

AGENDA ITEM: 3.

DATE: 04-20-09

STAFF REPORT

GENERAL PLAN AMENDMENT NO. 05-01 ZONE CHANGE NO. 05-01

DATE: April 20, 2009

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: AV California, LLC

LOCATION: 21.32± gross acres located at the northwest corner of 60th Street West and Avenue K

REQUEST:

1. Amend General Plan land use designation for the subject property from UR (Urban Residential, 2.1 to 6.5 dwelling units per acre) to C (Commercial);
2. Rezone property from R-7,000 (single-family residential one dwelling unit per 7,000 square feet) to CPD (Commercial Planned Development) Zone

RECOMMENDATION: Adopt Resolution No. 09-11, a resolution of the Planning Commission of the City of Lancaster, recommending to the City Council certification of the final environmental impact report, necessary environmental findings, and approval of the General Plan Amendment No. 05-01 and Zone Change No. 05-01.

BACKGROUND: On April 17, 2000, the Planning Commission approved Tentative Tract Map No. 53136 for 23 lots at the northerly portion of the proposed project (APN No. 3203-018-005). The project subsequently expired on April 17, 2002. On February 8, 2005 Council established a policy that individual General Plan Amendments filed prior to October 20, 2004 would be allowed to be processed separately from the City's general plan update. The Council could initiate individual general plan amendments during the City's General Plan updated process if determined that consideration of such amendment would be in the public interest. On March 22, 2005, the City Council determined that an application for a General Plan and Zone Change would be allowed for the project site, the application was filed on March 25, 2005.

On January 17, 2006, a separate map, Tentative Tract Map No. 61992 was approved by the Planning Commission for 23 lots located at the northerly portion of the proposed project. Subsequently the applicant purchased the property to include in the overall application for the General Plan.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The subject property is designated UR (Urban Residential, 2.1 to 6.5 dwelling units per acre), is zoned R-7,000 (Single family Residential, one dwelling unit on 7,000 square feet), and is currently vacant. 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	UR	R-7,000	Vacant, Single Family Residential
EAST	UR	R-7,000	Single Family Residential
SOUTH	UR	R-7,000	Vacant
WEST	UR	R-7,000	Single Family Residential

PUBLIC IMPROVEMENTS: The site is bounded to the north by future Avenue J-12, to the east by 60th Street West, which is fully dedicated at 120-foot right-of-way and partially improved with four northbound lanes and one southbound lane, and to the south by Avenue K, which is partially improved with one lane in each direction. All utilities are available to serve the site.

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.

ENVIRONMENTAL REVIEW: A final EIR has been prepared that analyzes the potential impacts of the proposed project. The Planning Commission, prior to taking action on the project, is required to recommend to the City Council whether to certify this final EIR and make recommendations on required environmental findings. Ultimately, it will be the responsibility of the Council to determine whether the EIR was prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), and to find that the identified environmental effects are insignificant, adequately mitigated, or acceptable due to overriding considerations. These required findings are contained in Exhibit "A" of Resolution No. 09-11. The approval of the Conditional Use Permit if granted, is not in effect unless the General Plan and Zone Change are in effect.

ANALYSIS:

The applicant is requesting a General Plan Amendment and Zone Change to change the land use designation of the subject property from UR (Urban Residential 2.1 to 6.5 dwelling units per acre) to C (Commercial) Zone; and change the zoning from R-7,000 (Single-family Residential, one dwelling unit on 7,000 square feet) to CPD (Commercial Planned Development) Zone.

With the proposed general plan amendment and zone change requests, the site would allow for the development of a commercial shopping center totaling 219,904 square feet of commercial retail.

The proposed amendment and zone change represent a conversion of land to commercial that would provide for some economic benefits to the City in the form of decreased municipal services for the original approved residences and, therefore, could promote Policy 16.3.1, "Promote new development projects which reduce municipal service costs and Policy 16.3.2, "Provide sufficient amounts of land zoned for each type of major revenue generating land use to allow for competitive development opportunities among many potential sites with a broad range of site features and land uses."

