



Get a Slice of the Apple.

**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, March 18, 2015 – 6:00 P.M.**

PUBLIC PARTICIPATION IS INVITED. Planning Commission meetings are held in the Town Council Chambers located at 14955 Dale Evans Parkway, Apple Valley, California. If you wish to be heard on any item on the agenda during the Commission's consideration of that item, or earlier if determined by the Commission, please so indicate by filling out a "REQUEST TO SPEAK" form at the Commission meeting. Place the request in the Speaker Request Box on the table near the Secretary, or hand it to the Secretary at the Commission meeting. (G.C. 54954.3 {a}).

Materials related to an item on this agenda, submitted to the Commission after distribution of the agenda packet, are available for public inspection in the Town Clerk's Office at 14955 Dale Evans Parkway, Apple Valley, CA during normal business hours. Such documents are also available on the Town of Apple Valley website at www.applevalley.org subject to staff's ability to post the documents before the meeting.

The Town of Apple Valley recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the Town Clerk's Office, at (760) 240-7000, two working days prior to the scheduled meeting for any requests for reasonable accommodations.

REGULAR MEETING

The Regular meeting is open to the public and will begin at 6:00 p.m.

CALL TO ORDER

ROLL CALL

Commissioners: Lamoreaux_____; Shoup_____; Tinsley_____
Vice-Chairman Qualls_____; and Chairman Kallen_____

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Minutes for the Regular Meeting of February 18, 2015.

PUBLIC HEARING ITEMS

2. **Sign Program 2005-001.** A request to approve a Sign Program for a multi-tenant, medical office building. The Sign Program also includes a request to approve a digital advertising display within the proposed monument sign
Applicant: South West Sign Maintenance representing Magnus Windsor, LLC

Location: 16008 Kamana Road; APN 0473-412-18
Project Planner: Pam Cupp, Associate Planner
Recommendation: Approval

3. **Conditional Use Permit No. 2014-004.** A request to approve a Conditional Use Permit to operate an automobile repair facility. The project will occupy four (4), 1,000 square foot units in a ten (10)-unit, 10,000 square foot building. The subject site is a .83 acre parcel in the Service Commercial (C-S) Zoning District.

Applicant: Ms. Rosa Godinez

Location: The project site is located at 13625 Manhasset; 3087-351-33.

Project Planner: Douglas Fenn, Senior Planner

Recommendation: Approval

4. **Specific Plan No. 2012-01, Amendment No. 1.** A request to consider an Amendment to the Jess Ranch PUD to allow the future development of Lot Numbers 69 thru 204 and Lots 210 thru 219 within recorded Tract Map No. 14484 to change from Recreation Vehicle (RV) lots to Single-Family Residential lots in accordance with the Medium Density Residential Development standards of the Jess Ranch PUD. Lots 1 thru 68 and Lots 205 thru 209 will remain as RV lots within the Jess Ranch Lakes RV Resort.

Applicant: Paul Onufer

Location: The Jess Ranch Lakes RV Resort is located on the northeast corner of Jess Ranch Parkway and Apple Valley Road.

Project Planner: Carol Miller, Principal Planner

Recommendation: Adopt Planning Commission Resolution No. 2015-02

PUBLIC COMMENTS

Anyone wishing to address an item not on the agenda, or an item that is not scheduled for a public hearing at this meeting, may do so at this time. California State Law does not allow the Commission to act on items not on the agenda, except in very limited circumstances. Your concerns may be referred to staff or placed on a future agenda.

PLANNING COMMISSION COMMENTS

STAFF COMMENTS

OTHER BUSINESS

ADJOURNMENT

The Planning Commission will adjourn to its next regularly scheduled Planning Commission on April 1, 2015.

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting Wednesday, February 18, 2015

CALL TO ORDER

At 6:00 p.m., the Regular Meeting of the Planning Commission of the Town of Apple Valley for February 18, 2015, was called to order by Chairman Kallen.

ROLL CALL

Planning Commission

Roll call was taken with the following members present: Commissioner Jason Lamoreaux, Commissioner Mark Shoup, Commissioner B.R. "Bob" Tinsley, Vice-Chairman Doug Qualls and Chairman Bruce Kallen.

STAFF PRESENT

Carol Miller, Principal Planner; Doug Fenn, Senior Planner; Pamela Cupp, Associate Planner; Richard Pedersen, Deputy Town Engineer; Haviva Shane, Town Attorney and Debra Thomas, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Shoup led the Pledge of Allegiance.

ELECTION OF NEW OFFICERS

MOTION:

Vice-Chairman Qualls made a motion, seconded by Commissioner Tinsley, that Chairman Kallen be nominated and continue as Chairman of the Apple Valley Planning Commission.

ROLL CALL VOTE

Ayes: Commissioner Lamoreaux
Commissioner Mark Shoup
Commissioner B.R. "Bob" Tinsley
Vice-Chairman Doug Qualls

Noes: None

Abstain: Chairman Kallen

Absent: None

The Motion carried by a 4-0-1-0 vote.

MOTION:

Commissioner Lamoreaux made a motion, seconded by Commissioner Tinsley, that Vice-Chairman Qualls be nominated and continue as Vice-Chairman of the Apple Valley Planning Commission.

ROLL CALL VOTE

Ayes: Commissioner Lamoreaux
Commissioner Mark Shoup
Commissioner B.R. "Bob" Tinsley
Chairman Kallen

Noes: None

Abstain: Vice-Chairman Qualls

Absent: None

The Motion carried by a 4-0-1-0 vote.

1. APPROVAL OF MINUTES

Minutes for the Regular Meeting of January 21, 2015.

Motion by Vice-Chairman Qualls, and seconded by Commissioner Lamoreaux, to approve the Minutes for the Regular Meeting of January 21, 2015.

Motion Carried by the following vote: Ayes: Commissioner Lamoreaux, Commissioner Shoup, Commissioner Tinsley, Vice-Chairman Qualls and Chairman Kallen. Noes: None. Absent: None. Abstain: None.

PUBLIC HEARING ITEMS

- 2. General Plan Amendment No. 2013-002 and Zone Change No. 2013-001**
(Continued from December 17, 2014). A request to consider a change to the General Plan and the Zoning land use designations from Residential Estate (R-E) to Residential Single Family (R-SF).

Applicant: Bear Valley & Apple Valley 103, LLC and Newton T Bass Trust

Location: APNs: 3087-171-07 and easterly portion of 3087-161-04

Chairman Kallen opened the public hearing at 6:02 p.m.

Ms. Carol Miller, Principal Planner, presented the staff report as filed by the Planning Division.

Discussion ensued about the park size that was within the previously approved tract and how it would be laid out for the area, the absence of a tract map, and the Planning Commission's concern with basing a decision for approval without a frame of reference, i.e. a tract map.

PUBLIC COMMENT

Matthew Shulenberg, Apple Valley Unified School District, commented on the subject property's potential impact on the student population.

Mr. John Laraway, Apple Valley, CA. commented on the animal restrictions placed on the project and what he believed to be the Town's financial benefit from its approval.

Al Rice, Apple Valley, CA, stated his concern with the lack of community involvement in the project and the increased population/pedestrian traffic.

John Smith, Apple Valley, CA, compared this project to the Tapestry project within the City of Hesperia and commented on what "cost" that project would have in the City of Hesperia and that the same would happen here with this project.

Chairman Kallen closed the public hearing at 6:46 p.m.

Additional discussion ensued about the Planning Commissioner's desire to see a tract map before approval; although most of them believed that the project was compatible with the surrounding area.

MOTION

Motion by Commissioner Tinsley, seconded by Commissioner Lamoreaux, that the Planning Commission move to:

1. Determine that the proposed General Plan Amendment and Zone Change will not have a significant effect on the environment.
2. Adopt the Negative Declaration finding for GPA 2013-02 and ZC No. 2013-01 on the basis of the whole records 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 the facts presented in the staff report support the required Findings for approval and adopt those findings.
4. Adopt Planning Commission Resolution No. 2014-05 recommending approval of GPA 2013-02 and Zone Change 2013-01.

ROLL CALL VOTE

Ayes: Commissioner Lamoreaux
Commissioner Tinsley
Vice-Chairman Qualls
Chairman Kallen

Noes: Commissioner Shoup

Abstain: None

Absent: None

The motion carried by a 4-1-0-0 vote.

RECESS MEETING

Chairman Kallen declared a recess of the Town of Apple Valley Planning Commission meeting at 6:57 p.m.

RECONVENED MEETING

Chairman Kallen reconvened the Town of Apple Valley Planning Commission meeting at 7:03 p.m.

3. **Sign Program 2015-016, Amendment No. 1.** A request to amend an approved Sign Program to allow additional sign panels within the Mojave River Crossing retail Shopping Center.
Applicant: Brian Sweeney for Apple Valley Retail, LLC
Location: 12218 Apple Valley Road; APNs 444-443-17 and -18

Chairman Kallen opened the public hearing at 7:05 p.m.

Mr. Douglas Fenn, Senior Planner, presented the staff report as filed by the Planning Division.

Commissioner Lamoreaux recused himself from this item because he represents the Applicant and left the dais at 7:06 p.m.

Chairman Kallen asked the Applicant if he agreed with Staff's recommendations for the request and he stated "Yes".

PUBLIC COMMENT

None.

Chairman Kallen closed the public hearing at 7:16 p.m.

MOTION

Motion by Vice-Chairman Qualls, seconded by Commissioner Tinsley, that the Planning Commission move to:

1. Pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), Section No. 15311, the proposed request to approve signage for an approved retail center is EXEMPT from further environmental review.
2. Find the facts presented in the staff report supports the approval of Sign Program No. 2005-016, Amendment No. 1.
3. Approve Sign Program No. 2005-016, Amendment No. 1, subject to the Conditions of Approval.
4. Direct Staff to file the Notice of Exemption.

ROLL CALL VOTE

Ayes: Commissioner Shoup
Commissioner Tinsley
Vice-Chairman Qualls
Chairman Kallen
Noes: None
Abstain: Commissioner Lamoreaux
Absent: None
The motion carried by a 4-0-1-0 vote.

Commissioner Lamoreaux returned to the dais at 7:20 p.m.

PUBLIC COMMENTS

Al Rice, Apple Valley, CA. addressed public noticing and mailing requirements for projects within the Town of Apple Valley and believed they need to be more specific. In addition, Mr. Rice shared with the Planning Commission that he is celebrating his 60th year working with agendas.

PLANNING COMMISSION COMMENTS

Commissioner Shoup asked when the clock tower would be working properly.

Ms. Carol Miller, Principal Planner, informed the Planning Commission that there is no electricity connected at this time but the contractor is still working on completing the project.

Chairman Kallen wanted to share with the public that a lot of towns and cities do not have a Planning Commission and that some of the things discussed are discretionary and are an interpretation of the Town's code.

STAFF COMMENTS

None.

OTHER BUSINESS

4. General Plan conformity finding for a vacation request of a public alley located at the northeast corner of Toltec and Bear Valley Roads; APNs 3087-531-39 and -40.

Ms. Pam Cupp, Associate Planner, presented the staff report as filed by the Planning Division.

MOTION

Motion by Commissioner Shoup, seconded by Commissioner Lamoreaux, that the Planning Commission move to:

1. Adopt Planning Commission Resolution No. 2015-001, finding and reporting that the alley vacation as described herewith is in conformance with the Town's General Plan.

ROLL CALL VOTE

Ayes: Commissioner Shoup
 Commissioner Lamoreaux
 Commissioner Tinsley
 Vice-Chairman Qualls
 Chairman Kallen

Noes: None

Abstain: None

Absent: None

The motion carried by a 5-0-0-0 vote.

ADJOURNMENT

Motion by Chairman Kallen, seconded by Commissioner Shoup, and unanimously carried to adjourn the meeting of the Planning Commission at 7:32 p.m. to the Regular Meeting on March 18, 2015.

Respectfully Submitted by:

Debra Thomas
Planning Commission Secretary

Approved by:

Chairman Bruce Kallen



TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

AGENDA DATE: March 18, 2015

CASE NUMBER: Sign Program No. 2015-001

APPLICANT: South West Sign Maintenance representing Magnus Windsor, LLC

PROPOSAL: A request to approve a Sign Program for a multi-tenant office building previously approved under Development Permit No. 2013-004. The Sign Program will determine the design guidelines and locations for all wall and freestanding signs located on the project site.

LOCATION: Located at 16008 Kamana Road; APN 0473-412-18.

