

RESOLUTION NO. 25-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL FOR GENERAL PLAN AMENDMENT (GPA) NO. 21-001 TO CHANGE THE GENERAL PLAN DESIGNATION FROM NON-URBAN (NU) TO MIXED USE (MU) AND ZONE CHANGE (ZC) NO. 21-001 TO CHANGE THE ZONING FROM RR-2.5 (RURAL RESIDENTIAL, MINIMUM LOT SIZE 2.5 ACRES) TO MU-C (MIXED USE - COMMERCIAL), APPROVING TENTATIVE TRACT MAP (TTM) NO. 24-001 (TTM 84317) SUBDIVIDING THE PROPERTY INTO SIX LOTS, APPROVING CONDITIONAL USE PERMIT (CUP) NO. 21-001 FOR THE CONSTRUCTION AND OPERATION/OCCUPANCY OF A MIXED USE DEVELOPMENT CONSISTING OF 181 MULTI-FAMILY RESIDENTIAL UNITS, A 235 ROOM HOTEL, 12,800 SQUARE FEET OF RETAIL/RESTAURANT SPACE, AND A 3,800 SQUARE FOOT CLUBHOUSE LOCATED ON APPROXIMATELY 10 GROSS ACRES AT THE SOUTHEAST CORNER OF AVENUE L AND 15TH STREET WEST (APNS: 3109-026-032, -040, -042, -044), ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (SCH# 2024080570), APPROVING THE MITIGATION MONITORING AND REPORTING PROGRAM AND AUTHORIZING STAFF TO EXECUTE AND FILE THE NOTICE OF DETERMINATION

WHEREAS, the subject property is approximately 10 acres located on the southeast corner of Avenue L and 15th Street West (Assessor Parcel Numbers [APNs] 3109-026-032, -040, -042, -044); and

WHEREAS, pursuant to Section 3.c. of City Council Resolution No. 93-07, Julian Torkan on behalf of Westlanc Partners, LLC ("Applicant"), initiated an application for a General Plan Amendment (GPA No. 21-001) to redesignate the subject property from NU (Non-Urban) to MU (Mixed Use); and

WHEREAS, pursuant to Section 17.24.040 of the Lancaster Municipal Code ("LMC"), the Applicant has initiated an application for a zone change (ZC No. 21-001), and requested that the City of Lancaster Planning Commission ("Planning Commission") consider a change to the zoning for the project site from RR-2.5 (Rural Residential, minimum lot size 2.5 acres) to MU-C (Mixed Use - Commercial); and

WHEREAS, a Tentative Tract Map (TTM 24-001 [TTM 84317]) has been requested by the Applicant to allow for the subdivision of approximately 10 acres into 6 lots at the southeast corner of Avenue L and 15th Street West in the MU-C zone; and

WHEREAS, a Conditional Use Permit has been requested by the Applicant to allow for the construction and operation/occupancy of 181 multi-family residential units, a 235 room hotel, 12,800 square feet of restaurant/retail space, and a 3,800 square foot clubhouse; and

WHEREAS, the above-described Tentative Tract Map application has been filed pursuant to Chapter 16.08 of the LMC; and

WHEREAS, an application for Conditional Use Permit No. 21-001 has been filed pursuant to the regulations contained in Article I of Chapter 17.32 of the LMC; and

WHEREAS, staff has performed the necessary investigations to ensure the division of land would be consistent with the purpose of the City's Subdivision Ordinance, the State Subdivision Map Act, and

the regulations of the LMC, prepared a written report, and recommended approval of this Tentative Tract Map, subject to conditions; and

WHEREAS, staff has performed the necessary investigations, prepared a written report, and recommended approval of this conditional use application, subject to conditions; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.) ("CEQA"), an Initial Study (SCH# 2024080570) was prepared for the Project in compliance with CEQA and circulated for public review ending on September 13, 2024. A one week extension was granted for the comment period until September 20, 2024; and

WHEREAS, a revised Initial Study was prepared for the Project in compliance with CEQA to address comments raised and circulated for public review ending on April 18, 2025; and

WHEREAS, the public review period closed on September 20, 2024 and all comments received from the public and responsible, trustee, and interested agencies were considered; and

