

AGENDA ITEM: 2.

DATE: 01-24-11

STAFF REPORT

CONDITIONAL USE PERMIT NO. 10-27

DATE: January 24, 2011
TO: Lancaster Planning Commission
FROM: Planning Department
APPLICANT: Lancaster Economic Development/Redevelopment on behalf of the University of Antelope Valley
LOCATION: 808 West Avenue J
REQUEST: A Conditional Use Permit for a private university in the S (School) Zone

RECOMMENDATION: Adopt Resolution No. 11-01 approving Conditional Use Permit No. 10-27.

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

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The subject property is designated P (Public Use) by the General Plan and is zoned S (School). 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	C	Commercial Development; Church and Single Family Residential
EAST	C UR	C R-7,000	Commercial Development, Single Family Residential
SOUTH	UR	R-7,000	Single Family Residential
WEST	C UR	C R-7,000	Commercial Development, Single Family Residential

PUBLIC IMPROVEMENTS: The site is bounded to the north by Avenue J, which is improved with three lanes of travel in each direction, to the east by Fig Avenue, to the south by Avenue J-4, and to the west by Hardwood Avenue, all of which are improved with one lane of travel in each direction. 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 15301, (Class 1- Existing Facilities). The proposed project is a five-year lease for a private university at an existing facility, and, therefore, 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 the newspaper of general circulation per prescribed procedure.

ANALYSIS: The Lancaster School District has an agreement with the City of Lancaster to lease portions of the existing Park View Middle School site, which includes but is not limited to; 45 classrooms, a multipurpose/cafeteria, gymnasium, men's and women's locker rooms, softball fields, library, and office space for five years. In addition, the softball fields may be utilized for softball practices and occasional softball games. During this five-year period, the City of Lancaster has agreed to allow the University of Antelope Valley (UAV) to operate a private university at this location. Over the past 30 years, the school district has allowed private colleges and universities to rent unused portions of the campus for educational purposes. Per Section 17.20.130, a conditional use permit is required for private schools to be located in the S (School) zone to ensure compatibility with existing commercial and single family residences.

The applicant has indicated that the University would operate Sunday through Saturday from 8:00 a.m. until 10:00 p.m. The University will run two sessions a day, session one would run from 9:00 a.m. until 3:00 p.m., and session two from 4:00 p.m. until 9:00 p.m. Each session would have approximately 150 students during the week and 60 students on the weekends.

Access into the project would be provided from Fig Avenue on the east, and Hardwood Avenue on the west. This is an existing school site and adequate parking currently exists on the site. No additional on-site or off-site improvements are required for the proposed use.

Staff is recommending approval of the University of Antelope Valley based on the site having sufficient parking, adequate access, with hours of operation from 8:00 a.m. until 10:00 p.m., Sunday through Saturday, which would be compatible with the neighboring uses.

Respectfully submitted,

Randie Davis, Assistant Planner

cc: Applicant
Engineer

RESOLUTION NO. 11-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 10-27

WHEREAS, a Conditional Use Permit has been requested by the Lancaster Economic Development/Redevelopment on behalf of the University of Antelope Valley for a private university to be located in the S (School) zone located at 808 Avenue J, as shown on the attached site plan; 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, 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 January 24, 2011; and

WHEREAS, the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1- Existing Facilities), which exempts minor alternation to existing structures; and

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

1. The proposed use would be located within an existing school site, and will be in conformance with the General Plan land use designation of (S) School.
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 the use would be held within enclosed buildings. The main hours of operation would be on Sunday through Saturday from 8:00 a.m. until 10:00 p.m.
 - 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 have been met and adequate parking and landscaping are provided.

- 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.
3. The proposed site is adequately served:
 - a. By Fig Avenue and Hardwood Avenue, which are of sufficient width and improved as necessary to carry the anticipated 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.
4. 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 his project.

NOW, THEREFORE, BE IT RESOLVED:

This Commission hereby approves Conditional Use Permit No. 10-27, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 24th day of January 2011, 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 RESOLUTION NO. 11-01
CONDITIONAL USE PERMIT NO. 10-27
CONDITIONS LIST
January 24, 2011**

GENERAL ADVISORY

1. All standard conditions as set forth in Planning Commission Resolution No. 10-23 for Conditional Use Permits shall apply except for Conditions Nos. 11-14, 17-19, 22-25, 27-30, 37, and 42-49.