



TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

AGENDA DATE: February 5, 2014

CASE NUMBER: Conditional Use Permit No. 2008-014, Time Extension

APPLICANT: Housing Partners 1, Inc.

PROPOSAL: A request for approval of a two (2) year time extension on Conditional Use Permit No. 2008-014, a proposal to construct eighty (80) senior housing units comprised of one (1) and two (2) bedroom units consisting of 650 to 886 square feet of livable area. The project also includes a 2,950 square foot recreation building and common open space. The project will accommodate housing for low and moderate income senior citizens.

ENVIRONMENTAL DETERMINATION: Pursuant to the California Environmental Quality Act (CEQA), Section 15162, this proposal (extension of time) is Exempt and does not require further environmental review.

LOCATION: Properties located on the south side of Sequoia Street, west of Kiowa Road.

STAFF PERSON: Carol Miller, Senior Planner

RECOMMENDATION: Approval

A. Project Summary:

The proposal includes eighty (80) senior housing units comprised of one (1) and two (2) bedroom units consisting of 650 to 886 square feet of livable area. The project also includes a 2,950 square foot recreation building and common open space.

ANALYSIS

The Planning Commission approved Conditional Use Permit No. 2008-014 on February 5, 2009 with an expiration date of February 4, 2012. Due to the adverse economic conditions in construction, the Development Code was amended to allow an automatic time extension of twenty-four (24) month for active Conditional Use Permits. This extended the expiration date of the project to February 4, 2014.

In accordance with the Town of Apple Valley Development Code, an extension of time may be granted by the original decision authority not to exceed an additional two (2) years. If the proposed

extension is approved by the Planning Commission, the Conditional Use Permit will expire on February 4, 2016.

Since 2009, the Town's multi-family development standards have not changed, nor has the scope of the project changed to warrant an amendment to the conditions of approval. However, Building and Fire Codes have changed, and it is likely they will continue to change between now and the time of construction. Regardless of the conditions of approval, the project is required to meet the Building and Fire Codes in place at the time of construction, as well as the Town's Climate Action Plan.

Environmental Assessment:

Pursuant to the California Environmental Quality Act (CEQA), Section 15162, this proposal (extension of time) is Exempt and does not require further environmental review.

RECOMMENDATION

Based upon the information contained within this report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to:

1. Determine that, pursuant to the California Environmental Quality Act (CEQA), Section 15162, this proposal (extension of time) is Exempt and does not require further environmental review.
2. Approve a two (2)-year extension of time for Conditional Use Permit No. 2008-014.

ATTACHMENTS:

1. February 4, 2009 staff report



TOWN OF APPLE VALLEY PLANNING COMMISSION

Staff Report

AGENDA DATE:	February 4, 2009
CASE NUMBER(s):	Conditional Use Permit No. 2008-014
APPLICANT:	KTGY Group, Inc. for Housing Partners 1, Inc.
PROPOSAL:	A request to construct eighty (80) senior housing units comprised of one (1) and two (2) bedroom units consisting of 650 to 886 square feet of livable area. The project also includes a 2,950 square foot recreation building and common open space. The project will accommodate housing for low and moderate income senior citizens.
LOCATION:	Properties located on the south side of Sequoia Street, west of Kiowa Road; APNs 0434-051-66 & -067
ENVIRONMENTAL DETERMINATION:	Based upon an Initial Study, pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared for this project.
CASE PLANNER:	Ms. Carol Miller, Senior Planner
RECOMMENDATION:	Approval

PROJECT AND SITE DESCRIPTION

- A. Project Size:
The property consists of two (2) parcels for a combined total of four (4.82) acres.
- B. Surrounding General Plan Designations
- | | |
|---------|---|
| North - | General Commercial (C-G), |
| South - | Residential Single-Family (R-SF) |
| East - | General Commercial (C-G) and Residential Single-Family (R-SF) – Proposed to be changed to Medium Density Residential (R-M) as part of the General Plan Update Preferred Land Use Alternative map. |
| West – | Residential Single-Family (R-SF) - Proposed to be changed to Mixed-Use (M-U) as part of the General Plan Update Preferred Land Use Alternative map. |

C. Surrounding Zoning and Land Use:

- North – General Commercial (C-G), Shopping center
- South – Residential Equestrian (R-EQ), Vacant
- East - General Commercial (C-G) and Residential Equestrian (R-EQ), Vacant - Proposed to be changed to Residential Multi-Family (R-M) as part of the General Plan Update Preferred Land Use Alternative map.
- West – Residential Equestrian (R-EQ), Single-Family Residential tract project graded. - Proposed to be changed to Mixed-Use (M-U) as part of the General Plan Update Preferred Land Use Alternative map.

D. The Site Characteristics

The site is vacant and surrounded by commercial development to the north, a single family residential tract under construction to the west and vacant land to the east and south. The residential project to the west includes completed models and infrastructure and graded pads. The site contains minimal natural desert vegetation due to the land disturbance to the site; therefore, the site is not considered suitable habitat for Mojave Ground Squirrel and Burrowing Owl. The site contains no Joshua Trees.

ANALYSIS:

A. General

Pursuant to the Development Code, a Conditional Use Permit (CUP) is required for all new multi-family residential projects that exceed fifty-one (51) units to provide the Planning Commission and general public the opportunity to review and comment on the proposed development. The applicant is requesting that the Planning Commission approve the use and architectural appearance of an eighty (80)-unit, two (2)-story buildings within the Medium-Density Land Use designation and the Multi-Family Residential (R-M) Zoning District. The General Plan Land Use Element states the following:

“Medium Density Residential R-M (2 to 10 dwelling units per acre). This designation applies to a variety of higher density housing types, including single-family detached, single-family attached and multi-family homes such as duplexes, condominiums, townhouses, apartments and senior housing developments. All such areas are located in proximity to arterial corridors and commercial centers.”

The project is proposed to provide housing for low and moderate income senior citizens. The Town Council has committed \$225,000.00 in HOME Investment Partnerships Program (HOME) funds for the development of approximately eighty (80) units of senior affordable rental housing to date. The Town will be in partnership with Housing Partners 1, Inc. to provide required affordable units to the Town that is mandated by State law and the Housing Element of the General Plan. These units must remain affordable in accordance to the required covenant for fifty-five (55) years.

In accordance with the Density Bonus provisions of Development Code, Sections 9.28.090E and F, a housing development that provides the qualified number of lower income units, may request, and the approval body shall grant up to three (3) concessions from the multi-family development standards. The applicable sections are as follows:

E. ***Required Findings:***

Required Finding for Approval of a Density Bonus or Award of Incentives and Concessions. The review authority may approve the density bonus or award of incentives and concession request only if the following finding can be made:

- I. The housing development meets the qualifications of this Section.

2. The granting of the density bonus and award of incentives and concession will not have a specific, adverse impact upon the public health or safety.
3. The granting of the density bonus and award of incentives and concession will not have a specific adverse impact on any real property listed in the California Register of Historical Resources.
4. The housing development satisfies the affordability covenant requirements as provided in this Section.
5. The affordable units are of comparable quality and offered in a range of sizes comparable to those offered to other purchasers or renters (taking into consideration the need to make development of the affordable units feasible) and are dispersed throughout the housing development.

F. *Concessions and Incentives for Qualifying Housing Developments Containing Lower, Very Low or Moderate Income Units.*

1. In addition to density bonuses that may be granted pursuant to this Section, a housing development providing the qualifying number of lower income units, very low income units or moderate income units, may request, and the approval body shall grant, the following number of incentives or concessions:
 - a. One incentive or concession if the housing development includes at least:
 - 10% low income units; or
 - 5% very low income units; or
 - 10% moderate income condo development units.
 - b. Two incentive or concessions if the housing development includes at least:
 - 20% low income units; or
 - 10% very low income units; or
 - 20% moderate income condo development units.
 - c. Three incentives or concessions if the housing development includes at least:
 - 30% low income units; or
 - 15% very low income units; or
 - 30% moderate income condo development units.
2. For the purpose of this Section the Town shall utilize the following for incentives and concessions:

Reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 of Division 13 of the Health and Safety Code, including but not limited to:

 1. A reduction in setback and square footage requirements.
 2. A reduction in the ratio of vehicular parking spaces.
 3. Other regulatory incentives or concessions proposed by the developer or the Town that result in identifiable, financially sufficient and actual cost reductions.
- b. In lieu of the incentives and concessions provided for above, the applicant may submit, at the time of submission of its application for the housing development, to the Town a written proposal for specific incentives and concessions that it requests. The approval body shall grant the requested incentive or concessions, unless it finds negatively, based on substantial evidence in the record or the findings required under Cal. Government Code Section 65915(d)(1).

In accordance with the above referenced provisions, based on the project description provided by the applicant, the description states that a minimum thirty (30) percent low income units, or fifteen (15) percent very low income units, are being provided which entitles the applicant up to three (3) concessions. The requested concessions from the multi-family development standards are: 1) overall unit size (including the patio), 2) enclosed parking spaces and 3) lockable storage requirements.

B. Building/Unit Analysis

- Required: 1-bedroom units require a minimum of 800 square feet of livable area and 150 square foot private patio.
- Proposed: 1-bedroom units consist of 650 square feet of livable area and seventy-eight (78) square foot private patio.
- Required: 2-bedroom units require a minimum of 1,000 square feet of livable area and 150 square foot private patio.
- Proposed: 2 bedroom units consist of 886 square feet of livable area and seventy-two (72) square foot private patio.

- C. Building Height**
- | | |
|--------------------|--------|
| Permitted Maximum: | 35 ft. |
| Proposed Maximum: | 27 ft. |

- D. Setback Analysis**
- | | Required | Proposed |
|---------------|----------|---------------|
| Front | 40 ft. | 72 ft. |
| Interior Side | 10 ft. | 38 and 43 ft. |
| Rear | 25 ft. | 45 ft. |

E. Parking Analysis

- Required: 1 and 2-bedroom unit: Minimum two (2) spaces per unit (Including a two-car garage (20' x 20') per unit plus one (1) guest space per two (2) units for a total of 200 spaces.¹
- Proposed: 1-covered (carport) space per unit plus thirty (30) uncovered parking spaces for a total of 110 spaces.

- F. Lot Coverage**
- | | |
|--------------------|-----|
| Permitted Maximum: | 60% |
| Proposed Maximum: | 22% |

- G. Common Open Space**
- | | | |
|-----------|--------------------|-----|
| Required: | 31,363 square feet | 15% |
| Proposed: | 52,104 square feet | 25% |

- H. Project Amenity**
- | | |
|-----------|--------------------|
| Required: | 16,000 square feet |
| Proposed: | 16,230 square feet |

I. Analysis:

¹ Section 9.72.040.C: **Senior Citizen Developments.** The Planning Commission may reduce the total number of parking spaces required for senior citizen housing by up to twenty-five (25) percent based upon a finding that the parking demand is reduced because the proposed development is located within close proximity to a shopping center, or is adequately served by a public transportation system.

The number of required covered parking spaces may be reduced by up to fifty (50) percent based upon evidence submitted by the developer that the reduction is directly related to providing dwelling units to meet the needs of lower and moderate income senior citizen households as identified in the Town of Apple Valley General Plan Housing Element. In no instance shall the number of covered parking spaces be fewer than one (1) per two (2) dwelling units.

The proposed development meets or exceeds the building setbacks of forty (40) feet for the front, ten (10) feet for the interior sides and twenty-five (25)-foot rear property line. The submitted site plan shows the front yard setback at seventy-two (72) feet, the interior sides range from thirty-eight (38) to forty-three (43) feet and forty-five (45) feet to the rear property line.

All multi-family developments must provide a minimum of fifteen percent (15%) of the net site area for common open space. Included within the common open space must be 200 square feet per unit devoted to recreational amenities. Projects containing fifty-one (51) to 100 units are required to provide a minimum of three (3) amenities (including at least one community focal point). For this proposal, a total of 31,363 square feet common open space is required that would include a minimum of 16,000 square feet devoted to recreational amenities. The project shows approximately 52,104 square feet of common open space and three (3) amenities which consist of a 2,950 square foot clubhouse, lawn area for lawn bowling and community garden. Given the extreme elements characteristic of the desert, such as wind and high and low temperatures, staff questions the appropriateness of the lawn bowling and the community garden when considering this is a senior housing project. Therefore, staff is recommending Condition of Approval No. 31, requiring the plans submitted for plan check replace the community garden with an amenity that could be used in most weather conditions, such as a covered gazebo and seating area and improve a portion of the lawn area with an actual amenity such as a golf putting green.

