

PLANNING COMMISSION

AGENDA ITEM: 2.

ACTION Denied (6-0-0-1-0)
Jacobs recused

DATE: 04-20-09

STAFF REPORT

CONDITIONAL USE PERMIT NO. 07-05

DATE: April 20, 2009

TO: Lancaster Planning Commission

FROM: Planning Department *BA*

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.

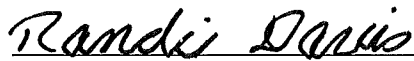
The applicant submitted to the City's traffic engineering department a Traffic Study and Traffic Assessment report which reviewed potential traffic impacts at the intersection of Avenue J and 17th Street West. According to the report, the carwash would not increase the current level of service (LOS) 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.

PC Resolution No. 09-06
Conditional Use Permit 07-05
April 20, 2009
Page 3

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:

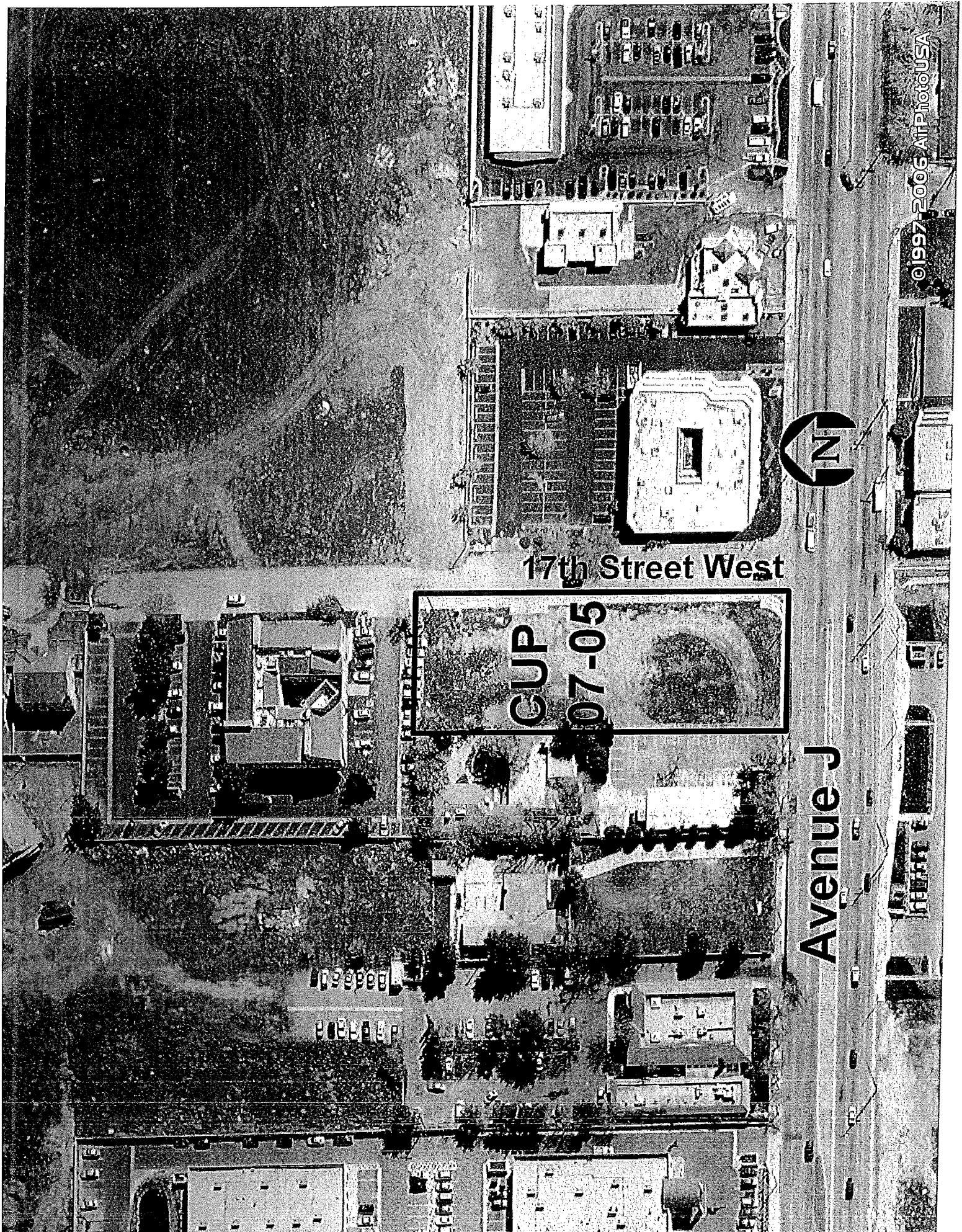
ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster



CUP
07-05

17th Street West

Avenue J



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.

