



Get a Slice of the Apple.

**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA**

WEDNESDAY, JULY 19, 2017

Regular Meeting 6:00 p.m.

Town Council Chambers
14955 Dale Evans Parkway

PLANNING COMMISSION MEMBERS

Mark Shoup, Chairman
B. R. "Bob" Tinsley, Vice-Chairman
Jason Lamoreaux, Commissioner
Doug Qualls, Commissioner
Bruce Kallen, Commissioner

PLANNING DIVISION OFFICE: (760) 240-7000 Ext. 7200
www.AVPlanning.org

Monday - Thursday 7:30 a.m. to 5:30 p.m.
Alternating Fridays 7:30 a.m. to 4:30 p.m.



Get a Slice of the Apple.

**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY JULY 19, 2017 – 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 _____; Kallen _____; Qualls _____
Vice-Chairman Tinsley _____ and Chairman Shoup _____

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- 1a. Minutes of the Regular Meeting of February 15, 2017
- 1b. Minutes of the Regular Meeting of June 21, 2017

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.

PUBLIC HEARING ITEMS

- 2. Tentative Tract Map No. 18763 Time Extension 1.** The applicant proposes a request for a three (3) year time extension of a previously approved tentative tract map of 133 acres into 168 single-family lots and a ten (10)-acre park/retention basin. The map proposes lots ranging in size from 18,000 to 45,726 square-feet.

APPLICANT: United Engineering Group on behalf of Nona Apple Valley, LLC
LOCATION: Located at the south side of Sitting Bull Road, west of Deep Creek Road; APN 3087-161-5 & 11.

ENVIRONMENTAL DETERMINATION: There is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project, and adopted by the Town Council on June 24, 2008. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.

CASE PLANNER: Ms. Carol Miller, Assistant Director of Community Development

RECOMMENDATION: Approval

OTHER BUSINESS

- 3.** Carol Miller, Assistant Director of Community Development, will present the annual review of Development Permit projects that have been administratively approved. This report is available for public review at the Planning Division located at 14955 Dale Evans Parkway, Apple Valley, CA. No action is required – to receive and file only.

PLANNING COMMISSION COMMENTS

STAFF COMMENTS

ADJOURNMENT

The Planning Commission will adjourn to August 2, for the R-M Public Workshop.

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting Wednesday, February 15, 2017

CALL TO ORDER

Chairman Qualls called to order the Regular Meeting of the Planning Commission of the Town of Apple Valley for February 15, 2017 at 6:02 p.m.

ROLL CALL

Planning Commission

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

STAFF PRESENT

Carol Miller, Principal Planner, Pam Cupp, Associate Planner, Thomas Rice, Town Attorney, Richard Pedersen, Deputy Town Engineer, and Yvonne Rivera, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Bruce Kallen led the Pledge of Allegiance.

ELECTION OF NEW OFFICERS

Commissioner Kallen made a motion, seconded by Commissioner Tinsley, that Commissioner Shoup be nominated as Chairman of the Apple Valley Planning Commission.

ROLL CALL VOTE

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

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

ROLL CALL VOTE

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

RECESS FOR REORGANIZATION

MEETING RECONVENED

Chairman Shoup reconvened the meeting of the Planning Commission at 6:05 p.m.

1. APPROVAL OF MINUTES

1A. Minutes for the Regular Meeting of December 21, 2016.

Motion by Commissioner Kallen, and seconded by Commissioner Qualls, to approve the Minutes for the Regular Meeting of December 21, 2016.

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

1B. Minutes for the Special Meeting of January 11, 2017.

Chairman Shoup requested a modification be made to Page 3 of the minutes for the Special Meeting of January 11, 2017 as follows:

Commissioner Shoup refused to read the letters from Lozeau Drury and Smyth Floyd; therefore, only the remaining four (4) Commissioners read the letters.

Chairman Shoup also noted there is a need to make a correction to the date of the Town Council meeting on Page 3; the correct date is November 18, 2014.

Motion by Vice-Chairman Tinsley, and seconded by Commissioner Qualls, to approve the Minutes for the Special Meeting of January 11, 2017, as amended.

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

PUBLIC HEARING ITEMS

- 2. Conditional Use Permit 2017-001.** A request to approve a Conditional Use Permit to operate an automobile repair and restoration facility within an existing 9,261 square foot industrial building. The project will occupy 1,404 square feet for auto repairs, storage and office space. The site is 0.75 acres in size and is located within the Service Commercial (C-S) zoning designation.

Applicant: Mr. Jeff Navarro, Navarro Restoration

Location: 22390 Eyota Road, Suite D (APN 3087-392-27)

Chairman Shoup opened the public hearing at 6:09 p.m.

Pam Cupp, Associate Planner, presented the staff report as filed by the Planning Division. She commented on the deficient parking situation at the project site. She does not believe that the auto shop is going to create further negative impacts to the parking situation at the site.

Discussion ensued regarding future parking demands at the project site.

Chairman Shoup asked the Applicant if he agreed to the Conditions of Approval.

Mr. Jeff Navarro stated he agreed with all of the Conditions of Approval.

PUBLIC COMMENTS

None.

Chairman Shoup closed the public hearing at 6:15 p.m.

MOTION

Motion by Vice-Chairman Tinsley, seconded by Commissioner Kallen, 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. 2017-001, subject to the attached Conditions of Approval.
4. Direct staff to file the Notice of Exemption.