WHEREAS, on the basis of the Initial Study, which indicated that all potential environmental impacts from the Project would be less than significant with the incorporation of the identified mitigation measures, staff determined that a Mitigated Negative Declaration should be prepared; and

WHEREAS, copies of the Initial Study were available during the public review period at City Hall, the Lancaster Library, and on the City's website; and

WHEREAS, a notice of intention to consider granting of a General Plan Amendment, Zone Change, Tentative Tract Map, and Conditional Use Permit has been given as required by Chapters 16.08, 17.24, and 17.32 of the LMC, and Section 65905 of the Government Code of the State of California; and

WHEREAS, public notice was provided, as required by law, and a public hearing was held by the Planning Commission on April 21, 2025; and

WHEREAS, the Planning Commission desires to recommend that the City of Lancaster City Council ("City Council") approve and adopt GPA No. 21-001 and ZC No. 21-001; and

WHEREAS, the Planning Commission, after considering all evidence presented, desires to approve TTM No. 24-001 (TTM 84317) and CUP No. 21-001.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LANCASTER, DOES HEREBY RESOLVE, DETERMINE AND ORDER, AS FOLLOWS:

Section 1. This Planning Commission hereby finds the foregoing recitals are true, correct and a substantive part of this Resolution.

Section 2. That the Planning Commission hereby certifies that it has reviewed and considered the information in the Initial Study/Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality Act ("CEQA") (including its implementing regulations) prior to taking action. The Planning Commission hereby finds that the Initial Study determined that the proposed project could have a significant effect on the environment;

however, there will not be a significant effect in this case with the implementation of the mitigation measures as detailed in the Mitigated Negative Declaration. The Planning Commission hereby finds, pursuant to Section 21082.1 of the Public Resources Code, that the Initial Study/Mitigated Negative Declaration prepared for the proposed project reflects the independent judgement of the City of Lancaster.

Section 3. That the Planning Commission has also reviewed and considered the Mitigation Monitoring and Reporting Program (MMRP) for the Project that has been prepared pursuant to the requirements of Public Resources Code Section 21081.6 and finds that such Program is designed to ensure compliance with the mitigation measures during Project Implementation. Pursuant to Public Resources Code Section 21081.6, the Planning Commission approves and adopts the MMRP, which was prepared for the project.

Section 4. That the Community Development Department staff is hereby authorized and directed to prepare, execute, and file a Notice of Determination pursuant to CEQA (including its implementing guidelines).

Section 5. That the Planning Commission hereby adopts the following General Plan Amendment findings, pursuant to Section 17.24.170 of the LMC, in support of approval of this application:

- a. Information presented at public hearing shows that such amendment is necessary to implement the general plan and/or the public convenience, the general welfare or good zoning practice justifies such action.

There are no goals, objectives, policies, or specific actions of the General Plan that would conflict with the proposed amendment. The subject property is located along Avenue L which is a major arterial with a mix of residential, commercial, park, and medical uses in the immediate vicinity. The mix of uses has been changing over time with more commercial uses being added to the mix in the central portion of the City (i.e., Challenger Way to 40th Street West). The Antelope Valley Freeway is immediately east of the project site.

The proposed amendment would allow for development of the project site in accordance with goals of the City and provide for additional residential and commercial uses along a major roadway in a mixed-use setting. The proposed amendment would not adversely affect the economic health of the City, as the development of the project would not require a major investment to provide access or public infrastructure to the site. Access already exists from Avenue L and 15th Street West and the developer would be required to install the necessary improvements to ensure that these roadways continue to operate in a smooth and efficient manner. Additionally, public utilities including water, sewer, and electricity exist in the vicinity of the project site and can be extended to provide service.

