

AGENDA ITEM: 4.

DATE: 07-07-09

STAFF REPORT

CONDITIONAL USE PERMIT NO. 06-08

DATE: July 7, 2009

TO: Lancaster Planning Commission

FROM: Planning Department *BJ*

APPLICANTS: The Frank and Yvonne Lane 1993 Family Trust, Joshua Lane LLC, and The Wood Group

LOCATION: 40.26± gross acres located at the southeast corner of 60th Street West and Avenue L

REQUEST: A Conditional Use Permit to construct a 395,355 square-foot commercial shopping center, with off-site sales of alcoholic beverages for the Anchor 1 building and the Drug Store

RECOMMENDATION: Adopt Resolution No. 09-23, adopting environmental findings and approving Conditional Use Permit 06-08.

BACKGROUND: The Planning Commission on October 30, 1989, and the City Council on December 13, 1989 approved General Plan Amendment No. 88-49 and Zone Change 89-60 to redesignate approximately 22.3± acres on the southwest corner of 57th Street West and Avenue L from UR (Urban Residential, 2.1 to 6.5 dwelling units per acre) to C (Commercial), and to rezone the property from R-7,000 (single-family residential, one dwelling unit per 7,000 square feet) to CPD (Commercial Planned Development). Approximately 5± acres on the southeast corner of 60th Street West and Avenue L were already designated C and Zoned CPD. During the City's General Plan update in 1992, approximately 2.96± acres were redesignated from UR to C and rezoned from R-7,000 to CPD, and approximately 10± acres north of Avenue L-4 between 57th Street West and 60th Street West were redesignated from UR to OP, and rezoned from R-7,000 to OP (Office Professional). In summary, 30.26± acres are designated C and zoned CPD, and 10± acres are designated and zoned OP.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The subject property is designated C (Commercial) and OP (Office Professional), is zoned CPD (Commercial Planned

Development) and OP (Office Professional), and is currently used as a working ranch. The General Plan designation, zoning, and land use surrounding the 40.26± gross acre subject property is as follows:

	<u>GENERAL PLAN</u>	<u>ZONING</u>	<u>LAND USE</u>
NORTH	UR	R-10,000	Single Family Residences
EAST	UR	R-10,000	Single Family Residences
SOUTH	UR	R-7,000	Vacant
WEST	O	O	Quartz Hill High School

PUBLIC IMPROVEMENTS: The overall site is bounded on the north by Avenue L, which is currently dedicated between an 80 to a 128-foot right-of-way with one travel lane in each direction. The site is bounded on the west by 60th Street West, which is currently dedicated at a 100-foot right-of-way, and is improved with two travel lanes in the south bound direction, and one travel lane in the northbound direction. And the site is bounded on the east by 57th Street West, which is currently dedicated at a 64-foot right-of-way, and is improved with one travel lane in each direction. All utilities can be made available to the site.

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 adopt environmental findings. These required findings are contained in Exhibit "A" of Resolution No. 09-23. Ultimately, it will be the responsibility of the Council to certify the final EIR. The approval of the Conditional Use Permit, if granted, is not in effect unless the General Plan and Zone Change are approved and in effect.

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 a proposed 395,355± square-foot commercial retail center would consist of two anchors (149,362 and 160,221 square feet respectively), a major tenant (Major 1 - 12,500 square feet), a drug store (17,272 square feet), a bank (5,000 square feet), a pad building (Pad 1 - 6,500 square feet), and six independent shop buildings (totaling 44,500 square feet). The necessary parking, drive aisles, landscaping, and trash enclosures would be provided with the construction of each building. The layout of the proposed center is oriented towards 60th Street West. The main driveway would provide a "main street" entrance design with landscaped median leading to an attractive landscaped round-about. The final design of the shops along side this "main-street" would provide a store front look with walk-in entrances or walk-in corridors with shop entrances, to avoid driving into the center and seeing the backsides of these shops. A landscaped walk-way would provide access from 60th Street West to the anchor buildings, and the landscaped

walkways between the buildings and drive aisles would be marked with decorative concrete. In addition, two outdoor plazas with protective screen walls would also be provided adjacent to Shop Buildings 1 and 5 along 60th Street West.