ROLL CALL VOTE

Ayes: Commissioner Kallen
Commissioner Qualls
Vice-Chairman Tinsley
Chairman Shoup
Noes: None
Abstain: None
Absent: Commissioner Lamoreaux

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

3. **Development Permit No. 2016-005 and Variance No. 2016-003.** A request for a Development Permit to construct a 2,847 square foot medical office building. The Variance is a request for relief from Development Code Section 9.72.060(B)(8) to eliminate the required five (5)-foot separation distance between the parking lot curb and the wall proposed along the southwest property line. The applicant is also requesting a one (1)-foot reduction to the required separation distance between the parking lot and the northerly property line. The project site is 0.24 acres in size and located within the General Commercial (C-G) zoning designation.

Applicant: Mr. Albert Carlucci
Location: 16030 Kamana Road (APN 0473-412-09)

Chairman Shoup opened the public hearing at 6:17 p.m.

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

Discussion ensued regarding the need for a Variance due to the issues surrounding the retaining wall located on the property line.

Albert Carlucci, Applicant, commented on several solutions that he believed would help eliminate the issues surrounding the narrow lots, as well as the landscaping. He respectfully requested assistance from the Planning Commission to resolve the issues related to this project, and to look at future projects from a different stand point in order to avoid having to go through the same issues.

Vice-Chairman Tinsley commented on past discussions held by the Planning Commission as it relates to landscape code amendments. He stated the Commission agreed to look at these types of situations on a case by case basis. He would like to proceed without any amendments to the code.

Discussion ensued regarding whether or not the substandard lot meets the requirement for a Variance.

Ms. Cupp stated that alternatively, she does not know if it is possible to apply for a Variance for the lots along Tuscola Road.

Thomas Rice, Town Attorney, recommended that staff take a look at the Variance provisions for a future discussion item.

Chairman Shoup asked the Applicant if he agreed to the Conditions of Approval.

Mr. Carlucci stated he agreed with all Conditions of Approval.

Chairman Shoup closed the public hearing at 6:33 p.m.

PUBLIC COMMENTS

Steve Richard, Architect, commented on the issues surrounding the property. He also commented on solutions that he believed would help to resolve the problem with the narrow lots. Mr. Richard expressed his appreciation to staff for their hard work and efforts to help resolve these issues.

MOTION

Motion by Commissioner Kallen, seconded by Vice-Chairman Tinsley, 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. 15270(B), the proposed request is Exempt from further environmental review.
2. Find the Facts presented in the staff report support the required Findings for approval for Development Permit No. 2016-005 and Variance No. 2016-003.
3. Adopt the Findings as provided in the staff report and approve Development Permit No. 2016-005 and Variance No. 2016-003
4. Direct staff to file the Notice of Exemption.

ROLL CALL VOTE

Ayes: Commissioner Kallen
Commissioner Qualls
Vice-Chairman Tinsley
Chairman Shoup
Noes: None
Abstain: None
Absent: Commissioner Lamoreaux

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

- 4. Tentative Tract Map No. 16059 Phases 3-5 Time Extension.** This is a request for a one (1) year time extension for the final three (3) phases of a previously approved subdivision. Phases 1 & 2 have recorded. The remaining three phases consists of approximately 124 single-family residential lots in the Residential Single-Family (R-SF) zoning designation for future residential development.

Applicant: Nupac Investments LLC

Location: Located at the northeast corner of Sitting Bull and Apple Valley Roads; APN 3087-021-09.

Chairman Shoup opened the public hearing at 6:35 p.m.

Carol Miller, Principal Planner, presented the staff report as filed by the Planning Division. She noted the time extension is for the final three (3) phases of a previously approved subdivision.

Ms. Miller provided the Planning Commission with a brief overview of the history of time extensions for this project in accordance to the Subdivision Map Act and the state. She noted, for the record, the updates to the Conditions of Approval are related to public works and fire conditions. Ms. Miller also noted, for the record, that February 20, 2017 marks the approval date; therefore, all extensions will stem from this date and the expiration date of the map, with approval, will be February 20, 2018.

Chairman Shoup asked the Applicant if he agreed to the Conditions of Approval, with the condition that he will work with staff regarding the type of barrier used at the project site.

Mr. Andrew Pham stated he agreed with the Conditions of Approval, as amended.

Chairman Shoup closed the public hearing at 6:41 p.m.

PUBLIC COMMENTS

Mr. Horst Weiner, Apple Valley, expressed concern regarding the dangers that come from those that use the dirt lot as a short cut. He requested to know if the owner of the vacant lot would be responsible for putting up a fence to help eliminate the unsafe conditions.

PLANNING COMMISSION COMMENTS:

Vice-Chairman Tinsley expressed concern regarding the unsafe conditions that come from drivers that use the vacant property as an alternate route because Ottawa Road dead-ends. He requested to know if the property owner is open to solving the issues at hand.

Commissioner Kallen asked a series of questions regarding whether or not there is flexibility in the fence program.

Ms. Miller commented on Condition EC-25 on Page 4-10, that requires a section of Ottawa Road and Paraiso Road to be vacated, removed and landscaped which is included as part of this time extension.

Discussion ensued regarding the extension of the time process, as well as implementing a condition that would require the Applicant to place fencing on the property.

Thomas Rice, Town Attorney, stated that as part of the time extension, it would be appropriate to approach the Applicant regarding putting up a fence in order to prohibit unsafe conditions.

Craig Potter, Nupac Investments LLC, informed the Commission that the area where Ottawa Road meets the curb is completely landscape; there is no dirt road where one can go through Ottawa Road onto the vacant property.

Horst Weiner, Apple Valley, clarified it is the road between Ottawa Road and Paraiso Road where people drive through at high speeds onto the vacant property because there is no fence.

Mr. Rice stated that according to Google Maps, there appears to be evidence of a fence at some point; therefore, it may appropriate to ask the Applicant to put the fence back up.