CASE PLANNER: Ms. Pam Cupp, Associate Planner

RECOMMENDATION: Approval

PROJECT AND SITE DESCRIPTION:

A. General Plan Designations

Project Site - General Commercial (C-G)
North - Medium Density Residential (R-M)
East - General Commercial (C-G)
South - General Commercial (C-G) Across Kamana Road
West - General Commercial (C-G) Across Apple Valley Road

B. Surrounding Zoning and Land Use

Site- General Commercial (C-G), Medical Office Building
North - Residential Multi-Family (R-M), vacant and multi-family residential
East - General Commercial (C-G), medical office building
South - General Commercial (C-G), bank and professional office building
West - General Commercial (C-G), commercial business complex (Spirit River Center)

C. Site Description:

The subject site is 1.05 acres in size and located at the northeast corner of Kamana and Apple Valley Roads. The site has been developed with a 14,800 square foot, two (2)-story, medical office building.

ANALYSIS

A. Background

On November 6, 2013, the Planning Commission reviewed and approved the subject medical building under Development Permit No. 2013-004.

B. General:

The Code requires the approval of a Sign Program for any business, shopping center or group of businesses with shared sign facilities. The purpose of a Sign Program is to integrate signs with building and landscape design to create a unified architectural statement. Sign Programs are also intended to provide a means of flexible application of sign regulations to encourage maximum creativity in the design and display of signs.

Sign programs that are in strict compliance with Development Code standards are typically reviewed at a staff level. As proposed, this Sign Program illustrates wall signage that exceeds the Development Code standard for sign area. Further, the applicant is requesting approval to incorporate a digital advertising display into the proposed monument sign. As a stand-alone application, a digital display would require the approval of a Development Permit; however, staff would recommend its review under this application.

C. Sign Program Analysis:

Wall Sign Location	Building Frontage	Permitted Sign Area	Requested Sign Area
Kamana Rd			
1st Story	148 Ft.	148 Sq. Ft. (100%)	135 Sq. Ft. (91%)
2nd Story	148 Ft.	148 Sq. Ft. (100%)	177 Sq. Ft. (120%)
Apple Valley Rd.			
1st Story	66 Ft.	66 Sq. Ft. (100%)	48 Sq. Ft. (73%)
2nd Story	66 Ft.	66 Sq. Ft. (100%)	56 Sq. Ft. (85%)

Freestanding Sign Location	Lot Frontage	Permitted Sign Area	Requested Sign Area	Permitted Sign Height	Requested Sign Height
Kamana Road	301 Ft.	60 sq. Ft.	36 Sq. Ft.	6 Ft.	6 Ft.
Apple Valley Road	170 Ft.	34 Sq. Ft.	0 Sq. Ft.	6 Ft.	0 Ft.

Wall Signs - The Development Code allows wall signage at a ratio of one (1) square foot of signage per lineal foot of building frontage. The Code does not provide provisions for signs located on multi-story structures. For two (2)-story structures, sign programs have been previously approved that permit each story to have one (1) square foot of signage to each lineal foot of building frontage. Structures without existing sign programs have been permitted one square foot of signage per lineal foot of suite frontage.

The medical office building has 148 feet of building frontage along Kamana Road. The applicant is requesting 135 square feet of signage for the ground floor fronting Kamana Road which computes to 0.9 square feet of signage to each lineal foot of building frontage. The applicant is proposing 177 square feet of signage for the second floor and which would have a ratio of 1.2 square feet of signage for each foot of building frontage. The building has large expanses of wall area; therefore, the additional signage on the second floor is in scale and proportional to the building elements and facades on which the signs will be located. Flexible application of sign regulations are permitted under Development Code Section 9.74.100 "Sign Programs".

The sign program indicates that all wall signs must consist of internally illuminated channel letters with colors restricted to white or blue. Company logos are permitted within the confines of the designated sign area. The applicant has provided a sign location plan identifying predetermined sign types, positions and allowable sign area for the Commission's consideration. The design of the structure precludes the limitation of sign area to a tenant's specific suite frontage; therefore, sign location will be at the building owner's discretion as proposed within the sign program.

Freestanding Sign - The size and height of a freestanding sign is determined by lot area and street frontage. The Development Code allows two (2) square feet of signage per ten (10) lineal feet of lot frontage. Lots less than eight (8) acres in size may have freestanding signs up to six (6) feet in height. As proposed the sign meets the Code criteria for sign area and height.

The applicant is requesting review of a metal framed, monument sign that is complementary to the site by matching the colors and architectural angles of the medical office building. As proposed the freestanding sign incorporates a single sided, digital advertising display. Digital signs are permitted with the Planning Commission's review and approval of a Development Permit; however, due to the complexity of a Sign Program, a determination can be made by the Commission under this review instead of requiring the applicant to submit under a second entitlement process.

The Development Code requires digital displays to be accessory to a non-digital, permanent sign. Further, the digital portion of the sign may not occupy more than fifty (50%) percent of the permitted sign area. The digital display area is stated to have an approximate sign area of ten (10) square feet. The proposed sign includes approximately twelve (12) square feet of sign area dedicated to tenant and building identification. As proposed, the freestanding sign with the digital advertising display meets Development Code standards. At thirty-six (36) square feet in size and six (6) feet in height, the proposed freestanding sign is in compliance with the Development Code.

Summary

A typical sign program is reviewed at a staff level; however, the applicant is proposing to install a digital advertising display within the monument sign that requires Planning Commission approval. Additionally, the applicant is requesting signage on the second floor exceeding what the Code allows. Therefore, in keeping with staff's policy, the sign program is being forwarded to the Planning Commission for consideration. The size and height of the monument sign is consistent with the Development Code. The wall signs proposed along Apple Valley Road and on the along the first floor fronting Kamana Road are in compliance with the Development Code; however the signage proposed for the second floor, fronting Kaman Road, exceeds the permitted wall sign area by twenty (20%) percent.

Sign programs are intended to provide a means of flexible application of sign regulations so as to encourage maximum creativity in the design and display of signs. The Commission should review the plan and determine if the signage proposed, is appropriate in size and design to merit special considerations through the sign program.

- D. Environmental Assessment:
Pursuant to the California Environmental Quality Act (CEQA), Section No. 15311, the proposed request is Exempt from 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. Find the Facts presented in the staff report supports the approval of Sign Program No. 2015-001.
2. Approve Sign Program No. 2015-001, subject to the Conditions of Approval.

Prepared By:

Reviewed By:

Pam Cupp
Associate Planner

Carol Miller
Principal Planner

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Sign Program
3. Photo Simulations
4. Zoning Map

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Case No. Sign Program No. 2015-001

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 or alleviate the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.*

Planning Division Conditions of Approval

- P1. 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.
- P2. The approval of Sign Program No. 2015-001 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.
- P3. The rendering(s) presented to and approved by the Planning Commission at the public hearing shall be the anticipated and expected appearance of the signage upon completion.
- P4. 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.
- P5. No 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.
- P6. The digital advertising display shall not exceed ten (10) square feet in sign area and is subject to all governing provision of the Development Code, including the following:

- a) Sign copy may not change at a frequency in excess of one alteration per five (5) seconds.
 - b) Transition between slides shall not exceed one (1) second.
 - c) Each slide shall contain one (1) complete message; messages shall not be truncated between slides.
 - d) Scrolling or animated characterization is not permitted.
- P7. Monument sign may not be located within the clear site triangle.
- P8. Building permits shall be obtained prior to any sign installation.
- P9. Prior to issuance of a permit, the sign program shall be revised to include all Conditions of Approval and provided to the Planning Division for its administrative record.

END OF CONDITIONS

The Landmark Building

SIGN PROGRAM

Sign Criteria

16008 Kamana Road

Apple Valley, CA

The Landmark Sign Program

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The Landmark Sign Program

B. INTRODUCTION

These criteria have been established for the purpose of assuring an outstanding business center and for the mutual benefit of all Tenants. Conformance will be strictly enforced. Any installed non-conforming or unapproved signs must be brought into conformance at the expense of Tenant. In the event Lessor is required by the governing authority to conform to stricter requirements with regard to the size of signs and architectural design, Tenant will conform respectively with such requirements.

Exceptions to these standards shall not be permitted without approval from the Landlord and will require approval of a modification to the sign program application by the city.

Accordingly, the Landlord will retain full rights of approval for any sign used in the center.

No sign shall be installed without the written Landlord approval and the required City permits.

A. GENERAL LANDLORD/TENANT REQUIREMENTS

1. Tenant shall submit, within forty-five (45) days after mutual Lease execution and before fabrication, three (3) copies of the proposed sign to the Landlord or Agent for approval indicating conformance with the sign criteria herein outlined. These drawings must include location, size and style of lettering, material, type of illumination (if any), installations details and design.
2. The Tenant shall pay for all signs, related materials and installation fees (including all inspection costs). Tenant is also responsible for costs of applicable permits.
3. The Tenant shall be responsible for fulfillment of all requirements of this sign criteria.
4. Tenant is required to use Lessor designated sign company. It is the responsibility of the contracted sign company to verify all conduit and transformer locations and service access prior to fabrication.
5. Should a sign be removed, it is the Tenant's responsibility to patch and paint all holes to match finish and color of adjacent surface.
6. The Landlord may, at his/her sole discretion, and at the Tenant's expense, correct, replace, or remove any sign that is installed without written approval and/or that is deemed unacceptable pertaining to this sign program.
7. If the Tenant chooses to change his/her exterior sign at any time during the term of his/her lease, then the Tenant must comply with the requirements set forth herein and any future modifications, revisions or changes which have been made to this sign program for this center after the execution of his/her lease agreement.

The Landmark Sign Program

C. GENERAL SIGN CONSTRUCTION REQUIREMENTS

1. All signs and their installation shall comply with all local building and electrical codes.
2. Sign company to be fully licensed with the City and State and shall provide proof of full Workman's Compensation and general liability insurance.
3. All penetrations of building exterior surfaces are to be sealed, waterproof, and in color & finish to match existing exterior.
4. Painted surfaces to have a semi-gloss finish. Only paint containing acrylic polyurethane products can be used.
5. Logo and letter heights shall be as specified and shall be determined by measuring the normal capital letter of a type font.
6. All sign fabrication work shall be of excellent quality. All logo images and type-styles shall be accurately reproduced. Lettering that approximates type-styles shall not be acceptable. The Owner reserves the right to reject any fabrication work determined to be below standard.
7. Color coatings shall exactly match the color specified on the approved plans.
8. Joining of materials shall be finished in such a way as to be unnoticeable. Rivets, screws and other fasteners that extend to visible surfaces shall be flush, filled and finished so as to be unnoticeable.
9. All sign finishes shall be free from dust, orange peel, drips and runs and shall have a uniform surface conforming to the highest standards of the industry.
10. In no case shall any manufacturer's label be visible from the street from normal viewing angles.
11. All materials used in signage construction and installation must be new. No used materials will be allowed.
12. Signs shall be maintained at Tenant's expense in order to keep them in a clean and rust/corrosion free condition.

The Landmark Sign Program

D. ADDITIONAL SIGN CONSTRUCTION DETAIL

Signs may incorporate internally illuminated channel letters up to 52" (for stacked letters) in height.

In addition to the overall sign height limits, a 3" gap between the two lines of copy is required to ensure adequate readability. Stacked copy or lettering shall not exceed the width allowed for a single line of copy.

Letter faces are restricted to WHITE or BLUE as approved colors.

Tenants who do not have a Regionally or Nationally established or registered letter font for their business are required to select from the following list.

Allowable Letterstyles

Vijaya
Aparajita
Myriad Pro Bold
Myriad Pro Bold Condensed

Company Logos are permitted within the limits of the Sign Criteria: Single Face Can construction.