Primary access on 60th Street West would be provided by the main entrance driveway approximately 705 feet south of Avenue L. This entrance would be signalized and align with a newly configured driveway entrance into Quartz Hill High School. (The two existing entrance driveways into the High School would be consolidated into this one new signalized driveway.) A second entrance on 60th Street West would align with Avenue L-4 and also be signalized. The main entrance on Avenue L would be adjacent to the Anchor 1 Store and be signalized. The second entrance on Avenue L would be approximately 360 feet east of 60th Street West and be restricted to right-turns only. Medians would be required in both 60th Street West and Avenue L to provide for left-turn movements. Also, the median in Avenue L would be extended 150 feet east of 57th Street East to prevent left-turn movements onto 57th Street West. The project's applicant has been conditioned to pay a financial contribution or impact fee as adopted by the City Council to be used towards the widening of Avenue L east of the site in Los Angeles County.

The Shopping Center would require 1,766 total parking spaces, one space per every 200 square feet for the commercial center plus one space per 5,000 square feet for the garden center areas. The applicant is proposing 1,777 parking spaces, which exceeds the required amount of parking by 11 parking spaces. Adequate circulation exists for the site as shown on the site map. In addition to the on-site parking and circulation, the two Anchor stores will have their loading docks at the rear of their buildings (the east side) with an eight-foot-high sound/screen wall for each loading dock.

The project has been conditioned to add an electronic device along the perimeter of the project that would lock the cart's wheels, and keep the carts from leaving the site. The problem of stray shopping carts has become a costly nuisance to many cities including the City of Lancaster, and with the Shopping Center's close proximity to residential development and potential walk-in customers, staff believes this technology is warranted. This requirement has become a typical City condition for commercial centers during the past few years.

The EIR recommended that the applicant would provide a "fair share contribution" toward the implementation of specific mitigation measures through traffic and traffic signalization impact fees. The project would be conditioned to install three traffic signals; at the intersection of 60th Street West and the main entrance to the commercial center/Quartz Hill high School driveway, 60th Street West and the intersection with Avenue L-4, and at Avenue L and the main entrance into the commercial center. The study indicated that improvements were needed along Avenue L and 60th Street West to complete the increased capacity intersection. The applicant would construct street improvements to widen 60th Street West north of Avenue L to accommodate an additional through lane (southbound approach) to accommodate an additional through lane, left-turn lane and dedicated right-turn lane. The construction of street improvements to widen 60th Street West from Avenue L-8 to Avenue L-4 to accommodate an additional northbound through lane.

Project landscaping would include a landscape setback along the frontage on Avenue L, 60th Street West, and 57th Street West that would vary between 10 to 35 feet in width. Additional landscaping would be provided by a series of tree wells and planters throughout the parking area. The applicant is being conditioned to install 24-inch box evergreen trees, 30 feet on center, within landscape planter along 57th Street West, providing additional screening between the proposed project and the residential neighborhood to the east. Also, where parking spaces face 60th Street West and Avenue L, the project would be required to install screening, such as hedges, walls, or berms, to minimize car headlight impacts.

Due to the proximity of residential development to the east of the project site, there are certain aspects of the project that could indirectly affect the residents, including noise from the delivery and loading areas, and lighting from buildings and parking lots. Staff is recommending specific conditions to reduce the potential effects. As mentioned above, a landscape planter and a screen wall would be placed along the easterly boundary to screen the buildings from the residents. Also, signage would be prohibited on the west elevation of the buildings adjacent to the residential property lines. The delivery hours would be limited between 6:00 a.m. to 9:00 p.m. Although this condition would not prevent noise, it would be limited to the more active daylight and early evening hours, and would prevent delivery activities during normal sleeping hours when noise would be more disruptive. This measure would reduce the impacts of the noise from truck traffic; however, occasional noise from trucks backing up could still be audible to residents to the west of the delivery area. The back-up noise is intermittent and cannot be mitigated because it is an OSHA requirement. In an effort to reduce noise to easterly residents from truck delivery traffic, there would be no access from 57th Street West. In addition, the Anchor 1 and 2 stores would provide additional sound/screen walls at their loading docks. Also, as a precautionary measure, the project has been conditioned to post signs prohibiting overnight R.V. camping/parking. Staff feels these conditions, combined with the City's standard practice of requiring all project and building lighting to be directed onto the site and shielded from surrounding areas, would adequately reduce the impacts of the project from lighting and noise.