In accordance with the Town's Development Code, a one (1) and two (2)-bedroom multi-family project would be required to have eighty (80), two (2) car garages for 160 spaces and forty (40) guest spaces for a total of 200 parking spaces. However, since the project is a senior housing project, the Development Code Section 9.72.040C, allows the Planning Commission the ability to reduce the total number of parking spaces by up to twenty-five (25%) for senior housing if the site is located close to a shopping center. The site is across the street from an existing shopping center. The Development Code also allows the Planning Commission to reduce the number of covered parking spaces by up to fifty percent (50%) by providing units for lower and moderate income senior citizen households provided at least one (1) space per unit is provided. As indicated in the project description, the project will provide housing for low and moderate income senior citizens. Based on these parking reductions a minimum of eighty (80) parking spaces would be required. The applicant is proposing eighty (80) covered spaces and thirty (30) open guest spaces for a total of 110 spaces which meet the provisions of the Development Code.

In accordance with the Town's Development Code, one (1)-bedroom units require a minimum of 800 square feet of livable area and 150 square feet private patio, and two (2)-bedroom units require a minimum of 1,000 square feet of livable area and 150 square feet private patio. The applicant is providing 650 square feet of livable area and seventy-eight (78) square feet private patio for the one (1)-bedroom units and 886 square feet of livable area and seventy-two (72) square feet private patio for the two (2)-bedroom units. Since this is less than the Code requires, the applicant has requested this to be one (1) of the three (3) allowed concessions.

In accordance with the Town's Development Code, a one (1) and two (2)-bedroom multi-family project requires a two (2) car garage for each unit or, in this instance, a one (1) car garage per unit as discussed above. In lieu of a garage, the applicant is proposing a carport cover for each unit. Since this is less than the Code requires, the applicant has requested this to be one (1) of the three (3) allowed concessions. The carports are designed with tile roof that matches the roofing for apartment and recreation buildings.

In accordance with the Town's Development Code, a minimum 400 cubic feet of private enclosed lockable storage space within the garage, carport or immediately adjacent to the dwelling units is required. The applicant is proposing to provide ninety-six (96) cubic feet of closet space located on the patio/deck for the one (1) bedroom unit and zero (0) cubic feet of storage space for the two (2) bedroom unit. Since this is less than the Code requires, the applicant has requested this to be one (1) of the three (3) allowed concessions.

The Development Code requires one (1) trash bin per eight (8) units. Based on the number of units, no less than ten (10) trash bins are required to serve this project. The project proposes eight (8) trash bins located throughout the project and within the buildings. As designed, the trash hauler must remove the trash bin from the building and push the bin to the trash truck. The project has been conditioned (Condition No. P28) to provide a minimum of ten (10) trash bins and requires the applicant to obtain written approval from the trash purveyor on the trash bin locations. If revisions to the site plan are required to address the location of the trash enclosure, these revisions shall be made at plan check, subject to review and approval of the Planning Division.

The project area is comprised of two (2) separate legal parcels. A lot merger shall be recorded prior to the issuance of Building Permits (Condition of Approval No. P23).

The landscaped open space areas shall be integrated with the perimeter landscaping and will meet Code standards. A final landscape and irrigation plan is required to be submitted for review and approval by the Planning Division prior to issuance of any building permit.

1. Drainage

The project will include impervious areas (such as driveways, parking areas and structures), which may create additional surface runoff. The Engineering Division has recommended a condition (Condition No. EC1) which requires that a final drainage plan be submitted for review and approval to the Town Engineer, showing provisions for receiving and conveying off-site and on-site tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties.

2. Traffic and Circulation

The site will ultimately be accessed from a forty (40)-foot wide driveway on Sequoia Road. Although the development of vacant land will increase vehicle trips, the trips were anticipated under the General Plan Circulation Element. In addition, the project requires payment of a Traffic Impact Fee to reduce regional traffic impacts.

3. Sewage

The project wastewater would be carried via sewer lines from the Town of Apple Valley to the Victor Valley Regional Wastewater Reclamation Plant. This project shall implement all Town adopted requirements for the wastewater discharge through the Public Services Department.

J. Architecture Analysis:

The project consists of one (1) primary elevation for both buildings with two (2) similar floor plans offering either a one (1) or two (2) bedroom floor plan. The project incorporates several architectural elements that include stucco wall pop-outs, stone veneer to ascend the full height

of the building entrance and decorative exterior elements. Although the front elevations provide varying wall planes and color, the structure lacks a change in building material. To address this concern, the applicant revised the building elevation to provide a stone veneer on the vestibule. However, given the frontage width on both sides of the vestibule, staff is recommending Condition of Approval No. P30, requiring the stone veneer be applied to the archway elements as well.

The applicant has provided building elevations that are identical in overall height, but with varying roof lines and pitch. The submitted building elevations and the color and materials sample illustrate three (3) stucco colors and two (2) accent colors, stone veneer and concrete tile roofs to provide articulation and visual interest.

The recreation building is proposed at 2,950 square feet and is shown with a similar architectural style as the apartment buildings. The building proposes the same tile roof and stucco material as the apartment buildings. The floor plan shows a large multi-use room, fitness room, library, restrooms, office and access onto the patio area. The recreation building is considered the community focal point and, as noted previously, the project amenities meet Code requirements for minimum square footage.

K. Summary

The applicant is proposing to provide housing for low and moderate income senior citizens. In exchange for providing the qualified number of units for low and moderate income senior citizens, the applicant requests three (3) concessions from the multi-family development standards in accordance with the Density Bonus provisions of the Development Code. While the General Plan designation of Medium Density Residential and zoning of Multi-Family Residential is intended to provide an area for higher density housing types, including senior housing developments, the Density Bonus provisions of the Development Code are intended to implement California State Government Code Section 65915 and General Plan Housing Element, which provide incentives for the creation of affordable housing. Since this is the first opportunity for the Planning Commission to review an affordable housing project, and the Commission may be unfamiliar with the applicable Code sections, staff has inserted into the staff report sections of the Density Bonus provisions of the Code that are applicable to this project. This project will be receiving funding from the Town to provide affordable units for the community, as required by State Law and the Housing Element.

L. Environmental Assessment

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study was prepared. Based on the findings of the Initial Study, the proposed project will not have a significant environmental impact and, therefore, a Negative Declaration has been prepared. The applicant shall be responsible for the payment of all CEQA-mandated environmental review and filing fees to the Department of Fish and Game and/or the San Bernardino County.

M. Noticing:

This item was advertised as a public hearing in the Apple Valley News newspaper on January 16, 2009. Per the applicant's request, a 1,000-foot radius for property owner public hearing notification was prepared.

FINDINGS:

As required under Section 9.28.090.E of the Development Code, the Planning Commission may approve the density bonus or award of incentives and concession request only if the following finding can be made:

1. The housing development meets the qualifications of this Section.

Comment: Based on the project description provided by the applicant, a minimum thirty percent (30%) low income units or fifteen percent (15%) very low income units are being provided which entitles the applicant up to three (3) concessions which is consistent and in accordance with the Development Code.

2. The granting of the density bonus and award of incentives and concession will not have a specific, adverse impact upon the public health or safety.

Comment: The property is located within the Multi-Family Residential (R-M) zoning designation. The project is compatible with existing residential and commercial development and is a permitted use subject to the approval of a Conditional Use Permit.

3. The granting of the density bonus and award of incentives and concession will not have a specific adverse impact on any real property listed in the California Register of Historical Resources.

Comment: The site is vacant; therefore, there are no structures or objects of national, state, or local historic, cultural or archaeological significance for the Town of Apple Valley, the County of San Bernardino or the State of California within the project site.

4. The housing development satisfies the affordability covenant requirements as provided in this Section.

Comment: Based on the project description provided by the applicant, a minimum thirty percent (30%) low income units or fifteen percent (15%) very low income units are being provided which entitles the applicant up to three (3) concessions which is consistent and in accordance with the Development Code.

5. The affordable units are of comparable quality and offered in a range of sizes comparable to those offered to other purchasers or renters (taking into consideration the need to make development of the affordable units feasible) and are dispersed throughout the housing development.

Comment: Pursuant to the Development Code, a Conditional Use Permit (CUP) is required for all new multi-family residential projects that exceed fifty-one (51) units to provide the Planning Commission and general public the opportunity to review and comment on the proposed development. The project is reviewed to ensure that the Development Code standards are being met and the Town's vision of high quality development is implemented.

As required under Section 9.16.090 of the Development Code, prior to approval of a Conditional Use Permit, the Planning Commission must make the following findings:

1. That the proposed location, size, design and operating characteristics of the proposed use is consistent with the General Plan, the purpose of this Code, the purpose of the zoning district in which the site is located, and the development policies and standards of the Town;

Comment: The proposed eighty (80)-unit senior housing development is located within the Multi-Family Residential zoning designation and is in compliance with the General Plan Land Use and Zoning District that allows new construction of senior housing apartment units subject to approval of a Conditional Use Permit on the subject property. This project is also in compliance with the Housing Element of the General Plan, providing affordable units in the community.

2. That the location, size, design and operating characteristics of the proposed use will be compatible with, and will not adversely affect nor be materially detrimental to, adjacent uses, residents, buildings, structures or natural resources;

Comment: The property is located within the Multi-Family Residential (R-M) zoning designation. The project is compatible with existing residential and commercial development and is a permitted use subject to the approval of a Conditional Use Permit. The colors selected for the project are compatible with the Town's desert environment.

3. That the proposed use is compatible in scale, bulk, lot coverage, and density with adjacent uses;

Comment: The proposed eighty (80)-unit senior housing development will be a compatible use because the site has been designed with adequate setbacks, parking and access point. The project site will be built with two-story structures at a maximum building height of twenty-seven (27) feet, which is in conformance with the permitted building height for a multi-family zoning designation. Although, the new structures will occupy a currently vacant lot, the area was anticipated to have structures with heights of up to thirty-five (35) feet. As the surrounding area develops, the proposed structures will appear less out of scale.

4. That there are public facilities, services and utilities available at the appropriate levels, or that these will be installed at the appropriate time to serve the project as they are needed;

Comment: The proposed project will be located within the Multi-Family Residential zoning designation. The project will not require the extension of water and sewer facilities to the site but may require modifications to increase its capability. The project is conditioned to provide street improvements and is also conditioned to provide sewage disposal by connecting to the Town of Apple Valley sewer system. The proposal, with adherence to the recommended Conditions of Approval, will be compatible with the surrounding neighborhood.

5. That there will not be a harmful effect upon desirable neighborhood characteristics;

Comment: The location, size, design and operating characteristics of the proposed senior housing development, and the conditions under which it will be operated and maintained, will not be a harmful upon the neighborhood characteristics.

6. That the generation of traffic will not adversely impact the capacity and physical character of surrounding streets;

Comment: Traffic generated from the project will not adversely impact the surrounding area. The project is conditioned to conform to the Town of Apple Valley's Traffic Fee Ordinance. The proposed project will be located adjacent to commercial and residential uses and within 600 feet of a Major roadway, which can accommodate traffic generated from the proposed use. The project will contain paved parking that meets the requirements as specified in the Development Code.

7. That traffic improvements and/or mitigation measures are provided in a manner adequate to maintain the existing service level or a Level of Service (LOS) C or better on arterial roads and are consistent with the Circulation Element of the General Plan;

Comment: It is anticipated that this project will not have an impact upon the roadway system and the project is anticipated to maintain LOS levels in conformance with the General Plan.

8. That there will not be significant harmful effects upon environmental quality and natural resources;

Comment: Under the State guidelines to implement the California Environmental Quality Act (CEQA), an Initial Study has been prepared and, based upon the information provided, with implementation of proper mitigation measures as defined and required in the various Codes and standards applicable to all development within the community, the proposed project will not produce adverse impacts upon the sites nor the surrounding properties.

9. That there are no other relevant negative impacts of the proposed use that cannot be reasonably mitigated;

Comment: Under the State guidelines to implement the California Environmental Quality Act (CEQA), an Initial Study has been prepared and, based upon the information provided, with implementation of proper mitigation measures as defined and required in the various Codes and standards applicable to all development within the community, the proposed project will not produce adverse impacts upon the sites nor the surrounding properties.

10. That the impacts, as described in paragraphs 1 through 9 above, and the proposed location, size, design and operating characteristics of the proposed use and the conditions under which it would be maintained will not be detrimental to the public health, safety or welfare, nor be materially injurious to properties or improvements in the vicinity, nor be contrary to the adopted General Plan;

Comment: The location, size, design and operating characteristics of the proposed development, and the recommended conditions under which it will be operated and maintained, will not be detrimental to the public health, safety or welfare, nor will it be materially injurious to properties or improvements in the vicinity. This project is in compliance with the Housing Element of the General Plan, providing affordable units within the community.

11. That the proposed conditional use will comply with all of the applicable provisions of this title.

Comment: The proposed eighty (80)-unit senior housing development is in conformance with the Development Code, subject to approval of a Conditional Use Permit and adherence to the recommended Conditions of Approval.

12. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures;

Comment: The surrounding area is primarily vacant and, therefore, the neighborhood has no established architectural style. Nevertheless, the design, materials and details of the proposed multi-family residential development will complement the limited number of structures within in the immediate area and any future development. The proposal, with adherence to the suggested Conditions of Approval, conforms to Code requirements.