TENANT SIGNAGE



BUILDING IDENTIFICATION



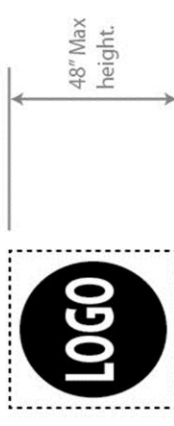
SIGN #1



SIGN #2



SIGN #3



The Landmark Sign Program

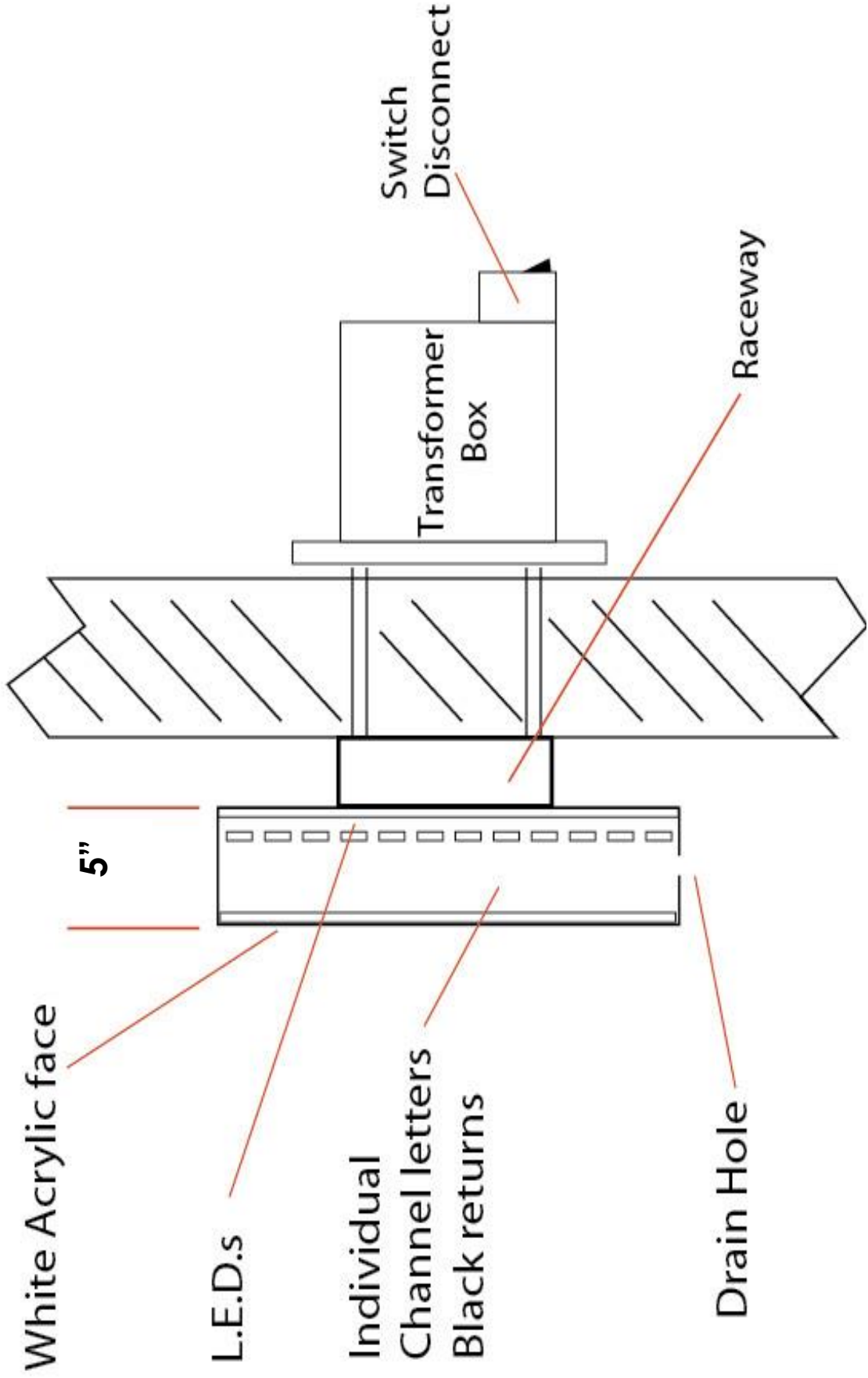
E. ABANDONMENT OF SIGNS

Any Tenant sign left after thirty (30) days from vacating premises shall become the property of the Landlord and removal expense will be billed back to the Tenant.

F. PROHIBITED SIGNS

1. Painted letters directly on wall will not be permitted.
2. There shall be no signs that are flashing, moving or audible.
3. No sign shall project above or below the signable area. No sign shall project above the top of a parapet, the roof line at the wall, or roof line.
4. **Vehicle Signs**
Signs on or affixed to trucks, automobiles, trailers or other vehicles which advertise, identify or provide direction to a use or activity not related to its lawful activity are prohibited.
5. **Unshielded Light Sources**
External displays which consist of unshielded light sources are prohibited.
6. Billboard Signs are not permitted.

CHANNEL LETTERS



New Single Faced Internally-Illuminated Channel Letter Display

White or Blue Plexiglass, black trim-cap and returns.

All construction materials to be of Non-Ferrous metals.

Illuminate with White LEDs.

NOTE: The following ratings must be met for LEDs:
25 minimum – 28 maximum lumens per 3-chip module.

ELEVATION NOTES:

- STEEL FRAME WALL MOUNTED SIGNING WITH SOLID SHEET METAL OVER ENTRY DOORS AND REPERATED SCREEN AT ALL OTHER LOCATIONS. PROVIDE BLUE POWDER COAT FINISH TO MATCH COLOR #5.
- 8" x 8" x 1/2" MASONRY BRICKS FINISHED BY TWENTYTH OR EQUAL.
- 1" FINE METAL METAL.
- GALVANIZED METAL CAP FLASHING. PAINT TO MATCH COLOR #5.
- 48" HIGH TUBE STEEL GUARDRAIL. POWDER COAT TO MATCH COLOR #5.
- PROVIDE 30" HIGH HANDRAILS AT STAIRS AND RAMP LOCATION IN ADDITION TO GUARDRAIL AS PER A.D.A. STANDARD. POWDER COAT TO MATCH COLOR #5.
- CONCRETE STAIRS PER A.D.A. STANDARD (SEE GRADING PLAN).
- ADJACENT WALL INSULATED DOOR WITH STEEL FRAME PAINT TO MATCH COLOR #5.
- CAST IN PLACE CONCRETE RETAINING WALL. PAINT TO MATCH COLOR #1.
- 6" HIGH AL. FENCE AND GATE. POWDER COAT TO MATCH COLOR #5.
- EXTERIOR GRAZE ELECTRICAL EQUIPMENT (SEE ELECTRICAL PLANS).
- CONCRETE RETAINING WALL (SEE CIVIL PLANS).
- METAL REVEAL.

ADDRESS NOTES

- ADDRESS NUMBERS TO BE A MIN. 12" HIGH CONTRASTING THE BACKGROUND AND ILLUMINATED ALL HOURS OF DARKNESS. LOCATION OF BUILDING ADDRESS TO BE DETERMINED BY THE DEPARTMENT.
- CONTRACTOR SHALL PROVIDE 8" MIN. HIGH TENANT VENT. DOORS VISIBLE FOR PEDESTRIANS. BOTH IN CONTRASTING BACKGROUND IN ALL CASES. VERTICAL SIGN ARE PROHIBITED.

GENERAL NOTES:

- ALL HEIGHTS ARE FROM FINISHED FLOOR 0'-0"
- CONCRETE TIE-UP EXTERIOR WALLS UNLESS OTHERWISE NOTED
- ALL EXTERIOR DOOR HEIGHTS TO BE AT 7'-0" UNLESS OTHERWISE NOTED
- SEE STRUCTURAL DRAWINGS FOR DETAILS
- CONTRACTOR SHALL VERIFY ALL MATERIAL, METHODS AND APPROVAL BY THE TOWN OF APPLE VALLEY PLANNING DEPARTMENT.

EXTERIOR STUCCO NOTES:

- EXTERIOR STUCCO TO BE APPLIED BY DRYBAG WITH FINE FINISH SPECIFIED AS DRYBAG FLEX.
- PAINT OF WALLS WITH/OUT ANY COLOR INFORMATION NOTED ON PLANS ALL STUCCO SHALL BE COLOR FINISHED.

COLOR & MATERIAL LEGEND:

STUCCO

- ORIGA PRODUCTS INTERNATIONAL
- THREE COAT STUCCO SYSTEM
- 310 BROWN COAT
- 310 BROWN COAT
- 310 BROWN COAT
- OVER DRYBAG - TYPE 1 WEATHER BARRIER FLASHING SYSTEMS AND ACCESSORIES

- ORIGA PRODUCTS
- REFLECTIC COLOR FINISH - 6224 OULAM
- REFLECTIC COLOR FINISH - TIN MAN
- DRYVIT
- REFLECTIC COLOR FINISH - SPARKY NIGHT

CMU

- 8" x 8" x 1/2" MASONRY LIMESTONE 2" MASONRY FINISH BY TWENTYTH OR EQUAL

STOREFRONT

- MILUS ALUMINUM
- ALUMINUM STOREFRONT FRAME AND MULLIONS FINISH FROM F9 DUAL LOCK
- ALUMINUM STOREFRONT FRAME AND MULLIONS SILVER BRASS TO MEET OR EXCEED CURRENT TITLE 24 REQUIREMENTS
- ANODIZED ALUMINUM FRAMES AND MULLIONS

PAINT

- COLOR MATCH REFLECTIC COLOR FINISH SPARKY BLUE TO PAINT STEEL
- PROVIDE PAINT COLOR TWO SHADES DARKER THAN COLOR #1 OULAM