The proposed development is consistent with the residential and commercial uses in the immediate vicinity. While the subject property is adjacent to existing residential uses and the height of the multi-family residential and hotel uses are taller than many of the structures in the general area (with the exception of the Kaiser Butterfly building), the height falls within the development standards of the MU-C zone. Additionally, development features of the proposed project including block walls on the southern boundary, site landscaping and the placement of the parking either underground or in the center of the

project site would minimize impacts on the immediately adjacent neighbors. The site has also been designed in a way to ensure the safety of employees, visitors and neighboring residents including adequate site lighting and clear visibility throughout the site and into the main entrances of structures. The placement of parking within the center of the site with the multi-family and hotel buildings along the western and southern boundaries of the site is consistent with the requirements of the zone and will assist in blocking the surrounding residential land uses from activities and noise generated on-site. The property directly north of the project site at the northeast corner of Avenue L and 15th Street West is zoned OP (Office Professional) which is meant for office and related commercial uses and the property at the northwest of Avenue L and 15th Street West is zoned HDR (High Density Residential, 15.1-30 units to the acre) and developed with townhomes. As such, the proposed amendment would be compatible with the surrounding land uses and the general plan designations.

Section 6. That the Planning Commission hereby adopts the following Zone Change findings, pursuant to Section 17.24.120 of the LMC, in support of approval of this application.

- a. That modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration.

Modified conditions warrant a revision in the zoning plan in order to allow for the permitting of the project. The subject site is located at the southeast corner of Avenue L and 15th Street West along a major arterial in the central portion of the city. The uses along this arterial have been changing from a mix of residential and commercial uses to include more commercial uses and higher density, particularly close to the freeway. Rezoning of the project site would continue the commercial zoning east of the freeway and further connect it with the commercial zoning to the west of the project site (20th Street West and Ave L). It would also provide a higher density mixed -use buffer between the existing residential uses and Avenue L and additional commercial uses. Therefore, the zoning would be compatible with the surrounding zoning designations and land uses.

- b. That a need for the proposed zone classification exists within such area or district.

A need for the MU-C zoning on the subject property exists in order to provide for the mix of residential and commercial uses along a major arterial. The zoning would allow for the provision of 181 multi-family residential units, a 235 room hotel with associated 3,800 square foot club house, and 12,800 square feet of retail/restaurant space in a mixed-use environmental. No alcohol sales are proposed as part of the hotel or restaurant operations and any future sale of alcohol would require additional approvals. The subject site's location provides for easy access to and from the freeway and is consistent with other commercial and residential uses in the area. The MU-C zoning would allow for the type of development proposed and would be compatible with the surrounding uses and zoning.

- c. That the particular property under consideration is a proper location for said zone classification within such area or district.

The particular property under consideration is a suitable location for the MU-C zone as several properties in the immediate vicinity are also zoned for commercial and higher density residential uses. These locations include the northeast corner of Avenue L and 15th

Street West (zoned OP), the properties on the north and south side of Avenue L east of the freeway, and the northeast and southeast corners of Avenue L and 20th Street West. The northwest corner of Avenue L and 15th Street West is zoned HDR as well as the southwest and southeast corner of Avenue K-8 and 15th Street West. While there is a rural residential community located on the south side of Avenue L, development features of the project would provide buffers between the subject property and the surrounding uses such as a block wall along the southern boundary, perimeter and site landscaping and the height of the buildings would block noise generate by site activities and Avenue L. Additionally, access to the project site would be available 15th Street West via two driveways and 15th Street West would be improved along the site frontage to handle all traffic. The construction of additional roadways would not be required.

- d. That placement of the proposed zone at such location will be in the interest of public health, safety, and general welfare and in conformity with good zoning practice.

Placement of the zone at this location will be in the interest of public health, safety, and general welfare and is in conformity with good zoning practice. The zone change would provide another location for higher density residential and commercial uses along a rapidly changing, major arterial in the central portion of the city. The zoning would be consistent with the commercial and residential zoning of various properties along Avenue L in the vicinity of the project site including the northeast corner of Avenue L and 15th Street West, properties on the north and south sides of Avenue L just east of the freeway, and the commercial properties at the northeast and southeast corners of Avenue L and 20th Street West as well as the residential properties at the northwest corner of Avenue L and 15th Street West and the southeast and southwest corners of Avenue K-8 and 15th Street West. The development would also be compatible with the neighboring residential uses and RR-2.5 zoning with the incorporation of the design features proposed as part of the project.

