



TOWN OF APPLE VALLEY PLANNING COMMISSION

Agenda Item 3

Staff Report

- AGENDA DATE:** February 5, 2013
- CASE NUMBER:** Conditional Use Permit No. 2013-013
- APPLICANT:** Ms. Sara Guajardo and Sandra Williams
- PROPOSAL:** A request to approve a Conditional Use Permit to operate an automobile repair facility. The project will convert an existing 1,680 square foot auto detail building. The site is also developed with an existing 3,785 square-foot full service car wash.
- LOCATION:** 18080 Quantico Road, Apple Valley; APN 0473-152-21.
- ENVIRONMENTAL DETERMINATION:** Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), Section 15301 Class 1, the proposed request is Exempt from further environmental review.
- CASE PLANNER:** Mr. Douglas Fenn, Senior Planner
- RECOMMENDATION:** Approval

PROJECT AND SITE DESCRIPTION:

- A. Project Size
The vacant property consists is a single 1.25-acre parcel, which developed with vacant 1,680 square auto detail building and an 3,785 square-foot full service car wash.
- B. General Plan Designation
Project Site: General Commercial (C-G)
North: General Commercial (C-G)
East: Medium Density Residential (R-M)
South: Medium Density Residential (R-M)
West: General Commercial (C-G)
- C. Surrounding Zoning and Land Use
Project Site: General Commercial (C-G)
North: General Commercial (C-G), convenience store, retail, service and offices
East: Multi-family Residential (R-M), commercial parking lot and multiple-family

South: Multi-family Residential (R-M), vacant lots and multi-family residential
West: General Commercial (C-G), vacant

D. Site Characteristics:

The subject site is a level parcel that has been developed with an auto detail retail and carwash building complex. The site has existing paved parking, lighting and landscaping. The project site includes two (2) buildings with a combined floor area of 5,680 square feet and is located within the General Commercial (C-G) zoning designation.

E. Parking Calculations:

Type of Use	Square Footage	Parking Ratio	Number of Spaces Required	Number of Spaces Provided
Proposed Auto Repair	1,680	1/400 sq. ft	4	13
Existing Carwash Building	4,000	7 spaces per each wash line and 2 spaces per stall	13	16
Total			17	29

The project site exceeds its minimum required parking spaces and is in conformance with the Development Code.

ANALYSIS:

A. General:

Pursuant to the Development Code, Planning Commission approval of a Conditional Use Permit is required for all vehicle repair facilities within any Commercial zone. The Conditional Use Permit process allows the Commission an opportunity to consider certain uses which may have potential adverse impacts upon surrounding property or the general public. The applicant is requesting Planning Commission review and approval of a Conditional Use Permit to operate an automobile repair facility.

The occupied space consists of three (3) large receiving doors, one (1) pedestrian door, three portable (3) car lifts, office space, work benches and restroom facilities. The business is owner-operated with three (3) additional employees at this time. The automotive repair facility will operate between the hours of 8:00 a.m. to 6:30 p.m., Monday through Friday and Saturdays, with patrons scheduling appointments and paying for services at the office area of the carwash.

The proposed auto repair use is compatible with existing businesses on the site. The available on-site parking meets the minimum required for all existing retail uses on the project site.

Due to the nature of the business, it may be necessary to occasionally park vehicles in the parking area overnight. Staff is including Condition of Approval No. P9, which requires all vehicles stored outdoors to have a current registration. The vehicles may be parked for up to seven (7) consecutive days. In addition, staff is recommending

Condition of Approval No. P10, which requires that all repairs be done within an enclosed building and Condition of Approval No. P14 which prohibits vehicle from being displayed for sale upon the premises.

The proposed auto repair facility will include the use of oils, grease and disposal of waste products. Due to the nature of this type of business, the applicant is required to adhere to regulations and secure approval from the San Bernardino County Department of Environmental Health Services prior to obtaining a Certificate of Occupancy from the Town. In this respect, Condition of Approval No. P11 requires the applicant to file a State of California Business Contingency Plan with the San Bernardino County Department of Environmental Health Services prior to issuance of a Certificate of Occupancy.