13. That the development proposal does not unnecessarily block public views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;

Comment: Since the area is primarily vacant, the proposed building heights of twenty-seven (27) feet will create the appearance of excessive building height. However, the proposed building height is within the permitted thirty-five (35) feet as allowed by the Development Code and adjacent to commercial development to the north. As the area develops, the proposed senior housing complex will appear more in scale to commercial and residential developments in the area.

14. That quality in architectural design is maintained in order to enhance the visual environment of the Town and to protect the economic value of existing structures.

Comment: The proposed senior housing development has been designed to provide a quality appearance which complements the surrounding development. Multi-family residential development containing fifty-one (51) or more units, with adherence to recommended Conditions of Approval, are permitted subject to approval of a Conditional Use Permit.

15. That access to the site and circulation on and off-site is safe and convenient for pedestrians, bicyclists, equestrians and motorists.

Comment: The proposed senior housing project will include one (1) point of ingress/egress, off Sequoia Road. In addition, the project will be required to provide improvements along all adjacent roads and along the corresponding property frontages, to include curb, gutter and sidewalks that will enhance overall circulation on and around the project site.

RECOMMENDATION

Based upon the information contained within this report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to:

1. Determine that the proposed Conditional Use Permit will not have a significant effect on the environment.
2. Adopt the Negative Declaration for Conditional Use Permit No. 2008-014 finding that, on the basis of the whole record before the Planning Commission, including the Initial Study and any comments received, there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Town's independent judgment and analysis.
3. Find that the facts presented in the staff report support the required Findings for approval and adopt those Findings.
4. Approve Conditional Use Permit No. 2008-014 subject to the attached Conditions of Approval.
5. Direct staff to file a Notice of Determination.

Prepared By:

Reviewed By:

Carol Miller
Senior Planner

Lori Lamson
Assistant Director of Community Development

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Site Plan
3. Building Elevations
4. Floor Plan
5. Zoning Map

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Case No. Conditional Use Permit No. 2008-014

Please note: *Many of the suggested Conditions of Approval presented herewith are provided for informational purposes and are otherwise required by the Municipal Code. Failure to provide a Condition of Approval herein that reflects a requirement of the Municipal Code does not relieve the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.*

Planning Division Conditions of Approval

- P1. This project shall comply with the provisions of State law and the Town of Apple Valley Development Code and the General Plan. This conditional approval, if not exercised, shall expire three (3) years from the date of action of the reviewing authority, unless otherwise extended pursuant to the provisions of application of State law and local ordinance. The extension application must be filed, and the appropriate fees paid, at least sixty (60) days prior to the expiration date. The Conditional Use Permit becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- P2. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:
- Apple Valley Fire Protection District
 - Apple Valley Ranchos Water Company
 - Apple Valley Public Works Division
 - Apple Valley Engineering Division
 - Apple Valley Planning Division
- P3. Conditional Use Permit No. 2008-014 shall adhere to all requirements of the Development Code.
- P4. The applicant shall agree to defend, at its sole expense (with attorneys approved by the Town), hold harmless and indemnify the Town, its agents, officers and employees, against any action brought against the Town, its agents, officers or employees concerning the approval of this project or the implementation or performance thereof, and from any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the applicant of this obligation under this condition.
- P5. The filing of a Notice of Determination requires the County Clerk to collect a documentary handling fee of fifty dollars (\$50.00). Additionally, as of January 1, 2009, a fee of \$1,993.00 is required to be collected by the County for the State Fish & Game fees for a combined total amount of \$2,043.00. The fees must be paid within five (5) days of the approval of this application in order to reduce the Statute of Limitations to thirty (30) days. All fees must be submitted prior to the issuance of any permits. The fee must be paid in a timely manner in accordance with Town procedures. No permits may be issued until such fee is paid.

- P6. The approval of Conditional Use Permit No. 2008-014 by the Planning Commission is recognized as acknowledgment of Conditions of Approval by the applicant, unless an appeal is filed in accordance with Section 9.12.250, Appeals, of the Town of Apple Valley Development Code.
- P7. Any protected desert plants or Joshua Trees impacted by development are subject to the regulations specified in Section 9.76.020 (Plant Protection and Management) of the Development Code.
- P8. Required parking spaces shall be provided for the handicapped in accordance with Town standards and in accordance with Title 24 of the California Administrative Code. The handicapped spaces shall be located as close as practical to the entrance of the center. Each space must be provided with access ramps and clearly marked in accordance with Title 24 of the California Administrative Code.
- P9. Lighting fixtures throughout the site shall be of a type and be located in such a manner that no light or reflected glare is directed off-site and shall provide that no light is directed above a horizontal plane passing through the bottom of the fixture. All glare shall be directed onto the site and away from adjacent properties.
- P10. Light standards shall blend architecturally with buildings, pedestrian areas and other hardscape elements.
- P11. All lighting used in parking lots for security purposes or safety-related uses shall be scheduled so light rays emitted by the fixture are projected below the imaginary horizontal plane passing through the lowest point of the fixture and in such a manner that the light is directed away from streets and adjoining properties.
- P12. It is the sole responsibility of the applicant on any Permit, or other appropriate discretionary review application for any structure to submit plans, specifications and/or illustrations with the application that will fully and accurately represent and portray the structures, facilities and appurtenances, thereto, that are to be installed or erected if approved by the Commission. Any such plans, specifications and/or illustrations that are reviewed and approved by the Planning Commission at an advertised public hearing shall accurately reflect the structures, facilities and appurtenances expected and required to be installed at the approved location without substantive deviations, modifications, alterations, adjustments or revisions of any nature.
- P13. Final landscape and irrigation plans shall be submitted prior to building permit issuance and installed prior to issuance of occupancy permits, subject to approval by the Planning Division. A report from a licensed landscape architect shall be provided describing the types of trees proposed and their ability to sustain and grow within the high desert climate.
- P14. Landscaping shall be installed with appropriate combinations of drought tolerant trees, shrubs, and ground cover, consistent with Chapter 9.75, Water Conservation Landscape Regulations, of this Code.
- P15. All front building setbacks and street right-of-way areas located between on-site improvements and the back of existing or future public sidewalks or street curbs, except needed access driveways, shall be fully landscaped.

- P16. All required and installed landscaping shall incorporate and maintain a functioning automatic sprinkler system, and said landscaping shall be maintained in a neat, orderly, disease and weed free manner at all times.
- P17. The rendering(s) presented to and approved by the Planning Commission at the public hearing shall be the anticipated and expected appearance of the structure upon completion.
- P18. All identification signs shall have a separate permit and are subject to final approval by the Town Planning Division.
- P19. No major deviation, modification, alteration, adjustment or revision to or from the appearance, location, fixtures, features or appurtenances thereto of any type or extent shall be approved without said changes being first submitted to the Planning Commission for consideration and approval. Said review shall not rise to the level of a revision to the original Permit or other discretionary review, therefore necessitating a new public hearing, but shall, instead, constitute a clarification of the Planning Commission's original approval.
- P20. Solid decorative perimeter walls shall buffer the site from any existing single-family residential district and uses. The wall must reflect the approved architecture style and materials of the project.
- P21. Roof top mechanical and electrical equipment shall be screened as an integral part of the architecture.
- P22. Each building shall incorporate an identifying feature that may include but not limited to: different trim color on the building or on doors/windows; distinctive entries, variations in building embellishments or architectural details, subject to review and approval by the Planning Division.
- P23. A lot merger shall be recorded and proof of recordation submitted to the Planning Division prior to the issuance of Building Permits.
- P24. If the project is adjacent to existing development, a fence/wall plan shall be submitted with the grading and landscape/irrigation plans to identify how new fencing or walls will relate to any existing fences or walls located around the perimeter of the tract/parcel map. The developer shall be required to connect to the existing fencing/walls or collaborate with the adjacent property owners to provide new fencing/walls and remove the existing fence/wall, both options at the developer's expense. Double fencing shall be avoided and review and approval of the fencing/wall plan is required prior to issuance of grading permits.
- P25. A vehicular entry statement shall be provided in accordance with Section 9.31.040C.
- P26. This project is subject to applicable Quimby Fees. Quimby Fees shall be collected at time of issuance of building permit and shall be the fee adopted by the Town Council.
- P27. As required by State Law, an on-site property manager shall reside within the development.
- P28. A minimum of ten (10) trash bins shall be provided for the project. The applicant shall obtain written approval from the trash purveyor approving the bin locations within the building. If

revisions to the site plan are required to address the location of the trash enclosure, these revisions shall be made at plan check, subject to review and approval of the Planning Division.

- P29. In accordance with Chapter 9.28.090, the applicant shall maintain a minimum thirty percent (30%) low income units; or fifteen percent (15%) very low income units.
- P30. The apartment building elevations shall be revised to add stone veneer on the archway elements of both buildings to the satisfaction of the Planning Division.
- P31. Plans submitted for plan check shall replace the community garden with a covered gazebo (outside of the front setback) and seating area and improve a portion of the lawn area with an amenity such as a putting green, subject to review and approval of the Planning Division.

Engineering Conditions of Approval

- EC1. A final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall consider retaining onsite drainage flows from a 100 year design storm.
- EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.
- EC3. Sidewalk shall be constructed along Sequoia Road per Town standards.
- EC4. A thirty (30)-foot wide half-width road dedication along Sequoia Road adjacent to the property shall be granted to the Town of Apple Valley.
- EC5. All required improvements shall be constructed and approved or bonded in accordance with Town Development Code.
- EC6. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC7. Final improvement plans and profiles shall indicate the location of any existing utility which would affect construction and shall provide for its relocation at no cost to the Town.
- EC8. Utility lines shall be placed underground in accordance with the requirements of the Town. (Municipal Code Section 14.28)
- EC9. Traffic impact fees adopted by the Town shall be paid by the developer.
- EC10. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.
- EC11. Any required street striping shall be thermoplastic as approved by the Town Engineer.
- EC12. Maintenance of the landscaping along all streets, street lights, storm drains and retention basins shall be performed by a Homeowner's Association formed by the developer. In addition, the developer shall form an assessment district with the Town to provide a guarantee that if the

Homeowner's Association does not perform its duties with regard to maintenance, then the Town shall activate the assessment district to provide for maintenance.

- EC13. Street lights shall be required in accordance with Town standards.
- EC14. The developer shall make a good faith effort to acquire the required off-site property interests. If the developer fails to acquire those interests the developer shall, at least 120 days prior to submittal of the final map for approval, enter into an agreement to complete the improvements pursuant to Government Code Section 66462 at such time as the Town acquires the property interests required for the improvements. Such agreement shall provide for payment by the developer of all costs incurred by Town to acquire the off-site property interests required in connection with the subdivision. Security for a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the developer, at the developer's cost. The appraiser shall have been approved by the Town prior to commencement of the appraisal. Additional security may be required as recommended by the Town Engineer and Town Attorney.
- EC15. The applicant shall apply for and complete the entire process, including obtaining the approval of the Town Council, for the vacation of an existing thirty (30)-foot wide road easement along the southerly boundary of the property.

Building and Safety Division Conditions of Approval

- BS1. An engineered grading report including soils report shall be submitted to and approved by the Building Official prior to recordation of the Final Map or issuance of permits for grading in excess of 1,000 cubic yards.
- BS2. Grading and draining plans including a soils report must be submitted to and approved by the Building and Engineering Departments prior to grading permit issuance.
- BS3. Submit plans, engineering and end obtain permits for all structures, retaining walls, and signs.
- BS4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard native plant protection and Desert Tortoise habitat.
- BS5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.
- BS6. Comply with State of California Disability Access requirements.
- BS7. A pre-grading meeting is required prior to beginning of any land disturbance. This meeting will include the Building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as a Biologist and/or paleontologist.
- BS8. Page 2 of the submitted building plans will be the conditions of approval.
- BS9. Construction must comply with 2007 California Building Codes.

BS10. Best Management practices (BPM's) are required for the site during construction.

Public Works Division Conditions of Approval

- PW1. An engineering evaluation is required to determine sewer capacity requirements and specific improvements necessary to serve the project. This evaluation shall be reviewed and approved by Apple Valley Public Works.
- PW2. Sewage disposal shall be by connection to the Town of Apple Valley sewer system. Financial arrangements, plans and improvement agreements must be approved by the Town of Apple Valley Public Works Department.
- PW3. Buy-in fees will be required prior to Building Permit. Contact the Public Works Department for costs associated with said fees.
- PW4. A grease interceptor with minimum capacity of 750 gallons shall be required for all floor drains and service sinks, and all other receptors of grease and oil-bearing wastes.

Park and Recreation Division Conditions of Approval

- PR1. This project is subject to applicable Quimby Fees as determined by the Town. Quimby Fees shall be collected at time of issuance of building permit and shall be the fee adopted by the Town Council at the time of permit issuance.

Apple Valley Fire Protection District

- FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements.
- FD2. Prior to combustible construction, the development and each phase thereof, shall have two points of paved access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of these points of access shall provide an independent route into the area in which the development is located.

