

AGENDA ITEM: 2.

DATE: 04-18-11

**STAFF REPORT**

**CONDITIONAL USE PERMIT NO. 10-28**

DATE: April 18, 2011

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: Crystal Neal

LOCATION: 731 West Lancaster Boulevard

REQUEST: A Conditional Use Permit for a banquet facility for private catered events, and to allow alcohol (beer, wine, and spirits) to be provided on the premises, in the Downtown Lancaster SP 08-01 Zone

RECOMMENDATION: Adopt Resolution No. 11-05 approving Conditional Use Permit No. 10-28.

BACKGROUND: On March 21, 2011, the Planning Commission continued Conditional Use Permit No. 10-28 to the April Planning Commission meeting due to the applicant not being present at the meeting to answer Commissioners concerns involving crowd control, security, and alcoholic beverage control.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The subject property is designated C (Commercial with the Downtown Lancaster Specific Plan overlay) by the General Plan, is zoned SP 08-01 (Downtown Lancaster Specific Plan), and is currently a vacant 1,600± square-foot tenant space. 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	SP 08-01 (Downtown Lancaster Specific Plan)	Parking Lot
EAST	C	SP 08-01 (Downtown Lancaster Specific Plan)	Retail
SOUTH	C	SP 08-01 (Downtown Lancaster Specific Plan)	Restaurant/Bank
WEST	C	SP 08-01 (Downtown Lancaster Specific Plan)	Future brew pub

PUBLIC IMPROVEMENTS: The site is bounded to the south by Lancaster Boulevard, which is improved with one lane of traffic 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 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”. As the proposed project is a use permit for a banquet facility with the sale of alcohol 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 seeking approval of a conditional use permit to operate a banquet facility, “The Main Event”, associated with private catered events, and to allow alcohol (beer, wine, and spirits) to be provided on the premises. The applicant would rent the facility for private parties and catered events. If alcoholic beverages are being served this must be provided by a licensed caterer. The caterer must have a valid Alcoholic Beverage Control Caterer’s Permit license (Type 58) prior to any catered event for a hosted bar (catered bar) or a no-host (Cash Bar).

The Main Event would host various types of private events, such as fashion shows, wedding receptions, quinceaneras, birthdays, dances, and other similar conference/meeting type events. The Main Event would only be opened on the days when there is a scheduled private event. A condition has been included to ensure that the banquet room would close by 1:30 a.m. No patrons would be admitted after 12:00 a.m., and no alcohol sales/service shall occur after 1:00 a.m. All music and/or live entertainment would end by 1:15 a.m., and patrons would be informed that they must exit the premises by 1:30 a.m.

The interior of the building includes a kitchen, restroom facilities, a VIP room, and an office space. A floor area measuring approximately 46’ x 51’ is designated as a meeting area. Located towards the front of the facility is space that can be utilized as a speaker/presenter or dance floor area. The banquet area could be arranged in several different configurations based on the type of event. As the project is not intended to be an entertainment establishment, such as a night club, cabaret, or similar establishment, a condition has been included that would prohibit the facility to operate as such. A condition is also being placed to limit live entertainment to banquet events, by invitation only, rather than events open to the general public.

A condition has been added to ensure that security personnel for events would be provided at the following ratios: Two (2) security guards per 100 patrons, with one (1) additional guard for each additional 50 patrons. The Sheriff’s Department reserves the right to increase the required number of security guards based on the nature of the event and the number of patrons expected to attend the event. Security personnel would wear clothing/uniforms that is/are easily identifiable or possess forms of identification approved by the Los Angeles County Sheriff’s Department. Each security

guard would be licensed and possess a current “guard card”. Security personnel would not be armed at any time. All personal protective equipment used by security officers must be approved by the Sheriff’s Department prior to being deployed.

In terms of parking lot management control, a condition has been added to assure that management/security officers would patrol the parking lot and would remain in the parking lot until all the patrons have left. The applicant must develop a policy on how security officers will address intoxicated patrons leaving the parking lot, and the policy must be approved by the Los Angeles County Sheriff’s Department.

The separation distance requirements as contained in Chapter 17.42 do not apply within the Downtown Lancaster Specific Plan. The applicant would be required to comply with all standard conditions from the alcohol ordinance for on-sale alcoholic beverage establishments (Section 17.42.070).

Staff believes that the applicant’s proposal would provide the City additional banquet hall facilities that are not currently available on the Boulevard. Staff feels that the proposed conditions of approval would ensure that the project does not adversely impact the neighboring businesses. The project is in conformance with the General Plan and is consistent with the provisions of the Downtown Specific Plan 08-01 Zone. Staff believes the Planning Commission should make a favorable determination in support of the proposal.

Respectfully submitted,

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Christopher Aune, Assistant Planner

cc: Applicant  
Engineer

## RESOLUTION NO. 11-05

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 10-28

WHEREAS, a conditional use permit has been requested by Crystal Neal, for a banquet facility for private catered events, and to allow alcohol (beer, wine, spirits) to be provided on the premises, located within an existing building at 731 West Lancaster Boulevard. The project site is located in the SP 08-01 (Downtown Lancaster Specific Plan) Zone, 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 and Chapter 17.42, 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 April 18, 2011; 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”.

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

1. The proposed banquet facility is part of a use type that is consistent with the purposes of the Downtown Lancaster Specific Plan Zone land uses.
2. The proposed establishment 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 distance requirements do not apply within the Downtown Lancaster Specific Plan Zone and because the project has been adequately conditioned to minimize the impacts to the surrounding area.
  - b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, because the banquet facility is compatible with

the uses in the immediate vicinity and within the Downtown Lancaster Specific Plan Zone.