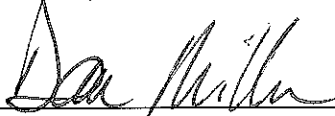
The applicant has submitted elevations showing the Anchor I store having a contemporary design with the front elevation showing multiple variations in setbacks and materials for added interest. Also, the front elevations indicate the use of landscaped planters, tree wells, and a large trellis for additional enhancement. The north and rear elevations also show variations in height and materials, and these elevations would also be softened by landscaped planters along Avenue L and 57th Street West that are 10 to 22 feet in width. Elevations for the Anchor II store and the remaining shop buildings show a contemporary design blended together with craftsman characteristics, which include tower elements, trellises, metal canopies, fabric awnings, and varied dimensions of pop-outs and parapet projections. Staff is recommending 360-degree architectural relief/treatment to the Anchor 1 and 2 buildings. Alternate design elements to differentiate then center's tenants should include: tile roof, ornamental metal work, additional cornice, wainscoting, stucco reveals, metal canopies, decorative tile, enhanced exterior lighting, and ledge-stone veneer for the columns. With the direction from the City Council for substantial changes in architectural design, staff is recommending that the applicant enhance all the elevations of the Anchor 1 building and the rear

elevation of the Anchor 2 building, and return to staff for review prior to issuance of building permits.

As a part of this conditional use permit, the applicant has also requested the approval for an "incidental off-sale alcoholic beverage establishment," so that the Anchor I Store and the Drug Store could sell alcohol per the guidelines of the City's Municipal Code, Section 17.42 pertaining to alcohol beverage establishments. The Anchor I store would have less than five (5) percent of the store's square-footage devoted to alcohol sales, and the Drug store would have less than 10 percent of the stores square-footage devoted to alcohol sales. These two stores would be considered incidental off-sale alcoholic beverage establishments as defined by Section 17.42.020 (Definitions of Alcoholic Beverage Establishments) and; therefore, not subject to distance requirements to residences or schools.

The proposed Conditional Use Permit would establish a commercial retail center that would provide a variety of goods and services for the surrounding neighborhoods. Staff finds that the proposed conditions of approval will ensure that the commercial retail center operates in a manner consistent with contemporary retailing strategies of customer convenience. The project is consistent with the provisions of the CPD Zone, and in conformance with the General Plan Policy 19.1.5, which states: "Ensure that physical attributes of new developments, such as walls and fences, lighting, building design, and signage are attractive and consistent with the overall urban form and/or design theme of the area." Staff is recommending that the Commission approve the request subject to the proposed conditions, of the project based on the site having sufficient area to accommodate the proposed development, adequate access and services being available for the use, and the lack of significant adverse effects on the surrounding areas. Therefore, staff is recommending to the Planning Commission approval of Conditional Use Permit No. 06-08.

Respectfully submitted,



Dan Miller, Assistant Planner

cc: Applicant
Engineer

RESOLUTION NO. 09-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, ADOPTING NECESSARY ENVIRONMENTAL FINDINGS, THE STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVING CONDITIONAL USE PERMIT NO. 06-08

WHEREAS, a conditional use permit was requested by The Frank and Yvonne Lane 1993 Family Trust, Joshua Lane LLC, and The Wood Group. A Conditional Use Permit to construct a 395,355 square-foot commercial shopping center, with off site sales of alcoholic beverages for the Anchor 1 building and the Drug Store in the CPD Zone, located on 40.26± acres at the southeast corner of 60th Street West and Avenue L, 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, a written report was prepared by staff which included a recommendation for approval of this conditional use permit subject to conditions; and

WHEREAS, public notice was provided as required by law and a public hearing was held on; July 7, 2009; and

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

1. The proposed 395,355 square feet commercial retail center 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 16.2.6:** "Ensure that a variety of sites are available for a diversity of industrial and commercial users.
 - **Objective 16.3** "Foster development patterns and growth which contributes to, rather than detracts from net fiscal gains to the City."
 - **Policy 16.3.1** "Promote development patterns which will minimize the costs of infrastructure development, public facilities development and municipal service cost delivery."

