



AGENDA ITEM: 2.

DATE: 12-11-2023

STAFF REPORT

CONDITIONAL USE PERMIT NO. 23-002

DATE: December 11, 2023

TO: Lancaster Planning Commission

FROM: Kendall Brekke, Planner
Community Development Department

APPLICANT: Mi Ranchito Mexican Bar and Grill, Inc.

LOCATION: 1721 East Avenue J (APN: 3147-041-022)

REQUEST: A Conditional Use Permit to allow for an existing Mi Ranchito Mexican Bar & Grill to provide live entertainment in an expanded tenant space within an existing building located in the Commercial (CPD) zone at 1721 East Avenue J (APN 3147-041-022).

RECOMMENDATION: Adopt Resolution No. 23-31 approving Conditional Use Permit No. 23-002 to allow for an existing Mi Ranchito Mexican Bar & Grill to provide live entertainment in an expanded tenant space within an existing building located in the Commercial (CPD) zone at 1721 East Avenue J (APN 3147-041-022).

BACKGROUND

The project site is privately owned and is presently occupied by commercial tenants, including Mi Ranchito, Papa John's, and AT&T. On March 28, 2023, the applicant submitted an application for a Conditional Use Permit (CUP) to expand the existing 2,793 square-foot Mi Ranchito Mexican Bar & Grill into the neighboring 1,082 square-foot tenant space, and offer accessory live entertainment within the expanded dining area, which was previously occupied by a cash advance tenant. The submittal was deemed complete on October 18, 2023.

On September 22, 2023, the applicant additionally submitted an application for a Director's Review (DR) to offer alcohol sales within the expanded tenant space. A staff-level approval for

alcohol sales was issued on September 28, 2023.

The business's current hours of operation are Sunday through Wednesday from 11:00 a.m. to 9:00 p.m., and Thursday through Saturday from 11:00 a.m. to 10:00 p.m. The current proposal includes live entertainment within the expanded tenant space, which would involve live music on Fridays, Saturdays, Sundays, and select holidays between the hours of 7:00 p.m. and 10:00 p.m. Live entertainment is subject to a CUP in the CPD zone.

GENERAL INFORMATION

Table 1 summarizes the general information concerning this project.

Table 1: General Information

ITEM	DESCRIPTION
APNS	3147-041-022
LOCATION	1721 East Avenue J
ZONING AND LAND USE	The subject property is zoned Commercial (CPD).
SURROUNDING LAND USES AND ZONING	North: Wal-Mart (CPD) South: Church, Commercial Center (CPD) East: Drive-Through Restaurants, Commercial Center (CPD) West: Multi-Family Residences (MDR) Single-Family Residences (R-7,000)
CURRENT DEVELOPMENT	Existing Multi-Tenant Commercial
ENVIRONMENTAL REVIEW	The project was reviewed for compliance with the California Environmental Quality Act (CEQA) and staff determined that the project is exempt from further environmental review under CEQA Section 15303, Class 3, "New construction or conversion of small structures".

PROJECT DESCRIPTION:

The applicant is requesting to provide live entertainment at an existing Mi Ranchito Mexican Bar & Grill, which will expand into a neighboring tenant space at 1721 East Avenue J. Live entertainment would involve live music on Fridays, Saturdays, Sundays, and select holidays between the hours of 7:00 p.m. and 10:00 p.m. within the expanded tenant space.

ANALYSIS:

The CUP was analyzed for consistency with the City of Lancaster General Plan 2030. The proposed live entertainment would be consistent with the General Plan land use designation of Commercial (C) and the types of uses envisioned therein. The C land use designation “includes a broad spectrum of uses, including regional, community, neighborhood, and highway-oriented uses” (General Plan Objective 17.1). The proposed use is consistent with the following Goals and Actions of the General Plan:

Specific Action 16.1.3(d): To revitalize and enhance local commerce, encourage the establishment and expansion of local businesses and development of commercial and industrial properties, which produce retail sales taxes, transient occupancy taxes, and assessed valuation by providing assistance with financing, processing and negotiating.

Goal 17: To establish a variety of land uses, which serve to develop Lancaster into a balanced and complete community in which people live, work, shop and play.

Specific Action 17.1.1(a): Through the development review process, ensure that all proposed development is consistent with the General Plan text, land use map, and the intensity standards outlined in Table VIII-1.

The proposed CUP would continue to promote the local economy by allowing live entertainment in an appropriate location that would not negatively affect the surrounding properties. The proposed location is within the Commercial Planned Development (CPD) zone. This is an area in which the City encourages a mix of restaurant, entertainment, and commercial uses.

Compliance with the Lancaster Municipal Code (LMC)

The proposed live entertainment use is consistent with the CPD zone. Live entertainment is allowed in the CPD zone with the approval of the CUP. The existing commercial center was constructed in 2003 and meets all applicable development standards and guidelines.

CONDITIONAL USE PERMIT FINDINGS

In order to grant a CUP, Section 17.32.090 of the Lancaster Municipal Code states that the Planning Commission must make all of the following findings:

- a. That the proposed use will not be in substantial conflict with the adopted general plan for the area.**

The proposed CUP would be in conformance with the General Plan Land Use Designation of Commercial. In addition, the proposed CUP would be consistent with the goals, objectives, policies, and specific actions identified within the General Plan.

b. That the requested use at the location proposed will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.

The request for live entertainment would be incidental to the Mi Ranchito Mexican Bar and Grill. The applicant is also conditioned to ensure a nuisance-free operation of the proposed use; therefore, the proposed CUP would not adversely affect the health peace, comfort or welfare of persons residing or working in the surrounding area.

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

The live entertainment would be located within a tenant space which is already constructed. The CPD zone allows for a mix of commercial uses, such as restaurants, retail stores, personal services, offices, and entertainment uses. The proposed CUP would be consistent within the zone and the surrounding properties.

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The commercial center is already existing, and no code enforcement complaints or reports have been received by the City which would lead the center to constitute menace to the public health, safety, or general welfare. Additionally, staff would be trained to handle issues that arise on the property.

c. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The existing commercial center meets all the required development standards of the zone and no significant improvements are proposed.

d. The proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate.

The existing commercial center is at the northeast corner of the intersection of 17th Street East and Avenue J. Both 17th Street East and Avenue J are of sufficient width and improved to carry the daily vehicle trips generated by proposed use; and

2. By other public or private service facilities as are required.

The proposed site location has adequate sewer, water, fire, and police services to service the site.

LEGAL NOTICE

A notice of Public Hearing was mailed to all property owners and occupants within a 500-foot radius of the project, posted in three places, posted on the subject property, and noticed in Antelope Valley Press on December 1, 2023.

RECOMMENDATION

Adopt Resolution No. 23-31 approving Conditional Use Permit No. 23-002 to allow for an existing Mi Ranchito Mexican Bar & Grill to provide live entertainment in an expanded tenant space within an existing building located in the Commercial (CPD) zone at 1721 East Avenue J (APN 3147-041-022).

Attachments:

- A. Resolution No. 23-31
- B. Plans