PLANNING COMMISSION

ACTION Approved (4-0-1) Jacobs abstained to continue 90 days for applicant to provide noise mit. analysis; conduct traffic analysis; pedestrian safety be addressed; circl configuration be reconsidered and analysis of parking be conducted

DATE: 06-16-08

STAFF REPORT

CONDITIONAL USE PERMIT NO. 07-05

DATE: June 16, 2008
TO: Lancaster Planning Commission
FROM: Planning Department *BL*
APPLICANT: Kaley Aboul-Hosn
LOCATION: .71± gross acres located on the northwest corner of Avenue J and 17th Street West
REQUEST: To construct a 988 square-foot coffee shop and a 3,327 square-foot full service carwash with a cashier and waiting area in the CPD Zone

RECOMMENDATION: Adopt Resolution No. 08-13 approving Conditional Use Permit No. 07-05

BACKGROUND: No previous actions have been taken on the subject property by either Planning Commission or City Council.

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	Office Park
EAST	C	CPD	Office Park
SOUTH	H	H	Hospital
WEST	C	CPD	Office Park, Duplex

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, 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 (b) (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 988 square-foot coffee shop and a 3,327 square-foot full service carwash facility. The Zoning Ordinance requires a conditional use permit for a carwash due to the potential problems associated with on-site circulation and noise.

As shown on the site plan, the proposal includes a 1,813 square-foot carwash tunnel, a 1,514 square-foot in-door/out-door waiting area, a cashier area, manager's office, utility room, equipment and electrical room, a 900 square-foot drying area, four entry vehicle lanes for stacking of approximately 10 vehicles, and a 988 square-foot coffee shop.

Access to the project site would be provided from two 30-foot wide driveways along 17th Street West. The northern driveway would be designed to allow entry into the carwash area and exiting from the drying area. The drying area would be located south of the carwash entrance to reduce interference with vehicles entering the carwash area. The southern driveway would be designed with an ingress and egress for access to the coffee shop. The applicant would provide adequate onsite circulation, parking, directional striping and signage that would direct vehicles entering the project site. The proposed carwash has been conditioned to install an on-site a filtration/recycling system that will recycle 100% of the carwash water.

The site plan shows a total of 20 customer parking spaces for the entire site. The parking requirements for the carwash would be a minimum of one space for each of the 8 employees, one space for each 250 square feet of waiting room/office space (1514/250), and one space for each 100 square feet of coffee shop area (988/100), for a total of 24 parking spaces. Staff has determined that the 20 proposed parking spaces would provide adequate parking because the majority of the customers utilizing the carwash would also frequent the coffee shop or within walking distance from the surrounding businesses. The hours of operation for the coffee shop would be from 8:00 a.m. until 9:00 p.m. Sunday through Saturday. However, the carwash hours of operation would be limited to 9:00 a.m. until 5:00 p.m. Sunday through Saturday. This would minimize the potential noise conflict with the adjacent commercial uses.

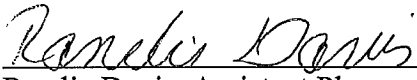
Adequate landscaping would be provided for the project. The landscape setback adjacent to Avenue J is 20 feet in width and 10 feet in width adjacent to 17th Street West. A 10-foot-wide landscape area

would be provided along the northern property line, and additional on-site landscaping would be provided. In addition, a 6-foot high block wall would be constructed along the northern and western property lines to reduce impacts to the residential use to the west and the commercial use to the north. Staff has conditioned the applicant to record a lot line adjustment to encumber Assessor Parcel Nos. 3122-004-020 and 3122-004-021 to create one parcel.

The carwash facility architectural elevations submitted are contemporary with a combination of split-face in a harvest (brown) and the stucco in a warm gray. The roof on the carwash would be made of blue metal and on the coffee shop a bronze/rust metal. The trim around the windows would be rust and the metal trellis located at the entrance to the carwash and along the southern elevation would be blue, which would match the blue metal on the roofline 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, adequate circulation access and services being available for the use, and potential effects on the surrounding properties would be minimized through the site design and conditions of approval.

