

AGENDA ITEM: 4.

DATE: 01-23-12

STAFF REPORT

CONDITIONAL USE PERMIT NO. 11-15

DATE: January 23, 2012

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: Antelope Valley Metropolitan Community Church (AVMCC)

LOCATION: 42545 Wall Street, Suite 101

REQUEST: A Conditional Use Permit to allow a church in an existing building in the Light Industrial (LI) zone

RECOMMENDATION: Adopt Resolution No. 12-03 approving Conditional Use Permit No. 11-15.

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) by the General Plan and is zoned LI (Light Industrial). It is currently developed with an 11,966 square-foot building, of which 1,300 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	LI	Light industrial uses
SOUTH	LI	LI	Vacant / light industrial and office professional uses
EAST	LI	LI	Light industrial uses
WEST	LI	LI	Vacant / light industrial and office professional uses

PUBLIC IMPROVEMENTS: The site is bounded to the east by Wall Street. 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 in an existing building, 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 Antelope Valley Metropolitan Community Church (AVMCC) to operate within a 1,300 sq. ft. unit, located in an existing 11,966 sq. ft. building at 42545 Wall Street. AVMCC will operate primarily on Sundays from 10:30 a.m. to 12:30 p.m.

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 41 spaces on the project site, which are enough to meet both weekday and weekend parking demand. The businesses that operate during weekday daytime business hours generate a parking demand of 28 spaces. On Sundays, the proposed AVMCC would generate a parking demand of 20 spaces, given a 900 square-foot sanctuary area, and a parking ratio of 1 space per every 45 square feet. One other church exists on the project site (Promises of God Ministries), also warranting 20 spaces, for a total of 40 spaces between the two churches.

SUITE # AND BUSINESS	USE	SQUARE-FOOT	PARKING RATIO	SPACES REQUIRED (weekday daytime)	SPACES REQUIRED (Weekday evening/ weekend)
101 – Antelope Valley Metropolitan Community Church	Church	1,300	1/45 of sanctuary		20
103 – Save My Face	Light industrial	1,300	1/400	4	
105 – Promises of God Ministries	Church	1,300	1/45 of sanctuary		20
107 – Carpet Tech	Light industrial	1,300	1/400	4	
109 – Genesis Transmissions	Auto repair	1,800	4 spaces per auto bay	8	
111 – Iron Rootz	Office	700	1/250	3	
113 – Vacant	n/a	700	1/250	3	
115 – Gall Bros	Office	700	1/250	3	
117 – Time Warner	Office	700	1/250	3	
41 parking spaces provided				28 required	40 required

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Staff has made aware to the applicant that the building is located in an area designated in the General Plan as Light Industrial, and may be subject to impacts typical of neighboring industrial uses, such as noise or traffic.

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. 12-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 11-15

WHEREAS, a conditional use permit has been requested by Antelope Valley Metropolitan Community Church to allow a church in an existing building located in the LI (Light Industrial) zone, located at 42545 Wall Street, Suite 101, 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 January 23, 2012; 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 1,300 square-foot unit of an existing industrial building will be in conformance with the General Plan land use designation LI (Light Industrial).
2. The proposed church would be located in the LI (Light Industrial) zone, 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 10:30 a.m. to 12:30 p.m. on Sundays, which are outside of the normal business hours for the majority of 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 the LI zone 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 1,300 square-foot unit located in the existing building meets all Zoning Ordinance regulations, because it is adequate in size and shape to accommodate the building setback; is located on a site with 41 parking spaces, which can be shared based upon 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 Wall Street, 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. 11-15, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 23rd day of January 2012, 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. 12-03
CONDITIONAL USE PERMIT NO. 11-15
CONDITIONS LIST
January 23, 2012

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, 7a, c, d, e, 8, 10, 11, 13, 14, 16-30, 35-37, and 42-49.
2. The primary hours of operation for the church shall be from 10:30 a.m. to 12:30 p.m. on Sundays. Any significant change in the hours of operation, which would cause a conflict with other uses operating on the site or would increase total parking demand beyond the number of on-site spaces, shall be submitted to the Planning Director for review.