

STAFF REPORT
City of Lancaster, California

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05/26/09
MVB

Date: May 26, 2009

To: Mayor Parris and Council Members

From: Brian S. Ludicke, Planning Director

Subject: **Appeal of Planning Commission Denial - Conditional Use Permit No. 07-05**

Recommendation:

Deny the appeal and uphold the Planning Commission denial of Conditional Use Permit 07-05, a request to construct a carwash and detail shop on the northwest corner of 17th Street West and Avenue J.

Background:

The Planning Commission originally heard this conditional use permit request on June 16, 2008. The request consisted of a carwash, detail area, and coffee house. The Commission continued the matter, citing concerns about noise, traffic circulation, and on-site parking. The applicant undertook noise and traffic studies to analyze and address issues raised by the Commission. The studies indicated that noise levels would meet the requirements of the City's General Plan for the area, which is largely developed with medical office buildings. Traffic in the area currently warrants installation of a traffic signal at the intersection of Avenue J and 17th Street West; as an interim measure, pavement markings and channelizers would be installed to prevent left-turns onto Avenue J from 17th Street West. The applicant also removed the proposed coffee house to provide additional on-site parking and drying area for the carwash. With these changes, staff recommended approval of the request.

On April 20, 2009, the Planning Commission, upon reviewing the revised project, felt that the design of the project was not compatible, from a design and aesthetic standpoint, with the surrounding land use. The Commission also found that the size and shape of the property was not adequate to accommodate the expected demand for stacking area, and that significant conflicts exist with regard to on-site circulation and safety. Further, the Commission felt that the applicant had not demonstrated a compelling need for the project in this area. The Commission denied (by a 6-0-1 vote) the request.

On May 1, 2009, Mr. Aboul-Hosn filed an appeal based on the Planning Commission's decision to deny Conditional Use Permit 07-05. The applicant stated in his appeal that the Planning Commission failed to properly consider all the facts and laws regarding the project.

RED:BSL/jr

Attachments:

PC Staff Report dated April 20, 2009

PC Staff Report dated June 16, 2008