Respectfully submitted,



Randie Davis, Assistant Planner

cc: Applicant
Engineer

RESOLUTION NO. 08-13

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 988 square-foot coffee shop and a 3,327 square-foot carwash with a cashier and waiting area 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

WHEREAS, the proposed project is categorical exempt under Section 15332 Class 32 (b) (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 988 square-foot coffee shop and a 3,327 square-foot carwash 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 the proposed hours of operation for the carwash are from 9:00 a.m. to 5:00 p.m. daily, and sufficient on-site parking would be provided.
 - 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, 20 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 much needed service that is currently not available in this 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 16th day of June 2008, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

*****, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster

CUP
07-05

17th Street West



Avenue J

ATTACHMENT TO PC RESOLUTION NO. 08-13
CONDITIONAL USE PERMIT NO. 07-05
CONDITIONS OF APPROVAL
June 16, 2008

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 off 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, construct street lights on Avenue J and 17th Street West.
6. Per the direction of the Director of Public Works, underground all overhead utilities.
7. Per the direction of the Director of Public Works, reconstruct handicap access ramps to current ADA standards.
8. 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. 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.

DRAINAGE

9. 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.
10. Per the direction of the Director of Public Works, all trash enclosures shall be located in a covered area or the covered with a roof or metal lattice treatment to prevent wind-blown trash from leaving the enclosure.

11. Per the direction of the Director of Public Works, the trash enclosure wash out drain shall be connected to the drainage clarifier.
12. Per the direction of the Director of Public Works, the submission of a hydrology study will be required with the grading plan check.
13. Per the direction of the Director of Public Works, the applicant shall install an on-site filtration/recycling system that will recycle 100% of the carwash water.

OTHER

14. Per the direction of the Director of Public Works, prior to occupancy the applicant shall record a lot line adjustment to combine Assessor Parcel Nos. 3122-004-020 and 3122-004-021 to create one parcel.
15. The hours of operation for the carwash shall be limited to 9:00 a.m. to 5:00 p.m. daily.
16. 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.
17. Per the direction of the Planning Director, all rooftop and ground mounted equipment shall be screened from public view.
18. Per the direction of the Planning Director, no outdoor storage of any kind would be allowed on the site.
19. 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.
20. 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.
21. The applicant shall contact the local Postmaster to determine if the location of a postal drop box is desirable in the center. If such a box is desired, the applicant shall pay the Postmaster any fees required for such placement (i.e., purchase of the box) and shall obtain the approval of the Planning Director as to the box location. If the location is in a parking lot or abutting a parking lot, the Director shall consult with the City Traffic official to ensure that a traffic safety

hazard will not be created. In the event a box is not desired by the Postal Service, the applicant shall submit a letter from the Postmaster to that effect as a fulfillment of this condition.

22. Any trash on the premises shall be removed within forty-eight (48) hours.
23. Per the direction of the Directors of Public Works and Planning, the applicant shall use drought tolerant measures such as E-T controllers and rotator nozzles wherever possible and use drought tolerant landscaping.

RESOLUTION NO. 06-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF LANCASTER, CALIFORNIA, ADOPTING CERTAIN
STANDARDIZED CONDITIONS OF APPROVAL FOR
CONDITIONAL USE PERMITS

WHEREAS, the Planning staff presented to the Planning Commission a list of thirty-nine (39) conditions which are applied to Conditional Use Permits when they are approved by said Commission; and

WHEREAS, the staff explained to the Commission that since these are standard conditions for almost all use permits, it might be more appropriate to adopt them by resolution for reference purposes as it would save staff time in preparing the reports and Commission time in hearing said reports; and

WHEREAS, it was further explained by staff that adoption of these standard conditions and incorporating by reference would be a more efficient and consistent approach to applying said conditions to the use permits approved by the Commission; and

WHEREAS, after discussion, it was the consensus of the Commission that it would be in the best interest of all concerned that the above-mentioned conditions of approval be adopted by resolution and referred to by resolution number for all Conditional Use Permits;

NOW, THEREFORE THE LANCASTER PLANNING COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND FIND AS FOLLOWS:

The Planning Commission hereby establishes the following conditions of approval as standard conditions to be used by reference in conjunction with all Conditional Use Permit approvals.