There are existing improvements that are in conformance with Town standards. Therefore, there are no recommended Conditions of Approval offered by the Engineering or Public Works Divisions.

C. Environmental Assessment

Pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), Section 15301, Class 1, the proposed request is Exempt from further environmental review.

K. Noticing:

This item was advertised as a public hearing in the Apple Valley News newspaper on January 24, 2014 and, notices were mailed to all property owners within 300-feet of the project site.

CONDITIONAL USE PERMIT FINDINGS:

As required under Section 9.16.090 of the Development Code, prior to approval of a Conditional Use Permit, the Planning Commission must make specific Findings. The Findings, and a suggested comment to address each, are presented below:

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 auto-repair business is in compliance with the Development Code of the Town of Apple Valley and adopted General Plan, upon the review and approval of a Conditional Use Permit by the Planning Commission.

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 approximately 1.25 acres in size and is located at 18080 Quantico Road which has existing improvements and infrastructure to serve the proposed site. The proposal, with adherence to the

recommended Conditions of Approval, will be compatible with the surrounding area.

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

Comment: The proposed auto-repair business will be compatible with surrounding uses. The proposed location is within an existing industrial building that has been developed with parking, access points and setbacks that are consistent with the C-G, General Commercial, zoning designation. No changes to the site are proposed.

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 auto-repair business is located within an existing industrial building that has existing services and utilities available for this proposal. No changes to the site are proposed nor will additional services be required.

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

Comment: The location, size, design and operating characteristics of the proposed auto-repair business, and the 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. All activities associated with the auto-repair business will occur within an enclosed structure. In addition, the project is required to conform to the Noise Control Ordinance of the Development Code.

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 proposed project will be located along an improved local commercial road, 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. In addition, the proposed project must adhere to the Conditions of Approval identified in the Conditional Use Permit.

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: The proposed auto-repair business at the existing vacant retail facility at 18080 Quantico Road is developed to current Code development standards. Quantico Road is one (1) of two (2) vehicular access ways to the subject site. Quantico Road from the subject site terminates at Outer

Highway 18 to the north and Apple Valley Road via a twenty-six (26)-foot wide alley way west from the site. The surrounding road way system can accommodate traffic generated from the project site. Traffic generated from the project will not adversely impact the surrounding area.

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

Comment: The proposed auto repair facility will include the use of oils, grease and disposal of waste products. Due to the nature of this type of business, the applicant is required to adhere to regulations and secure approval from the San Bernardino County Department of Environmental Health Services.

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

Comment: The proposed project will not produce adverse impacts upon the site, 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 auto-repair business, 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. All activities associated with the auto-repair business will occur within an enclosed structure with limited outdoor vehicle storage. The project is required to conform to the Noise Control Ordinance of the Development Code.

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

Comment: The proposed auto-repair business can operate in conformance to 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 proposed auto-repair facility will be located within an existing, permitted retail building. No modifications are proposed to the structure or the site.

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: The proposed auto-repair facility will be located within an existing, permitted retail building. No modifications are proposed to the structure or the site.

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 auto-repair facility will be located within an existing, permitted retail building. No modifications are proposed to the structure or the site.

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 auto-repair facility will be located within an existing, permitted retail building. No modifications are proposed to the structure or the site; however, the existing site has been designed to provide safe, on- and off-site circulation.

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. Find that, pursuant to the California Environmental Quality Act (CEQA), Section No.15301, Class 1, the proposed request is Exempt from further environmental review.
2. Find the Facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve Conditional Use Permit No. 2013-013, subject to the attached Conditions of Approval.
4. Direct Staff to file the Notice of Exemption.

