

AGENDA ITEM: 2.

DATE: 04-20-09

STAFF REPORT

CONDITIONAL USE PERMIT NO. 07-05

DATE: April 20, 2009

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: Kaley Aboul-Hosn

LOCATION: .71± gross acres located on the northwest corner of Avenue J and 17th Street West

REQUEST: Construction of a 4,372 square-foot carwash with a detail shop in the CPD Zone

RECOMMENDATION: Adopt Resolution No. 09-06 approving Conditional Use Permit No 07-05.

BACKGROUND:

- On June 16, 2008, the Planning Commission continued CUP No. 07-05 for 90 days to the September 15, 2008, Planning Commission meeting to allow the applicant to work with staff to address traffic, noise and circulation concerns.
- On September 15, 2008, the Planning Commission granted the applicant's request for a 60-day extension to the November 17, 2008, Planning Commission hearing in order to complete the traffic study.
- On October 20, 2008, the applicant contacted the Planning Department to request an additional 60-day extension.
- On November 17, 2008, the Planning Commission granted the applicant's request for a 60-day extension to the January 20, 2009, Planning Commission meeting. Staff has received and approved the traffic study for the proposed project.
- On January 20, 2009, the Planning Commission granted a 30-day extension to the February 17, 2009, to allow the applicant to submit the noise study.
- On February 17, 2009, the project was continued to the March 16, 2009, meeting to allow staff sufficient time to review the noise study submitted on February 2, 2009. In addition, staff requested that the applicant pay the appropriate fees for the project to be re-noticed as a

new public hearing item, and be heard before the March 16, 2009, Planning Commission meeting.

- On March 16, 2009, staff recommended to continue Conditional Use Permit No. 07-05 to the April 20, 2009, Planning Commission meeting due to improper noticing.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The subject property is designated C (Commercial) is zoned CPD (Commercial Planned Development), 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	C	CPD	MEDICAL OFFICE
EAST	C	CPD	MEDICAL OFFICE
SOUTH	H	H	HOSPITAL
WEST	C	CPD	MEDICAL OFFICE

PUBLIC IMPROVEMENTS: The site is bounded by Avenue J to the south and 17th Street West to the east; Avenue J is improved with three travel lanes in each direction, and 17th Street West is improved with one travel lane in the in each direction. All utilities are available to serve the site.

ENVIRONMENTAL REVIEW: The project is classified as a categorical exemption from the California Environmental Quality Act (CEQA) under Section 15332 Class 32 (In-Fill Development Projects) of the State CEQA Guidelines. This section states that an in-fill project less than 5 acres in size, and is consistent with the General Plan and zoning, has no value as habitat for endangered species, and will not result in any significant effects relating to noise, traffic, air or water quality, and can be served by all required utilities and public services; therefore, be exempt from the provisions of CEQA.

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 a conditional use permit to construct a carwash and detailing shop. The Zoning Ordinance requires a conditional use permit for a carwash due to the potential issues associated with on-site circulation and noise.

During the June 16, 2008, Planning Commission meeting, the Commissioners requested that the applicant redesign the on-site circulation, address pedestrian safety, submit a traffic study, and a noise study. Since that meeting, the applicant has submitted all the requested studies and a revised site plan only showing a carwash and a detailing shop. As shown on the revised site plan, the new

design includes a 1,813 square-foot carwash tunnel, a 1,067 square-foot detailing shop, a 1,492 square-foot indoor and outdoor waiting area, 12 parking spaces for the use, and 14 vehicle spaces for the drying area. The hours of operation for the carwash would be limited to 9:00 a.m. until 5:00 p.m. Sunday through Saturday.

Adequate on-site circulation, vehicle drying area, pedestrian access, and parking would be provided as part of the proposed redesign. The new design improves on-site circulation by providing fourteen parking stalls that would be reserved for the vehicle drying area only. Pedestrian access would be provided from the waiting area by a 6'3" wide marked walkway that leads to the drying area. The City of Lancaster's zoning ordinance requires that 10 parking spaces be provided for the proposed use. The applicant would provide 12 parking spaces, exceeding the required ten parking spaces by two.

The entrance to the carwash area would be provided from 17th Street West via a 30-foot-wide driveway along the northern portion of the site. The City's ordinance requires sufficient depth to provide vehicle stacking for a minimum of seven cars appropriate to the size, location and intensity of the project served. According to the site plan, the applicant would provide 10-car stacking which exceeds city standards by three. The stacking area would be located at the entry of the car wash, and the vacuum area. The driveway would allow vehicle ingress and egress for cars entering into the carwash area and exiting the drying area. In addition, the applicant would provide directional striping and signage that would direct the flow of on-site traffic. This would prevent vehicles from driving into the drying and detailing shop.