1. Unless otherwise indicated herein, the development of the site shall be in substantial conformance with approved site plans on file in the Planning Department.
2. All requirements of the Municipal Code and of the specific zoning of subject property must be complied with unless otherwise set forth in the permit or shown on the approved plot plan.
3. The applicant shall contact the City of Lancaster Fire Warden to determine improvements that may be required to protect the property from the fire hazard and shall provide and install at his expense such improvements as may be deemed necessary by the Fire Warden. Fire protection improvements shall be completed to the satisfaction of the Public Works Director prior to certification of completion and occupancy of the subject buildings.
4. Three (3) copies of a signage plan shall be submitted for approval of the Planning Director at the time of building plan issuance. Such plan shall be comprehensive and

- shall include: location, height, square footage, method of attachment, construction materials, and colors of each sign proposed to be placed on the site.
5. The following items/plans shall be submitted to the Public Works Department, which shall route them to the Planning Department for concurrent review and approval prior to issuance of permits:
 - a. Lighting Plan: Such plan shall include decorative, directional, and security lighting. Such lighting shall be directed away or shielded from neighboring properties.
 - b. Building Plan: Such plan shall demonstrate adherence to design elements approved by the Planning Commission including but not limited to: building elevations (all sides), construction materials and colors, and the method of screening rooftop equipment.
 - c. Grading Plan: Such plan shall show height of finished building pads in addition to walls, berming and/or contour mounding if such features are approved by the Planning Commission.
 - d. Landscape Plan: 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 plan must be approved prior to issuance of permits. Such plan is to be incorporated into development of the site and shall show size, type, and location of all plants, trees, and irrigation facilities.
 - e. Trash Enclosure Plan: Such plan shall show location, design, construction materials, and color of materials and shall be in accordance with such plans contained within the residential development guidelines.
 6. All necessary permits shall be obtained from the Building and Safety Division of the Public Works Department prior to any construction, remodeling, or replacement of buildings or other structures.
 7. The applicant is hereby advised that this project is subject to development fees at the time of building permit issuance, including, but not limited to, the following as applicable: 1) L.A. Co. Residential Sewer Connection Fee; 2) Interim School Facilities Financing Fee; 3) Installation or Upgrade of Traffic Signals Fee; 4) Planned Local Drainage Facilities Fee; 5) Dwelling Unit Fee; 6) Traffic Impact Fees; and 7) Urban Structure Fee (Park Development Fee, Administrative Office Fee, Corporate Yard Fee, Operations Impact Fee, etc.)

8. An encroachment permit shall be obtained from the Public Works Department prior to doing any work within the public right-of-way.
9. Per the direction of the Public Works Director, construct ADA "walk arounds" at all driveways to the specifications of the Public Works Director and install ADA curb ramps at all intersection.
10. All construction and/or installation of improvements shall be undertaken to the specifications of the City of Lancaster Municipal Code.
11. Per direction of the Public Works Director, comply with City Municipal Code, Chapter 13.20 Article II, entitled Installation/Relocation for New/Expanded Development of Overhead Utilities.
12. If determined necessary by the Public Works Director, testing of the existing pavement section is to be performed prior to submitting street plans for plan checking. The minimum allowable structural section will be per the City requirement or the soil test recommendation whichever is greater based on the City's Traffic Index for the street. Removal and reconstruction of the street centerline may be necessary to meet the required structural section.
13. Street grades shall meet the specifications of the Public Works Department.
14. Per the direction of the Public Works Director, the asphalt surface course for all arterial streets shall be constructed with rubber modified asphalt. The type of rubber modified asphalt shall be as specified by the City and shall be determined in final design.
15. Per the direction of the Public Works Director, a Dust Control Plan shall be prepared and submitted to the Antelope Valley Air Quality Management District (AVAQMD) in accordance with Rule 403 of the AVAQMD. An approved copy of the Dust Control Plan shall be submitted to Public Works prior to issuance of a grading permit within the City for residential projects of 10 acres or larger and for commercial/industrial projects of 5 acres or larger. In lieu of an approved plan, a letter waiving this requirement shall be submitted.
16. Per the direction of the Public Works Director, the Developer shall install a conduit pull rope, and pull boxes along regional, primary, and secondary arterials to the nearest arterial intersection to be used for future Traffic Signal Communication Interconnect. The interconnect system shall be installed in accordance with the specifications approved by the Traffic Section.