Apple Valley Fire Protection District
Ordinance 22, Section (I)
Install per A.V.F.P.D. Standard ARI #8

- FD3. Fire lanes shall be provided with a minimum width of twenty-eight (28) feet, maintained, and identified.

Apple Valley Fire Protection District Ordinance 45
Install per A.V.F.P.D. Standard Series #202

- FD4. A turnaround shall be required at the end of each roadway 150 feet or more in length and shall be approved by the Fire District. Cul-de-sac length shall not exceed 1,000 feet.

Turning radius on all roads within the facility shall not be less than twenty-two (22) feet inside and minimum of forty (40) feet outside turning radius with no parking on street, or forty-seven (47) feet with parking.

Uniform Fire Code, Section 902.
Apple Valley Fire Protection District

Ordinance 22, Section 1 (e)
Install per A.V.F.P.D. Standard Series #202

FD5. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to and approved by the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems.

Apple Valley Fire Protection District, Ordinance 42

A. Unless otherwise approved by the Fire Chief, on-site fire protection water systems shall be designed to be looped and fed from two (2) remote points.

B. System Standards:

*Fire Flow	2,000	GPM @ 20 psi Residual Pressure
Duration	4	Hour(s)
Hydrant Spacing	330	Feet

*If blank, flow to be determined by calculation when additional construction information is received.

Install per A.V.F.P.D. Standard Series #101

C. A total of 6 fire hydrant(s) will be required. It is the responsibility of the owner/developer to provide all new fire hydrants with reflective pavement markers set into pavement and curb identification per A.V.F.P.D. Standard.

Install per A.V.F.P.D. Standard Series #101

FD6. An approved fire sprinkler system shall be installed throughout all apartment buildings. The system shall be connected to an approved alarm station and provide local alarm which will give an audible signal throughout the location. Sprinkler work may not commence until approved plans and permits have been issued by the Fire District.

Apple Valley Fire Protection District, Ordinance 45

FD7. A letter shall be furnished to the Fire District from the water purveyor stating that the required fire flow for the project can be met prior to the Formal Development Review Committee meeting.

FD8. Prior to issuance of building permit, the developer shall pay all applicable fees as identified in the Apple Valley Fire Protection District Ordinance.

END OF CONDITIONS

APPLE VALLEY SENIOR HOUSING

APPLE VALLEY, CA

PROJECT SUMMARY:
 OVERALL SITE INFORMATION:
 CURRENT ZONING: RM
 NET AREA: 4.62 Acres
 TOTAL AREA: 209,166 Sq. Ft.
 GROSS DENSITY: 16.8 DU/ACR
 SITE COVERAGE (BLDG): 22% (46,057 Sq. Ft.)
 LANDSCAPE COVERAGE: 46% (98,231 Sq. Ft.)

BUILDING COUNT:
 BUILDING "A" 344 - (36) 1BR, (4) 2BR 2
 Building Footprint: 21,346 Sq. Ft.
 Building Footprint: 3,362 Sq. Ft. 1
 TOTAL BUILDING COUNT: 3

UNIT MIX: (assumed) 12 UNITS
 PLAN 1: 1BR / 1SA (650 Sq.Ft.) 12 UNITS
 PLAN 2: 1BR / 2SA (868 Sq.Ft.) 60 UNITS
 TOTAL 72 UNITS

REQUIRED PARKING:
 1 BLDG 8,700 SQ. FT. 14 SPACES
 2 BLDG. (8 UNITS) 20 SPACES 40 SPACES
 GUEST (80 UNITS) 20 SPACES 160 SPACES
 TOTAL 200 SPACES

NOTE: 2.0 COVERED AND 0.5 UNCOVERED (GUEST) SPACES/UNIT REQUIRED

SENIOR DEVELOPMENT PARKING REDUCTION:
 COVERED PKG (50% Reduction): 80 SPACES
 UNCOVERED PKG (25% Reduction): 30 SPACES
 TOTAL 110 SPACES

PROVIDED PARKING:
 COVERED SPACES: 80 SPACES
 UNCOVERED SPACES: 30 SPACES
 TOTAL 110 SPACES

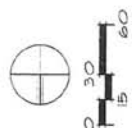
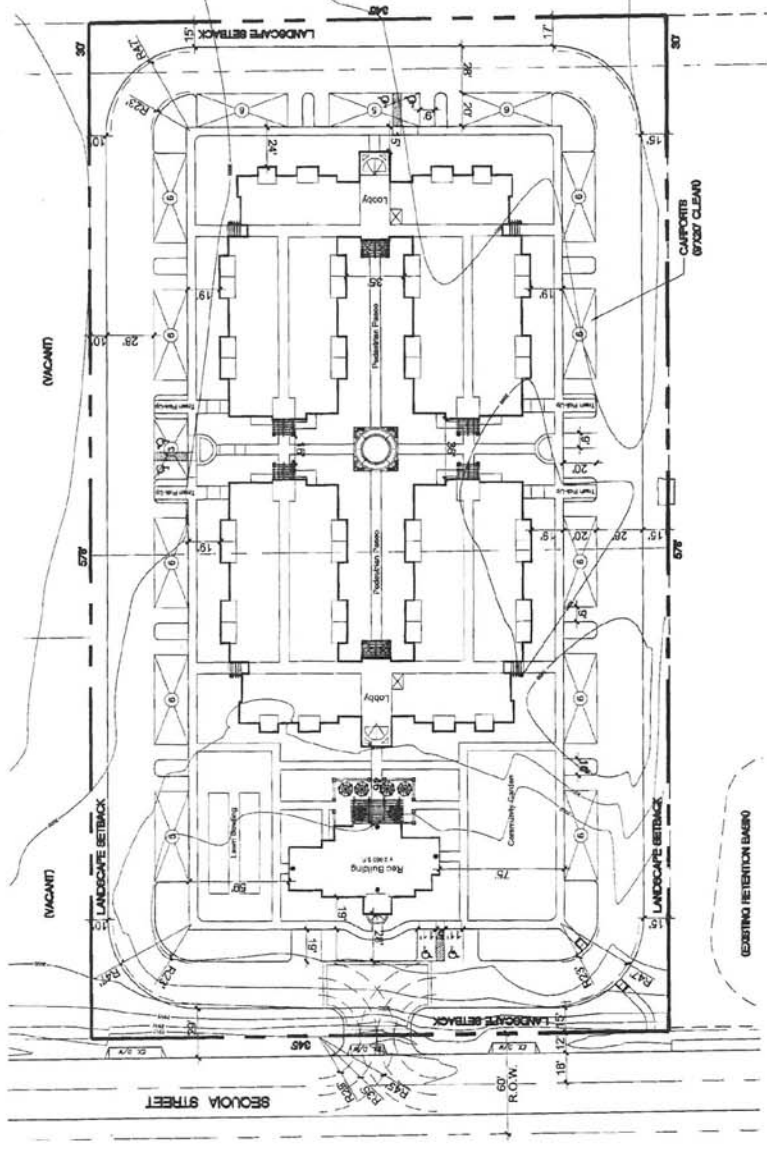
THREE INCENTIVES/CONCESSIONS:
 20% LOW INCOME UNITS: 24 UNITS
 20% MODERATE INCOME UNITS: 24 UNITS
 TOTAL (75%): 48 UNITS
 (28% STANDARD UNITS): 30 UNITS

1 - GARAGES
 3 - 400 CUBIC FEET OF PRIVATE STORAGE

****ATTRIBUTES: 200 SF/UNIT - 16,000 SF REQUIRED;
 PROVIDED 16,230 SF (203 SF/UNIT)
 - CREATION OF BUILDING (See Floor Plan)
 - LAWN BOWLING GREEN
 - WALKING TRAIL**

****OPEN SPACE (8% MINIMUM REQUIRED);
 PROVIDED 5,435 SF OF OPEN SPACE (24%).**

****See OPEN SPACE/ATTRIBUTES PLAN (Attached)**



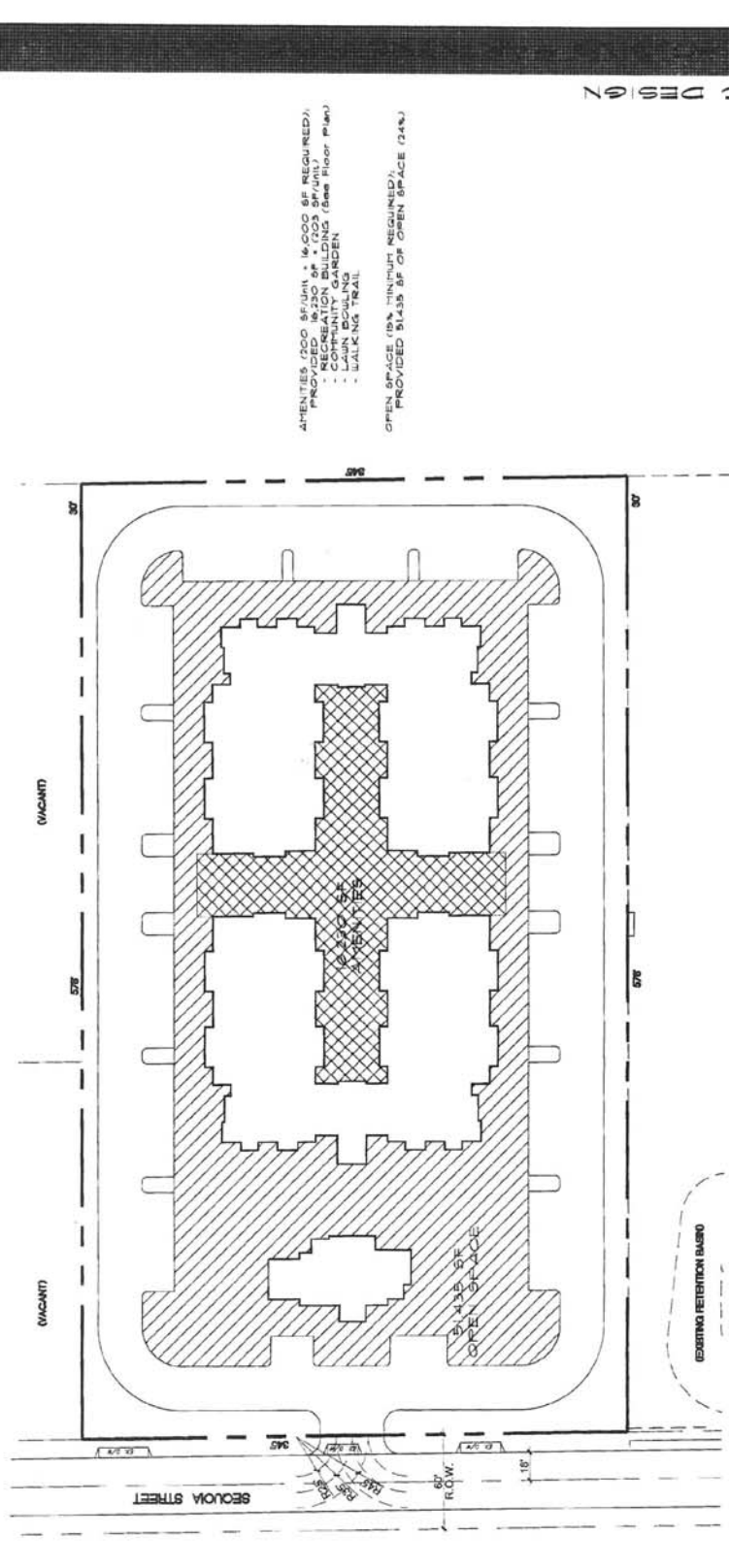
CONCEPTUAL SITE PLAN



Z O N I N G O R D I N A N C E

APPLE VALLEY SENIOR HOUSING

APPLE VALLEY, CA



— OPEN SPACE / AMENITIES PLANNING

SCHEMATIC DESIGN



APPLE VALLEY SENIOR HOUSING

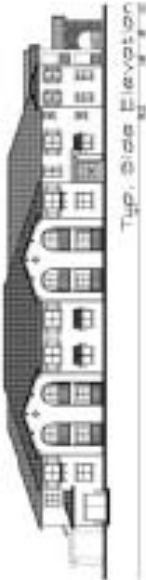
APPLE VALLEY, CA



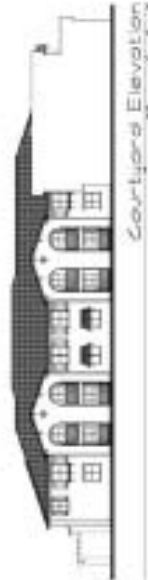
Front Elevation

ELEVATION LEGEND

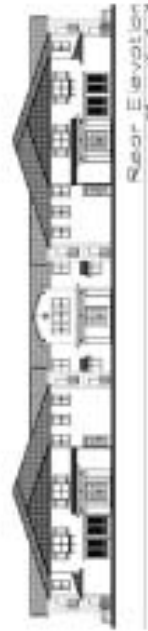
- A. Concrete St. the Roof
- B. Wood Plank
- C. Stucco Exterior
- D. Wood Shutters
- E. Decorative Grilles
- F. Decorative Windows & Door Trim
- G. Garage Lights
- H. Arched Iron Accents
- I. Decorative Pergolas
- J. Metal Railings
- K. Stone Accents



Top Side Elevation



Courtyard Elevation



Rear Elevation

RESIDENTIAL BUILDING

HOUSING PARTNERS, INC.