The applicant submitted to the City's traffic engineering department a Traffic Study and Traffic Assessment report which reviewed potential traffic impacts at the intersection of Avenue J and 17th Street West. According to the report, the carwash would not increase the current level of service (LOS) above "E", and, therefore, no significant traffic impact would result from the project. In a report prepared for the Antelope Valley Hospital Master Plan (Site Plan Review 97-03), and later in a report prepared for the expansion of Antelope Valley Hospital located south of the proposed site (Site Plan Review 07-24), it was determined that the impacts from both projects warranted the installation of a traffic signal at the intersection of 17th Street West and Avenue J, and the realignment of 17th Street West south of Avenue J. If these conditions had been met within the intended timeframe, the intersection of 17th Street West and Avenue J would be operating at a satisfactory level of service. As an interim measure until the intersection is signalized, the applicant for the car wash would be required to construct channelizers with adequate signing and markings on 17th Street West to restrict left-turns onto Avenue J.

On February 2, 2009, staff received a noise analysis for the carwash, which reviewed the noise levels based on standards set by the City's General Plan. Based on the report prepared by ATS Consulting, dated January 26, 2009, the noise level at property line, based on the revised site plan, would fall below the 70 dBA CNEL standard as specified in the City of Lancaster General Plan for office uses. The carwash equipment would be located within an enclosed structure and would be equipped with silencers. The remainder of equipment utilized at the car wash (including the vacuum pumps) would be fully enclosed within a concrete masonry block unit. In addition, a 6-foot high block wall would be constructed along the northern and western property lines, which would further reduce noise level below the allowable 70 dBA CNEL.

The carwash and detailed facility would have a contemporary style, and the exterior façade would be constructed of split-face in Burnished Harvest (brown) and stucco in Warm Gray. The roof of the carwash would be constructed using non-glaring metal materials in Berrigde Bristol Blue, and aluminum framing in bronze would be provided around the windows and doorway of the carwash.

Staff is recommending approval of the project based on the fact that the site plan demonstrated compliance with the Zoning Ordinance and General Plan. The project site is of adequate size and shape to accommodate the proposed development. Traffic concerns have been addressed, and adequate on-site circulation would be provided. Potential effects on surrounding properties have been minimized through the site design and conditions of approval, and noise study has demonstrated that the use would meet the guidelines of the City's General Plan.

Respectfully submitted,

Randie Davis, Assistant Planner

cc: Applicant
Engineer

RESOLUTION NO. 09-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 07-05

WHEREAS, a conditional use permit has been requested by Kaley Aboul-Hosn, to construct a 4,372 square-foot carwash with a detail shop in the CPD Zone, located on the northwest corner of Avenue J and 17th Street West, 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 has 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 June 16, 2008, and April 20, 2009; and

WHEREAS, the proposed project is categorical exempt under Section 15332 Class 32 (In-Fill Development Projects) of the State CEQA Guidelines for the implementation of the California Environmental Quality Act, and a Notice of Exemption will be filed with the County Clerk of Los Angeles County; and

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

1. The proposed 4,372 square-foot carwash with a detail shop will be in conformance with the General Plan land use designation of CPD (Commercial Planned Development) for the subject property, and with the following various goals, objectives, policies, and specific actions of the General Plan:

Policy 19.5.5. (d). “Through the development review process, ensure that all exterior wall elevations of building and screen walls have architectural treatments that enhance the appearance of the building or wall.

- a. Uniform materials and consistent style should be evident within a development project in all exterior elevations.
- b. Secondary accent materials and colors should be used to highlight building features and provide visual interest.”

2. The requested use at the location proposed will not:
 - a. Adversely affect the health, peace, comfort, or welfare of persons working in the surrounding area because sufficient circulation on-site parking would be provided, and a noise study has demonstrated that potential noise levels would be within the levels set by the General Plan.
 - 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 will be met, adequate parking, a 10-foot wide landscape buffer and 6-foot high block wall will be provided along the northern portion of the site, and a 6-foot high block wall along the western portion of the site. The proposed buildings are of a height compatible with the height limits of the commercial zones and are designed 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 traffic facilities and improvements will be part of the project.
3. The proposed .71± gross acres is adequate in size and shape to accommodate the building setback, vehicle drying area, 12 parking spaces, landscaping, and other 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.
4. The proposed site is adequately served:
 - a. By 17th Street West, which will be 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.
5. 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 this project.
6. There is a need for a full service carwash in this area in which the proposed project would provide a needed service that is currently not available in the immediate area.