17. The project shall comply with the Best Management Practices (BMPs) of the National Pollutant Discharge Elimination System (NPDES) and all NPDES Permit Requirements.
18. Per the direction of the Public Works Director, install a clarifier or other BMP to treat first flush.
19. Per the direction of the Public Works Director, if the project is located in Flood Zone AO (1), elevate the building one foot above the highest adjacent grade.
20. Mitigate onsite nuisance water and developmental storm water runoff to the satisfaction of the Public Works Director.
21. Box culverts or other structures acceptable to the Public Works Director are required at all intersections with arterial streets to eliminate nuisance water from crossing the streets above ground. (No cross gutters allowed).
22. Prior to occupancy, the property shall be annexed into the Lancaster Lighting District.
23. Prior to occupancy, the property shall be annexed into the Lancaster Drainage Maintenance District.
24. Street lights are required per adopted City ordinance or policy.
25. The applicant is hereby advised that the use of any signs, strings or pennants, banners or streamers, clusters of flags and similar attention-getting devices are prohibited, except where there has been prior approval from the Planning Department.
26. If any provision of this permit is held or declared to be invalid, the permit shall be void, and the privileges granted hereunder shall lapse.
27. It is further declared and made a condition of this permit that if any condition hereof is violated, or if any law, statute, or ordinance is violated, the permit shall be suspended and the privileges granted hereunder shall lapse provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
28. Prior to occupancy of any buildings or structures, the permittee shall request, not less than forty-eight (48) hours in advance, that on-site inspection be made by the Planning Department to verify that development of the property has occurred in consonance with conditions as enumerated in this permit.
29. Landscape materials, once approved, shall be maintained in perpetuity.

30. This Conditional Use Permit must be used within two (2) years from the date of approval, the Conditional Use Permit will expire. The applicant may, not less than sixty (60) days prior to the expiration date, request a one (1) year extension in writing to the Planning Director. Modifications to the plan, including timing of on and off site improvements that do not raise significant new issues or extend the overall time frame beyond the approval period may be approved by the Planning Director.

NOTE: Issuance of building permits, installation of off-site improvements, and grading of the site do not constitute "use" of the conditional use permit. Under the Zoning Ordinance, construction or other development authorized by the conditional use permit must have commenced. Generally, the City requires that the slab of a major building in the project be poured and inspected in order to consider the permit used, although the circumstances of each case may vary depending on the land use involved.

31. If the project is developed in phases, undeveloped portions of the site shall not contribute to blowing debris, dirt or dust.
32. If the project is developed in phases, all the development requirements shall be met for each phase including parking, landscaping, trash enclosures, drainage, etc.
33. The applicant shall be responsible for notifying the Planning Department in writing of any change in ownership, designation of a new engineer, or a change in the status of the developer, within thirty (30) days of said change.
34. The Planning Director shall execute the necessary documents to ensure the recording of this permit with the County Recorder's Office.
35. This conditional use permit will not be effective until ten (10) working days after the date upon which it is granted by the Planning Commission and until the applicant has executed and returned to the Planning Department an authorized acceptance of the conditions of approval applicable to said permit.
36. Expansion or intensification of the use beyond the approval specified herein would require subsequent review and possible application for amendment. The Planning Director is authorized to approve modifications to the site plan provided such modifications do not substantially change the intent of the approved use, avoid issues raised at the public meeting, or raise new issues not previously addressed.
37. Pursuant to Section 65089.6. of the Government Code, the project will be subject to the Congestion Management Plan (CMP) mitigation requirements, including mitigation fees.

38. Per the direction of Planning, a Phase I Cultural Resource Study is required for any off-site area which will be disturbed by the development, such as staging areas and turn-arounds not covered by the Cultural Resource Study, or all work shall be conducted on the site by installation of a fence to determine limits of development.
39. Prior to the issuance of a grading permit, the applicant agrees to pay a fee to the City of Lancaster in the sum of \$770.00 per gross acre, to be held in the biological mitigation fund as established by the City Council. Additionally, should the applicant be required to pay mitigation fees under the California Department of Fish and Game, these fees can be deducted from the amount collected by the City of Lancaster. Said fee shall be submitted to the Planning Department.

PASSED, APPROVED AND ADOPTED this 21st day of February, 2006, by the following vote:

AYES: Commissioners Baldus, MacPherson and Salazar; Vice Chairman Mann; Chairman Smith
NOES: None
ABSTAIN: None
ABSENT: None



RONALD D. SMITH, Chairman
Lancaster Planning Commission

ATTEST:



BRIAN S. LUDICKE, Planning Director
City of Lancaster