The proposed re-designation and rezoning are considered necessary to allow for the efficient use of the subject property as commercial. Further, the project site is in a central location compared to long term growth patterns on the west side of Lancaster. Redesigning the site for commercial at the intersection of 60th Street West and Avenue K would promote commercial to service future residences by providing services not currently offered, and provide services to those traveling 60th Street West, which would be improved as a regional arterial, and promote Policy No. 16.4.2, "Promote regional, community and neighborhood retail development needed to serve growing retail demand generated by population growth."

The proposed General Plan and Zone Change would provide commercial services for the surrounding neighborhood, adequate interface would be provided between the commercial and existing residential uses through development standards to meet the economic, lifestyle and social needs of current and future residences; therefore, staff is recommending approval of General Plan Amendment No. 05-01 and Zone Change No. 05-01.

Respectfully submitted,

Christopher Aune, Assistant Planner

cc: Applicant
Engineer

RESOLUTION NO. 09-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT, THE ADOPTION OF NECESSARY ENVIRONMENTAL FINDINGS, THE ADOPTION OF STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF AN AMENDMENT TO THE ADOPTED GENERAL PLAN OF THE CITY, AN AMENDMENT TO THE ADOPTED ZONING PLAN FOR THE CITY, KNOWN AS GENERAL PLAN AMENDMENT NO. 05-01 AND ZONE CHANGE NO. 05-01

WHEREAS, pursuant to Section 3.c. of City Council Resolution No. 93-07 an amendment to the adopted General Plan of the City has been initiated by AV California, LLC to redesignate from R-7,000 (single family residential, one dwelling unit per 7,000 square feet) to CPD (Commercial Planned Development); and

WHEREAS, pursuant to Section 17.24.040. of the Lancaster Municipal Code the applicant has requested the Planning Commission to consider a change to the zoning designation on the subject property from R-7,000 (single family residential, one dwelling unit per 7,000 square feet) to CPD (Commercial Planned Development); and

WHEREAS, notice of intention to consider the General Plan amendment and zone change of the subject property was given as required in Section 17.24.110 of the Zoning Ordinance and Section 65854 and 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended that the General Plan amendment and zone change requests be approved; and

WHEREAS, a public notice was provided as required by law and a public hearing on the General Plan amendment and zone change requests was held on April 20, 2009; and

WHEREAS, this Commission hereby recommends to the City Council, certification pursuant to Section 15090a)(1) of the California Environmental Quality Act (CEQA) Guidelines, that the final environmental impact report prepared for this proposed project has been completed in compliance with CEQA as described in Section 3 of Exhibit "A" of this resolution; and

WHEREAS, this Commission hereby certifies, pursuant to Section 15090(a)(2) of the State CEQA Guidelines that the final EIR was presented to the Commission, and that the Commission reviewed and considered the information contained in the final EIR prior to making a recommendation to the City Council; and

WHEREAS, pursuant to Section 15090(a)(3) of the State CEQA Guidelines, this Commission hereby recommends that the City Council certify that the final environmental impact report reflects the City's independent judgment and analysis; and

WHEREAS, this Commission based on the evidence in the record, hereby adopts the following findings in support of approval of General Plan Amendment No. 05-01 and recommends that the City Council adopt them:

1. There is a need for the proposed land use designation of C (Commercial) because the commercial designation would provide goods and services to the surrounding residential properties and to establish appropriate infill development.
2. The proposed designations of C will be compatible with the existing land use designation of UR surrounding the project site through the use of development standards, lighting standards, landscaping and masonry walls.
3. The proposed amendment is consistent with and implements **Goal 19** of the General Plan, “to create a well planned community with aesthetically pleasing physical environment.”
4. The proposed amendment is consistent with the following goals, objectives, and policies of the General Plan for the reasons stated below:

Objective 16.1: "Achieve and maintain a balance between the number and types of jobs and the amount and cost of housing available within the Lancaster General Plan study area." The project could provide local employment opportunities for current and future residences in the area.

