



AGENDA ITEM: 3
DATE: 5/19/25

STAFF REPORT

CONDITIONAL USE PERMIT NO. 25-003

DATE: May 19, 2025

TO: Lancaster Planning Commission

FROM: Kendall Brekke, Senior Planner
Community Development Department

APPLICANT: David Delaplane

LOCATION: 44748 and 44758 Elm Avenue (Assessor's Parcel Number: 3134-017-011)

REQUEST: A Conditional Use Permit to allow for the operation of a recuperative care facility within existing buildings at 44748 and 44758 Elm Avenue (Assessor's Parcel Number (APN): 3134-017-011) in the Transit Oriented Development – Neighborhood Medium (TOD-NM) zone.

RECOMMENDATION: Adopt Resolution No. 25-07 approving Conditional Use Permit No. 25-003 to allow for the operation of a recuperative care facility within existing buildings at 44748 and 44758 Elm Avenue (APN: 3134-017-011) in the Transit Oriented Development – Neighborhood Medium (TOD-NM) zone and finding the project categorically exempt under the California Environmental Quality Act; authorizing staff to execute and file a Notice of Exemption.

BACKGROUND

The subject property is comprised of commercial buildings with courtyard parking, which were previously occupied by religious uses. On October 19, 2018, David Delaplane submitted an application for Conditional Use Permit No. 18-025 (CUP18-025), to allow for the operation of a recuperative care facility onsite. Recuperative care facilities are subject to a Conditional Use Permit (CUP) in the Transit Oriented Development – Neighborhood Medium (TOD-NM) zone per Table 2 "Allowable Land Uses" of the Lancaster TOD Zones.

CUP18-025 was approved by the City of Lancaster Planning Commission on February 25, 2019. On April 27, 2021, the City of Lancaster administratively approved a three-year time extension for the project. The project expired on April 27, 2024.

On January 30, 2025, David Delaplane submitted an application for Conditional Use Permit No. 25-003 (CUP25-003), with a project description and architectural plans consistent with those submitted previously under CUP18-025.

GENERAL INFORMATION

Table 1 summarizes the general information concerning this project.

Table 1: General Information

| ITEM | DESCRIPTION |
|---|---|
| APN | 3134-017-011 |
| LOCATION | 44748 and 44758 Elm Avenue |
| ZONING AND LAND USE | Transit Oriented Development – Neighborhood Medium (TOD-NM) |
| SURROUNDING LAND USES AND ZONING | North: Office and Retail (DLSP) South: Multifamily Residential (TOD-NM) East: Office and Retail, Vacant (TOD-NM) West: Parking Lot (TOD-NM) |
| CURRENT DEVELOPMENT | Existing 3,181 and 4,701 square-foot buildings. |
| 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 15301, Class 1 “Existing Facilities”. |

PROJECT DESCRIPTION

The proposed project consists of the operation of a recuperative care facility within existing buildings on a 17,628 square-foot lot. Recuperative care facilities are subject to a CUP in the TOD-NM zone per Table 2 “Allowable Land Uses” of the Lancaster TOD Zones.

The proposed recuperative care facility would operate within two existing buildings and would be comprised of a maximum of 30 beds. There is sufficient parking provided onsite for patients and employees. The business would provide a variety of recovery services to homeless patients who have been discharged from hospitals or clinics but have not fully recovered from their illness or injury. Included in their list of services are 24 hours/seven days a week of clean, sanitary and safe environments, storage areas for patients’ personal belongings, a commercial catering kitchen, a medical clinic, and a case management office.

ANALYSIS:

The project was analyzed for consistency with the City of Lancaster General Plan 2030. The proposed recuperative care facility would be consistent with the Mixed-Use (MU) General Plan land use designation and the types of uses envisioned therein. The MU land use designation “combines retail, service and office uses with higher density residential uses in the same building or on the same site with residential potential located above commercial activities” (General Plan Objective 17.1). The proposed use is consistent with the following Goals and Actions of the General Plan:

Objective 5.2: Promote the provision of quality medical facilities and services to meet the needs of area residents.

Specific Action 5.2.1(d): Work with area medical providers to develop solutions for overcrowding of emergency medical facilities.

Policy 16.3.1: Promote development patterns which will minimize the costs of infrastructure development, public facilities development and municipal service cost delivery.

Objective 16.4: Promote revitalization of Downtown Lancaster as the Urban Center of the Antelope Valley creating a mix of cultural, recreational, social, economic and residential activities.

The proposed project would promote the provision of quality medical facilities and services by providing a new recuperative care facility in an existing development. The proposal is in an appropriate location within the TOD-NM zone that would not negatively affect the surrounding properties. This is an area in which the City encourages a mix of cultural, recreational, social, economic and residential activities.

COMPLIANCE WITH THE LANCASTER MUNICIPAL CODE (LMC)

The proposed project is consistent with the TOD-NM zone. The proposed recuperative care facility would be located in an existing building on a developed site which would be improved to meet landscape and parking requirements for this use. While the existing site is in compliance with the Lancaster Municipal Code (LMC), the proposed recuperative facility requires the approval of a CUP by the Planning Commission.

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.**

As discussed in the staff report, the proposed CUP would be in conformance with the General Plan Land Use Designation of MU. In addition, the proposed CUP would be consistent with the goals, objectives, policies, and specific actions identified within the General Plan.

b. 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 proposed facility is within an existing building on a developed site. The adjacent properties are generally developed with similar, compatible uses. The applicant is also conditioned to ensure a nuisance-free operation of the proposed use. Therefore, the proposed project would not affect the health, peace, comfort, or welfare of persons residing or working in the area.

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

The proposed project is located within an existing building. The TOD-NM zone allows a variety of uses, including care facilities. The proposed use would be consistent with the zone and surrounding properties and would not be materially detrimental to the use, enjoyment or valuation of other properties.

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

Staff would be trained to handle any noise or other related concerns and patients will be prohibited from loitering in the surrounding area. In addition, adequate sewer, water, drainage and improvements are available to serve the project. Therefore, the proposed use would not jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare of the public or surrounding community.

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 building was previously approved and permitted, and additional improvements will be required to comply with current development standards and guidelines for the proposed use.

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 proposed project is bounded by Elm Avenue and Milling Street, which have sufficient width and are 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 within a 500-foot radius of the project, posted in three places, posted on the subject property, and noticed in Antelope Valley Press on May 9, 2025.

RECOMMENDATION

Adopt Resolution No. 25-07 approving Conditional Use Permit No. 25-003 to allow for the operation of a recuperative care facility within existing buildings at 44748 and 44758 Elm Avenue (APN: 3134-017-011) in the Transit Oriented Development – Neighborhood Medium (TOD-NM) zone and finding the project categorically exempt under the California Environmental Quality Act; authorizing staff to execute and file a Notice of Exemption.

Attachments:

- A. Resolution No. 25-07