DR. LIU'S MEDICAL BUILDING 16008 KAMANVA ROAD APPLE VALLEY, CA

ROBERT A. MARTINEZ ARCHITECT / ASSOCIATES

ROBERT A. MARTINEZ ARCHITECT / ASSOCIATES

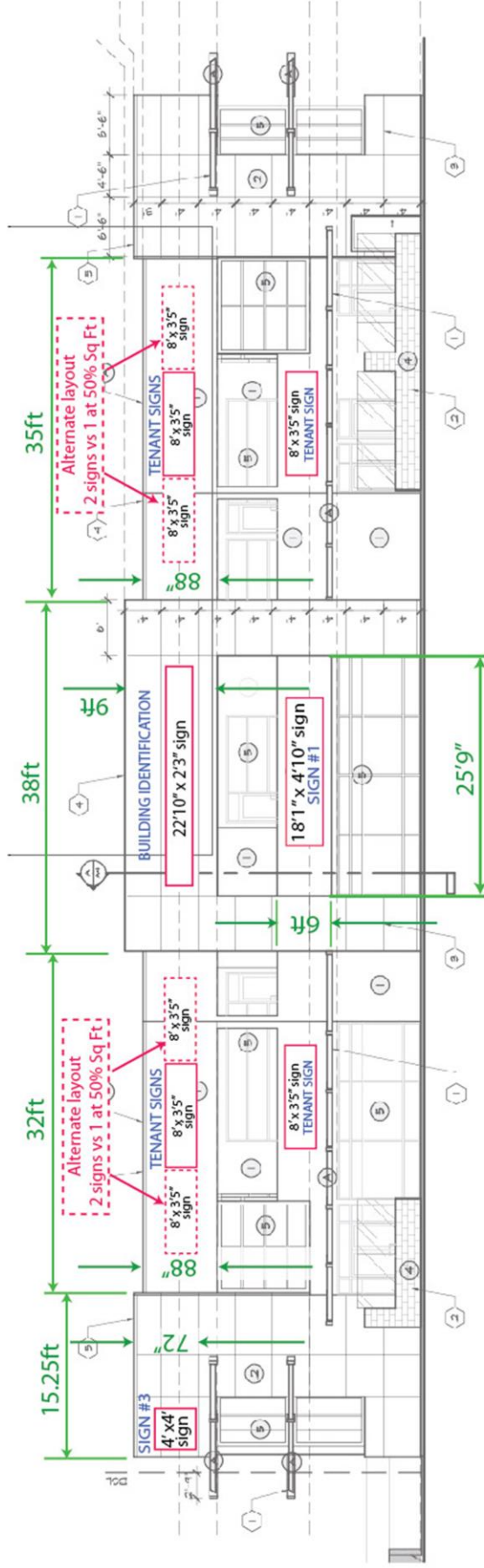
EXTERIOR ELEVATIONS

DATE: 02/16/13
 DRAWN BY: JAC
 CHECKED BY: JAC
 SCALE: 1/8" = 1'-0"
 SHEET: B-12

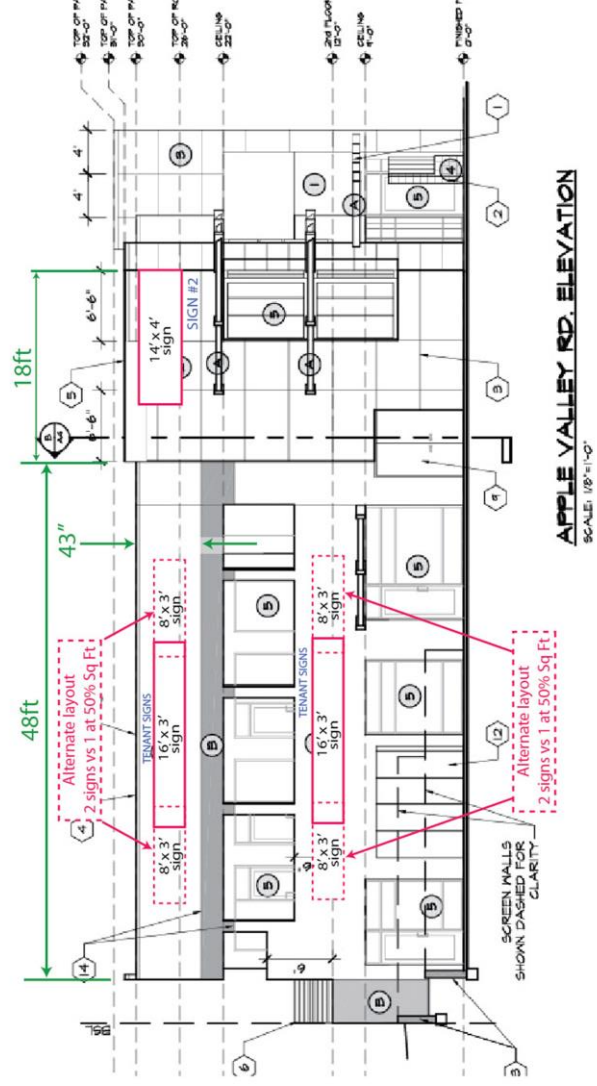
A2.0

The Landmark Sign Program

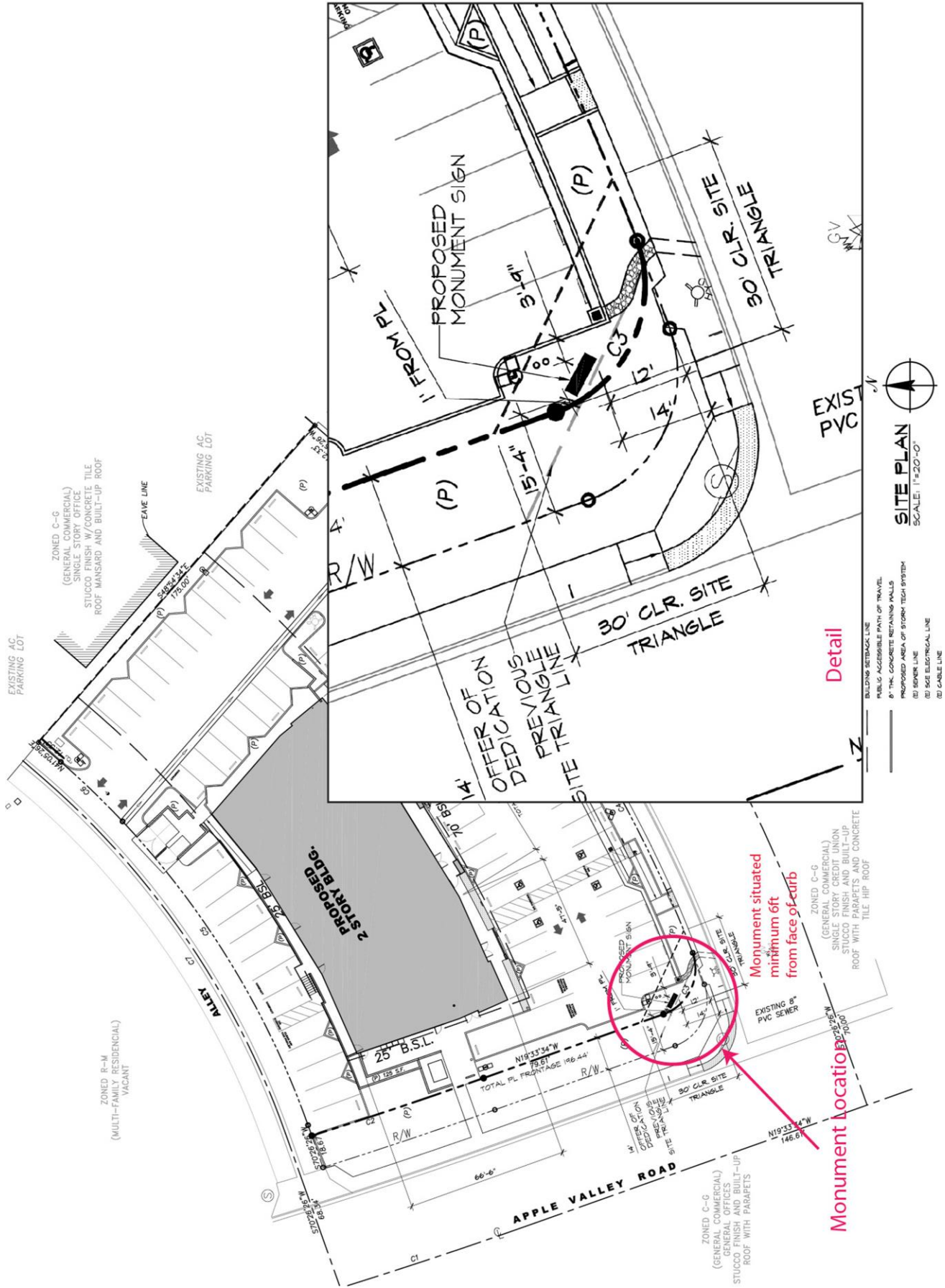
Architectural Plans – Sign Location



KAMANA RD. ELEVATION
SCALE: 1/8"=1'-0"



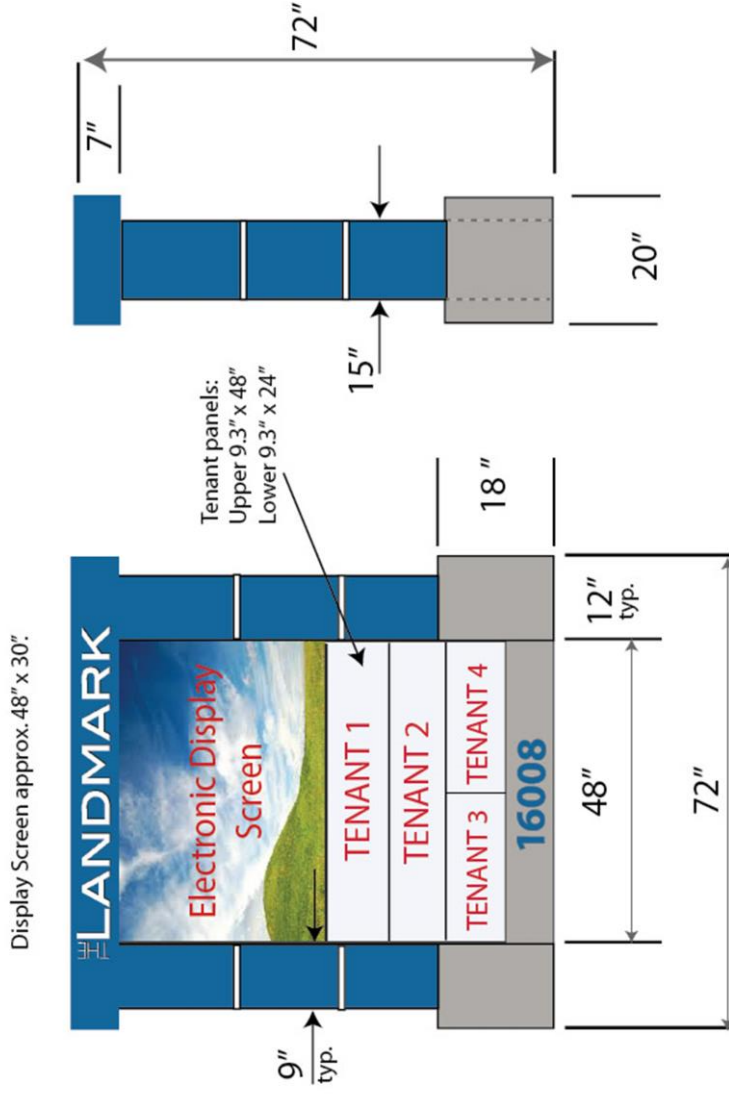
APPLE VALLEY RD. ELEVATION
SCALE: 1/8"=1'-0"



The Landmark Sign Program

Site Monument Criteria

1. PHYSICAL SIZE
Height 6ft (72")
Width 6ft (72")
Thickness 1ft 8in (20")
2. LOCATION & ORIENTATION
Monument to be situated at the intersection of Apple Valley Road and Kamana Road, in the South-West corner of Landmark Site Plan (see page 9). Monument will be oriented for best visibility of display to road traffic (see page 12) and at least 6 feet from property lines or inner perimeter of sidewalk. Actual location may depend on existing underground electrical or other network.
3. DESIGN
Sign will be one-sided and contain one digital screen plus LED illuminated panels for tenant name/logo display.



4. CONSTRUCTION
Monument body fabricated in Aluminum and painted to match building colors. Digital display will occupy no more than 50% of the monument sign area. Remaining tenant panels will be white acrylic with vinyl lettering.



The Landmark Monument will be located at a 45 degree angle relative to the intersection of Kamana Road and Apple Valley Road, at least 6 feet from property-side sidewalk perimeter.





52.5 sq ft

45" *Southern California*
 Bone & Joint Clinic

168"

This is an original unapproved drawing created for your personal use. In connection with a project, obtained for you by Southern Sign Maintenance. It is not to be seen, reproduced, or used for any other project without the written consent of Southern Sign Maintenance. Contractors are licensed by the CALIFORNIA

CUSTOMER APPROVAL:
 DATE: _____

LANDLORD APPROVAL:
 DATE: _____

REVISED: 3/3/15-proof
 REVISED: _____
 REVISED: _____

PROJECT:
 ADDRESS:
 DATE:
 DESIGNER:
 SCALE:



SHEET 1 OF 1

ZONING/LOCATION MAP

Sign Program 2015-001

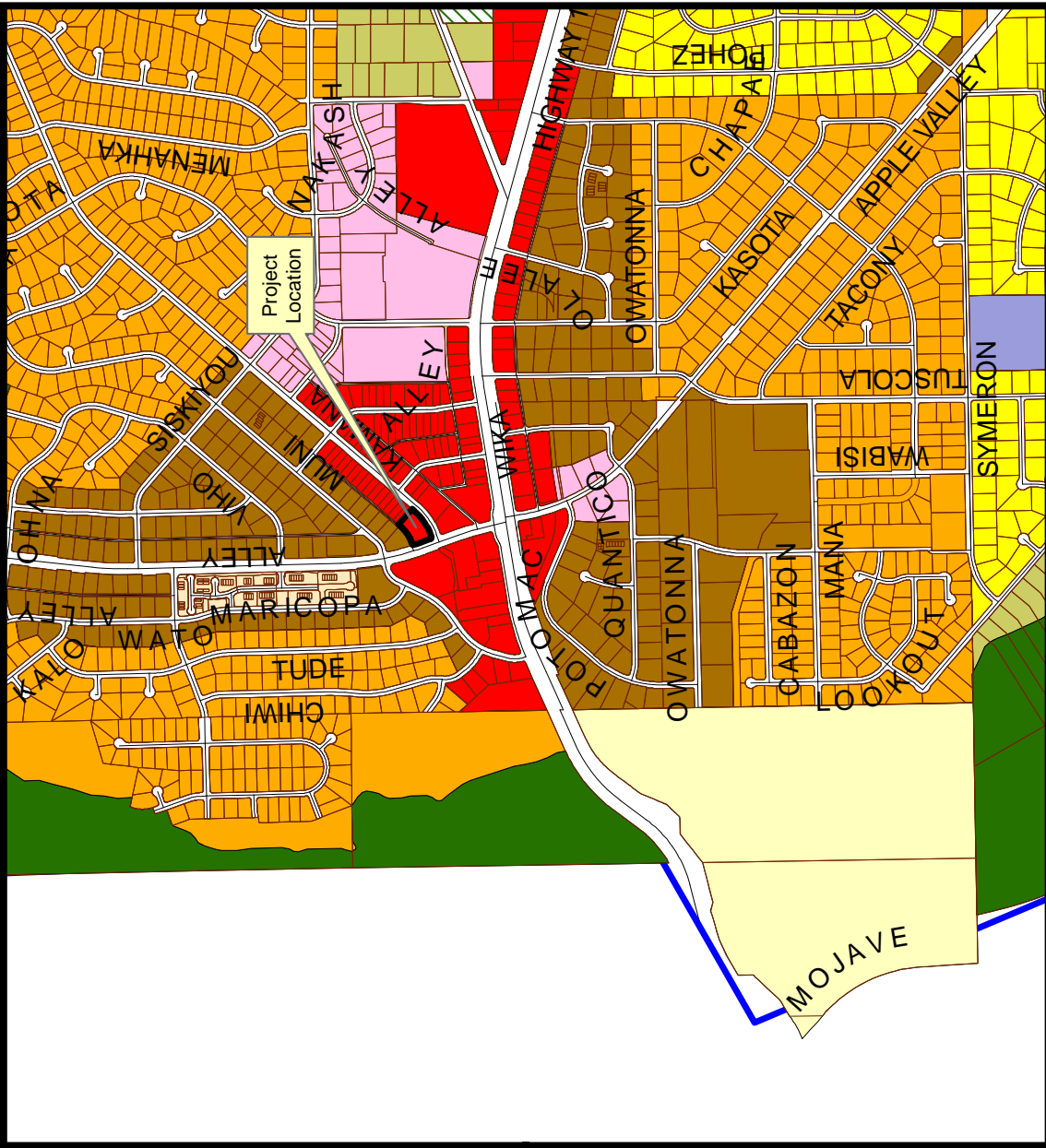
16008 Kamana Road
 APN 0473-412-18



Zoning Designations

(RE)	Estate Residential (1 unit to 2.5 gross acres)
(RE-ED)	Equestrian Residential (1 to 0.4 to 0.9 net acre)
(R-SF)	Single Family Residential (1 to 0.4 to 0.9 net acre)
(R-M)	Multi-Family Residential (2 to 20 unit/net acre)
(PRD)	Planned Residential Development
(C-C)	General Commercial
(C-P)	Other Professional
(P-F)	Public Facilities
(OS-C)	Open Space Conservation
(OS-R)	Open Space Recreation
(SP)	Specific Plan