Section 7. That the Planning Commission hereby adopts the following Tentative Tract Map findings pursuant to Section 16.08.110 of the LMC, in support of approving this application:

- a. The proposed subdivision is consistent with the general plan, any applicable specific plan, and is compatible with the general plan land uses, goals, objectives, policies, and specific actions specified in such plan.

The Project is a mixed-use development with a subdivision to create individual lots for each of the uses. The subdivision is consistent with the general plan land use designation of Mixed Use (MU) and with the policies, goals, objectives, and specific actions of the General Plan. The project is not located within the boundaries of a Specific Plan.

- b. The design and improvement of the proposed subdivision is consistent with the general plan, any applicable specific plan, Title 17, and this title.

The design and improvements of the subdivision are consistent with the General Plan land use designation of MU and the development standards identified in Sections 17.10.060 and 17.10.070 of the LMC. The project site is not located within the boundaries of a specific plan.

- c. The site is physically suitable for the type and density of the development proposed.

The project site is physically suitable for the type and density of the development. Adequate roadway capacity and infrastructure exists in the vicinity of the project or can be provided to support the development.

- d. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The design of the subdivision and the improvements associated with the development of the project are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. An initial study was prepared for the development to assess potential impacts to twenty-one (21) resource areas including biological resources. No wildlife species were observed on the project site; however, suitable habitat exists that may support nesting birds and burrowing owls. Additionally, Joshua trees are present on the project site and would be removed as part of the development. However, mitigation measures have been included requiring preconstruction survey to ensure no impacts to either nesting birds or burrowing owls would occur and an Incidental Take Permit from the California Department of Fish and Wildlife is required to remove the Joshua trees. Mitigation measures have also been provided for other resource areas such as air quality, cultural resources, geology and soils, noise, and transportation. Additionally, the developer would be required to pay the City's Biological Impact Fee, which is utilized to help conserve biological resources found throughout the Antelope Valley.

- e. The design of the subdivision or the type of improvements will not cause serious public health problems.

The design of the subdivision and the associated improvements are not likely to cause serious public health problems as adequate sewer and water systems will be provided to the development. Additionally, all residences and businesses within the subdivision/Project are required to have trash collection services in accordance with the City of Lancaster's Waste Management franchise agreement.

- f. The design or the types of improvements of the subdivision will not conflict with easements acquired by the public at large, for access through, or use of, property within the subdivision. The city may approve the map if alternate easements will be provided in accordance with Section 66474(g) of the Subdivision Map Act.

There are no known public easements or access across the subject property; therefore, the design of the subdivision will not conflict with public access. Any utility can be accommodated within the design of the project or within the public right-of-way.

- g. The City's action will not have an adverse effect on the housing needs of the region and the city has balanced these needs against the public service needs of its residents and available fiscal and environmental resources, in accordance with Section 66412.3 of the Subdivision Map Act.

The project would have a beneficial effect on the housing needs of the region because an additional 181 dwelling units could be provided. The project would not adversely affect the economic health of the City as the infrastructure to support the project, such

as roadways and utility lines, currently exists in the vicinity of the project site and the maintenance of this infrastructure is already occurring. Additionally, as discussed under Finding “d”, the project would not have a significant impact on environmental resources.

- h. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

The project is not expected to have any significant impact on any future passive or natural heating or cooling opportunities. The project has been designed to take advantage of heating and cooling opportunities to the extent feasible. Additionally, the project is required to comply with Title 24, which includes requirements for solar energy.

Section 8. That the Planning Commission hereby adopts the following Conditional Use Permit findings pursuant to Section 17.32.090 of the LMC, in support of approving this application:

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

The project would be in conformance with the General Plan Land Use Designation of MU (Mixed Use) with approval of the general plan amendment for the subject site. This general plan land use designation allows for a variety of commercial/ retail establishment and residential uses including apartment buildings, restaurants and hotels. In addition, the proposed development would be consistent with the goals, objectives, policies, and specific actions identified in 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 project would be located on approximately 10 acres at the southeast corner of Avenue L and 15th Street West. The subject site would be developed with a mixed use development consisting of 181 multi-family residential units in two buildings, a 235 room hotel with associated 3,800 square foot club house, and 12,800 square feet of restaurant/retail space along with associated site improvements such as landscaping, block walls, parking, etc. While there is a rural residential community located south of Avenue L and the properties to the south of the subject site contain residential uses, the closest residence is approximately 300 feet south of the property line. Development features associated with the project including a block wall on the southern boundary, site landscaping, shielding of exterior/site lighting, the height of the hotel/multi-family residential buildings blocking site activities from the surrounding uses and conditions of approval would ensure that any potential impacts to the health, peace, comfort or welfare of persons residing in the surrounding area would be minimal.