Richard Pedersen, Deputy Town Engineer, commented on the reasons why the Town typically does not block private property. He explained that if the Commissioners wanted to implement a condition for a fence, the timeframe of when the fence goes in would have to be established.

Discussion ensued regarding alternatives to a chain link fence, such as natural barriers, in an effort to prevent trespassing onto the vacant lot.

Ms. Miller commented on alternatives to a chain link fence that would be acceptable by the Town including natural barrier, such as large rocks or wood.

MOTION

Motion by Commissioner Kallen, seconded by Commissioner Qualls, based upon the information contained within this report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to:

1. Determine that, there is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project, and adopted by the Planning Commission on February 20, 2002. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed requires is not subject to further environmental review.
2. Find the Facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve a one (1) year extension of time for Tentative Tract Map No. 16059 Phases 3-5, subject to the attached Conditions of Approval, as modified with the condition.

4. Direct staff to file the Notice of Determination.

ROLL CALL VOTE

Ayes: Commissioner Kallen
Commissioner Qualls
Vice-Chairman Tinsley
Chairman Shoup
Noes: None
Abstain: None
Absent: Commissioner Lamoreaux

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

5. Appeal No. 2017-03. Appeal of the Planning Director’s approval of Special Use Permit No. 2014-01 Amendment No. 2 – A request to waive sidewalk and landscaping requirement related to the use of vacant land as the school’s outdoor play area. Special Use Permit No. 2014-01 Amendment No. 2 was approved by the Community Development Director on December 21, 2016.

Applicant: Apple Valley Christian School

Location: The vacant site is the lot adjacent to 22230 Ottawa Rd. APN: 3087-391-29

Chairman Shoup opened the public hearing at 6:56 p.m.

Carol Miller, Principal Planner, presented the staff report as filed by the Planning Division. She commented on the Appeal submitted by the Applicant, as it relates to their ability to utilize the entire lot as a play area for the school without the improvement requirements.

Discussion ensued regarding the issues that triggered the landscape setback requirement, as well as the portion of the lot that was not included as part of Amendment 1.

Mr. Thomas Rice, Town Attorney, clarified the issue at hand is whether or not the Town will grant them a permit to build a play area.

Ms. Miller informed the Commission that a new issue has arisen as it relates to fencing the vacant property.

Discussion ensued regarding the waiving of the sidewalk requirements approved by staff.

PUBLIC COMMENTS

Steve Richard, Appellant, stated that for purposes of tonight's discussion, he would like to define playground as far as the Applicant goes. He commented on the handout provided to the Commissions which outlines the design of the playground including a basketball court, as well as a gymnasium that is slated for the future.

Mr. Richard expressed concern regarding some confusion regarding the amendment made to the approved conditions, as well as information he received from staff as it relates to approval of their appeal to waive the street improvements. He also commented on the approval letter received from staff included the removal of a non-permitted chain link fence.

Mr. Richard read into the record the following section (P-8) from Amendment No. 2 regarding perimeter fencing:

Fencing shall be limited to the area immediately surrounding the playground as shown on the site plan.

Mr. Richard stated the above describes the wrought iron fence that staff prefers to be installed around the playground, to totally define the playground.

Mr. Richard stated the following quote from Amendment No. 2 is what forced them to appeal:

The remainder of the lot shall not be used as a play area unless approved by the Planning Commission.

John Richarts, Apple Valley Christian School, commented on the reasons why the school needs to improve and expand the playground. He also commented on the dirt lot that is used by the students for physical education purposes, referring to it as a bridge until they build the gym. He respectfully requested the support of the Commission for this project.

Chairman Shoup called for a short recess at 7:28 p.m.

Chairman Shoup reconvened the Planning Commission meeting at 7:32 p.m.

Mr. Richarts stated that the dirt area is also used for fire emergency drills. He informed the Commission that the school does not receive any funding for activities.

Chairman Shoup requested that the record show the handout provided by the appellant regarding the design and planning of the playground as part of the minutes.

Ms. Miller answered questions by the Commission regarding the use of the vacant land as an expansion of the school campus. She noted the vacant lot was not part of the original Conditional Use Permit (CUP).

Mr. Rice stated that the Appeal was properly noticed in accordance to the Brown Act. He clarified for the record that the Appellant is seeking approval of their Appeal to remove the last sentence of Condition P8 as outlined in the handout provided by the Appellant.

Chairman Shoup closed the public hearing at 8:09 p.m.

PUBLIC COMMENTS:

The following individuals spoke in favor of the playground:

Berry Bai, Apple Valley, CA
Anthony Delgado, Apple Valley, CA
Mr. Pretzel, Apple Valley, CA
Michael Wang, Apple Valley, CA
Meghan Steen, Apple Valley, CA

Ms. Miller answered questions by the Commission regarding the chain link fence currently around the playground.

Mr. Richard reiterated the reasons for their Appeal and their desire to respond to Amendment No. 2.

Lengthy discussion ensued regarding the types of uses that trigger improvements such as sidewalk and landscape requirements.

Ms. Miller clarified that applications submitted for various projects are what trigger the improvements rather than uses. Ms. Miller also commented on the benefits that come from phasing projects including the fact that staff can condition a project by a phase and also approve it at staff level.

Mr. Rice stated that although staff prefers that the Appellant come back with a phased plan, the Commission has the authority to approve, uphold and deny the Appeal. He stated they also have the authority to modify the Appeal; therefore, they have the authority to modify the Conditions of Approval this evening.

Vice-Chairman Tinsley spoke in support of the playground. He would like the Planning Commission to move forward with approval so that the children have a safe place to play.

