-foot northern and western property line landscaped setback; and adequate circulation is provided.
 - b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, because it shall comply with all applicable zoning, building and municipal codes.
 - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare, because adequate sewer, water, drainage, and improvements will be part of the project.

3. The proposed 2.70± gross acres is adequate in size and shape to accommodate building setback, interior circulation, and landscaping, and other development features prescribed in the Zoning Ordinance, or as is otherwise required in order to integrate said use with the uses in the surrounding areas.
4. The proposed site is adequately served:
 - a. By 20th Street West and Avenue J-8, which is of sufficient width and improved as necessary to carry the anticipated 163 daily vehicle trips such use would generate; and
 - b. By other public or private service facilities, including sewer, water, fire, and police services are required.
5. The proposed use will not result in a significant effect on the environment because all potential impacts have been found to not be significant as noted in the environmental review section of the staff report prepared for this project.
6. There is a need for the proposed automatic drive-thru self-service car wash because the project will augment the variety of goods and services that are currently available in this area.

NOW, THEREFORE, BE IT RESOLVED:

This Commission hereby approves Conditional Use Permit No. 95-12 AM2, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 16th day of August 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. 10-36
CONDITIONAL USE PERMIT NO. 95-12 AM 2
CONDITIONS LIST
August 16, 2010**

GENERAL ADVISORY

1. All standard conditions as set forth in Planning Commission Resolution No. 10-23 shall apply except numbers 7e, 11, 14, 16-19, 22, 27-30, 36, 37, 42, 46, 47-49.

OTHER

2. Per the direction of the Directors of Planning and Public Works, at the time of project construction, the applicant shall be required to comply with all Ordinances adopted to address the balance of water supply to water demand.
3. The applicant shall contact Los Angeles County Waterworks District and comply with all their requirements. The proposed development will also be required to pay all applicable District fees.
4. Per the direction of the Director of Public Works, approximately 90 percent of the wash water shall be reclaimed water.
5. The requirement to landscape the unused portion of the project was conditioned as part of the original CUP No. 95-12. Per the direction of the Planning Director, prior to occupancy of the car wash, the applicant shall landscape the area exclusive of the building to match the approved landscape plans on file dated October 16, 2002.