Date: 3/9/2015





TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

- AGENDA DATE:** March 18, 2015
- CASE NUMBER:** Conditional Use Permit No. 2014-004
- APPLICANT:** Ms. Rosa Godinez, for A Star Transmission
- PROPOSAL:** A request to approve a Conditional Use Permit to operate an automobile repair facility. The project will occupy four (4), 1,000 square foot units in a ten (10)-unit, 10,000 square foot building. The subject site is a .83-acre parcel in the Service Commercial (C-S) Zoning District.
- LOCATION:** The project site is located at 13625 Manhasset; 3087-351-33.
- ENVIRONMENTAL DETERMINATION:** 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.
- CASE PLANNER:** Mr. Douglas Fenn, Senior Planner
- RECOMMENDATION:** Approval

PROJECT AND SITE DESCRIPTION:

- A. Project Size:
The project site is .83 acres in size and improved with one (1) building totaling 10,000 square feet of industrial/office space.
- B. General Plan Designations:
- Site - C-S, Service Commercial
 - North - C-S, Service Commercial
 - South - C-S, Service Commercial
 - East - C-S, Service Commercial
 - West - C-S, Service Commercial

C. Zoning/Existing Use:

- Site - C-S, Service Commercial, Service Commercial Industrial Building
- North - C-S, Service Commercial, Service commercial Industrial Building
- South - C-S, Service Commercial, Service Commercial Industrial Building
- East - C-S, Service Commercial, Vacant
- West - C-S, Service Commercial, Vacant

D. Site Characteristics:

The subject site is a level parcel that has been developed with a service commercial industrial complex. The site has paved parking, lighting and a minimal amount of landscaping. The project site includes one (1) building with a combined floor area of 10,000 square feet and is located within the Service Commercial (C-S) zoning designation. The surrounding properties are also within the C-S zoning designation.

E. Parking Calculations:

Type of Use	Square Footage	Parking Ratio	Number of Spaces Required	Number of Spaces Provided
*Auto Repair (existing)	1,800	1/400 sq. ft.	5	5
Auto Repair (proposed)	3,600	1/400 sq. ft.	9	9
Office for Auto Repair	600	1/200	3	3
Remaining Vacant Industrial Units	4,000	1/300 sq. ft.	13	13
Handicapped Parking				1
Total	10,000		30	33

* Each auto repair unit is factored at 900 square feet for the work area and 100 square feet for the office area.

The Service Commercial Industrial Center received approval for 10,000 square feet of industrial space, which equates to thirty-three (33) required parking spaces. As illustrated above, the required parking is based on the existing and proposed auto repair uses. The remaining four (4) units are tabulated as industrial uses. The project as proposed along with the existing uses and Code criteria for the remaining vacant units, the project site will be in compliance with the Development Code with three (3) additional parking space.

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 because Code Enforcement has contacted the applicant, that they are conducting an auto repair business without a Conditional Use Permit.

The applicant currently occupies four (4) units (numbers 1-4) with a total floor area of 4,000 square feet. The occupied space consists of four (4) large receiving doors, four (4) pedestrian door, office space, work benches and restroom facilities. The business is owner-operated with two (2) employees at this time. The automotive repair facility will

operate between the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday and 8:00 a.m. to 2:00 p.m. on Saturdays.

The proposed auto repair use is compatible with the existing auto repair businesses on the site and will be compatible with any future auto-related uses or light industrial uses, provided that required parking can be met.

Currently, the applicant stores vehicles in unit four (4) periodically for overnight parking. However, due to the nature of the business, it may be necessary to occasionally park vehicles in the parking area outside. The vehicles may be parked for up to seven (7) consecutive days as long as no required parking for the entire complex is impacted as recommend by Condition No. P9. In addition, staff is recommending Condition No. P10, which requires that all repairs be done within an enclosed building and P14 which prohibit vehicle from being displayed for sale on the premises.

The proposed auto repair facility will include the use of oils, grease and disposal of waste products. For 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. Condition 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 street and utility improvements that are in conformance with Town's standards. Therefore, there are no recommended Conditions offered by the Engineering or Public Works Divisions.

- B. 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.
- C. Noticing:
The project was legally noticed in the Apple Valley News on March 6, 2015 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, because such a use will not be incompatible with auto repair uses currently on the property and in the surrounding area. No changes to the

site are proposed that may occur outside to eliminate potential compatibility issues that may be a detriment to adjacent uses.

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 .83-acres in size 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 auto repair uses on the site and in the surrounding area because the proposed auto repair business, and the conditions under which it will be operated and maintained, will not be detrimental adjacent to properties or improvements in the vicinity because all activities associated with the auto repair business will occur within an enclosed structure.

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

Comment: The proposed auto repair business is compatible with of the auto repair businesses in the surrounding area and on the project property because the proposed location is within an existing industrial building that has been developed consistent with the C-S, Service Commercial zoning designation. No changes to the site are proposed that may occur outside to eliminate potential compatibility issues that may be a detriment to adjacent uses.

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 because 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 because the proposed project is 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 will be located on 13625 Manhasset Road, which 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 on 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 industrial building, which also houses two (2) other auto repair businesses. No modifications are proposed for 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 industrial building. No modifications are proposed for 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 industrial building. No modifications are proposed for 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 industrial building. No modifications are proposed for 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. 2014-004, subject to the attached Conditions of Approval.
4. Direct Staff to file the Notice of Exemption.

Prepared By:

Reviewed By:

Douglas Fenn
Senior Planner

Carol Miller
Principal Planner

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Site Plan (as separate attachment)
3. Zoning/Location Map

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Case No. Conditional Use Permit No. 2014-004

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. 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 Determination 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's procedures. No permits may be issued until such a fee is paid.
- P4. The approval of Conditional Use Permit No. 2014-004 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's 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's 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.
- 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 vehicle stored outdoors shall be limited to seven (7) days per vehicle and shall not occupy any required parking spaces.
- 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. A one (1) hour fire resistant occupancy separation wall will be required on all shared walls.

Environmental & Transit Services Conditions of Approval

- ET1. The project must provide adequate areas for collecting and loading recyclable materials in compliance with AB 341. The trash enclosure must comply with the newly adopted recycling standards.

Public Resource Code Section 42910-42912

- ET2. The developer shall complete and submit a Waste Management Plan ("WMP"), on a WMP form approved by the Town for this purpose as part of the application packet for the building or demolition permit. The completed WMP shall indicate all of the following:
 - (1) The estimated volume or weight of project C&D debris to be generated;
 - (2) The estimated volume or weight of such materials that can feasibly be diverted via reuse or recycling;
 - (3) The vendor or facility that the Developer proposes to use to collect or receive that material; and
 - (4) The estimated volume or weight of C&D materials that will be landfilled.

Town of Apple Valley Municipal Code Section 8.19.020(a)

- ET3. Compliance with Condition of Approval No. ER2 shall be met by any of the following:

- (1) Contract for hauling services with Town's franchise hauler, with all Project debris delivered to San Bernardino County self-haul landfill diversion program, provided the diversion program is currently operating; and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP
- (2) Self-haul all project debris to San Bernardino County self-haul landfill diversion program, provided the diversion program is currently operating; and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP
- (3) Self-haul all project debris to a construction material recycling facility, and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP
- (4) Contract with a construction site cleanup company to recycle at least fifty (50) percent of the Project construction debris, and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP.

Town of Apple Valley Municipal Code Section 8.19.030

ET4. Prior to issuance of Certificate of Occupancy, the developer shall submit to the WMP Compliance Official documentation proving that it has met the Diversion Requirement for the Project. The Diversion Requirement shall be that the developer has diverted at least fifty percent (50%) of the total C&D debris generated by the Project via reuse or recycling. This documentation shall include all of the following:

- (1) Receipts from the vendor or facility that collected or received each material showing the actual weight or volume of that material;
- (2) A copy of the previously submitted WMP for the Project adding the actual volume or weight of each material diverted and landfilled;
- (3) Any additional information the Developer believes is relevant to determining its efforts to comply in good faith with this Chapter 8.19.

Town of Apple Valley Municipal Code Section 8.19.050

The developer shall make reasonable efforts to ensure that all C&D debris diverted or landfilled are measured and recorded using the most accurate method of measurement available. To the extent practical, all C&D debris shall be weighed by measurement on scales. Such scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For C&D debris for which weighing is not practical due to small size or other considerations, a volumetric measurement shall be used. For conversion of volumetric measurements to weight, the developer shall use the Standardized Conversion Rates approved by the Town for this purpose.

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. Tenant 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

Conditional Use Permit No. 2014-004

13625 Manhasset Road
 APN 3087-351-33

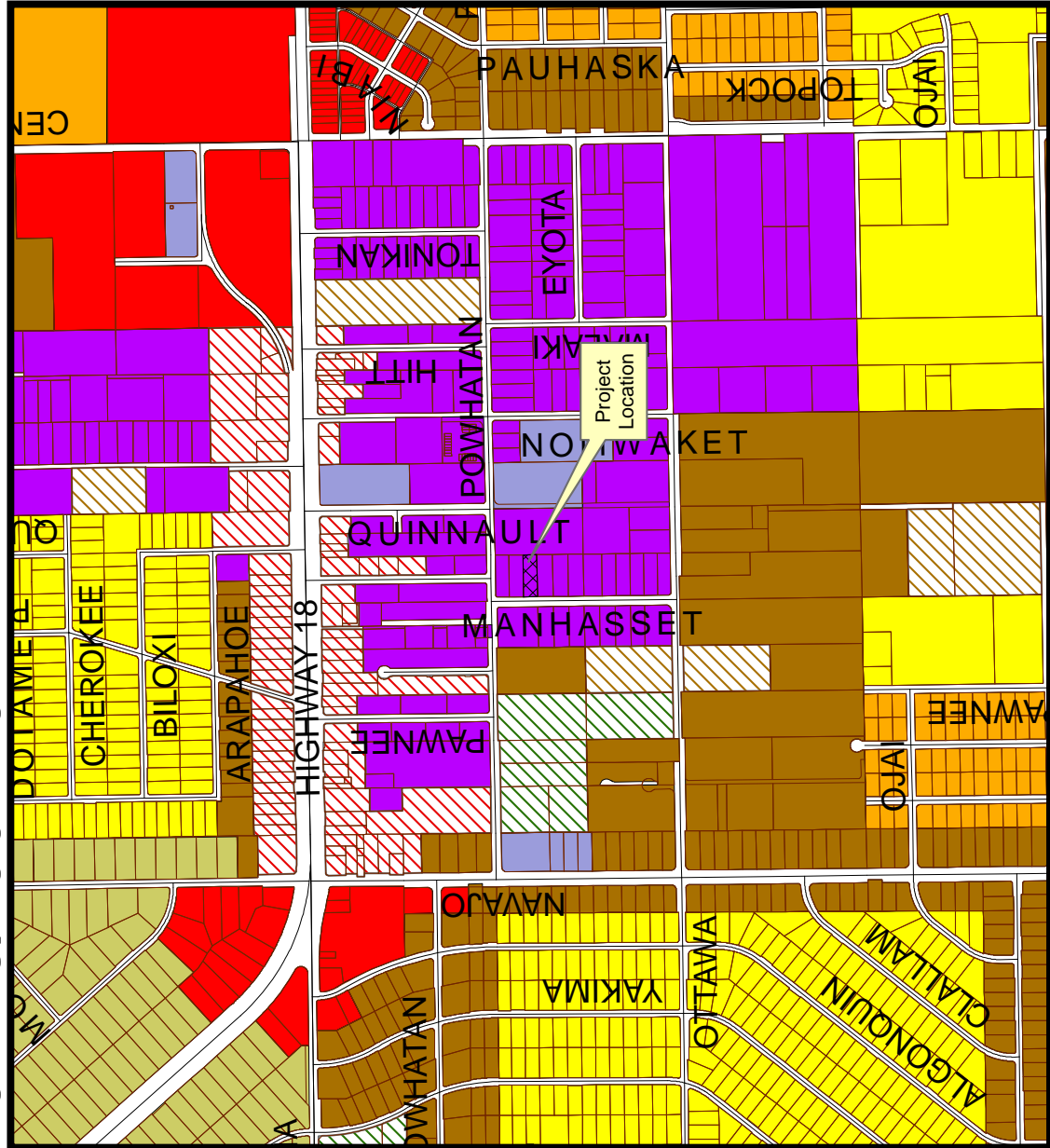


Legend

-  CUP2014004
-  (R-E) Estate Residential (1/4 to 2.5 gross acres)
-  (R-ED) Equine Residential (1/4 to 0.9 net acre)
-  (R-SF) Single Family Residential (1/4 to 0.9 net acre)
-  (R-M) Multi-Family Residential (2 to 20 du/unit acre)
-  (MHP) Mobile Home Park
-  (C-G) General Commercial
-  (C-V) Village Commercial
-  (C-S) Service Commercial
-  (P-F) Public Facilities
-  (OSR) Open Space Recreation