Mr. Rice recommended that approval of Amendment No. 2 be modified to eliminate the last sentence of Condition P8 for Amendment No. 2, and replace the last sentence as follows:

Further development on the vacant parcel shall be subject Conditions P8, P9 P10 and EC-2 of Amendment No. 1 Conditions which are included in the staff report.

It was the consensus of the Planning Commission to proceed with the above revised motion.

Prior to agreeing to the above amendment, Mr. Richard, Architect, requested clarification that the above amendment to the Motion includes fencing around the entire dirt field area, and that the front area be replaced with wrought iron fencing.

Discussion ensued regarding the implementation of phasing as part of the future development.

Chairman Shoup asked the Applicant if he agreed to the Conditions of Approval, as amended.

Mr. Richards stated he agreed with all Conditions of Approval.

MOTION

Motion by Commissioner Qualls, seconded by Vice-Chairman Tinsley, 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. Deny the appeal of the Conditions of Approval for previously approved SUP No. 2014-01 Amendment No. 2 subject to the Conditions of Approval, as amended.

ROLL CALL VOTE

Ayes: Commissioner Kallen
Commissioner Qualls
Vice-Chairman Tinsley
Chairman Shoup
Noes: None
Abstain: None
Absent: Commissioner Lamoreaux

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

OTHER BUSINESS

6. Action on Subdivision Map Act Violations

Applicant: Town of Apple Valley Engineering Department

Location: Multiple Locations as Identified in the Staff Report.

Mr. Richard Pedersen, Deputy Town Engineer, presented the staff report as filed by the Planning Division.

PUBLIC COMMENTS

None.

MOTION

Motion by Commissioner Kallen, seconded by Vice-Chairman Tinsley, it is recommended that the Planning Commission move to:

1. Authorize the recordation of the Notice of Violation.

ROLL CALL VOTE

Ayes: Commissioner Kallen
Commissioner Qualls
Vice-Chairman Tinsley
Chairman Shoup
Noes: None
Abstain: None
Absent: Commissioner Lamoreaux

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

PLANNING COMMISSION COMMENTS

Commissioner Kallen would like staff to come back to the Planning Commission with a future item to discuss the lots on Kamana Road. He thanked staff for their efforts and hard work.

Vice-Chairman Tinsley applauded staff for their willingness to go over and above in order to help the customer.

Commissioner Qualls commended staff for going over and above in an effort to help the customer. He is confident a reasonable conclusion will be met that works best for the Town and Applicant.

STAFF COMMENTS

Ms. Miller informed the Planning Commission that Big Lots was considered by the Town Council last week; they denied the Appeal and upheld the Director's approval.

ADJOURNMENT

Motion by Chairman Shoup, seconded by Commissioner Kallen, and unanimously carried to adjourn the Special Meeting of the Planning Commission at 8:50 p.m. to the Regular Planning Commission Meeting on March 15, 2017.

Respectfully Submitted by:

Yvonne Rivera
Planning Commission Secretary

Approved by:

Chairman Mark Shoup

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting Wednesday, June 21, 2017

CALL TO ORDER

Chairman Shoup called to order the Regular Meeting of the Planning Commission of the Town of Apple Valley for June 21, 2017 at 6:00 p.m.

ROLL CALL

Planning Commission

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

STAFF PRESENT

Carol Miller, Assistant Director of Community Development, Pam Cupp, Associate Planner, Richard Pedersen, Deputy Town Engineer, Thomas Rice, Assistant Town Attorney, and Yvonne Rivera, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Qualls led the Pledge of Allegiance.

1. APPROVAL OF MINUTES

Minutes for the Regular Meeting of May 3, 2017

Chairman Shoup announced that the minutes for the regular meeting of February 15, 2017 shall be continued to the next Regular Planning Commission Meeting on July 19, 2017 for approval.

Motion by Commissioner Qualls, seconded by Vice-Chairman Tinsley, to approve the minutes for the Regular Meeting of May 3, 2017.

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

ROLL CALL VOTE

Ayes: Commissioner Qualls
Vice-Chairman Tinsley
Chairman Shoup
Noes: None
Abstain: None
Absent: Commissioner Kallen
Commissioner Lamoreaux

The motion carried by a 3-0-0-2 vote.

PUBLIC COMMENTS

None.

PUBLIC HEARING ITEMS

2. **Specific Plan No. 2012-01, Amendment No. 2 (TM No. 14484).** A request to consider an Amendment to the Jess Ranch Planned Unit Development (PUD) to allow the future development of Lots 196 through 204 within recorded TM 14484 to change from single family residential development lots to recreation vehicle (RV) lots in accordance with the medium density residential development standards of the Jess Ranch PUD, including the RV resort standards.

Applicant: Mr. Jim Keefe

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

Chairman Shoup opened the public hearing at 6:03 p.m.

Ms. Carol Miller, Assistant Director of Community Development, presented the staff report as filed with the Planning Division. She noted that the owner of the lots is requesting that they revert back to an RV overlay which will allow for future development. This will also require that the developer construct a block wall to separate the housing types.

Ms. Miller also commented on the modifications to Sections 4 and 5 of Resolution No. 2017-02, which include corrections to the lot numbers and is being presented to the Planning Commission for approval.

Discussion ensued regarding the time frame in which the block wall will be built, as well as whether or not the block wall should fall under the Development Plan as part of the tract.

Mr. Jim Keefe, Applicant, provided the Planning Commission with a brief history of the tract. He also commented on his interest in developing as RV lots. He acknowledged that prior to any development, he would be responsible for the block wall.

Lengthy discussion ensued regarding modifications to Condition 34 that includes the entire 6' block wall.

Chairman Shoup asked the Applicant if he agreed to the Conditions of Approval.