WHEREAS, this Commission, after considering all evidence presented, further finds that approval of the proposed conditional use permit will promote the orderly development of the City.

NOW, THEREFORE, BE IT RESOLVED:

This Commission hereby approves Conditional Use Permit 07-05, subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 20th day of April 2009, 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. 09-06
CONDITIONAL USE PERMIT NO. 07-05
CONDITIONS OF APPROVAL
April 20, 2009

GENERAL ADVISORY

1. All standard conditions as set forth in Planning Commission Resolution No. 06-16 shall apply.

STREETS

2. Per the direction of the Director of Public Works, improve and offer for dedication:
 - Avenue J at 70 feet of an ultimate 100-foot right-of-way
 - 17th Street West at 44 feet of an ultimate 64-foot right-of-way
3. Per the direction of the Director of Public Works, vacate the westerly 4 feet of the existing right-of-way on 17th Street West.
4. Per the direction of the Director of Public Works, reconstruct streets to centerline, unless tests indicate an adequate structural section exists, then grind and overlay streets to centerline.
5. Per the direction of the Director of Public Works and the traffic study, prior to issuance of the Certificate of Occupancy, the applicant shall install surface-mounted channelizers in Avenue J at 17th Street West and all necessary signs and markings in order to restrict left-turn egress from 17th Street West.

DRAINAGE

6. All drainage facilities are to be constructed and approved prior to occupancy of any buildings within the project per the direction of the Director of Public Works. If the project is phased, all drainage facilities for each phase will be constructed and approved prior to occupant of any buildings within that phase.

LANDSCAPING

7. Landscape plans shall be prepared in accordance with Ordinance No. 629 and submitted to the Planning Department, along with required plan check fees, for review and approval prior to the installation of landscaping or irrigation systems. Such plans are to be incorporated into development of the site and shall show size, type, and location of all plants, trees and irrigation facilities.

OTHER

8. Prior to occupancy, construct a perimeter masonry wall along the west, and north property lines in accordance with Section 17.28.030.C. of the Lancaster Municipal Code; color and design must match the current color and design that exist on site. The requirement for

peripheral walls may be waived or modified by the Planning Director in order to prevent the creation of double walls where an adequate wall which would meet the intent of this condition is already in existence. All perimeter walls would meet the structural requirements of the City of Lancaster as specified by the Director of Public Works.

9. Per the direction of the Director of Public Works, underground all overhead utilities.
10. Per the direction of the Director of Public Works, the submission of a hydrology study will be required with the grading plan check.
11. Per the direction of the Director of Public Works, all on-site lighting shall be design with directional shields to direct lighting away from the surrounding businesses.
12. Per the direction of the Director of Public Works, construct street lights on Avenue J and 17th Street West.
13. Per the direction of the Director of Public Works, all street lighting systems designed after July 1, 2007, shall be designed as City owned and maintained street lighting systems (LS-3 rate schedule). The Developer's engineer shall prepare all plans necessary to build said street lighting system in accordance with Southern California Edison and City of Lancaster standards.
14. Per the direction of the Director of Public Works, reconstruct handicap access ramps to current ADA standards.
15. Per the direction of the Planning Director, all rooftop and ground mounted equipment shall be screened from public view.
16. Per the direction of the Planning Director, the applicant shall post signs stating "No Loitering" and "No Loud Music" in the parking lot.
17. Per the direction of the Planning Director, no storage of any kind would be allowed in visible areas of the site.
18. Per the direction of the Director of Public Works, the carwash equipment shall achieve a recycling efficiency of 90%..
19. Per the direction of the Planning Director, based on the noise study the carwash equipment including vacuum pumps would be fully enclosed within block rooms. The blowers would be equipped with a silencer that reduces noise levels to an average of 10dBA CNEL.
20. Per the direction of the Directors of Planning and Public Works, at the time of project construction, the applicant shall be required to comply with all Ordinances adopted to address the balance of water supply to water demand.

21. Contact Los Angeles County Waterworks District to determine if there are any additional off-site improvements or conditions that would be required. The proposed development will also be required to pay all applicable Waterworks District fees.
22. Prior to grading, the applicant shall provide 24 hours, 7 days a week a contact name and valid phone number regarding blowing dust or debris from the site.