- **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.”
 - **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 as an upgrade of the existing farm. The location of the project on a regional arterial will serve regional needs. The commercial development is designed to provide valuable retail space in an underserved locale which has undergone tremendous growth. The building’s design will be compatible with the desired character of the area in its design and materials.
2. The requested uses 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 on-site lighting will be shielded from residential areas to the south of the site, a 20-foot wide landscape planter and a block wall will be installed on the east property line, the hours for delivery will be limited between 6:00 a.m. to 9:00 p.m., the uses are compatible with residential uses north and east of the site, and sufficient on-site parking will be provided and semi-trucks will be prohibited from ingress/egress on 57th Street West.
 - 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, proposed landscape planters to the east of the site will be planted with shrubs and trees to provide a buffer, and adequate on-site parking and landscaping will be provided. 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 streets.
 - 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 40.26± net acres is adequate in size and shape to accommodate the building, landscape setback, 1,775 parking spaces, and loading facilities, landscaping, buildings, 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 area.
4. The proposed site is adequately served:
- a. By Avenue L and 60th Street West, which will be of sufficient width and improved as necessary to carry the anticipated 13,683 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 project will have effects on the environment, and these effects are insignificant, adequately mitigated, or acceptable due to overriding considerations as noted in Exhibit "A" of the Planning Commission Resolution No. 09-23
6. There is a need for the proposed commercial shopping center, which is in an area of West Lancaster that presently lacks extensive commercial areas. The uses within the center will provide for commercial retail goods and services to serve the immediate area as well as the future growth of west Lancaster City.

WHEREAS, it is the intent of this Commission that the conditional use permit for incidental off-sale of alcoholic beverages (Alcohol Beverage Control, Type 21, Off-Sales General License) for the Anchor 1 (Target) and Drug Store (Rite-Aid) buildings is considered separate and can be revoked apart from the original conditional use permit, if necessary.

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

1. The proposed use of incidental off-sale of alcoholic beverages would be located within the proposed 17,272 square-foot "Drug" store and within the 138,545 square-foot Anchor 1 (Target) retail store
2. The requested alcohol use at the location will not:
 - a. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare because the project would operate in conformance with Chapter 17.42 and conditions of approval have been a part of the project.
 - b. Adversely affect the nearby residents and facilities primarily devoted to use by the general public, after giving consideration to the distance or proximity of the proposed alcoholic beverage establishment because the request is for less than 10 percent of the 17,272 square feet of the "Drug" building and less than 5 percent of the 138,545 square feet of the Anchor1 used for the sale and display of alcoholic beverages and therefore meet the maximum square-footage allowed for incidental off-sale alcoholic beverages based upon Section 17.42.060. The incidental off-sale of alcoholic beverages are not subject to distance requirements to residences or schools, and the hours to sell the alcohol would be limited to between 6:00 a.m. and 12:00 a.m. Sunday through Saturday.
3. The proposed 17,272 square feet of the "Drug" building and the 138,545 Anchor 1 building is located within the CPD Zone which permits alcoholic beverages to be sold, served, or given away for the off-sale consumption subject to Chapter 17.42., and the stores serve the public convenience and necessity based upon all factors outlined in Chapter 17.42.060.

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

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby adopts all findings set forth in attached Exhibit "A," and hereby adopts Mitigation Monitoring Program (Exhibit "B") set forth in the final EIR, subject to final certification by the City Council.
2. This Commission hereby approves Conditional Use Permit No. 06-08 subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 7th day of July 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

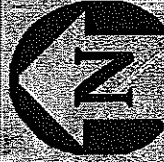
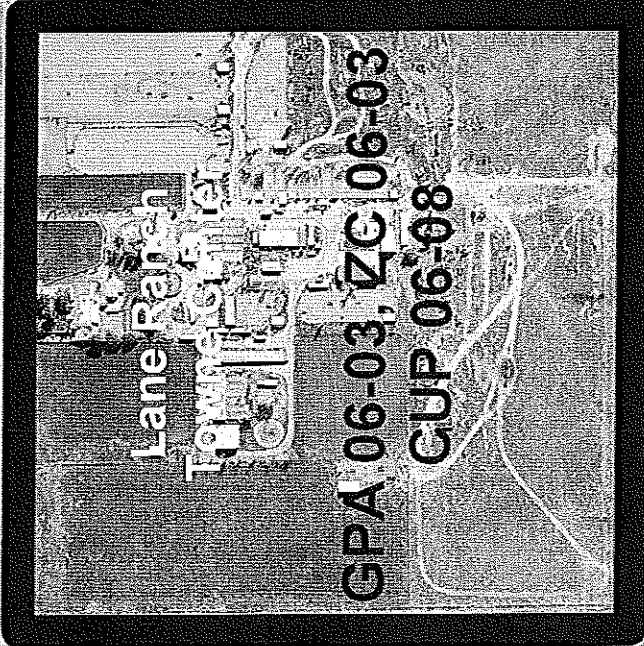
ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster

Avenue

57th Street West

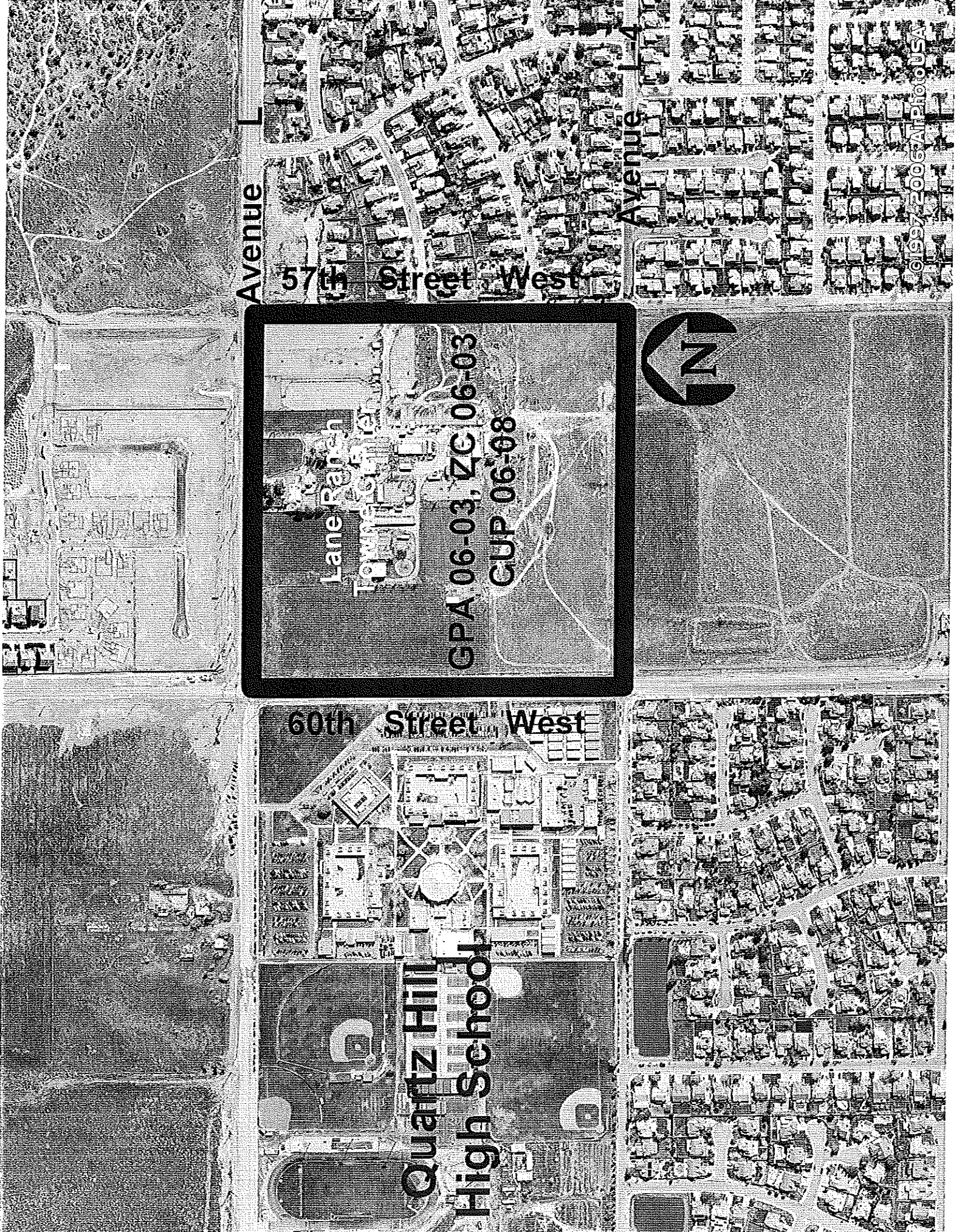
Avenue



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60th Street West

Quartz Hill High School



ATTACHMENT TO PC RESOLUTION NO. 09-23
CONDITIONAL USE PERMIT NO. 06-08
CONDITIONS LIST
July 7, 2009

GENERAL ADVISORY

1. These conditions will be effective upon approval of Zone Change No. 06-03.
2. All standard conditions as set forth in Planning Commission Resolution Number 06-16 for Conditional Use Permits shall apply, except for Condition Nos. 5d and 31 (modified below).
3. All off-site improvements required for any future phases of CUP No. 06-08 must be installed to the satisfaction of the Director of Public Works prior to occupancy of any structure in that phase
4. All the development requirements shall be met for each phase including parking, landscaping, trash enclosures, drainage, etc.
5. Landscape plans shall be prepared in accordance with Ordinance No. 907, and submitted to the Public Works Department, along with required plan check fees, for review and approval prior to the installation of landscaping or irrigation systems. Such plans must be approved prior to issuance of permits. 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 (modified Condition No. 5d).
6. If the project is developed in phases, undeveloped portions of the site shall not contribute to blowing debris and dirt or dust. Compliance with this condition will include, where determined necessary by the Planning Director, the placement of temporary curbs or other techniques to minimize the opportunity for vehicles to enter the undeveloped portions of the property (modified Condition No. 31).
7. Per the direction of the Planning Director, the applicant shall abide by all conditions of the Mitigation Monitoring Program (Exhibit B).

STREETS

8. Per direction of the Director of Public Works, improve and offer for dedication:
 - 60th Street West at 88 feet of an ultimate 120-foot right-of-way
 - Avenue L at 78 feet of an ultimate 100-foot right-of-way
 - 57th Street West at 44 feet of an ultimate 58-foot right-of-way
9. Per the direction of the Director of Public Works, offer for dedication the north side of Avenue L-4 at 26 feet of an ultimate 64-foot right-of-way.

Conditions List

Conditional Use Permit No. 06-08

July 7, 2009

Page 2

10. Per the direction of the Director of Public Works, improve and dedicate additional right-of-way on northbound 60th Street West and eastbound Avenue L for an increased capacity intersection.