APPLE VALLEY SENIOR HOUSING

APPLE VALLEY, CA



Front Elevation



Typ. Side Elevation



Courtyard Elevation

ELEVATION LEGEND

- A Concrete 'S' Tile Roof
- B Wood Fascia
- C Stucco Exterior
- D Wood Shutters
- E Decorative Outlets
- F Distinctive Window & Door Trim
- G Carriage Lights
- H Wrought Iron Accents
- I Decorative Fergolas
- J Metal Railings
- K Stone Accent



Rear Elevation

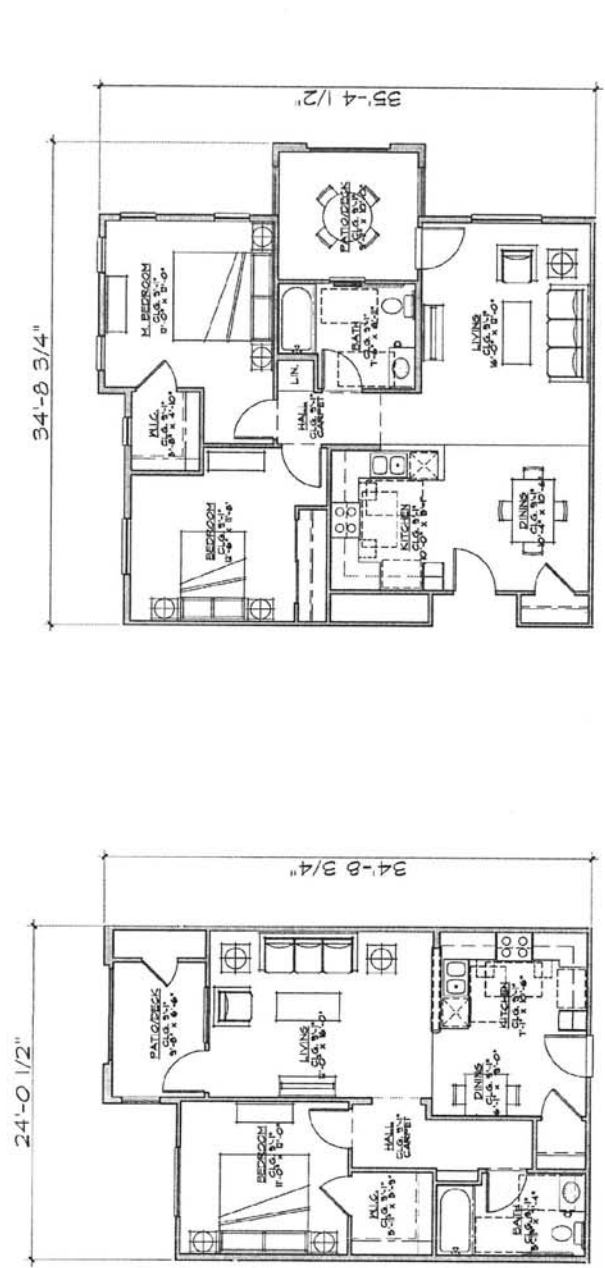
RESIDENTIAL BUILDING

SO THE MAT OF DESIGN FOR HOUSING IN APPLE VALLEY, CA



APPLE VALLEY SENIOR HOUSING
 APPLE VALLEY

SCHEMATIC DESIGN
 HOUSING PARTNERS INC.
 11/2008



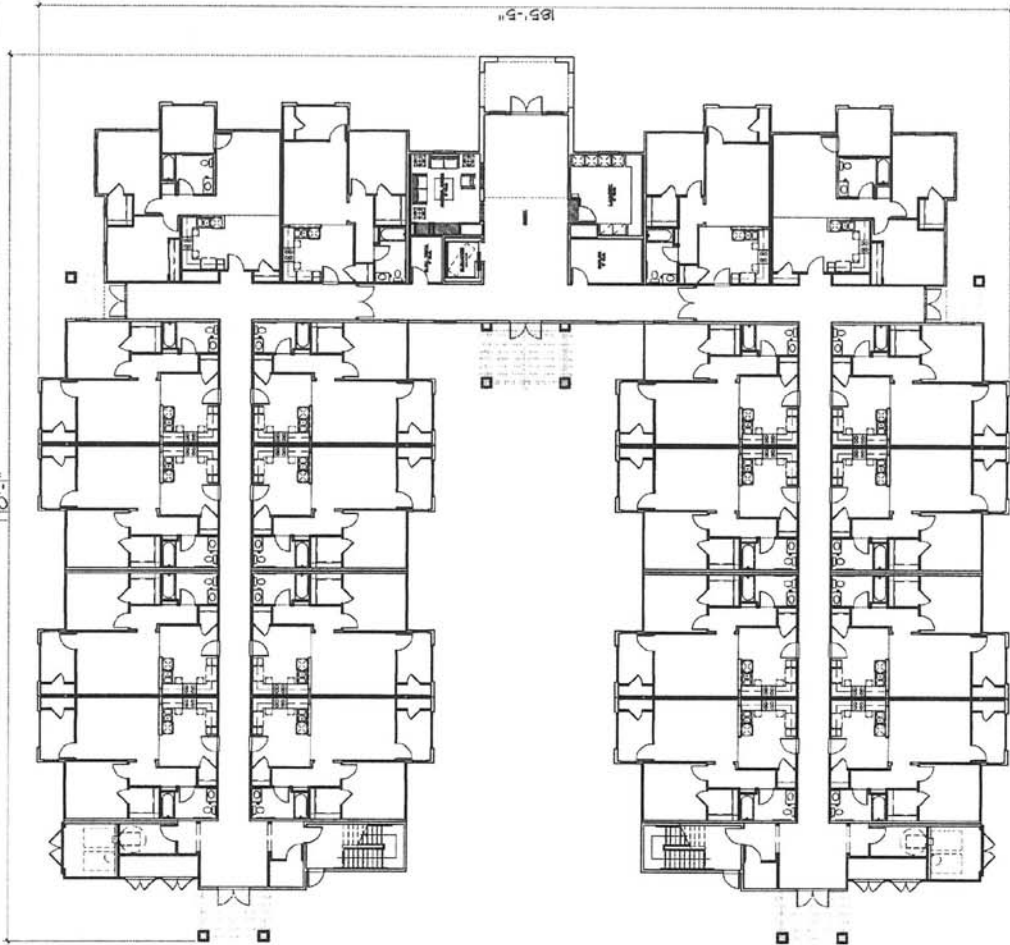
PLAN 1
 UNIT: 650 SQ. FT.
 DECK: 78 SQ. FT.

PLAN 2
 UNIT: 886 SQ. FT.
 DECK: 92 SQ. FT.

— UNIT PLANS —

APPLE VALLEY SENIOR HOUSING

APPLE VALLEY



UNIT MIX (PER FLOOR)
1 BDRM. UNITS 18
2 BDRM. UNITS 2

First Floor Plan
10-5-13

RESIDENTIAL BUILDING





APPLE VALLEY SENIOR HOUSING

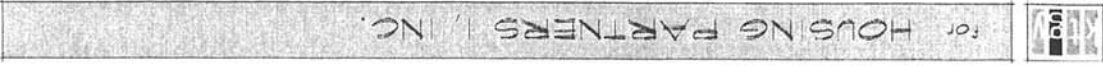
APPLE VALLEY



UNIT MIX (PER FLOOR)
1 BDRM. UNITS 18
2 BDRM. UNITS 2

Second Floor Plan
11/13/09

RESIDENTIAL BUILDING



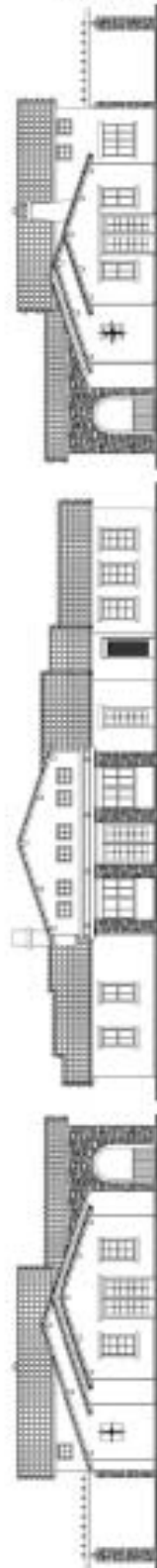
APPLE VALLEY SENIOR HOUSING

APPLE VALLEY, CA



Front Elevation

- ELEVATION LEGEND
- A Concrete & Tile Mass
 - B Wood Plank
 - C Stucco Exterior
 - D Recessed Windows
 - E Decorative shutters
 - F Restrictive Windows & Door-Way
 - G Gargoyle Lights
 - H Stoop & Arch Casing
 - I Wrought Iron Accent
 - J Stone Accent



Right Elevation

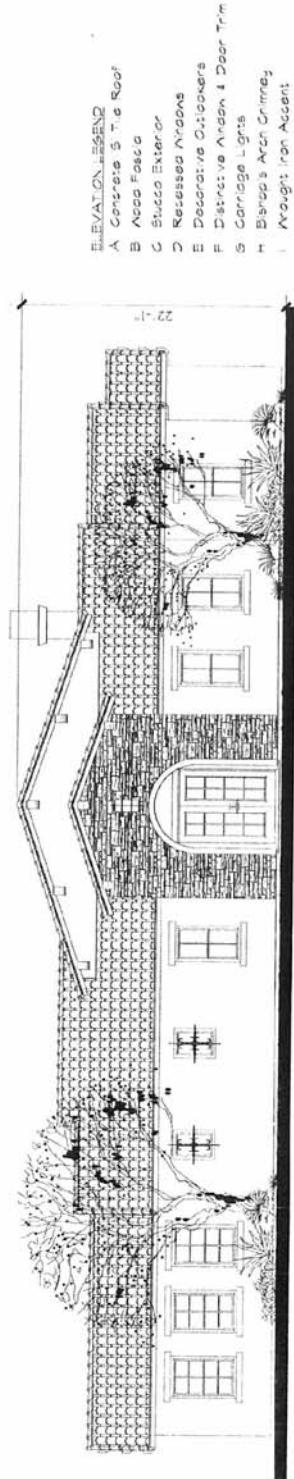
Rear Elevation

Left Elevation

— RESUBMITTING —

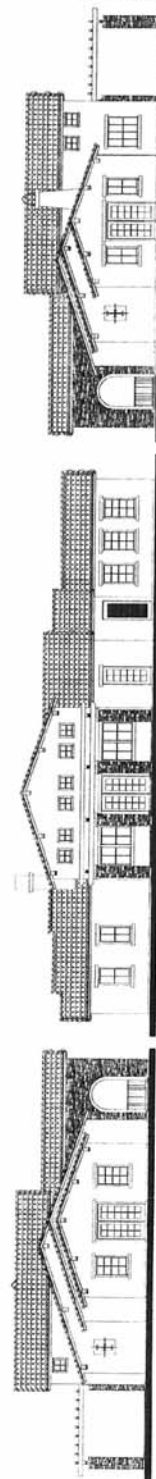
APPLE VALLEY SENIOR HOUSING

APPLE VALLEY, CA



Front Elevation

- ELEVATION LEGEND
- A Concrete S Tile Roof
 - B Adobe Fascia
 - C Stucco Exterior
 - D Recessed Windows
 - E Decorative Outcrops
 - F Distressed Window & Door Trim
 - G Carriage Lights
 - H Baroque Arch Chimney
 - I Wrought Iron Accent