Date: 3/2/2015

ZONING/LOCATION MAP





TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

- AGENDA DATE:** March 18, 2015
- CASE NUMBER:** Specific Plan No. 2012-01, Amendment No. 1 (TM No. 14484)
- APPLICANT:** Paul Onufer
- PROPOSAL:** A request to consider an Amendment to the Jess Ranch Planned Unit Development (PUD) to allow the future development of Lot Nos. 69 thru 204 and Lot Nos. 210 thru 219 within recorded Tract Map No. 14484 to change from recreation vehicle (RV) lot development to single-family residential in accordance with the medium density residential development standards of the Jess Ranch PUD. Lot Nos. 1 thru 68 will remain as RV lots within the Jess Ranch Lakes Recreational Vehicle (RV) Resort.
- LOCATION:** The Jess Ranch Lakes RV Resort is located on the northeast corner of Jess Ranch Parkway and Apple Valley Road
- GENERAL PLAN DESIGNATION:** Specific Plan
- EXISTING ZONING:** Specific Plan
- ENVIRONMENTAL DETERMINATION:** Staff has determined that the project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.
- CASE PLANNER:** Ms. Carol Miller, Principal Planner
- RECOMMENDATION:** Adopt Planning Commission Resolution No. 2015-02
- PROJECT SITE AND DESCRIPTION:**
- A. Project Size
Although not all developed, the overall project area encompasses approximately thirty-seven (37) acres.

B. Site Characteristics

The subject area consists of a partially developed RV resort subdivision. Approximately seventy (70) lots comprise the area that has been developed with the remaining lots within the subdivision as undeveloped. The existing amenities include a laundry facility, clubhouse and pool area.

BACKGROUND

The original Jess Ranch Planned Unit Development (PUD) was approved by the County of San Bernardino in 1981 with subsequent Amendments by the Town of Apple Valley in 1990 (Amendment No. 1), 1994 (Amendment No. 2), and 1998 (Amendment No. 3). Among other changes, Amendment No. 3 allowed a RV Resort within the Medium Density Residential (MDR) land use classification for Phase "Y" (TM No. 14484) with a Commercial Recreation Overlay, now known as the Jess Ranch Lakes Recreational Vehicle Resort.

The RV subdivision consists of 228 lots with private streets and common open space managed by the Homeowners Association. When Tract Map No. 14484 was approved in 1991 and phases recorded in 1993 and 1994, it was in conformance with the Medium Density Residential (MDR) standards as a single-family residential development. That changed in 1998 with Amendment No. 3 that placed a Commercial Recreation Overlay over Phase "Y" (TM No. 14484) to allow the subdivision to be developed as a RV resort for full-time RVers. This land use change required no amendment to the recorded map.

In November of 2012 at the request of the RV Resort Homeowners Association (HOA), an amendment specific to Tract Map No. 14484 was approved to allow 600 square-foot habitable structures as an accessory use to a recreational vehicle (RV). This proposal for an amendment is at the request of the property owner of the undeveloped portion of the subdivision. The property owner is seeking the change in allowed land use due to the lack of RV lot sales and, therefore, does not desire to continue the development as a RV resort. The applicant met with staff to discuss the proposal prior to the application submittal. Staff's recommendation was that there had to be a logical break between lots used for RVs and single-family homes due to their contrasting characteristics.

ANALYSIS

As indicated above, a Commercial Recreation Overlay was created for Phase "Y" (TM No. 14484) without changing the underlying land use designation of Medium Density Residential (MDR). Therefore, to allow for single-family dwellings to be built, the overlay must be removed from the lots proposed for single-family development. This involves amending two (2) separate sections of the PUD. Because the Jess Ranch PUD, Amendment No. 3 document is poorly written, staff is taking this opportunity to propose text changes to provide clarity to the existing intent of the sections while adding language to address the proposal now being requested. The recommended changes are as outline below.

The attached exhibit indicates the area that will remain as RV lots and proposed single-family residential development. The lots within the highlighted RV portion are currently developed as RV lots while the entire SFR area is undeveloped. The infrastructure within the tract currently only extends to the limits of the improved RV lots. As required by the Subdivision Map Act, prior to final map, the improvements are either built or bonded for. Since it is likely that the bonds accepted by the Town in July of 1993 have expired, the Engineering Division is requiring replacement bonds for the incomplete improvements and streets constructed prior to the issuance of a building permit.

As proposed, staff generally finds the delineation between project areas to be a logical break provided the Conditions of Approval for TM No. 14484 are modified. Generally, the separation between uses is such that lots do not face one another. The exception occurs at the southwesterly portion of the tract along Tournament Lane. Despite the awkwardness of the opposing uses facing one another, the break between Lot Nos. 20 and 69 appears the most logical as opposed to a mid block break. The lot configuration as shown on Birdie Way is incorrect. Lots 205 thru 209 no longer exist as a result of a lot merger. Amenities were built on the three (3) lots which resulted in the recordation of Lot Merger No. 2009-003 to merge the five (5) RV lots with the open space Lot "C" where the clubhouse and pool are located. Therefore, Lot Nos. 197 thru 204 proposed for single-family development are located on a cul-de-sac facing the open space amenities.

It is not customary to place Conditions of Approval on a Specific Plan Amendment since these types of Amendments involve just changes to text within the document, therefore, staff is recommending that, in addition to the changes to the PUD document, the Conditions of Approval for Tract Map No. 14484 be revised as appropriate to accommodate the two (2) development types.

The Jess Ranch Lakes RV Resort has recorded Covenants, Conditions & Restrictions (CC&Rs) and an established Homeowners Association (HOA). If the Amendment is approved, these documents will need to be revised where appropriate to account for the change or new CC&Rs be prepared. This has been included as a condition of approval.

The applicant presented the proposal to the Jess Ranch Lakes RV Resort Homeowners Association (HOA) for consideration. The HOA board and members met at its August 23, 2014 meeting to discuss the proposal. The HOA voted in favor of the proposal based on the following conditions:

1. All architecture shall be approved by the Jess Ranch Lakes RV Resort Architectural Committee prior to the issuance of a building permit.
2. All side and rear yards between the existing RV lots and the proposed mid-density residential shall have a six (6)-foot block wall consistent with the Jess Ranch Lakes RV Resort perimeter walls.
3. The exit at the northeast corner of the property shall be designed and built for ingress and egress.
4. Minimum house size shall be 1,200 square feet.
5. All setbacks shall be consistent with the Medium Density Residential district.

In review of the HOA's request, staff generally has no objections to these requirements except to point out potential differences between the request and the PUD. In the case of dwelling size, the request of 1,200 square-foot minimum dwelling size is more restrictive than the PUD standard. The MDR standard as identified in the PUD allows a minimum unit size of 650 square feet of usable floor area, excluding garages. If the applicant wants to include a requirement within their C,C & R's that require a larger dwelling size, staff has no objection. The HOA request of a six (6)-foot high block walls along side and rear yards between RV lots and the proposed single-family residential does raise the appropriateness of a solid wall along the rear property lines that abut common open space. Typically open fencing or a combination wall/wrought iron fencing is used to allow the enjoyment of the open space. Parcels located on both sides of the open space Lot "C" should have the same viewing privileges. Staff would recommend the lots that back-up to Lot "C" shall be improved with a six (6)-foot high combination block wall and wrought iron fencing. Except within the front setback, a six (6)-foot high wall shall be installed along the westerly property lines of Lot

Nos. 69,195, 196, 204, 219, and the southerly property line of Lot No. 104. Finally, with respect to architecture, the HOA has requested all architecture be approved by the RV Resort Architectural Committee. Staff has no objections to HOA architectural review but it should be noted that all new residential development within a tract requires that a Development Permit be reviewed and approved by the Planning Commission.

Due to the contrasting development characteristics, it would not seem ideal to have single-family residential homeowners utilizing the main gate of the RV resort given that they do not reside within the RV resort. Therefore, staff is recommending a second enhanced gated entryway to serve the single-family residential portion at the northeasterly access point and that paved access be provided to the nearest Town maintained road (Town Center Drive). Certainly both developments could utilize each gate but by providing different entryways, it offers options for the homeowners within their own development. This also provides a secondary access point in case of an emergency as required by Condition of Approval No. 25.

As a partially developed tract map, not all improvements have been completed. In instances where plans no longer exist or were never submitted, plans will be required in accordance with Town or agency standards. Beyond a conceptual open space and landscaping plan, the Planning Division has no approved plans for the existing or proposed amenities and landscaping. In accordance with the current Conditions of Approval, an amenity plan and landscape and irrigation plans shall be submitted for review and approval prior to the issuance of a permit for the unimproved open space lots, including Lot "C" which will also serve as a buffer between development types.

A six (6)-foot high block wall currently exists along the Apple Valley Road frontage and along a portion of the north and south tract boundary. Surrounding the subject area, the land use districts include Office Commercial (O-C) to the north and Commercial Recreation (C-R) to the south and east. Although the exhibit illustrates future block wall along the entire tract boundary, staff has added a Condition to ensure the wall is constructed because the original Conditions of Approval has no wall requirement specified.

Attached to the staff report are the original Conditions of Approval for TM No. 14484 as approved in 1991. Changes to the Conditions are noted by strikeout and underline.

Recommended PUD Changes

Proposed amendment to Section 2.5 Commercial Recreation to read as follows:

2.5 Commercial Recreation

~~The developer is also requesting that Phase Y of the development Plan currently 'zoned as medium density residential development be overlaid with the CR designation to allow for the development of a Resort Recreational Vehicle Park. This Parcel has a recorded subdivision map in place allowing for the development of 227 single family homes. The amendment will allow for these same lots to be developed as a for sales Resort Recreational Vehicle Park. The Property immediately to the east and south is zoned as CR and currently allow for this use. The property immediately to the North is zoned as Office Professional. The development plan has always considered a Resort RV Park as a part of its plan. This property which has already been subdivided allows for the fee simple ownership in an upscale project that can be immediately implemented. There will be no age restriction on this property; however it has been established that a majority of the Recreational Vehicle owners are of retirement age and these individuals will be a focus of the marketing efforts.~~

Phase “Y” (TM 14484), currently zoned Medium Density Residential, shall have placed upon it a Commercial Recreation overlay to allow for Lot Nos. 1 through 68 to be developed and used as RV lots in accordance with Section 3.4 Subsection D (Jess Ranch Lakes Recreational Vehicle Resort – Tract Map No. 14484).

Proposed amendment to Section 3.4 Medium Density Areas to amend the heading of Subsection D to read as follows:

D. Jess Ranch Lakes Recreational Vehicle Resort – Tract Map No. 14484 (Lot Nos. 1 thru 68)

Environmental Assessment

Staff has determined that the project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.

Noticing

This item was advertised as a public hearing in the Apple Valley News newspaper on February 27, 2015 and notices were mailed to all property owners within 700 feet of the project site. At this time, staff has not received any comments on this request.

Findings

Development Code Section 9.03.050 requires that the following Findings be made in order to approve a Specific Plan Amendment:

A. The proposed Specific Plan meets all of the following content criteria:

1. Specifies through text and/or diagrams, the distribution, location and extent of the uses of land, including open space, within the area covered by the plan;

Comment: The approved Planned Unit Development already details land-use designations, permitted and conditionally permitted uses, and development standards to assure cohesive development within the Specific Plan area. When Tract Map No. 14484 was approved in 1991 and phases recorded in 1993 and 1994, it was in conformance with the Medium Density Residential standards as a single-family residential development. The proposal will revert the area back to its originally intended use as single-family residential.

2. Specifies through text and/or diagrams, the proposed distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid-waste disposal, energy and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan;

Comment: The approved Planned Unit Development already details distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid-waste disposal, energy and other essential facilities within the PUD area. The

Amendment is considered minor and will be integrated into the document, and will not affect its format. Also, when Tract Map No. 14484 was approved in 1991 and phases recorded in 1993 and 1994, it was in conformance with the Medium Density Residential standards as a single-family residential development. The proposal will revert the area back to its originally intended use as single-family residential.