11. Per the direction of the Director of Public Works, acquire right-of-way and construct improvements on the west side of 60th Street West, south of Avenue L (adjacent to Quartz Hill High School) necessary to complete the increased capacity intersection.
12. Per the direction of the Director of Public Works, acquire right-of-way and construct street improvements on the west side of 60th Street West, north of Avenue L (southbound approach) to accommodate an additional through lane, an additional left-turn lane, and a dedicated right-turn lane. The minimum length of the full width lanes shall be 300 feet and the transition shall be in accordance with the City's Engineering Design Guidelines.
13. Per the direction of the Director of Public Works, construct street improvements to widen 60th Street West from Avenue L-8 to Avenue L-4 to accommodate an additional northbound through lane and an 8-foot wide paved shoulder. The northbound approach to the intersection with Avenue L-8 shall be re-stripped for the additional through lane.
14. Per the direction of the Director of Public Works, re-stripe westbound Avenue K to provide two left-turn lanes.
15. Per the direction of the Director of Public Works, install a traffic signal at the intersection of 60th Street West and the main entrance for the commercial center and Quartz Hill High School (QHHS).
16. Per the direction of the Director of Public Works, install a traffic signal at the intersection of 60th Street West and Avenue L-4.
17. Per the direction of the Director of Public Works, install a traffic signal on Avenue L at the main entrance into the commercial center (the easterly driveway nearest the Anchor 1 store).
18. Per the direction of the Director of Public Works, install raised landscape medians with stamped concrete in Avenue L and 60th Street West. The raised median in Avenue L shall be constructed 150 feet east of 57th Street West to prohibit left-turns.
19. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in westbound Avenue L at the intersection with the easterly driveway entrance into the Lane Ranch Towne Center. The lane and dedication shall be 200 feet in length with a 90-foot transition.
20. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in 60th Street West at the entrance into QHHS. The lane and dedication shall be a minimum 230 feet in length with a 90-foot transition.