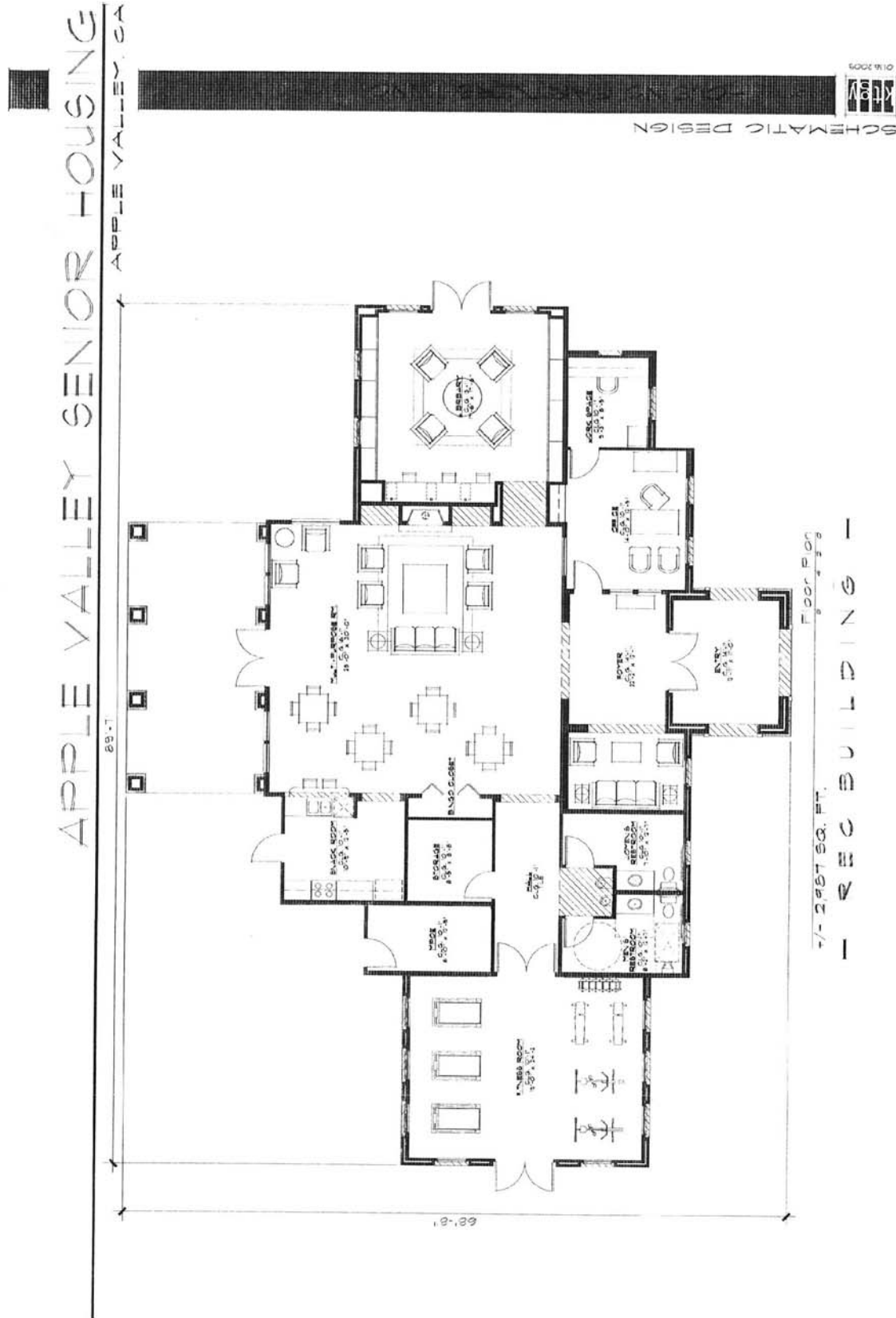
Left Elevation

Rear Elevation

Right Elevation

CONDITIONS

0162009
 KTY
 SCHEMATIC DESIGN

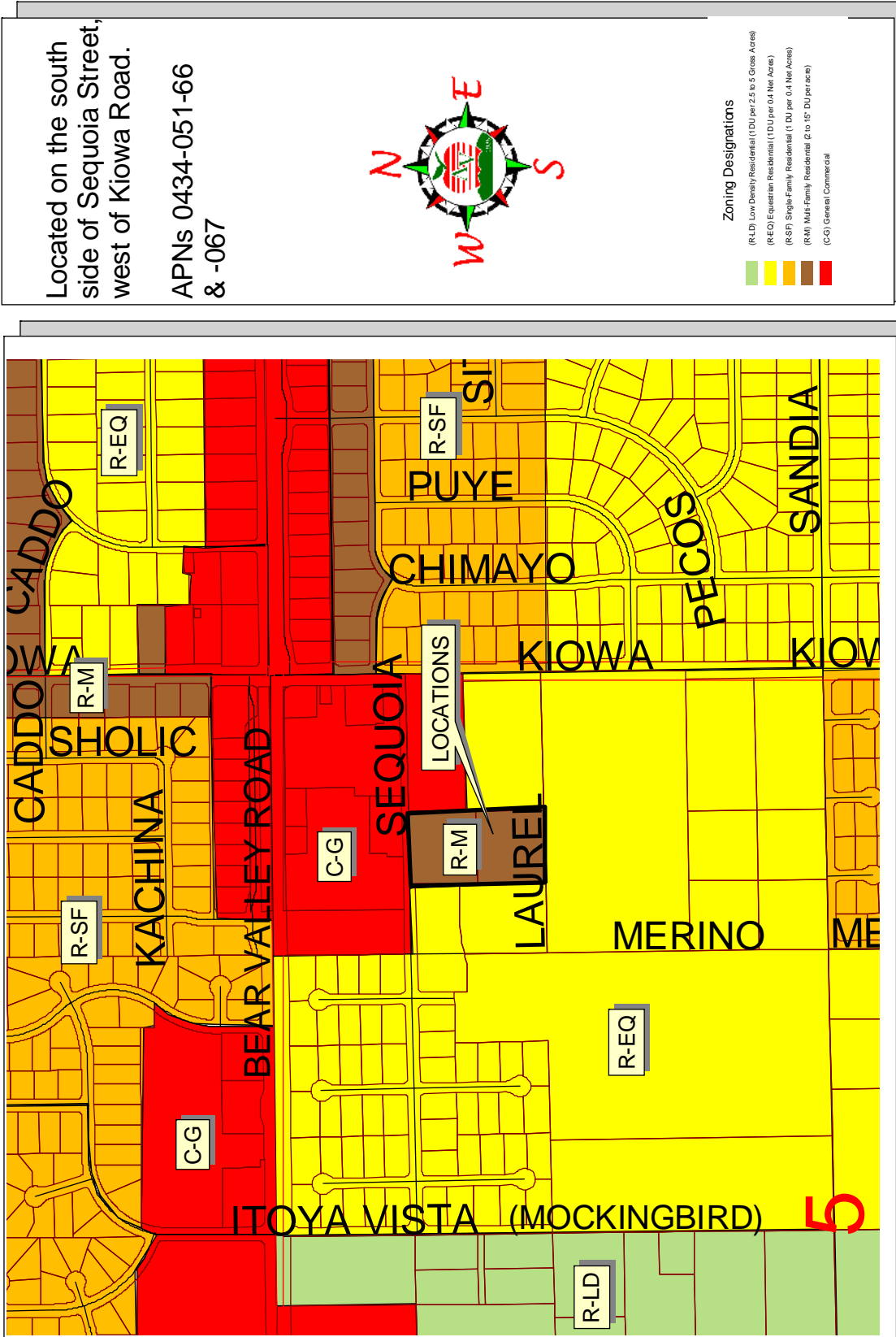


Prefabricated Carport



ZONING MAP

Conditional Use Permit No. 2008-014



Located on the south side of Sequoia Street, west of Kiowa Road.

APNs 0434-051-66 & -067



- Zoning Designations**
- (R-LD) Low Density Residential (1 DU per 2.5 to 5 Gross Acres)
 - (R-EQ) Equipped Residential (1 DU per 0.4 Net Acres)
 - (R-SF) Single-Family Residential (1 DU per 0.4 Net Acres)
 - (R-M) Multi-Family Residential (2 to 15 DU per acre)
 - (C-G) General Commercial



**ENVIRONMENTAL CHECKLIST FORM
(INITIAL STUDY)
AND MITIGATION MONITORING AND COMPLIANCE
PROGRAM**

FOR

**PROPOSED
CONDITIONAL USE PERMIT NO. 2008-014**

**Prepared by :
Carol Miller
Senior Planner**

**Town of Apple Valley
Planning Division
December 29, 2008**

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**TOWN OF APPLE VALLEY
 INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM**

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to Town of Apple Valley Development Code and Section 15063 of the State CEQA Guidelines.

PROJECT INFORMATION

1. Project title:
Conditional Use Permit No. 2008-014

2. Lead agency name and address:
**Town of Apple Valley
 Planning Division
 14955 Dale Evans Parkway
 Apple Valley, CA 92307**

Location: **Town of Apple Valley**

Town Zoning: **Multi-Family Residential (R-M)**

3. Contact person and phone number: **Carol Miller, (760) 240-7000 ext. 7222
 Senior Planner**

APN: **0434-051-66 & -067**

4. Project location:
Property located on the south side of Sequoia Street, west of Kiowa Road.

5. Description of project:
The applicant is requesting approval of a Conditional Use Permit to construct an eighty (80)-unit, two (2) story senior housing development for low and moderate income senior citizens and a concurrent request to grant up to three (3) concessions from the multi-family development standards by providing the qualified number of lower income units. The units will consist of one (1) and two (2) bedrooms ranging in size from 650 to 886 square feet in size. Project site consists of 4.82 acres within the Residential Multi-Family (R-M) zoning designation. The project will include perimeter fencing, pedestrian pathways, paved parking, lighting, landscaping, club house, and common recreational areas.

ENVIRONMENTAL/EXISTING SITE CONDITIONS

The subject site is vacant and generally a level site that is covered with native vegetation. The site contains no Joshua Trees. There are no structures on the site. The remainder of the surrounding property is generally vacant with the exception of a commercial development to the the north.

	EXISTING LAND USE	TOWN OF APPLE VALLEY ZONING AND GENERAL PLAN DESIGNATION
North	Commercial	C-G
South	Vacant (proposed SFR)	R-EQ
East	Vacant	C-G / R-EQ
West	Rentention Basin and Vacant (proposed SFR)	R-EQ

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural/Paleontological | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

- The proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- The proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- The proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

 Carol Miller
 Senior Planner

 Date

 Lori Lamson
 Assistant Director of Community Development

 Date

Potentially Significant Less than Significant with Less than Significant No

I. AESTHETICS

Would the project:

	Impact	Mitigation Incorp.	Impact	Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (check if project is located within the viewshed of any Scenic Route listed in the General Plan):

a-c: The site is not located along, nor within the viewshed of, a Scenic Route listed in the County General Plan, Town General Plan or designated by the State of California. Less than significant impact is anticipated. This is a request to construct an eighty (80)-unit, two (2) story senior housing development. The proposal is consistent with the General Plan and the Town Development Code for the Multi-Family Residential (R-M) zoning designation and Density Bonus provisions. The project site will be built with two-story structures at a maximum elevation of approximately twenty-two (22) feet, which is below the permitted maximum elevation for a single-family house. Although, the new structure will occupy the currently vacant lot, the area is permitted by the Development Code to have structures with heights of up to thirty-five (35) feet. The surrounding area is developed with commercial and vacant property. No unique rock outcroppings or historic buildings are located on the site, and the proposed senior housing development will be compatible with surrounding land uses.

d: This is a request to construct an eighty (80)-unit, two (2) story senior housing development. Although, the new structures will occupy the currently vacant lot, the area is permitted by the Development Code to have structures with heights of up to thirty-five (35) feet. Any new development will meet or exceed the Town's Dark Sky Policy and Standard Uniform Building Code requirements for construction of lighting facilities require that they be located at specific intersections within site boundaries. The resultant incremental increase in new light or glare which may occur from on-site security lighting will not constitute a significant impact.

II. AGRICULTURE RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

Potentially Significant	Less than Significant with	Less than Significant	No
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	Impact	Mitigation Incorp.	Impact	Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (check if project is located in the Important Farmlands Overlay):

a-c: The project site is proposed to be designated for multi-family residential land use designation. The property consists of low-lying natural desert vegetation and is not located in an area that has been designated by the California Department of Conservation as an Important Farmland, and it is not being used for agricultural purposes. No Williamson Act Contracts exist for the subject parcel and use of the site as a residential retail center will not result in the conversion of farmland to a non-agricultural use. No impact is anticipated.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact

e) Create objectionable odors affecting a substantial number of people?

SUBSTANTIATION:

a-c: The project area is located within the Mojave Desert Air Quality Management District (MDAQMD) which lies in the San Bernardino County portion of the Mojave Desert Air Basin (MDAB). This portion of the basin has been designated as a 'non-attainment' area with respect to violating National Air Quality Standards for particulate matter classified as equal to, or smaller than, 10 microns in diameter (PM₁₀). Because the proposed site disturbance will be greater than ½ acre, the 4.8 acre residential project is subject to the regulatory provisions of Rule 403.2 (Fugitive Dust Control for the Mojave Desert Planning Area), which requires a number of operating conditions to reduce fugitive dust generation to the lowest extent possible.

In order to estimate the emission levels of criteria pollutants, the MDAQMD accepts the use of equipment emissions factors which have been adopted by the South Coast Air Quality Management District. These factors have been used to calculate expected construction-related emissions for this project. Projects with a construction phase of under one year can be compared to the Daily Significance Thresholds listed in the MDAQMD and AVAPCD Draft "CEQA and Federal Conformity Guidelines" for a determination of their significance.