Objective 16.3 “Maintain development patterns and growth which contributes to, rather than detracts from net fiscal gains to the City.” The project would add to the inventory of buildable commercial lands.

Policy 17.1.3; “Provide a hierarchical pattern of attractive commercial developments which serve regional, community, and neighborhood functions with maximum efficiency and accessibility.” This project will be a benefit to the neighborhood in that it represents an upgrade of the existing vacant properties. The location of the project on a regional arterial will serve regional needs. The building is designed to provide valuable retail space in an underserved area. The building design will be compatible with the desired character of the area in its design and materials.

5. The proposed amendment would allow for the development of commercial uses where sufficient street access, public services, and utilities are available, or can be made available, and would not impede the provision of a diversity of housing types within the City.
6. There are no goals, objectives, policies, or specific actions of the General Plan that would conflict with the proposed amendment, because the addition of 21.32 ± net acres of Commercial land would allow for the opportunity for a range of goods and services to be provided for residents in the immediate vicinity.

7. The proposed amendment would not adversely affect the economic health of the City, because any future development on the site would be subject to the requirements of the adopted Urban Structure Program, and the site is in an area where all necessary services exist or can be readily provided.
8. The proposed site could be adequately served by necessary services and utilities, including police, fire, electricity, water, sewer, gas, and telephone that already exist in the area, provided that necessary connection and impact fees are paid, based on the standards contained within Objective 15.1 of the General Plan and previous responses from affected service agencies.
9. The proposed amendment will not have an adverse effect on traffic and circulation systems as noted in the final environmental impact report and as discussed in Exhibit "A". Mitigation measures exist to reduce this impact in many cases to less than significant; however, remaining significant effects are considered acceptable due to overriding consideration as noted in Section 7 of Exhibit "A".
10. The proposed amendment is in the public interest because the proposed land use designation is compatible with the existing residential to the north, east and west or can be adequately buffered by landscaping and block walls from adjacent existing land uses to the west; the proposed development allowed under the Commercial designation can be adequately served by streets, utilities, and public services in the area; and, the proposed land use designation would not adversely affect the regional water supply or the City's economic health.

WHEREAS, this Commission, based on the evidence contained in the record, hereby makes the following findings in support of the approval of Zone Change No. 05-01, and recommends that the City Council adopt them:

1. The proposed zone change from R-7,000 to CPD is consistent with the General Plan land use designation of CPD proposed for the subject property.
2. Modified conditions, including a change in the land use designation of the site to provide for the commercial to serve as a compatible land use pattern with the existing R-7,000 surrounding the site, warrant a zone change on the site.
3. A need for the proposed zone classification of CPD exists within such area in order to allow for the logical location of commercial development to meet the economic, lifestyle and social needs of current and future residences.
4. The particular property under consideration is a proper location for said zone classification within such area, because it is of the size and shape to allow for the development of commercial compatible with the existing R-7,000 zone classification and development surrounding the site.

5. Placement of the proposed zone at such location will be in the interest of public health, safety and general welfare and in conformity with good zoning practices, because adequate services, facilities, and infrastructure exist to accommodate the proposed density and type of development, and the zoning designation will not result in the development of incompatible uses.

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby recommends to the City Council certification of the Final Environmental Impact Report (SCH#2007071049) prepared for GPA 05-01 and ZC 05-01 as stated in this Resolution.

2. This Commission hereby recommends to the City Council adoption of all environmental findings and the statement of overriding consideration as contained in Exhibit "A"; and the mitigation measures attached hereto as Exhibit "B".

3. This Commission hereby recommends to the City Council approval of General Plan Amendment No. 05-01 to redesignate the subject property from UR to C.

4. This Commission hereby recommends to the City Council approval of Zone Change No. 05-01 through the adoption of the attached ordinance to rezone the subject property from R-7,000 to CPD.

PASSED, APPROVED and ADOPTED this 20th day of April 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

BRIAN S. LUDICKE, Planning Director
City of Lancaster