Mr. Keefe stated he agreed with all Conditions of Approval.

PUBLIC COMMENTS

None.

Chairman Shoup closed the public hearing at 6:13 p.m.

MOTION

Motion by Commissioner Qualls, seconded by Vice-Chairman Tinsley, that 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 Adopt Planning Commission Resolution No. 2017-02, including an amendment to Condition 34 as read by staff.

ROLL CALL VOTE

Ayes: Commissioner Qualls
 Vice-Chairman Tinsley
 Chairman Shoup
Noes: None
Abstain: None
Absent: Commissioner Kallen
 Commissioner Lamoreaux

The motion carried by a 3-0-0-2 vote.

- 3. Conditional Use Permit No. 2001-008, Amendment No. 2.** This is a request for approval of an Amendment to previously approved Conditional Use Permit No. 2001-008 that will allow the installation of the infrastructure necessary for the generation of hydrogen, hydrogen storage and refueling system for hydrogen powered forklifts at the Walmart Distribution Center.

Applicant: Plug Power, Inc. on behalf of Walmart Distribution Center

Location: 21101 Johnson Road; APN: 0463-231-58

Chairman Shoup opened the public hearing at 6:17 p.m.

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

Mr. Steve Delmonico, Engineer for the Applicant, commented on the benefits that come from the use of a hydrogen system. He also commented on the ongoing practices of safety as it relates to hydrogen systems. Discussion ensued regarding the safety of hydrogen generation and first responder training.

Mr. Thomas Rice, Assistant Town Attorney, recommended that the Commission add Condition of Approval P21 that states "The project will comply with all state, federal and local laws."

Jeff Hines, Applicant, stated that he agrees to the Conditions of Approval.

PUBLIC COMMENTS

None.

Chairman Shoup closed the public hearing at 6:38 p.m.

MOTION

Motion by Commissioner Qualls, seconded by Vice-Chairman Tinsley, that based upon the information contained within this report, and any input received from the public at the hearing, if the Planning Commission can make the required Findings, then it is recommended that the Planning Commission move to:

1. Determine that proposed Conditional Use Permit No. 2001-008, Amendment No. 2 will not have a significant effect on the environment, with adherence to the Conditions of Approval recommended in this report.

- 2 Direct staff to file a Notice of Exemption.
- 3 Find that the facts presented in the staff report support the required Findings for approval and adopt those Findings.
- 4 Approve Conditional Use Permit No. 2001-008, Amendment No. 2, subject to the addition of Conditions of Approval No. P21.

ROLL CALL VOTE

Ayes: Commissioner Qualls
Vice-Chairman Tinsley
Chairman Shoup
Noes: None
Abstain: None
Absent: Commissioner Kallen
Commissioner Lamoreaux

The motion carried by a 3-0-0-2 vote.

4. **Tentative Tract Map No. 17888 Extension of Time No. 1.** This is a request for a three (3) year time extension for a previously approved subdivision of approximately nine (9) acres into sixteen (16) single-family residential lots. The project will have a minimum lot size of 20,597 square feet within the Equestrian Residential Estate (R-EQ) zoning designation.

Applicant: Mr. Jim Chapdelaine

Location: This site is located on the east side of Navajo Road, approximately 330 feet north of Standing Rock Avenue; APN: 3112-581-04.

Chairman Shoup opened the public hearing at 6:55 p.m.

Ms. Pam Cupp, Associate Planner, provided the staff report as filed with the Planning Division. She recommended that Condition of Approval P17 requiring a sound attenuation study, be submitted prior to the development of the single-family homes. Discussion ensued regarding the need for a sound attenuation study and potential sound attenuation measures.

PUBLIC COMMENTS

Mr. Jon Bossier, Apple Valley, commented on a road that he believed is missing on the Planning map. He also expressed concern regarding any disturbance by the developer to the dirt road that is located north of Standing Rock Road.

Mr. Jim Chapdelaine, Applicant, responded to Mr. Bossier's concerns by stating he does not intend to do any work on the dirt road.

Mr. Thomas Rice, Assistant Town Manager, stated that based upon the APNs listed on the tract map, the road appears to be on private land; for that reason, the dirt road does not appear on Planning's map.

Discussion ensued regarding the requirement for multi-use trails along one-half (1/2) of the proposed cul-de-sacs.

Vice-Chairman Tinsley believed that the Town Council should request input by the Equestrian Committee based on the concerns he expressed regarding the original development of the tract.

PUBLIC COMMENTS

None.

Chairman Shoup closed the public hearing at 7:15 p.m.

Chairman Shoup asked the Applicant if he agreed to the Conditions of Approval.

Mr. Chapdelaine stated he agreed with all Conditions of Approval.

MOTION

Motion by Vice-Chairman Tinsley, seconded by Commissioner Qualls, that based upon the information contained within this report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to:

1. Determine that, there is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project, and adopted by Planning Commission on May 2, 2007. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.
2. Find that the facts presented in the staff report support the required Findings for approval and adopt the Findings.

3. Approve a three (3) year extension of time for Tentative Tract Map 17888, subject to the attached, Conditions of Approval.
4. Direct Staff to file the Notice of Exemption.

ROLL CALL VOTE

Ayes: Commissioner Qualls
Vice-Chairman Tinsley
Chairman Shoup
Noes: None
Abstain: None
Absent: Commissioner Kallen
Commissioner Lamoreaux

The motion carried by a 3-0-0-2 vote.

OTHER BUSINESS

5. Consideration of an aluminum front porch for 13970 Cronese Road

Ms. Carol Miller, Assistant Director of Community Development provided the staff report as filed with the Planning Division. She stated that the item is being presented to the Planning Commission for approval due to the type of material that is being used.