Prepared By:

Reviewed By:

Douglas Fenn
Senior Planner

Lori Lamson
Community Development Director

ATTACHMENTS:

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

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Case No. Conditional Use Permit No. 2013-013

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, February 5, 2017, 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. 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.
- P3. The filing of a Notice of Exemption requires the County Clerk to collect a documentary handling fee of fifty dollars (\$50.00). The fee must be paid in a timely manner in accordance with Town procedures. No permits may be issued until such fee is paid.
- P4. The approval of Conditional Use Permit No. 2013-002 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.
- P5. Parking requirements must be met and be in compliance with Town standards. All parking stalls shall be clearly striped and permanently maintained with double or hairpin lines.
- P6. Required parking spaces will 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 facility. Each space must be provided with access ramps and clearly marked in accordance with Title 24 of the California Administrative Code.

- P7. All signs shall have a separate permit and are subject to conformity with previously approved Sign Program and final approval by the Town of Apple Valley.
- P8. Lighting fixtures 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.
- P9. Any vehicles stored outdoors must be in an approved parking space and have current registration and license plates. The outdoor storage/parking of vehicles is limited to seven days per vehicle. Stored/parked vehicles, including employee and customer parking, may not exceed a total of thirteen (13) parking spaces under this Conditional Use.
- P10. All repairs must be done within an enclosed building.
- P11. The applicant shall file a State of California Business Contingency Plan with the San Bernardino County Department of Environmental Health Services prior to issuance of a Certificate of Occupancy.
- P12. If hazardous substances are used and/or stored, a technical report, identifying any hazards presented by project must be mitigated. This report shall be prepared by a qualified person, firm, or corporation and submitted to the Building and Safety Division. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.
- P13. Outdoor storage of parts, tires, equipment, etc. is prohibited.
- P14. The display of vehicles intended for sale is prohibited.

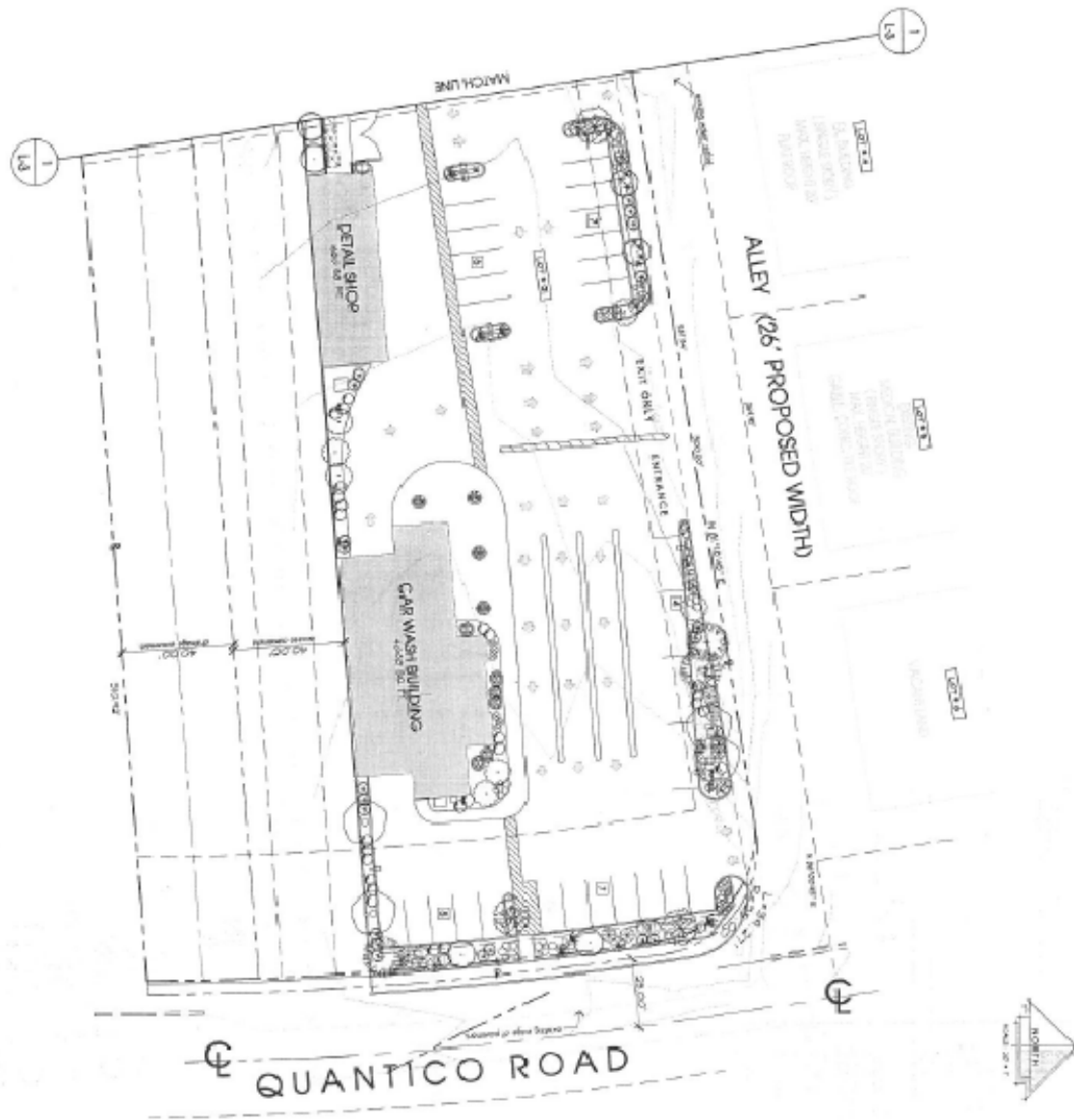
Building and Safety Division Conditions of Approval