Conditions List

Conditional Use Permit No. 06-08

July 7, 2009

Page 3

21. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in 60th Street West at the northerly entrance into Lane Ranch Towne Center. The lane and dedication shall be 190 feet in length with a 90-foot transition.
22. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in 60th Street West at the southerly entrance into Lane Ranch Towne Center (Avenue L-4). The lane and dedication shall be 150 feet in length with a 90-foot transition.
23. Per the direction of the Director of Public Works, install a right-turn lane on Avenue L at 57th Street West. The lane and dedication shall be 12 feet in width and 150 feet in length, with a 90-foot transition.
24. Per the direction of the Director of Public Works, install a right-turn lane on Avenue L at the easterly driveway into the Lane Ranch Towne Center. The lane and dedication shall be 12 feet in width and 150 feet in length, with a 90-foot transition.
25. Per the direction of the Director of Public Works Director, install a right-turn lane and combination bus turnout with amenities (benches, shelter, trash receptacle, etc.) on Avenue L at the westerly driveway into the Lane Ranch Town Center. The lane and dedication shall be 140 feet in length with a transition per Standard Plan PW-4.
26. Per the direction of the Director of Public Works, install a right turn lane on 60th Street West at the northerly main entrance into the Lane Ranch Towne Center. The lane and dedication shall be 12 feet in width and 150 feet in length, with a 90-foot transition.
27. Per the direction of the Director of Public Works, install a bus turnout with amenities (benches, shelter, trash receptacle, etc.) on the east side of 60th Street West, north of the northerly main entrance into the Lane Ranch Towne Center.
28. Per the direction of the Director of Public Works, acquire right of way and construct improvements to install a bus turnout with amenities (benches, shelter, trash receptacle, etc.) on the west side of 60th Street West, just south of Avenue L.
29. Per the direction of the Director of Public Works and the Planning Director, construct improvements necessary to provide one new driveway into QHHS that will align with the main signalized entrance into the Lane Ranch Towne Center (approximately 710 feet south of Avenue L). These improvements would include but not necessarily be limited to, closing the two existing QHHS driveways, reconfiguring the QHHS parking lot, and replacing any disturbed landscaping and irrigation.
30. The applicant shall pay a traffic impact fee as adopted by the City Council to be used for the improvement of off-site streets within unincorporated areas of Los Angeles County that would be affected by traffic generated by the project. (All residential and commercial projects within the following boundary are conditioned to pay the traffic impact fee as adopted by City Council to be used for the improvement of offsite streets within the unincorporated areas of Los Angeles County that would be affected by traffic generated by

the project). The boundaries are 40th Street West to 100th Street West from Avenue J-8 to Avenue L-8.

31. 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

32. Per the direction of the Director of Public Works, the applicant shall install a 60-inch RCP (storm drain) in 60th Street West from Avenue L-4 to Avenue L. Construction of the storm drain shall include removal of the existing cross-gutter at Avenue L on the west side of 60th Street West. Adequate catch basins shall be included to capture storm runoff from both sides of 60th Street West. (Credit against drainage impact fees will apply for the installation of the Master Plan Drainage Facility.)
33. If at the time the 60-inch RCP is installed in 60th Street West, the storm drain in Avenue L has not been installed, the applicant shall design and construct an adequate outlet for the drainage system.
34. Per the direction of the Director of Public Works, the applicant shall install a 24-inch RCP (storm drain) in Avenue L from 60th Street West to 57th Street West, and tie into the retention basin on the northwest corner of Avenue L and 57th Street West.
35. The applicant is strongly encouraged to install pervious pavement to help mitigate runoff and to recharge the groundwater.
36. All projects where the total landscape area exceeds 5,000 square feet shall be designed to capture on-property run-off for a 10-year rain event through the use of earth berms, drainage swales, subsurface storage (pervious pavement), or other approved methodology as per Section 8.50.058A.1 of Landscape Ordinance No. 907.
37. Per the direction of the Director of Public Works, at the time the Lane Ranch Towne Center is developed the applicant shall enclose the retention basin at the northwest corner of 57th Street West and Avenue L with a block wall and wrought iron fence combination, and provide landscaping and irrigation within right-of-way to LMD standards.
38. Per the direction of the Public Works Director, the trash enclosures wash out drains shall be connected to the drainage clarifier.
39. Per the direction of the Public Works Director, install metal/lattice covers on all trash enclosures.
40. Per the direction of the Planning Director, install heavy-duty concrete pavement at the apron of all trash enclosures.

OTHER

41. 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.
42. Secure bicycle parking areas shall be provided on site. Design, location, and amount of such facilities are subject to review and approval of the Planning Director and must comply with Ordinance 633.
43. The Planning Director is authorized to review and approve the elevations of individual buildings proposed within the commercial center to ensure that they are compatible with the architectural design of the overall project. This review includes, but is not limited to, architectural style, color, exterior material, loading areas, material and type of fences/walls, and location and screening of above-ground utilities. In the event disputes arise between the applicant and the Planning Director regarding elevations, or design of subsequent buildings, the matter may be appealed, and the Architectural and Design Commission (ADC) shall render the final decision.
44. Appeals on elevation and building design would come before the Architectural Design Commission.
45. Per the direction of the Director of Planning, the intent to create a pedestrian oriented main-street at the main entrance from 60th Street West must include elevations and shop building entrances that are consistent with that intent.
46. Per the direction of the Planning Director, utility boxes or panels shall be incorporated into the design of the building.
47. Per the direction of the Planning Director, the applicant shall provide an electric device to keep shopping carts from leaving the site; this is required to be shown on the grading plan.
48. Per the direction of the Planning Director, the applicant must provide shopping cart storage in the parking lot area and the areas shall not be placed in any required parking space.
49. Per the direction of the Planning Director, delivery hours, parking lot sweeping hours, and trash pick-up hours shall be limited to occur between 6:00 a.m. and 9:00 p.m. The loading dock hours of operation shall be posted on a sign located at the Anchor 1, and Anchor 2 loading docks.
50. There shall be a posted sign on the exterior of the premises prohibiting smoking within 20 feet of the entrances to the premises.