The highest daily emissions will occur during grading and trenching activities for development of future residential development. Daily emissions during building construction are expected to be minimal. Using a worst case scenario of the use of one tractor, one loader, two haul trucks and one trencher working continuously for eight (8) hours per day simultaneously, the following daily construction emissions were estimated using the fuel type (diesel or gas) of highest impact for each type of equipment:

Emission Source*	Criteria Pollutant				
	VOC	NO _x	PM ₁₀	CO	SO _x
Equipment Emissions					
Tractor	.96	10.08	.90	2.80	1.12
Wheeled Loader	4.12	15.20	1.36	124.56	1.46
Haul Trucks (2)	3.04	66.72	4.16	28.80	7.20
Trencher	.21	.18	.01	4.56	.02
Earthmoving Activities (< 1 acre per day)[BASED ON FACTOR OF 26.4 LBS PER DAY PER ACRE OF PM ₁₀]	N/A	N/A	26.40	N/A	N/A
Total Daily Estimated Emissions: Lbs/Day	8.33	92.18	32.83	160.72	9.80
MDAQMD Daily Threshold of Significance**: Lbs/Day	137.00	137.00	82.00	548.00	137.00
Threshold Exceeded?	NO	NO	NO	NO	NO

*Source: SCAQMD handbook, 1958 update

**Source: MDAQMD, Draft CEQA and Federal Conformity Guidelines

As the above table illustrates, the proposed senior housing development will not have the potential to generate significant air emissions. Because the project emissions are less than significant, significant deterioration of ambient air quality will not occur. Impacts to air quality are expected to be minimal and well below established thresholds of significance. Air quality will be impacted by dust generated during future construction and exhaust emissions from the equipment used to construct the improvements. Those effects that occur will be temporary, limited to the construction period. Upon completion of construction activities, no increased air quality impacts are expected to occur due to operations as patronage and travel distances are expected to remain at existing levels or increase only slightly. As stated in the negative declaration done for MDAQMD Rule 403.2, compliance with the control and contingency measures listed in the Rule is presumed to reduce air quality impacts from fugitive dust (PM₁₀) to a level which meets federal PM₁₀ standards and improves ambient air quality.

d-e: This is a request to construct an eighty (80)-unit, two (2) story senior housing development on 4.8 acres within the Residential Multi-Family (R-M) zoning designation. There are sensitive receptors within the area. Sandia Elementary School and Apple Valley High School are located approximately one (1) mile of the site. The project will not include any sources of odor producers not commonly found within a residential area, which would cause impacts to the surrounding area. Less than significant and no impact is anticipated.

IV. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (check if project is located in the Biological Resources Overlay ___ or contains habitat for any species listed in the California Natural Diversity Database __):

a. The site is vacant and surrounded by commercial development to the north and single family residential under construction to the west and south. The lands to the east are vacant. The site does contain very

minimal natural desert vegetation due to the land disturbance to the site and proximity to existing development, the site is not considered suitable habitat for Mohave Ground Squirrel and Burrowing Owl.

- b-c. There are no sensitive natural communities on-site. The project will not have a substantial adverse effect on any riparian habitat or federally protected wetland. The site is located in the Mojave Desert and is not within any waterway. No perennial or ephemeral stream courses exist on site. Any future development shall meet and/or exceed all of the Town's adopted development standards to minimize any potential impacts. No impact is anticipated.
- d. The proposed project will not have any adverse effect on the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors as the area is not identified as a protected path for the native residents or migratory fish or wildlife species. Any future development shall meet and/or exceed all of the Town's adopted development standards to minimize any potential impacts to biological resources. No impact is anticipated.
- e. There are no Joshua Trees on the site. The proposed project will not conflict with any local policies or ordinances protecting biological resources. No impact is anticipated.
- f. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan. No impact is anticipated.

V. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (check if the project is located in the Cultural ___ or Paleontologic ___ Resources overlays or cite results of cultural resource review):

- a-b. The Town of Apple Valley addresses archaeological resources in its Open Space/Conservation Element of the General Plan. For the purposes of this discussion, these resources are assumed to include historic, prehistoric and paleontologic resources. Historic and prehistoric materials are generally known to be located in the vicinity of the Mojave River. Applicable Goals and Policies of the Open Space/Conservation Element of the General Plan are:

Goal OSC-4 The Town will encourage and support the preservation of historic and cultural resources. This goal is implemented through policies OSC-4-1 and OSC-4-2.

Policy OSC-4-1 The Town will require that archaeological resources in the planning area are preserved and or salvaged if threatened by development.

Policy OSC-4-2 The Town will require that prehistoric and historic archaeological resources and historic structures will be inventoried in identified areas and evaluated according to CEQA regulations and appropriate California Office of Historic Preservation guidelines prior to adoption of mitigation measures and the acceptance of conditions of approval and permit approvals.

According to the Town's General Plan, materials of historic and prehistoric nature are likely to occur in the vicinity of the Mojave River. The project site is located over two (2) miles east of the Mojave River. The project site is void of any structures. Surrounding land uses include vacant land and commercial. Based on the site's distance from the river and lack of structures, no significant impacts would occur to historical resources as defined in § 15064.5. Should resources be uncovered during construction activities, implementation of Town policy OSC-4-2 would ensure impacts are minimized.

Based on the location of the project site from the Mojave River, there is low potential for yielding any historic or archaeological resources. The proposed project would not cause a substantial adverse change to an archaeological resource, because there are no such resources presently identified on the site. Therefore, no impacts to a historical resource would occur as a result of the project as defined in § 15064.5.

- c. The project site, as most of the area within the Town of Apple Valley, is comprised predominantly of unconsolidated alluvium. The alluvium is derived from granitic rock of the Fairview Mountains. More specifically, the alluvial soils on-site are classified as Bryman loamy fine sand, 2 to 5 percent slopes. According to the U.S. Department of Agriculture, Natural Resources Conservation Service, this very deep, well drained soil is on terraces, and formed in alluvium derived from granitic material.

Older Alluvium has high potential to contain significant nonrenewable resources throughout its extent and, therefore, is assigned high paleontologic sensitivity. Exposures of Pleistocene older alluvial sediments in the nearby Victorville and Hesperia area were documented to contain fossil resources. The Town of Apple Valley addresses archaeological resources in its Open Space/Conservation Element of the General Plan. Implementation of policies contained in the General Plan would ensure impacts to paleontological resources from future development of the site are minimized. Therefore, there will be a less than significant impact to paleontological resource.

- d. The project site is vacant and is not known to contain human remains. Should remains be uncovered during future grading of the site, appropriate authorities would be contacted as required by State law. Therefore, less than significant impact is anticipated.

VI. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
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| on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18 1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION (check if project is located in the Geologic Hazards Overlay District):

- a (i-iv). The General Plan indicates that the project site is not located within a special studies (Alquist-Priolo) zone and, therefore, does not require a geologic study. Future residential development would subject residents to geologic hazards such as earthquakes that occur from time to time in the Southern California area. The closest mapped fault is the Helendale Fault, which lies approximately ten (10) miles northeast of the project site. The Mojave Desert is a seismically active region; however, safety provisions identified in the Uniform Building Code shall be required when development occurs which would reduce potential ground shaking hazards to a less than significant level. The project site is not within a known area which may be susceptible to the effects of liquefaction, and no hills or mountains surround the site that would subject future development to landslides or rock falls. Safety provisions identified in the Uniform Building Code shall be required when development occurs which will reduce potential ground shaking hazards to a level below significance. Apple Valley, like most cities in California, is located in a seismically active region. It can be expected, therefore, that the project site could experience strong seismic ground shaking at some point in time. Any future construction on-site shall be seismically designed to mitigate anticipated ground shaking. Topographically, the site consists of generally flat terrain. Less than significant impact is anticipated. Landslides are not expected to impact areas of this type.
- b. According to the Soil Survey of San Bernardino County (Mojave River Area, Sheet No. 32 – Apple Valley Quadrangle), on-site soils occur within the Bryman series, specifically the 106 Bryman loamy fine sand, and can generally be classified as very deep, well drained soils located on terraces. These soils formed in alluvium derived from granitic material. Permeability of this Bryman soil is moderately slow. Runoff is slow, and the hazard of water erosion is slight. The hazard of soil blowing is high.

The State of California is authorized to administer various aspects of the National Pollution Discharge Elimination System (NPDES). Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavation, or any other activity that causes the disturbance of one acre or more. The General Construction permit requires developments of one acre or more to reduce or eliminate non-storm water discharges into storm water systems, and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). These permits are administered by the SWRCB through the Regional Water Quality Control Board (RWQCB) Lahontan Region. Currently, no requirements have been adopted by the RWQCB, Lahontan Region. However the Town of Apple Valley was encourage to require a SWPPP for all development disturbing one acre of more. Submittal of a SWPPP is a standard condition of approval applicable to future development of this project site. According to the Town's Public Works Department, the SWPPP must include Best Management Practices (BMP's) to prevent construction of the project to pollute surface waters. BMP's would include, but would not be limited to street sweeping of adjacent roads during construction, and the use of hay bales or sand bags to control erosion during the rainy season. These are discussed in greater detail in Section 8, Hydrology and Water Quality, within this Initial Study. Therefore, there is a less than significant impact of soil erosion occurring at this project site with proper construction methods, conformance to MDAQMD standards and development standards as defined in the Town of Apple Valley Development Code and the latest UBC regulations. Less than significant impact is anticipated.

- c-d: The project site is relatively flat. The potential of unstable soil condition, landslide, lateral spreading, subsidence, liquefaction or collapse is present because of the geographical make up of the area and the frequency of earthquake occurrences in Southern California. The General Plan indicates that the project site is not located within a special studies zone or an earthquake fault zone. Any project within the area of Southern California shall meet the latest UBC standards to minimize the potential impact caused by an earthquake. However, any future project will meet and/or exceed the development standards set by the Town of Apple Valley. Therefore, there is a less than significant impact of soil erosion or instability occurring at this project site with proper construction methods and development standards as defined in the Town of Apple Valley Development Code and the latest UBC regulations. No impact is anticipated.
- e. The proposed senior housing development will be required to connect to the existing sewer facility provided by the Town of Apple Valley. An engineering evaluation is required to determine sewer capacity requirements and specific improvements necessary to serve the residential development. Since the project will be required to connect to the existing sewer system, there is no need for alternative waste water disposal systems and less than significant impacts will occur.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

- a-c: This is a request to construct an eighty (80)-unit, two (2) story senior housing development on 4.8 acres within the Residential Multi-Family (R-M) zoning designation. A site survey was performed and there are no known hazardous materials on the project site. Limited quantities of gasoline for landscape maintenance and paint/solvents for building maintenance are likely to be stored in separate storage areas and are not a significant hazard. The proposed project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school. Therefore, the project would not create a hazard to the public or environment through the routine transport, use or disposal of hazardous materials. The nearest school, Sandia Elementary and Apple Valley High are located approximately one (1) mile of the site.
- d: This project is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, this project would not create a significant hazard to the public or the environment. No impact is anticipated.
- e-f: The project site is not located within two miles of a public airport or public use airport. The nearest airport is the Apple Valley Airport located approximately seven(7) miles north of the project site. The Osborne Airstrip is the nearest private airstrip and is located approximately nine (9) miles northwest of the project site. No impacts related to air traffic are anticipated to occur.

- g: The proposed senior housing project is located adjacent to Sequoia Street, approximately 600 feet west of Kiowa Road which is not a designated evacuation route and; therefore, would not impair or interfere with the Town’s adopted emergency evacuation plan. No impact is anticipated.
- h: The Apple Valley Fire District reviews development projects to ensure applicable development requirements are met. The Fire District reviewed CUP No. 2008-014 for compliance with current fire protection requirements. The District issued fire protection requirements to become conditions of approval. Prior to construction, the owner is required to contact the Fire District for verification of current fire protection development requirements. Upon implementation of conditions of approval, impacts from fire hazards would be reduced to a less than significant level. There is currently water resources and system capacity to provide service to the subject site. However, upon completion of special facilities and satisfactory financial arrangements under the Apple Valley Ranchos Water Company subdivision rules and regulations on file with Public Utilities Commission of the State of California, Apple Valley Ranchos Water Company will be able to serve both potable domestic water and fire service in compliance with the applicable local requirements to the project site in it’s Apple Valley customer services area. Less than significant impact is anticipated.

VIII. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

a: Future development at the project site would disturb approximately 4.8 acres and is therefore subject to the National Pollution Discharge Elimination System (NPDES) permit requirements. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The purpose of a SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of stormwater associated with construction activities; and 2) identify, construct and implement stormwater pollution control measures to reduce pollutants in stormwater discharges from the construction site during and after construction.

Permits are administered by the SWRCB through the RWQCB, Lahontan Region. Currently, no requirements have been adopted by the RWQCB, Lahontan Region. However the Town of Apple Valley was encouraged to require a SWPPP for all development disturbing one (1) acre or more. Submittal of a SWPPP is a standard condition of approval applicable to future development of this project site. According to the Town's Engineering Department, the SWPPP must include Best Management Practices (BMP's) to prevent construction of the project from polluting surface waters. BMP's would include, but would not be limited to street sweeping of adjacent roads during construction, and the use of hay bales or sand bags to control erosion during the rainy season.