3. Specifies through text and/or diagrams, the standards and criteria by which development will proceed, and standards for the conservation, development and utilization of natural resources, where applicable;

Comment: The development standards already included in the approved Planned Unit Development include text and graphic representations of the requirements for development. The amendment to Sections 2.5 and 3.4(D) will clarify the development standards for a recorded tract map within the Planned Unit Development between the existing RV and proposed single-family residential. The standards for the conservation, development and utilization of natural resources within the PUD will not change.

4. Specifies a program of implementation measures, including regulations, programs, public works projects, and financing measures necessary to carry out Findings A.1, A.2 and A.3 above;

Comment: The proposed Amendment does not affect existing or projected build-out.

5. Include a statement of the relationship of the Specific Plan to the General Plan, Development Code and other applicable plans or ordinances;

Comment: As amended per staff recommendation, the proposed Amendment does not affect the PUD's consistency with the General Plan because when Tract Map No. 14484 was approved in 1991 and phases recorded in 1993 and 1994, it was in conformance with the Medium Density Residential standards as a single-family residential development. The proposal will revert the area back to its originally intended use as single-family residential.

6. Address any other subjects that are necessary for implementation of the General Plan;

Comment: The proposed Amendment is minor in nature and does not require additional discussion relating to the General Plan because when Tract Map No. 14484 was approved in 1991 and phases recorded in 1993 and 1994, it was in conformance with the Medium Density Residential standards as a single-family residential development. The proposal will revert the area back to its originally intended use as single-family residential.

7. The location and design of the proposed development will be consistent with the goals and policies of the General Plan and with any other applicable plan or policies

adopted by the Town and with any other applicable provisions of the Development Code.

Comment: The PUD was adopted by the County of San Bernardino and was incorporated into the Town's General Plan, and the Amendment does not alter this because when Tract Map No. 14484 was approved in 1991 and phases recorded in 1993 and 1994, it was in conformance with the Medium Density Residential standards as a single-family residential development. The proposal will revert the area back to its originally intended use as single-family residential.

8. The proposed location will allow the development to be well integrated with, or adequately buffered from, its surroundings, as appropriate.

Comment: The proposed Amendment is a change in text only and will not alter any existing or future development within the Jess Ranch PUD because when Tract Map No. 14484 was approved in 1991 and phases recorded in 1993 and 1994, it was in conformance with the Medium Density Residential standards as a single-family residential development. The proposal will revert the area back to its originally intended use as single-family residential.

9. All vehicular traffic generated by the development, either in phased increments or at build-out, will be accommodated safely and without causing significantly increased congestion upon adjoining streets.

Comment: The proposed Amendment is consistent with the adopted PUD and do not constitute a change in build out potential because when Tract Map No. 14484 was approved in 1991 and phases recorded in 1993 and 1994, it was in conformance with the Medium Density Residential standards as a single-family residential development. The proposal reverts the area to its original intended use as single-family residential. Therefore, no traffic impact analysis was prepared since the Amendment will not alter levels of service throughout the project's development and at build out.

10. The final Specific Plan will identify a methodology to allow land uses to be adequately serviced by existing or proposed public facilities and services. In appropriate circumstances, and as provided elsewhere by this Development Code, the Town may require that suitable areas be reserved for uses such as schools, parks and pedestrian ways; public open spaces may be dedicated or reserved by private covenant for the common use of residents, establishments or operations in the development.

Comment: The proposed Amendment does not affect public services because when Tract Map No. 14484 was approved in 1991 and phases recorded in 1993 and 1994, it was in conformance with the Medium Density Residential standards as a single-family residential development. The proposal reverts the area back to its originally intended use as single-family residential.

11. In accordance with the requirements of the California Environmental Quality Act (CEQA), environmental impacts have been reduced to a level of insignificance, or in the case where such impacts remain; a statement of overriding considerations must be adopted to justify the merits of project implementation after certification of the Environmental Impact Report.

Comment: Staff has determined that the project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.

12. The proposed Specific Plan should contribute to a balance of land uses so local residents may work and shop in the community in which they live.

Comment: The purpose of the PUD is, in part, to provide housing opportunities and the Amendment does not lessen these opportunities.

13. The proposed Specific Plan will not be detrimental to the public health, safety or welfare of the Town.

Comment: The Amendment is designed to assure that development within the Jess Ranch Lakes RV Resort and the single-family residential is of high-quality and does not impact public health, safety or welfare.

RECOMMENDATION:

Following receipt of public input and discussion by the Commission, it is recommended that the Commission move to approve Planning Commission Resolution No. 2015-02, forwarding a recommendation that the Town Council amend the Jess Ranch Planned Unit Development Sections 2.5 and 3.4.

Prepared By:

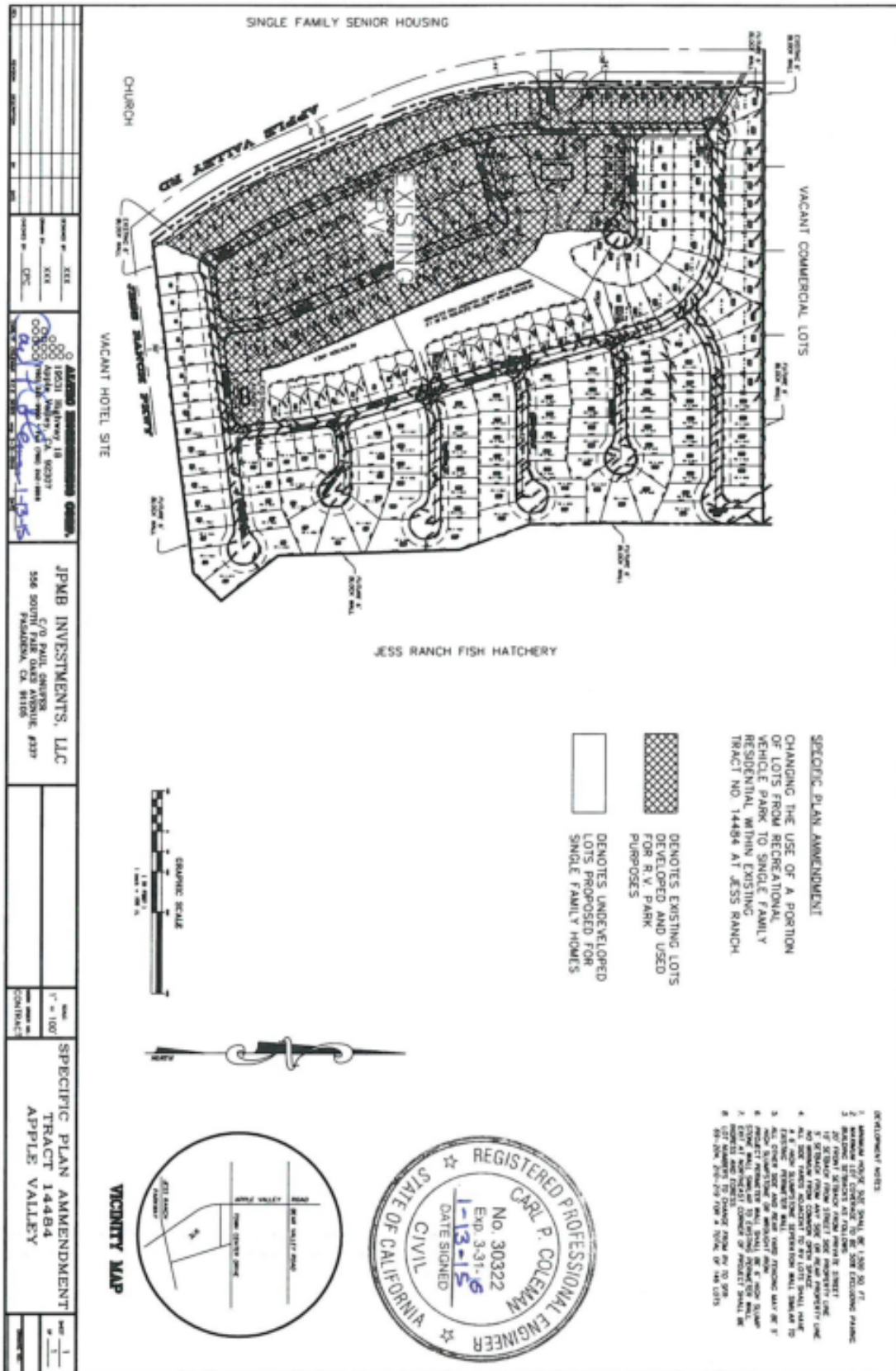
Reviewed By:

Carol Miller
Principal Planner




Lori Lamson
Assistant Town Manager

ATTACHMENTS:

1. Map Exhibit
2. Planning Commission Resolution No. 2015-02
3. Conditions of Approval TM No. 14484.



SPECIFIC PLAN AMENDMENT
 CHANGING THE USE OF A PORTION OF LOTS FROM RECREATIONAL, VEHICLE PARK TO SINGLE FAMILY RESIDENTIAL WITHIN EXISTING TRACT NO. 14484 AT JESS RANCH.

-  DENOTES EXISTING LOTS DEVELOPED AND USED FOR R.V. PARK PURPOSES
-  DENOTES EXISTING LOTS DEVELOPED AND USED FOR R.V. PARK PURPOSES
-  DENOTES UNDEVELOPED LOTS PROPOSED FOR SINGLE FAMILY HOMES

- REPLACEMENT NOTES**
1. REVISION NUMBER OF SHEET SHALL BE 1 AND TO 21.
 2. REVISION LIST CONTAINS TO BE 2007 ACCORDING PLANING.
 3. REVISION LIST CONTAINS TO BE 2007 ACCORDING PLANING.
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 19. REVISION LIST CONTAINS TO BE 2007 ACCORDING PLANING.
 20. REVISION LIST CONTAINS TO BE 2007 ACCORDING PLANING.



<p>APPLING CONSULTING GROUP 18251 Highway 18, 92537 Apple Valley, CA 92526 Phone: 951-935-1235 Fax: 951-935-1236</p>	<p>JPMB INVESTMENTS, LLC 556 SOUTH FAIR OAKS AVENUE, #337 PALMDALE, CA 91106</p>	<p>Scale: 1" = 100' CONTRACT</p>	<p>SPECIFIC PLAN AMENDMENT TRACT 14484 APPLE VALLEY</p>
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PLANNING COMMISSION RESOLUTION NO. 2015-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL ADOPT SPECIFIC PLAN NO. 2012-01, AMENDMENT NO. 1 BY AMENDING SECTIONS 2.5 and 3.4 OF THE JESS RANCH PLANNED UNIT DEVELOPMENT.

WHEREAS, the Jess Ranch Planned Unit Development was approved by the County of San Bernardino in 1981 with subsequent Amendments by the Town of Apple Valley in 1990 (Amendment No. 1), 1994 (Amendment No. 2), and 1998 (Amendment No. 3); and

WHEREAS, specific changes are proposed to the Jess Ranch Planned Unit Development by amending Sections 2.5 and 3.4(D) as it relates to the future development of Lot Nos. 69 thru 204 and Lot Nos. 210 thru 219 within recorded Tract Map No. 14484 from recreation vehicle (RV) lot development to single-family residential; and

WHEREAS, on February 27, 2015, Specific Plan 2012-01, Amendment No. 1(TM No. 14484), was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, Pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed PUD Amendment, will have a significant effect on the environment, the activity is not subject to CEQA., and

WHEREAS, on March 18, 2015, the Planning Commission of the Town of Apple Valley conducted a duly noticed and advertised public hearing on Specific Plan No. 2012-01, Amendment No. 1 (TM No. 14484), receiving testimony from the public; and

WHEREAS, the proposed Amendment is consistent with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

NOW, THEREFORE, BE IT RESOLVED that in consideration of the evidence presented at the public hearing, and for the reasons discussed by the Commissioners at said hearing, the Planning Commission of the Town of Apple Valley, California, finds and determines as follows and recommends that the Town Council make the following findings and take the following actions:

Section 1. In consideration of the evidence received at the public hearing, and for the reasons discussed by the Commissioners at said hearing, that the Town Council of the Town of Apple Valley, California, finds that the changes proposed under Specific Plan No. 2012-01, Amendment No. 1 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

Section 2. Based upon the facts presented within the staff analysis, public testimony and pursuant to Government Code Section 65863(b), the Planning Commission of the Town of Apple Valley, California, finds that the proposed Amendment to the Jess Ranch PUD is consistent with the General Plan goals for a broader economic base for the Town.

Section 3. The Amendment currently proposed is consistent with the adopted Planned Unit Development and does not constitute a change in build out potential. Further, pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.