Ms. Miller responded to questions by the Planning Commission regarding what the code requirements are for this material.

Allan Tarrab, Property Owner, respectfully requested that the Planning Commission approve the installation of an aluminum front shade structure.

Ms. Miller suggested that the property owner work with the Building and Safety Department for guidance on how to attach the aluminum wood onto the structure prior to any work being done.

MOTION:

Motion by Commissioner Qualls, seconded by Vice-Chairman Tinsley, to approve the use of aluminum wood for the property located at 13970 Cronese Road.

PUBLIC COMMENTS

None.

PLANNING COMMISSION COMMENTS:

None.

STAFF COMMENTS

None.

ADJOURNMENT

Motion by Commissioner Qualls, seconded by Vice-Chairman Tinsley, and unanimously carried to adjourn the Regular Meeting of the Planning Commission at 7:27 p.m. to the Regular Planning Commission Meeting on July 19 2017.

Respectfully Submitted by:

Yvonne Rivera
Planning Commission Secretary

Approved by:

Chairman Mark Shoup



TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

- AGENDA DATE:** July 19, 2017
- CASE NUMBER:** Tentative Tract Map No. 18763 Time Extension
- APPLICANT:** United Engineering Group on behalf of Nona Apple Valley, LLC
- PROPOSAL:** This is a request for a three (3) year time extension of a previously approved tentative tract map of 133 acres into 168 single-family lots and a ten (10)-acre park/retention basin. The map proposes lots ranging in size from 18,000 to 45,726 square-feet.
- LOCATION:** Located at the south side of Sitting Bull Road, west of Deep Creek Road; APN 3087-161-5 & 11
- ENVIRONMENTAL DETERMINATION:** There is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project, and adopted by the Town Council on June 24, 2008. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.
- CASE PLANNER:** Ms. Carol Miller, Assistant Director of Community Development
- RECOMMENDATION:** Approval

PROJECT SITE AND DESCRIPTION

- A. Project Size
The project area consists of two (2) parcels totaling approximately 133 acres.
- B. General Plan Designations:
- | | |
|----------------|--|
| Project Site – | Residential Single Family (R-SF) |
| North - | Residential Single Family (R-SF) |
| South - | Residential Single Family (R-SF) |
| East - | Residential Single Family (R-SF) |
| West - | Residential Single Family (R-SF) and Public Facilities (P-F) |

C. Surrounding Zoning and Land Use:

Project Site - Residential Single Family (R-SF)- Vacant
North- Residential Single Family (R-SF) – Single-Family Residences
South- Residential Single Family (R-SF) - Vacant
East- Residential Single Family (R-SF) - Single-Family Residences
West - Residential Single Family (R-SF) and Public Facilities (P-F), Public School and Vacant

D. Site Characteristics

The site is currently undeveloped vacant land that has been significantly disturbed due to past agriculture activities, vehicular and pedestrian use, and as such the extent of native vegetation is limited. The site is relatively flat on the western half of the site and has gentle to moderate sloping terrain in the eastern half of the site.

ANALYSIS

A. Background

The Town Council approved Tentative Tract Map No. 18763 on July 10, 2012 with an expiration date of July 10, 2015. In accordance with the Town of Apple Valley Development Code, tentative maps may be extended for one (1) year up to a maximum of three (3) years following the initial three (3) year approval. The tentative map was eligible for one legislative time extension (AB 116), that extended the expiration date by an additional two (2) years to July 10, 2017. In accordance with the Town of Apple Valley Development Code and in compliance Section 66452.6(e) of the Subdivision Map Act, the applicant is now requesting a three (3) year extension of time. Unless extended through additional legislative actions, this is the final map extension.

B. General:

The proposed tentative map is consistent with the R-SF, Single-Family Residential zone, which sets minimum property size standards. The R-SF zone requires a minimum net lot size of 18,000 – 20,000 square feet. The map proposes 18,000 to 45,726 square-foot lot sizes which meets and exceeds the minimum lot size for the R-SF land use designation.

The Extension of Time process affords the Town an opportunity to review subdivisions for compliance with current site development standards of the Development Code, in addition to any agency regulation changes.

There have been no physical alterations or improvements made to the property that necessitates major changes to the Conditions of Approval, however; changes to the Conditions of Approval are recommended to reflect agency regulation changes.

If circumstances, conditions and requirements have changed sufficiently to warrant new conditions (such as updated park/recreation fees, general Town street standards or the need to conform to equestrian trail provision requirements), and the applicant will not agree to those new conditions, the Commission has the authority and responsibility to deny the Time Extension, citing the fact(s) that the Tentative Map would not be consistent with the requirements applicable today. For the Commission's convenience, staff has included the original Conditions of Approval with substantive recommended modifications in ~~strikeout~~ (deletions) and underline (additions).

C. Environmental Assessment:

There is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project, and adopted by the Town Council on July 10, 2012. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.

D. Noticing:

Tentative Tract Map No. 18763 Time Extension was legally noticed in the newspaper on July 7, 2017.

E. Findings:

In considering any Tentative Tract Map, the Commission is required by the Development Code to make specific Findings. The following are the Findings for a Tentative Tract Map required under Section 9.71.040 (A5) of the Development Code and a comment to address each:

1. The proposed Subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and any applicable Specific Plan. The proposed subdivision or land use is compatible with the objectives, policies, general land uses and programs specified in the General Plan and any applicable Specific Plan (Subdivision Map Act 66473.5).

