

**AGENDA ITEM:** 4.

**DATE:** 09-17-12

**STAFF REPORT**

**CONDITIONAL USE PERMIT NO. 12-14**

**DATE:** September 17, 2012  
**TO:** Lancaster Planning Commission  
**FROM:** Planning Department  
**APPLICANT:** Antelope Valley Northside Foursquare Church  
**LOCATION:** 540 West Lancaster Boulevard, Suite 105  
**REQUEST:** A Conditional Use Permit to allow a church in an existing building in the SP 08-01 zone

RECOMMENDATION: Adopt Resolution No. 12-24 approving Conditional Use Permit No. 12-14.

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

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The subject property is designated C (Commercial) by the General Plan, is zoned SP 08-01 (Downtown Lancaster Specific Plan), and is currently developed with a 10,038 square-foot commercial building. 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	Retail
EAST	C	SP 08-01	Office
SOUTH	C	SP 08-01	Retail
WEST	C	SP 08-01	Office

PUBLIC IMPROVEMENTS: The site is bounded to the north by Lancaster Boulevard and to the east by Beech Avenue, which are improved with one lane of traffic in each direction. All utilities are available to serve the site.

ENVIRONMENTAL REVIEW: The proposed project is categorically exempt pursuant to Section 15301 (Class 1, Existing Facilities) of the California Environment Quality Act, which exempts minor alterations to existing structures.

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: Antelope Valley Northside Foursquare Church is requesting a conditional use permit to locate their church in a 3,200 square-foot unit within an existing 10,038 square-foot multi-tenant commercial building located at 540 West Lancaster Boulevard, Suite 105, in the Commerce District within the Downtown Lancaster Specific Plan. Access is provided from an existing public driveway off of Beech Avenue.

A conditional use permit is required for a church located in the Downtown Specific Plan to ensure compatibility with the surrounding uses and to make certain that the overall vision for the Boulevard is upheld. A church use was not envisioned as an outright approved use for the Downtown Specific Plan, as it is in the City's Commercial zones. The storefronts or suites facing the Boulevard are foreseen to be more conducive to vibrant retail activity. However, the proposed church would not be located in a suite fronting the Boulevard. The church would be located towards the middle and rear of the building.

The church would operate office hours Tuesday, Thursday, and Friday, between the hours of 9:00 a.m. to 9:00 p.m., Wednesday 9:00 a.m. to 9:00 p.m., and Sunday 8:00 a.m. to 12:00 p.m. The services would be held on Sundays at 10:00 a.m., and Wednesdays at 7:00 p.m. The applicant has indicated the congregation currently includes 80 people. Services would be open to the public.

The site currently does not have any on-site parking spaces. Parking is provided in a public parking lot immediately south of the project site, in the ramblas on Lancaster Boulevard, and along the curbs on Beech Avenue. There are no specific parking requirements for a church use in the Downtown Lancaster Specific Plan. However, the City of Lancaster Zoning Ordinance calculates church parking at 1 parking space for every 45 square feet of the sanctuary space. The sanctuary space is 1,100 square feet, which calculates to 25 parking spaces. Staff finds, considering the hours of operation for the church and the surrounding businesses, there is sufficient public off-site parking to accommodate the church use.

The project is consistent with the provisions of the SP 08-01 Zone, and is in conformance with the General Plan. Staff is recommending approval of the church based on the site having sufficient

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parking, adequate access, being compatible with the existing uses, and because the church would not be fronting onto the Boulevard.

Respectfully submitted,

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Christopher Aune, Assistant Planner

cc: Applicant  
Engineer

## RESOLUTION NO. 12-24

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 12-14

WHEREAS, a conditional use permit has been requested by Antelope Valley Northside Foursquare Church to locate a church in a 3,200 square-foot space within an existing 10,038 square-foot multi-tenant commercial building. The proposed project is located in the SP 08-01 Zone at 540 West Lancaster Boulevard, Suite 105, 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, staff performed necessary investigations, prepared a written report and recommended approval of this application, subject to conditions; and

WHEREAS, public notice was provided as required by law and a public hearing was held on September 17, 2012; and

WHEREAS, the proposed project is not subject to the California Environmental Quality Act (CEQA) per Section 15061(b) (3), which states “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 an existing 3,200 square-foot space within an existing 10,038 square-foot multi-tenant commercial building will be in conformance with the General Plan land use designation of Commercial.
2. The proposed church would be located in the SP 08-01 Zone, which permits similar uses such as Colleges/Universities, to gather and share knowledge. Therefore, the same principles apply to church, religious and social organizations.
3. 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 is held within an enclosed existing building.
  - 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 available. The building is within the height limits of the SP 08-01 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 exist or will be part of the project.
4. The existing 3,200 square-foot unit within the existing 10,038 square-foot multi-tenant commercial building is adequate in size and shape to accommodate 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.
5. The proposed site is adequately served:
  - a. By Lancaster Boulevard and Beech 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 as are 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. 11-01, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 20<sup>th</sup> day of June 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. 12-24  
CONDITIONAL USE PERMIT NO. 12-14  
CONDITIONS LIST  
September 17, 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. 7, 8, 10-14, 16-30, 35-37, 42-49.