Prior to issuance of grading permits, the applicant is required to submit a Notice of Intent (NOI) to the Town Engineer to comply with obtaining coverage under the NPDES General Construction Storm Water Permit from the SWRCB. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) must be submitted to the Town Engineer for coverage under the NPDES General Construction Permit. Implementation of requirements set forth by the Town of Apple Valley would ensure impacts to water quality are reduced to a less than significant level.

b-f: This is a request to construct an eighty (80)-unit, two (2) story senior housing development on 4.8 acres within the Residential Multi-Family (R-M) zoning designation. The site is not presently used for or designated for groundwater recharge. Future development at the project site would cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff due to the amount of new buildings and hardscape proposed on site; however, development would not alter the course of any stream or river. No rivers exist adjacent to or near the project site. The closest river is the Mojave River located over two (2) miles west of the project site. All runoff would be conveyed to the existing retention

pond located adjacent to the site. The Town Engineer must approve a grading and drainage plan prior to the issuance of grading permits. Implementation of requirements set forth by the Town of Apple Valley would ensure impacts to water quality are reduced to a less than significant level.

g-h: The project site is not located within the 100-year Flood Zone as indicated in the Town of Apple Valley General Plan. At the time of development, the applicant must conform to FEMA requirements and the Town’s regulations to mitigate any potential flood hazards. No impact is anticipated.

i-j: No levees, dams or large bodies of water are located near the development site which would subject people to flooding, seiche, tsunami or mudflow. The nearest area prone to seiche and tsunami is approximately 100 miles west from the project site. No impact is anticipated.

IX. LAND USE AND PLANNING

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a-c: The project site is located within a R-M land use and zoning designations and would include future development of senior housing residential units and will not create any physical obstruction which would divide the community. No habitat conservation plan or natural community conservation plan exists over this site at this time. The proposed use is consistent with other uses in the vicinity and no land use conflicts are anticipated. Proposed residential use is consistent with the General Plan and the Town Development Code for the R-M zoning designation and Bonus Density provisions. Therefore, no impact is anticipated.

X. MINERAL RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (check ___ if project is located within the Mineral Resource Zone Overlay):

a-b: This is a request to construct an eighty (80)-unit, two (2) story senior housing development on 4.8 acres within the Residential Multi-Family (R-M) zoning designation. There is no known mineral resource identified at this location. Therefore, no impact is anticipated.

XI. NOISE

Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (check if the project is located in the Noise Hazard Overlay District ___ or is subject to severe noise levels according to the General Plan Noise Element ___):

a-d: This is a request to construct an eighty (80)-unit, two (2) story senior housing development on 4.8 acres within the Residential Multi-Family (R-M) zoning designation. The project will not expose persons to or generate noise levels in excess of standards established in the General Plan. However, compliance with the Town's construction hours of 7:00 a.m. to 7:00 p.m. which will mitigate temporary noise impacts during night time hours. After the construction, there will not be a substantial amount of additional ambient noise produced by the project. Therefore, less than significant impact is anticipated.

e-f: The project site is not located within two (2) miles of a public airport or public use airport (the nearest airport is the Apple Valley Airport located approximately seven (7) miles north of the project site. The Osborne Airstrip is the nearest private airstrip and is located approximately nine (9) miles northwest of the project site. Therefore, no impact is anticipated.

XII. POPULATION AND HOUSING

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a. This is a request to construct an eighty (80)-unit, two (2) story senior housing development on 4.8 acres within the Residential Multi-Family (R-M) zoning designation. The General Plan identifies the site as a multi-family residential zone. The amount of population anticipated from this project meets the intent of the General Plan under this zone. Less than significant impact is anticipated.

b-c. Currently, there are no existing homes on the project site and will not displace any people. Therefore, this project would not induce a population growth more than anticipated and identified in the General Plan. No impact is anticipated.

XIII. PUBLIC SERVICES

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially

Less than

Less than

	Significant Impact	Significant with Mitigation Incorp.	Significant Impact	No Impact
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

- a. The Apple Valley Fire Protection District provides fire protection for the Town. The nearest fire station is located north on Kiowa Road, approximately one quarter (1/4) mile north of the project site. The Town maintains a joint response/automatic aid agreement with the fire departments in neighboring cities including Victorville, and Hesperia. The District also participates in the California Master Mutual Aid Agreement. Implementation of conditions of approval set forth by the Fire District would ensure that future development would not create a fire hazard or endanger the surrounding area. Any subsequent development will be required to pay any applicable fire impact fees.

The Apple Valley Fire Protection District reviews development projects to ensure applicable development requirements are met. The District reviewed CUP No. 2008-014 for compliance with current fire protection requirements. The District issued fire protection requirements to become conditions of approval. Prior to construction, the owner is required to contact the Fire District for verification of current fire protection development requirements. Upon implementation of conditions of approval, impacts from fire hazards would be reduced to a less than significant level. The District issued fire protection requirements to become conditions of approval. Prior to construction, the owner is required to contact the Fire District for verification of current fire protection development requirements. Upon implementation of conditions of approval, impacts from fire hazards would be reduced to a less than significant level. There is currently sufficient water resource and system capacity to provide service to the subject site. Therefore, there will be a less than significant impact.

The Apple Valley Police Department would provide police protection to the future development of the site. The General Plan identifies the area as a residential zone and residential structures are anticipated from approval of the Conditional Use that meets the intent of the General Plan. Less than significant impact is anticipated.

Schools services within the Town of Apple Valley are provided by the Apple Valley Unified School District. The Town mitigates impacts on school services through the collection of development fees. Under Section 65995 of the California Government Code, school districts may charge development fees to help finance local school services. However, the code prohibits State or local agencies from imposing school impact fees, dedications, or other requirements in excess of the maximum allowable fee. The applicant would be required to pay appropriate school fees associated with new residential development to off-set mpacts to schools. No impact is anticipated.

Approval of Conditinal Use Permit No. 2008-014 would result in future development of eighty (80) senior residential units within an R-M zoning designation. The proposed residential project would not result in additional need for Town’s park and recreation system beyond that anticipated in establishing this site’s General Plan and zoning designations. The multi-family residential structures themselves, resulting from the approval of the Conditional Use Permit, would be required to pay any and all applicable fees to provide the project’s fair share of any identified public facilities needed. No impact is anticipated.

XIV. RECREATION

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a-b: This is a request to construct a eighty (80)-units, two (2) story senior housing development on 4.8 acres within the proposed Residential Multi-Family (R-M) zoning designation. This will not increase the use of existing neighborhood and regional parks or other recreational facilities. The proposed project includes recreational facilities and would not induce the need for any construction or expansion of recreational facilities. Quimby fees for this project will be paid to assist in the construction and improvements to new and existing parks within the community. No impact is anticipated.

XV. TRANSPORTATION/TRAFFIC

Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

- a-b: This is a request to construct an eighty (80)-unit, two (2) story senior housing development on 4.8 acres within the Residential Multi-Family (R-M) zoning designation. The proposed senior housing project may increase vehicle trips and traffic congestion impacts; however, a senior housing project will result in fewer vehicle trips than an non-age restricted multi-family project. Therefore, there will be a less than significant impact.
- c: The project site is not located within two (2) miles of a public airport or public use airport (the nearest airport is the Apple Valley Airport located approximately seven (7) miles north of the project site. The Osborne Airstrip is the nearest private airstrip and is located approximately nine (9) miles northwest of the project site. Therefore, no impact is anticipated.
- d-e. The project will not include the development of any potentially dangerous intersections or road curvatures. Standard conditions of approval would ensure traffic safety hazards are minimized. The project will not include the development of any potentially dangerous intersections or road curvatures. The Apple Valley Fire Protection District reviewed the proposed residential development for adequate emergency access, and developed requirements to be adopted as conditions of approval. No impact is anticipated.
- f. This is a request to construct an eighty (80)-unit, two (2) story senior housing development on 4.8 acres within the Residential Multi-Family (R-M) zoning designation. This project shall provide adequate parking to provide for the needs of the senior residents in accordance to the requirements of the Town of Apple Valley Development Code. Therefore, there will be a less than significant impact.
- g. The project design provides ample area for pedestrian access and is required and unobstructed path of travel in accordance with ADA standards. The project would not interfere with any existing or proposed bus stops. The site is not adjacent to any bike route or multi-use trail. No impact is anticipated.

XVI. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Potentially Significant	Less than Significant with	Less than Significant	No

	Impact	Mitigation Incorp.	Impact	Impact
adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

a-b & e: Sewage disposal shall connect to the Apple Valley Sewer System. Financial arrangements, plans and improvement agreements must be approved by the Town of Apple Valley Public Works Division. This project will meet the adopted wastewater discharge criteria and will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. Future wastewater would be carried via sewer lines from the Town of Apple Valley to the Victor Valley Regional Wastewater Reclamation Plant. Extension of the Town's sewer system would be required, and would be paid for by development fees levied on the development. The project wastewater would be carried via sewer lines from the Town of Apple Valley to the Victor Valley Regional Wastewater Reclamation Plant. This project shall implement all Town adopted requirements for the wastewater discharge through the Public Services Department. With the Town requirements in place, this project will not have a significant impact to the wastewater discharge. There will be a less than significant impact related to wastewater treatment anticipated with the development of this project.

c: This is a request to construct an eighty (80)-unit, two (2) story senior housing development on 4.8 acres within the Residential Multi-Family (R-M) zoning designation. A final drainage plan is required for review and approval by the Town Engineer. Potential impacts will be mitigated through proper site grading. There will be a less than significant impact to storm drainage facilities.

d: The applicant has obtained a "will-serve" letter from the Apple Valley Ranchos Water Company to serve this site. Therefore, the project will not deplete groundwater supplies or interfere substantially with groundwater recharge beyond that identified and anticipated within the Apple Valley Ranchos Water Company's adopted Master Plan. Therefore, there will be a less than significant impact.

f-g: Future solid waste generated by the residential development would be ultimately transported to the Victorville Regional Sanitary Landfill. Recently, the County of San Bernardino Solid Waste Management Division requested an approval of the expansion of the landfill. Based on San Bernardino Associated Governments (SCAG) San Bernardino High Desert population projections to 2025, the landfill site life was calculated using a 2.7 percent growth rate per year. The County of San Bernardino Solid Waste Management Division prepared an Environmental Impact Report to review the environmental effects of expanding the landfill to accommodate future grow. The expansion project was approved, and extended the landfill projected closure date from 2005 to 2081, a period of 76 years. Based on approval of the expansion at the Victorville Regional Landfill, solid waste generated by future development at the project site would have a less than significant impact on the permitted capacity.

As required by Assembly Bill 939 (AB939) of the California Integrated Waste Management Act, all cities and counties within the state must divert 50 percent of their wastes from landfills by the year 2000. According to tonnage reports, the Town has met the 50 percent diversion mandate. To achieve the State-mandated diversion goal, the Town has implemented a variety of programs that seek to reduce the

volume of solid waste generated, encourage reuse, and support recycling efforts. This development shall be required to comply with Construction and Demolition (C&D) waste standards.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Does the project have environmental effects which will cause Substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

a-d: The site is surrounded by commercial development to the north, residential developed under construction to the east and south and vacant properties to the east. The site contains minimal desert vegetation due to site land disturbance which precludes the site from being considered suitable habitat for any species of concern. The site is located in the Mojave Desert and is not within any waterway. No perennial or ephemeral stream courses exist on site. Any future development shall be required to meet and/or exceed the Town's adopted development standards to minimize any potential impacts to biological resources. The project is not anticipated to have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Less than significant impact is anticipated.

The proposed senior housing residential project is not associated with providing short-term environmental goals to the disadvantage of long-term environmental goals. No impact is anticipated.

While future increases in population and housing will occur within the Town, the rate of growth would be consistent with SCAG rates. Since population growth is anticipated by SCAG, the proposed project would not cumulatively result in substantial unanticipated population growth. Although not significant on its own, the project would contribute to cumulative air emissions in the region, as would all future development in the region.

Future development at the site would not cause substantial adverse effects on human beings, either directly or indirectly. The Initial Study identifies construction-related emissions and operational emissions of criteria pollutants as having a less than significant impact.

REFERENCES

(List author or agency, date, title)

Alquist-Priolo Special Studies Zone Act Map Series (PRC 27500)

California Department of Water Resources, Bulletin #118 (Critical Regional Aquifers), 1975.

County Museum Archaeological Information Center, Historical Resources Review, August 10, 1999

County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995

County of San Bernardino Hazard Overlay Maps

County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998

Environmental Impact Report, San Bernardino County General Plan, 1989

Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map (Map # 06071C5840F dated 3/18/96).

Mojave Desert Air Quality Management District, Mojave Desert Planning Area – Federal Particulate Matter (PM10) Attainment Plan, July 1995

Mojave Desert Air Quality Management District, Rule 403.2: Fugitive Dust Control Planning Area, July 1996