

AGENDA ITEM: 2.

DATE: 09-21-09

STAFF REPORT

CONDITIONAL USE PERMIT 05-27 REQUEST FOR EXTENSION

DATE: September 21, 2009

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: Agape Church - Reverend T.D. Marin and Calvin Bishop

LOCATION: 10± acres located on the southwest corner of Lancaster Boulevard and 18th Street East

REQUEST: Construction of a 16,982 square-foot church/sanctuary, and a 9,000 square-foot activity center in the R-7,000 Zone

RECOMMENDATION: Grant a one-year extension to September 15, 2010, based on the findings contained in the staff report, and subject to added Condition Nos. 28-35 and all other previously approved conditions.

BACKGROUND AND STATUS: The subject property is designated UR (Urban Residential; 2.1 to 6.5 dwelling units per acre) by the General Plan, is zoned R-7,000 (single family residential, minimum lot size 7,000 square feet), and is currently vacant. On September 18, 2006, the Planning Commission approved Conditional Use Permit for two years. On September 15, 2008, the Planning Commission granted a one-year extension to September 15, 2009. The applicant is requesting a second extension due to financial constraints. If approved, the applicant has one more extension remaining.

On May 18, 2009, the Planning Commission recommended to the City Council approval of an amendment to Title 17 of the Lancaster Municipal Code, establishing a two-year initial approval for Conditional Use Permits, with the ability to grant three one-year extensions for an aggregate of five years. On August 25, 2009, the City Council approved the amendment to Title 17, which is effective on September 25, 2009. Included in the ordinance, all extensions shall be conditioned to comply with the City's design guidelines as approved by City Council. Staff met with the applicant to review the current elevations for compatibility with the City's design guidelines. The applicant agreed to submit revised elevations for review and approval by the Planning Director prior to issuances of any permits.

FINDINGS:

1. The approval of the extension is consistent with the goals, objectives, policies, action programs, and land use designation of UR (Urban Residential, 2.1 to 6.5 dwelling units per acre) of the adopted General Plan and is applicable to the subject property, because it will provide a place of worship to the surrounding community.
2. The findings justifying the original approval of the conditional use permit on September 18, 2006, remain valid.
3. The approval of the extension will allow for development of a project that is of benefit to the public health, safety, and welfare through completion of vital infrastructure or public improvements, including Lancaster Boulevard, 17th Street West and 18th Street West.
4. The granting of the extension is necessary to allow sufficient time for the applicant to obtain additional funding for development of the project.
5. There is no substantial change in the land use or development patterns in the vicinity of the tentative map that would cause detriment to the public health, safety, or welfare should the extension be granted because the surrounding property is zoned urban residential and churches are allowed in residential zones with a conditional use permit.

ADDED CONDITIONS:

28. Per the direction of the Planning Director, all elevations for proposed buildings shall be compatible with the architectural design guidelines established by the City. Design and location of such buildings are subject to review and approval by the Planning Director, including but not limited to architectural style, color, exterior materials, loading areas, material and type of fences and walls, and location and screening of above-ground utilities. The applicant shall provide 360° architectural treatments for all proposed buildings. In the event disputes arise between the applicant and the Planning Director regarding elevations, or design of the buildings, the matter may be appealed to the Architectural and Design Commission (ADC) and the ADC shall render the final decision.
29. Per the direction of the Planning Director, the applicant shall submit revised elevations for review and approval prior to issuances of any permits.
30. 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 the development of the site and shall show size, type, and location of all plants, trees, and irrigation facilities. (modified Condition No. 12)

31. 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, or other approved methodology as per Section 8.50.057A.1 of the Landscape Ordinance No. 907. The berms and landscaping shall be aesthetically pleasing.
32. Per the direction of the Planning Director, utility boxes or panels shall be incorporated into the design of the building.
33. Per the direction of the Planning Director, prior to issuance of any permits, the applicant shall obtain approval from the Planning Director for the location of the backflow preventers and screen wall.
34. 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.
35. Per the direction of the Planning Director, install metal//lattice covers on all trash enclosures.

Respectfully submitted,

Randie Davis, Assistant Planner

cc: Applicant
Engineer

Attachments: Applicant's Findings
Planning Commission Staff Report for September 18, 2006
Planning Commission Staff Report for the Extension, September 15, 2008