- BC1. Comply with State of California Disability Access requirements.
- BC2. Page two (2) of the submitted building plans shall contain the conditions of approval.
- BC3. Construction shall comply with current California Building Codes.

Apple Valley Fire Protection District Conditions of Approval

- 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. Tennant improvement plans must be submitted if there are any changes to existing walls or addition to any walls in the units.
- FD3. A Certificate of Occupancy inspection shall be conducted by the Fire District prior to business operations.

End of Conditions



PLANTING PLAN

scale = 1" = 20'

	JOB NO. C-8848	PROJECT: APPLE CARIWASH - DETAIL SHOP SAIM CHOUHINI APPLE VALLEY RD, APPLE VALLEY, CA 95021 PH: 409-424-426 APN: 415-02-012	THE CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND TO COMPLY WITH ALL APPLICABLE REGULATIONS AND ORDINANCES. THE ARCHITECT'S RESPONSIBILITY IS TO DESIGN AND CONSTRUCT THE PROJECT IN ACCORDANCE WITH THE CLIENT'S REQUIREMENTS AND THE APPLICABLE REGULATIONS AND ORDINANCES. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT.	DATE PREPARED: MAR 2014	STEENO ARCHITECTURE + DESIGN + PLANNING 1174 REDFERN ROAD SUITE 100 - REDFERN CA 92454 PHONE: 951-244-0011 FAX: 951-244-1148 E-MAIL: steeno@steeno.com
	PROJECT: APPLE CARIWASH - DETAIL SHOP SAIM CHOUHINI APPLE VALLEY RD, APPLE VALLEY, CA 95021 PH: 409-424-426 APN: 415-02-012		THE CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND TO COMPLY WITH ALL APPLICABLE REGULATIONS AND ORDINANCES. THE ARCHITECT'S RESPONSIBILITY IS TO DESIGN AND CONSTRUCT THE PROJECT IN ACCORDANCE WITH THE CLIENT'S REQUIREMENTS AND THE APPLICABLE REGULATIONS AND ORDINANCES. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT.	DATE PREPARED: MAR 2014	STEENO ARCHITECTURE + DESIGN + PLANNING 1174 REDFERN ROAD SUITE 100 - REDFERN CA 92454 PHONE: 951-244-0011 FAX: 951-244-1148 E-MAIL: steeno@steeno.com