Section 4. Amending Section 2.5 (Commercial recreation) in its entirety to read as follows:

Phase “Y” (TM 14484), currently zoned Medium Density Residential, shall have placed upon it a Commercial Recreation overlay to allow for Lot Nos. 1 through 68 to be developed and used as RV lots in accordance with Section 3.4 Subsection D (Jess Ranch Lakes Recreational Vehicle Resort – Tract Map No. 14484).

Section 5. Amend Section 3.4.D (Medium Density Residential Areas) by amending the heading of Subsection “D” to read as follows:

D. Jess Ranch Lakes Recreational Vehicle Resort – Tract Map No. 14484 (Lot Nos. 1 thru 68)

Approved and Adopted by the Planning Commission of the Town of Apple Valley this 18th day of March 2015.

Chairman Bruce Kallen

ATTEST:

I, Debra Thomas, Secretary to the Planning Commission of the Town of Apple Valley, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 18th day of March 2015 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ms. Debra Thomas, Planning Commission Secretary

TOWN OF APPLE VALLEY CONDITIONS OF APPROVAL

Development Permit No. 209 (TM 14484)

Planning Department

1. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code and the requirements of the Jess Ranch PUD. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council and/or Planning Department. A Time Extension may be approved in accordance with the State Map Act and Town Ordinance, if an extension application is filed and the appropriate fees are paid at least 30 days prior to the expiration date.
2. Subdivision phasing, including proposed common open space phasing, shall be as shown on the approved Tentative Tract map.
3. Prior to the recordation of the Final Map/issuance of a building permit, the following agencies shall provide written verification to the Engineering Department/Building and Safety Department that all pertinent Conditions of Approval and applicable regulations have been met:
 - Planning Department
 - Apple Valley Unified School District
 - Fire District
 - Engineering Department
 - Apple Valley Water District
 - Park and Recreation District
4. A Homeowners Association shall be established for maintenance of Lots A-G, I, K-M and Q, Open space. The developer/applicant shall pay for all costs relating to establishment of the district. A maintenance district may be formed for publicly owned lots subject to the approval of the Town Engineer.
5. Sidewalks shall be provided along all secondary and major streets per Town standards or as necessary for safe and adequate pedestrian circulation.
6. A Homeowners Association shall be establish for maintenance of Lots A–Q, Open Space/Common Area and all sidewalks and the developer/applicant shall pay for all costs relating to establishment of the Homeowners Association.
7. All slopes over three (3)-feet in height shall be landscaped and irrigated according to Town Interim Development Guidelines.
8. In compliance with Town Ordinance #2684, the applicant shall agree to defend at its sole expense (with Attorneys approved by the Town), and indemnify the Town against any action brought against the Town, its agents, officers or employees resulting from or relating to this approval. The applicant shall reimburse the Town, its agents, officers or employees for 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 at its own expense in the defense of any such action, but such participation shall not relieve the applicant of its obligations under this Condition.

9. Prior to recordation of the Final Map, the developer or his assignee, must conform to the park district Quimby Ordinance unless waived to time of issuance of a building permit. This Condition does not apply if the Covenants, Conditions and Restrictions (CC&Rs) limit this project to seniors, age 55 and over.
10. Three (3) sets of detailed landscaping and irrigation plans, prepared by a qualified professional, shall be submitted to the Town Planner for review and approval prior to the issuance of building permits.
11. All site amenities, including landscaping and irrigation, as shown on plans approved by the Town Planning Department, shall be installed prior to issuance of the Certificate of Occupancy. Landscaping shall utilize drought tolerant/desert-appropriate landscaping wherever feasible.
12. Applicant shall submit the site plan, as approved by the Planning Department, to the Department of Building and Safety concurrent with application for building permits.
13. In accordance with County Ordinance No. 1963, the applicant/developer shall submit a tree relocation plan to the Chief Building Official for review and approval.
14. Signs shall be approved by separate permit.
15. Reverse frontage wall and landscaping plans must be approved prior to issuance of building permits.
16. All utility service boxes and connections shall be painted to match the building exterior on which they are located.
17. All existing overhead utility services and wiring shall be relocated underground.
18. No roof-mounted equipment shall be placed on any building unless screened as specifically approved by the Planning Department (except for solar collection panels).
19. All utility systems including gas, electric, telephone, water, sewer and cable TV shall be provided for underground, with easements provided as required, and designed and constructed in accordance with Town Codes and the utility provided. Telephone, cable TV, shall be pre-wired in the residence.
20. The CC&Rs shall be reviewed and approved by the Planning Department prior to final approval of the tract maps. The CC&Rs shall include liability insurance and methods of maintaining the open space, recreation areas, parking areas, private roads, and exterior of all buildings. Revised or new CC&R's shall be submitted for review and approval by the Planning Department specific to the single-family residential development.
21. No lot or dwelling unit in the development shall be sold unless a corporation, association, property owner's group, or similar entity has been formed with the right to assess all properties individually owned or jointly owned which have any rights or interest in the use of the common areas and common facilities in the development, such assessment power to be sufficient to meet the expenses of such entity, and with authority to control, and the duty to maintain, all of said mutually available features of the development. Such entity shall operate under recorded CC&Rs which shall include compulsory membership of all owners of lots and/or dwelling units and flexibility of assessments to meet hanging cost of

- maintenance, repairs and services. Recorded CC&Rs shall permit enforcement by the Town of provisions required by the Town as Conditions of Approval. The developer shall submit evidence of compliance with this requirement to, and receive approval of, the Town prior to making any such sale. This Condition shall not apply to land dedicated to the Town for public purposes.
22. Every owner of a dwelling unit or lot shall own as an appurtenance to such dwelling unit or lot, either (1) an undivided interest in the common areas and facilities, or (2) as share in the corporation, or voting membership in an association, owning the common areas and facilities.
 23. Maintenance for all landscaped and open areas, including parkways, shall be provided in the CC&Rs.
 24. Prior to issuance of any grading or building permit, the applicant(s) shall sign and complete an "Acknowledgement of Conditions", and shall return the executed original to the Planning Department for inclusion in the case records.
 25. Each phase with a single access greater than 600-feet in length shall have a fully improved secondary access acceptable to the Town and the Fire District.
 26. A minimum ten (10)-foot greenbelt shall be provided with this tract along the north boundary (Section C of the Landscape plan shows a greenbelt by others).
 27. Provide a minimum twenty (20)-foot greenbelt along the southern boundary with this project (Section O of the Landscape Plan shows a sixteen (16)-foot parkway by others).
 28. Provide garage door openers on all units.
 29. Provide an accurate count of the number of residential units.
 30. The typical lot layout shall show a minimum front setback of ten (10) feet with a minimum difference in staggered setbacks of three (3) feet.
 31. ~~Front setbacks shall be staggered; no more than two (2) adjacent houses with the same setback and with a minimum difference in setbacks of three (3) feet.~~
 31. Lot Nos. 69 thru 204 and Lots 210 thru 219 within recorded Tract Map No. 14484 to change from recreation vehicle (RV) lots to single-family residential in accordance with the medium density residential development standards of the Jess Ranch PUD. Lots 1 thru 68 will remain as RV lots within the Jess Ranch Lakes RV Resort in accordance with the RV lot standards for development.
 32. Prior to the issuance of a building permit an enhanced gated entryway shall be provided at the northeasterly access point (Westmond Drive). A plan shall be submitted to the Planning Division for review and approval.
 33. Prior to the issuance of a permit, a six (6)-foot high tract boundary wall shall be constructed.
 34. Prior to a certificate of occupancy all single-family lots that back-up to Lot "C" shall be improved with a six (6)-foot high combination block wall and wrought iron fencing. Except within the front setback, a six (6)-foot high wall shall be installed along the westerly property lines of Lot Nos. 69, 195, 196, 204, 219, and the southerly property line of Lot No. 104.

Apple Valley Water District

- ~~32. Sewage disposal shall be by connection to the Apple Valley Water District. Financial arrangements, plans and improvements agreements must be approved by the Apple Valley Water District.~~
- ~~33. Water purveyor shall be Jess Ranch.~~
- ~~34. Finalize maintenance and operation agreement between Jess Ranch and Apple Valley Water District.~~
- ~~35. All sewer improvement plans shall be reviewed and approved by Apple Valley Water District prior to construction.~~

Apple Valley Ranchos Water Company Conditions of Approval

35. Water mains must be extended to provide fire protection to this tract in accordance with Apple Valley Fire Protection District's conditions.
36. A water main extension contract will be required in compliance with Rule #15 of the California Public Utilities Commission.
37. Water mains and appurtenances are required to be looped and installed throughout the tract in accordance with AVRWC standards and specifications. The proposed water mains in Augusta Circle and Chlory Way need to be eight (8) inch in diameter. They are to join the existing twelve (12) inch water main in Wedgewood Drive and the existing six (6) inch main in Tournament Lane. In addition to the closing water main loop in Augusta Circle, an eight (8) inch water line needs to be extended in Chlory Way to Westmont Drive and then north on Westmont Drive to the edge of the tract boundary.
38. Fire hydrants are required per AVRWC standards drawings and located in accordance with Apple Valley Fire Protection District's requirements.
39. Water facilities need to be installed in dedicated public Rights-of-Ways or easements. These dedications and easements are needed to install, maintain, connect and operate (unobstructed vehicular access) the proposed water facilities.
40. Domestic service lines will need to be installed from the proposed water main to the street right-of-way for each residential lot.
41. A supply facility fee for water supply will not be collected because this area of Jess Ranch is exempt from the fee.
42. The project is exempt from the water acquisition fee since there is an agreement in place with Jess Ranch for water rights.

Engineering Department

43. Prior to issuance of a grading permit, a final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provision for receiving and conducting 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. This plan shall consider retaining on-site drainage flows from a 100-year design storm.
44. Street improvement plans shall be submitted to the Town Engineer for review and approval.
 45. All interior streets shall be improved to Town P.U.D. standards with curb, gutter and street pavement. Minimum residential width of streets shall be thirty-six (36) feet curb to curb.
 46. All streets abutting the development shall be improved a minimum half-width of twenty-eight (28) feet with curb and gutter on the development side.
 47. Apple Valley Road shall be improved to the Town's Full-Width Modified Major Divided Road standards, as approved by the Town Engineer.
 48. An eighty-six (86) full-width road dedication along Apple Valley Road shall be granted to the Town of Apple Valley prior to Final Map Approval.
 49. During the grading of the roads, soils testing of the road subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural road section. Minimum asphalt concrete thickness for all streets shall be 0.25 feet.
 50. All required improvements shall be bonded, in accordance with Town Development Code, unless constructed and approved prior to approval and recordation on the Final Map.
 51. An encroachment permit shall be obtained from the Town prior to performing any work in a public rights-of-way.
 52. 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.
 53. A final grading plan shall be submitted to the Town Engineer prior to issuance of a grading permit for review and approval. A grading permit shall not be issued until street improvement plans have been submitted to the Town Engineer for review and substantial completion of the street plans has been attained as determined by the Town Engineer.
 54. Street lights shall be required and shall conform to the Town's standards for such. The developer shall form or annex into an assessment district to provide for the ongoing maintenance of the street lights.
 55. All road names shall be approved by the Town and such approval shall be coordinated through the Town Engineer.
 56. Prior to Town acceptance of the Final Map, subdivider shall present evidence to the Town Engineer that it has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
 57. Utility lines shall be placed underground in accordance with the requirements of the Town.
 58. The developer shall make a good faith effort to acquire any required off-site property interests, and if failing to do so, 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 Town prior to commencement of the appraisal, together with such additional security as may be required by the Town Engineer or Town Attorney.

59. Traffic impact fees, pursuant to Town Ordinance No. 42, shall be paid by the developer.
60. Any developer fees, such as drainage fees, shall be paid by the developer.
61. Any required street striping shall be thermoplastic as approved by the Town Engineer.
62. All interior streets shall remain private and shall not be entered into the Town's Maintained Street List.
63. A full width, approximately 120-foot wide, irrevocable offer of dedication along Apple Valley Road shall be granted to the Town of Apple Valley prior to final map approval as shown on the Apple Valley Road plans on file with the Town Engineer.
64. Replacement bonds based on an engineers estimate for the incomplete improvements and streets shall be provided prior to the issuance of a building permit.
65. Paved access shall be provided in accordance with Town standards to the nearest Town maintained road (Town Center Drive) from the northeasterly access point of the tract.

Building and Safety Department

66. A preliminary soils report shall be filed, with and approved by the Building Official, prior to recordation of the final map.
67. Grading plans are to be submitted to, and approved by, the Department of Building and Safety.
68. Obtain a demolition permit for building(s) to be demolished. Underground structures must be broken in, back-filled and inspected before covering.
69. Submit plans and obtain building permits for required walls.
70. A pre-construction inspection and permit is required prior to any land disturbance activity to verify requirements for erosion and sediment control, flood hazard and native plant protection and management.
71. Define and delineate the setback boundary from the Mojave Flood Plain on the Final Development Plan as necessary.