



AGENDA ITEM: 3.
DATE: 12-11-23

STAFF REPORT

CONDITIONAL USE PERMIT NO. 23-013

DATE: December 11, 2023

TO: Lancaster Planning Commission

FROM: Shannon Edwin, Planner
Community Development Department

APPLICANT: Juan Dominguez

LOCATION: 44950 Valley Central Way, Suite 104 (APN: 3153-015-037)

REQUEST: A Conditional Use Permit to allow a banquet hall within an existing building in the Commercial Planned Development (CPD) zone located at 44950 Valley Central Way, Suite 104 (APN: 3153-015-037).

RECOMMENDATION: Adopt Resolution No. 23-32 approving Conditional Use Permit to allow a banquet hall within an existing building in the Commercial Planned Development (CPD) zone located at 44950 Valley Central Way, Suite 104 (APN: 3153-015-037).

BACKGROUND

The subject property is currently a commercial shopping center with predominantly retail and restaurant-oriented uses, located in the Commercial Planned Development (CPD) zone. On August 8, 2023, the applicant applied for a Conditional Use Permit (CUP) to operate a banquet hall. All entertainment uses, including banquet halls, are subject to a CUP in the CPD zone.

The tenant space was previously occupied with nightclub and bar uses over the last several years including El Terre Night Club and Purple Martini, however, the space has been vacant for over a year, therefore, requiring a new CUP for any entertainment use.

GENERAL INFORMATION

Table 1 summarizes the general information concerning this project.

Table 1: General Information

ITEM	DESCRIPTION
APNS	3153-015-037
LOCATION	44950 Valley Central Way, Suite 104
ZONING AND LAND USE	The subject property is zoned Commercial Planned Development (CPD)
SURROUNDING LAND USES AND ZONING	North: Hampton Inn and Suites Lancaster, CPD South: Commercial Shopping Center, CPD East: Antelope Valley Freeway West: Vacant Land, CPD
CURRENT DEVELOPMENT	Existing commercial tenant space in an existing shopping center. Previous uses included bar and nightclub (El Terre Nightclub, Purple Martini).
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 applicant is requesting to operate a banquet hall to host private events. A CUP is required for entertainment uses, including banquet halls, per Lancaster Municipal Code (LMC) Section 17.12.080.

The proposed business operating hours are from 9 a.m. to 10 p.m., Monday through Thursday, and 9 a.m. to 1 a.m. on Friday and Saturdays. Sundays will also have operating hours from 9 a.m. to 10 p.m. Events will only be held during business hours of operation and will also include any set-up and tear-down of events.

The largest event anticipated would be for a maximum of 300 attendees (the tenant space has a maximum occupancy of 400). Music would primarily be provided by a DJ or, on occasion, a live band (dependent on a client's preferences). Food and alcohol service will be provided exclusively by licensed caterers.

ANALYSIS:

The conditional use permit was analyzed for consistency with the City of Lancaster General Plan 2030. The proposed banquet hall 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 conditional use permit would promote the local economy by permitting a local venue for hosting events that would not negatively affect the surrounding properties. The proposed location is within the Commercial zone. This is an area in which the City encourages a mix of restaurant, entertainment, and commercial uses. The proposed use would be a compatible fit because it would provide similar services. It has also hosted other entertainment uses in the past. Approving the request would also support economic opportunities for small business and new businesses and provide for a diverse local economy.

COMPLIANCE WITH THE LANCASTER MUNICIPAL CODE (LMC)

The proposed conditional use permit is consistent with the CPD Zone. The proposed use would operate within an existing building. The conditional use permit complies with all applicable development standards and guidelines as the building was previously approved and permitted. While the existing building is in compliance with the LMC, the proposed banquet hall use 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.

The proposed conditional use permit would be in conformance with the General Plan Land Use Designation of Commercial. In addition, the proposed conditional use permit 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 request to operate a banquet hall would provide the business an opportunity to host private events in an existing commercial center with other retail, restaurant, and entertainment uses. The applicant is also conditioned to ensure a nuisance-free operation of the proposed use; therefore, the proposed conditional use permit 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 proposed conditional use permit would be located within an existing building which was formerly utilized as an entertainment space. The Commercial Planned Development zone allows for daily commercial needs of residents of the city and adjoining areas, visitors and business in an urban environment with full urban services. The proposed banquet hall 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.

On-site staff would be trained to handle noise concerns or any other nuisances.

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 complying with development standards and guidelines.

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 subject property is located along Valley Central Way. These roadways 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 tenants 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. 23-32 approving Conditional Use Permit No. 23-013 to allow for a banquet hall to operate within an existing building in the Commercial Planned Development (CPD) zone located at 44950 Valley Central Way, Suite 104 (APN: 3153-015-037).

Attachments:

- A. Resolution No. 23-32
- B. Plans