- c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare, because adequate sewer, water, drainage, and improvements are part of the project and adequate security will be provided.
3. The proposed site is adequately served:
    - a. By Lancaster Boulevard and the existing network of local streets in the downtown area, which are sufficient 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 the site is already developed and provided with necessary services.

WHEREAS, this Commission hereby adopts the following Conditional Use Permit findings, per Section 17.42.050, in support of approval of this application:

1. The proposed use for a banquet facility for private catered events, and to allow alcoholic beverages to be provided on the premises, is located in the SP 08-01 (Downtown Lancaster Specific Plan) Zone, which permits alcoholic beverages to be sold and served on the premises and consumed on the premises with a conditional use permit.
2. The proposed use will not adversely affect the nearby residents and facilities primarily devoted to use by children, families, and the general public because, the live entertainment and alcohol sales are in conjunction with a banquet facility, and it is located in a mixed use area and fulfills the objective of, "creating a destination place with a mix of commercial, retail, dining, entertainment, residential, and transit uses".
3. The proposed use serves the public convenience and necessity based on all factors outlined in Section 17.42.060 of the Municipal Code.

NOW, THEREFORE, BE IT RESOLVED:

This Commission hereby approves Conditional Use Permit No. 10-28, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 18<sup>th</sup> day of April 2011, 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

**ATTACHMENT TO PC RESOLUTION NO. 11-05**  
**CONDITIONAL USE PERMIT NO. 10-28**  
**CONDITIONS LIST**  
**April 18, 2011**

**GENERAL ADVISORY**

1. All standard conditions as set forth in Planning Commission Resolution Number 10-23 for Conditional Use Permits shall apply except for Condition Nos. 11, 13, 14, 16-22, 24-30, 36-37, and 42-46.

**Ongoing Operational Conditions Of Approval To Be Complied With At All Times**

2. If alcoholic beverages are being served, this must be provided by a licensed caterer. The caterer must have a valid Alcoholic Beverage Control Caterer's Permit license (Type 58) prior to any catered event for a hosted bar (catered bar) or a no-host (Cash Bar).
3. Employees shall park at the rear of facility except as necessary to use handicapped accessible parking.
4. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written copy of the application, staff report and resolutions for the project to the new owner and/or operator.
5. Per the Public Works Director, an encroachment permit shall be obtained from the City prior to installation of any outdoor display or seating.
6. The banquet hall may be rented out seven days a week, but shall be closed by 1:30 a.m. every night. No patrons shall be admitted after 12:00 a.m., and no alcohol sales/service shall occur after 1:00 a.m. All music and/or live entertainment being played shall end by 1:15 a.m., and patrons shall be informed that they must exit the premises by 1:30 a.m.
7. At no time shall the applicant offer any banquet events, dance parties, or any other similar events that are open to the public, either free of charge, or upon payment of an entry/cover charge. Admission made available to the general public through selling of tickets or reservations shall not be permitted and a guest list shall not be open to participation of the general public.
8. Adequate seating and tables must be provided for all guests during all banquet events and private parties.
9. Live entertainment and/or dancing are allowed as ancillary uses at any banquet event, but shall not be the primary use at any time.
10. A written guest list shall be compiled in advance of each private banquet event, and shall be made available to any peace officer or other City employee upon request.

11. The applicant shall maintain and provide a list to the Los Angeles County Sheriff's Department of the on-site managers (those with authority and responsibility to maintain order during operations), with their phone numbers.
12. Crystal Neal, or the representative thereof, shall be present at all banquet events offering alcoholic beverage service, music, or dancing. These events include, but are not limited to corporate parties, wedding receptions, and any other social gathering determined to be a "special event" by the Los Angeles County Sheriff's Department. Security personnel for all such events shall be provided at the following ratios: Two (2) security guards per 100 patrons, with one (1) additional guard for each additional 50 patrons. The Sheriff's Department reserves the right to increase the required number of security guards based on the nature of the event and the number of patrons expected to attend the event. Security personnel shall wear clothing/uniforms that is/are easily identifiable or possess forms of identification approved by the Los Angeles County Sheriff's Department. Each security guard shall be licensed and possess a current "guard card". Security personnel shall not be armed at any time. All personal protective equipment used by security officers must be approved by the Sheriff's Department prior to being deployed.
13. The banquet hall shall not be open until the minimum required number of management/security personnel is present and prepared to commence security duties. Management/Security staff must remain on-site until any banquet hall in use has closed and all patrons have departed from the parking lot.
14. The applicant shall install a video camera surveillance system for all entrances and exits, compatible with the requirements of the City's forthcoming surveillance ordinance.
15. In addition to posting maximum occupant load signs, the applicant and facility operator shall provide the current occupant load count to Los Angeles County Sheriff or Fire Department upon request. One employee or one member of the security team shall monitor occupancy loads at all times while the banquet facilities are in use.
16. Loitering in the parking lot shall be prohibited. The onsite manager shall inform all clients that when coming or leaving the building, they must not congregate in the parking lot.
17. Management/Security officers shall patrol the parking lot, and will remain in the parking lot until all the patrons have left. The applicant must develop a policy on how security officers will address intoxicated patrons leaving the parking lot; the policy must be approved by the Los Angeles County Sheriff's Department and placed in the case file.
18. Pyrotechnic displays are prohibited at any events unless approved in advance by the Fire Marshal.
19. Special effects or events which diminish the effectiveness of fire protection systems, occupant notification systems, or infringe upon the means of egress are prohibited.



20. All exterior doors shall be kept closed at all times when amplified or live music is being played in the banquet hall facility.
21. The applicant is responsible for the sweeping/washing of all paved surfaces. Sidewalks, parking lots, and other paved areas must be swept within 12 hours after an event to prevent the accumulation of litter and debris from banquet events. If surfaces are pressure-washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agents may be discharged to the storm drain.