51. Per the direction of the Planning Director, all lights located on the east property line shall be shielded/screened so that light will not spill off of the site.
52. Per the direction of the Public Works Director, comply with all disabled access requirements.
53. Per the direction of the Planning Director, no signage shall be permitted on the east elevations along the east property line adjacent to residential uses.
54. Per the direction of the Planning Director, install an 8-foot-high masonry screen wall along the east property line with a minimum 20-foot-wide planter.
55. Per the direction of the Planning Director, install one evergreen tree (i.e., Eldarica, Aleppo Pine) spaced every 30 feet on center along the easterly planter.
56. Per the direction of the Planning Director, install a an 8-foot-high masonry screen wall along the east side of the Anchor 1 and Anchor 2 building's loading docks. This would include the trash compactor area for the Anchor 2.
57. Any trash or graffiti on the premises shall be removed within forty-eight (48) hours.
58. On-site security shall be provided if determined necessary by the Planning Director.
59. The applicant shall provide conduit connections to a minimum of (36) thirty-six on-site parking stalls to permit the future installation of charging stations for electric vehicles (see Section 17.12.230.20 of the Zoning Ordinance, standards for Electric Vehicle Charging Stations).
60. Per the direction of the Director of Public Works, design ADA passenger loading zones to have stamped concrete and flat curbs to delineate the space in lieu of painted blue striping.
61. Per the direction of the Planning Director, the east elevations of the major tenants (currently identified as "Anchor I and Anchor II") shall be fully articulated, and shall incorporate materials and colors consistent with those used on the west facing elevations (i.e., "360-degree architectural treatment")
62. Per the direction of the Planning Director, posted signs are required to prohibit overnight R.V. camping/parking on the site.
63. Per the direction of the Planning Director, no individual exterior storage allowed outside of the building. Outside storage of seasonal goods shall be allowed as per Section 17.12.070.Q of the Zoning Ordinance.
64. The applicant shall coordinate with both the Antelope Valley Union High School District and the Westside School District in developing a student safety plan for the construction phase of the project, including provisions for pedestrian access, vehicular access and circulation during street construction, restriction of access to the construction site, and notification to school officials and parents regarding the overall construction schedule.

ALCOHOL

65. Per the direction of the Planning Director, the Anchor 1 (Target) and the drug store (Rite-Aid) shall comply with Chapter 17.42 and Section 17.42.080 (Conditions of Approval for Off-Sale Alcoholic Beverage Establishments) except for Section 17.42.42.080.F to be replaced with, "The sale of alcoholic beverages shall be from 6:00 a.m. to 12:00 a.m., Sunday through Saturday." Any reference to beer and wine shall apply to all alcoholic beverages. In addition, Section 17.42.080.K shall be replaced with, "No sales of separated packages of alcoholic beverages (i.e. individual containers, cans or bottles)" shall be allowed.
66. Per the direction of the Planning Director, in the event alcoholic beverages are to be sold, served or given away at additional establishments located on the premises, each applicant shall obtain approval in accordance with Chapter 17.42 (Alcoholic Beverage Establishments).
67. The applicant shall limit the floor area for the display and sales of alcoholic beverages to a maximum of 5 percent of sales floor area (for Target, store greater than 100,000 square feet). The amount of floor area approved for alcohol sales at the Target store is 1,000 square feet. The applicant may increase up to 20 percent or 200 square feet without modification to the conditional use permit.
68. The applicant shall limit the floor area for the display and sales of alcoholic beverages to a maximum of 10 percent of sales floor area (for Rite-Aid, store less than 100,000 square feet). The amount of floor area approved for alcohol sales at the Rite-Aid store is 750 square feet. The applicant may increase up to 20 percent or 150 square feet without modification to the conditional use permit.

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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