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

The development would not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity. The subject site is located along a major arterial and adjacent to the Antelope Valley Freeway. The mixed-use development is compatible with other uses in the area and the conditions of approval would ensure that Project would not detrimentally impact neighboring properties.

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

The project is consistent with the General Plan's Mixed Use designation as well as the development standards and requirements identified for residential and commercial uses in the Mixed-Use zones of the Lancaster Municipal Code. The project was reviewed by staff and conditions of approval have been placed on the project to ensure that the use would not adversely affect or jeopardize public health and safety.

- 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 project site is approximately 10 acres and is adequate in size and shape to accommodate all necessary improvements including walls, landscaping, parking, outdoor dining areas, setbacks, and travel paths.

- 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 project site would be served by both Avenue L and 15th Street West. Avenue L is a major arterial which is currently improved to handle the existing traffic in the area. The project would be required to make any necessary improvements to ensure the safe and efficient operation of the roadway once the project has been constructed. 15th Street West is currently a private, dirt road. The road would be dedicated and become public along the frontage of the property. This roadway would also be fully improved for the length of the project site. This includes curb, gutter, meandering sidewalk, travels and painted median. With these improvements, the adjacent roadways would be of sufficient width and improved as necessary to carry the traffic generated by the project.

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

The project site is located within the service area of the Los Angeles County Fire, Los Angeles County Sheriff's Department and the City of Lancaster Police Department and adequate fire and police services exist to serve the project. Water for the development is anticipated to be provided by the White Fence Farms Mutual Water Company as the site is located within Company's boundaries. The project would be required to comply with all of the Mutual Water Company's requirements. However, there is also a possibility that the applicant will choose to annex the property into the Los Angeles County Waterworks District No. 14 and obtain the necessary water through that entity. Electrical and gas lines are also available in

the vicinity of project site and can be extended to serve the development. As such all necessary services are available for the project site.

Section 9. This Planning Commission hereby recommends that the City Council approve GPA No. 21-001 to redesignate the subject property from NU to MU.

Section 10. This Planning Commission hereby recommends that the City Council approve ZC No. 21-001 to rezone the subject property from RR-2.5 to MU-C.

Section 11. This Planning Commission hereby approves Tentative Tract Map No. 24-001 (TTM 84317) subject to the conditions attached hereto and incorporated herein and subject further to City Council approving GPA No. 21-001 and ZC No. 21-001.

Section 12. This Planning Commission hereby approves CUP No. 21-001 subject to the conditions attached hereto and incorporated herein and subject further to the City Council approving GPA No. 21-001 and ZC No. 21-001.

Section 13. The Planning Commission staff is authorized and hereby directed to transmit this Resolution to the City Council as required by Section 65855 of the Government Code.

Section 14. The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at Lancaster City Hall, 44933 Fern Avenue, Lancaster, CA 93534. This information is provided in compliance with Public Resources Code Section 21081.6.

Section 15. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application.

PASSED, APPROVED, and ADOPTED this 21st day of April 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

RECUSED:

ABSENT:

STEVEN DERRYBERRY, Vice-Chair
Lancaster Planning Commission

ATTEST:

Patti Garibay, Director – Community Development
City of Lancaster

Attachments:

- A. Conditions List
- B. Mitigation Monitoring and Reporting Program

Within 10 working days of the date of this decision by the Commission, an applicant or an interested City resident may submit to the City Clerk a notice of appeal pursuant to LMC Sections 17.36.030 and 2.44.010 *et seq.*

Any action to challenge the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section 1094.6.