Comment: The proposed project is consistent with the goals, policies and standards of all General Plan Elements and will further their implementation. The subject property is suitable for development and will be a logical extension of single-family residential from the north, east and west. Development will occur in a sequential manner, adjacent to previously developed or developing areas and in ways which allow for clear linkages to circulation and other infrastructure systems. Single-family dwellings are compatible with Sitting Bull Elementary and Middle Schools. The proposed uses are complementary to the surrounding residential neighborhoods.

2. The Planning Commission has considered the effects of its action upon the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Subdivision Map Act Section 66412.3).

Comment: The proposal consists of a land subdivision located on vacant, residentially designated land for future single-family residential development. The proposal will not result in the removal of a single-family residence. However, the proposal is creating 168 single-family residential lots for future development which will ultimately increase the Town's existing housing stock.

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

Comment: The lots created under this subdivision are appropriate in size to provide natural heating and cooling opportunities for development of the site. As development occurs, the individual lots are subject to the implementation of natural heating and cooling requirements pursuant to Title 24 energy requirements and the Town's Climate Action Plan.

4. The Planning Commission shall determine whether the discharge of waste from the proposed subdivision into the existing sewer system would result in a violation of the requirements as set forth in Section 13000 et seq., of the California Water Code. If the Planning Commission finds that the proposed waste discharge would result in or add to a violation of said requirements; the Planning Commission may disapprove the subdivision (Subdivision Map Act Section 66474.6).

Comment: The project is a residential land subdivision and is required to connect to the Town of Apple Valley sewer system and requires approval of the Town of Apple Valley Public Works Division to meet the requirements of the Town.

RECOMMENDATION

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

1. Determine that, there is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project, and adopted by the Town Council on July 10, 2012. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.
2. Find that the facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve a three (3)-year extension of time for Tentative Tract Map No.18763, subject to the attached, Conditions of Approval, as amended.
4. Direct Staff to file the Notice of Determination

Prepared By:

Carol Miller
Assistant Director of Community Development

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Tentative Tract Map
3. Zoning Map

TOWN OF APPLE VALLEY

FINAL CONDITIONS OF APPROVAL

Case No. Tentative Tract Map No. 18763

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

Planning Division Conditions of Approval

- P1. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council. 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 30 days prior to the expiration date. The Tentative Tract Map becomes effective 10 days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- P2. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:
- Apple Valley Fire Protection District
~~Apple Valley Ranchos Water Company~~ Liberty Utilities
Apple Valley Public Services Department
Apple Valley Engineering Division
Apple Valley Planning Division
- P3. The applicant shall agree to defend at his 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 these obligations under this condition.
- P4. Prior to recordation the applicant shall provide the Planning Division with a copy of the subdivision in an electronic format compatible with the Town's current technology.
- P5. The filing fee for a Notice of Determination (NOD) requires the County Clerk to collect a handling fee of \$50.00. ~~Additionally, as of January 1, 2012, a fee of \$2,101.50 is required to be collected by the County for the processing of a NOD for the State Fish & Game fees. The fees must be paid within five (5) days of the approval of this application in order to reduce the Statute of Limitations to thirty (30) days. All fees must be submitted prior to the issuance of any permits. The check shall be made payable to the Clerk of the Board of Supervisors.~~

- P6. The approval of Tentative Tract Map No. 18763 by the Planning Commission is recognized as acknowledgment of Conditions of Approval by the applicant, unless an appeal is filed in accordance with the Town's Development Code.
- P7. A separate Development Permit, approved by the Planning Commission, is required prior to new single-family residential construction. The submittal shall include a Development Plan consisting of plot plans, a minimum of four floor plans and building elevations, demonstrating a variety of heights, setbacks, roof shapes and trim to create visually pleasing aesthetics within a cohesive design.
- P8. Prior to recordation of Final Map, three sets of detailed landscaping and irrigation plans for the parkway area and subdivision entrances, prepared by a qualified licensed landscape professional, shall be submitted to the Planning Division for review and approval. The landscape and irrigation plans shall be prepared in compliance with the applicable landscape section of the Town Development Code.

Landscaping shall be installed in accordance with Section 9.75 of the Development Code. Xeriscape landscaping techniques are encouraged for use in parkway areas which typically consists of drought tolerant, native type plants, trees and groundcover. Tract areas which back onto rights-of-way shall be landscaped as required by Subsection 9.75.040.E, "*Landscape Improvement Requirements*". Final landscape and irrigation plans shall be submitted and installed for each individual unit, prior to issuance of occupancy permits.

- P9. The project shall conform to the R-SF, Single-Family Residential, development standards for front, side and rear yard-building setbacks. ~~as follows:~~

- ~~Front: _____ 40 feet minimum, 45 average~~
- ~~Street side: _____ 25 feet minimum~~
- ~~Interior side: _____ 10/15 feet minimum~~
- ~~Rear: _____ 25 feet minimum~~

- P10. Residences constructed on the lots adjacent to Sitting Bull Road shall be setback a minimum distance of 122 feet from the centerline of Sitting Bull Road right-of-way.
- P11. A copy of the final grading plan shall be submitted to the Planning Division for review and approval.
 - a. All on-site cut and fill slopes shall be limited to a maximum slope ratio of 2 to 1 and a maximum vertical height of thirty (30) feet. Setbacks from top and bottom of slopes shall be a minimum of one-half the slope height.
 - b. Slopes shall be contour graded to blend with existing natural contours.
 - c. Slopes shall be a part of the downhill lot when within or between individual lots.
- P12. All subdivision walls proposed for construction along the perimeter of the property lines shall be constructed of decorative slump stone, split face or other decorative masonry material. Prior to the issuance of a grading permit, Developer/applicant shall submit detailed plans showing all proposed walls for this subdivision subject to approval by the Director of Economic and Community Development (or designee).
- P13. If the tract map is adjacent to existing development, a fence/wall plan shall be submitted with the grading and landscape/irrigation plans to identify how new fencing or walls will relate to any existing fences or walls located around the perimeter of the tract/parcel map. The developer shall be

required to connect to the existing fencing/walls or collaborate with the adjacent property owners to provide new fencing/walls and remove the existing fence/wall, both options at the developer's expense. Double fencing shall be avoided and review and approval of the fencing/wall plan is required prior to issuance of grading permits.

- P14. All trails shall be developed in conformance with the Multi-Use and Equestrian Trails Standards.
- P15. All mitigation measures described in the Initial Study will be implemented as part of the project.
- P16. The sound wall required along Sitting Bull Road shall extend the entire length where residential lots are adjacent to Sitting Bull Road and shall also extend along the rear property line of Lot Nos. 18, 19 and 20.
- P17. In accordance with Code Section 9.28.050E2, a fourteen (14)-foot and sixteen (16)-foot wide easement is required along Sitting Bull and Deep Creek to allow for landscaping, bike paths and multi-use trails.
- P18. Prior to final map approval, the slivers of land adjacent to Deep Creek Road shall be incorporated into the adjacent parcels and shown as landscape easements.
- P19. Subdivision phasing shall be as shown on the approved Tentative Tract Map.
- P20. The applicant/developer shall install the landscaping along Sitting Bull and Deep Creek Roads and within the retention/detention basin. The applicant/developer shall form a Home Owners Association (HOA) or annex into an assessment district to maintain the landscaping and lighting standards of the development, and any retention basin created.

Parks and Recreation Department Conditions of Approval

- PR1. Prior to issuance of building permits for new construction, the developer, or assignee, is subject to fees in compliance to the Park and Recreation Department Quimby Ordinance.
- PR2. The park site shall include a permanent restroom facility and lighting for the parking lot.

Engineering Division Conditions of Approval

- EC1. A final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall reduce the post-development site-developed flow to ninety (90) percent of the pre-development flow for a 100 year design storm.
- EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.
- EC3. All interior streets shall be improved to Town standards with curb, gutter and street pavement. Minimum residential width of streets shall be thirty-six (36) feet curb to curb.
- EC4. All streets abutting the development shall be improved a minimum half-width of twenty-eight (28) feet improvements standards with curb, gutter and sidewalk on the development side.

- EC5. A forty (40)-foot wide (30 half-width plus 10 feet) road dedication along Geronimo Road adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.
- EC6. An eighty-eight (88)-foot wide full-width road dedication along Deep Creek Road within the property shall be granted to the Town of Apple Valley prior to Final Map Approval.
- EC7. Sufficient right of way to construct the standard full width section of Sitting Bull Road, a minimum of forty-four (44)-foot wide, and up to sixty-two (62) feet wide, half-width road dedication along Sitting Bull Road adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.
- EC8. Additional right of way at the intersection of Deep Creek Road and Sitting Bull Road per the Town's supplemental lanes standard shall be required prior to final map Approval.
- EC9. Geronimo Road adjacent to the property shall be improved to the Town's half-width Local street standards. Geronimo Road shall also be constructed to the Town's Access Road Standard with A.C. curbs from the east tract boundary to the paved section of Geronimo Road east of the project.
- EC10. "T" Street shall be constructed to the Town's full width Cul-du-sac Standards.
- EC11. Deep Creek adjacent to the property shall be improved to the Town's full-width Secondary street standards.
- EC12. Sitting Bull Road adjacent to the property shall be improved to the Town's half-width Secondary street standards. Modifications to this standard, to accommodate transitions to the east and the offset centerline, shall be approved by the Town Engineer.
- EC13. During the grading of the streets, soils testing of the street subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural street section. Minimum asphalt concrete thickness for all streets shall be 0.33 ft.
- EC14. 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.
- EC15. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC16. 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.
- EC17. A final grading plan shall be approved by the Town Engineer prior to issuance of a grading permit. 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.
- EC18. The developer shall form or annex into an assessment district to provide for the ongoing maintenance of the retention basin/drainage channel and parkway landscaping along Deep Creek Road and Sitting Bull Road, the trail along the old alignment of Deep Creek Road, and for accessory structures, street lights, shall be formed by the developer prior to final map approval.

- EC19. All street names shall be approved by the Town and such approval shall be coordinated through the Town Engineer.
- EC20. The developer shall present evidence to the Town Engineer that he 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.
- EC21. Utility lines shall be placed underground in accordance with the requirements of the Town.
- EC22. The developer shall make a good faith effort to acquire the required off-site property interests. If the developer fails to acquire those interests the developer shall, at least 120 days prior to submittal of the final map for approval, enter into an agreement to complete the improvements pursuant to Government Code Section 66462 at such time as the Town acquires the property interests required for the improvements. Such agreement shall provide for payment by the developer of all costs incurred by Town to acquire the off-site property interests required in connection with the subdivision. Security for a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the developer, at the developer's cost. The appraiser shall have been approved by the Town prior to commencement of the appraisal. Additional security may be required as recommended by the Town Engineer and Town Attorney.
- EC23. Traffic impact fees adopted by the Town shall be paid by the developer.
- EC24. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.
- EC25. Any required street striping shall be thermoplastic as approved by the Town Engineer.
- EC26. Unimproved Cross lot drainage shall not be allowed.
- EC27. The developer shall obtain and submit to the Planning Division prior to occupancy, the following signed statement by the purchasers of the homes located within the Landscape and Lighting Assessment district (subject to final approval by the Town Attorney): "In purchasing the home, I am aware that the home is located in the boundaries of a Landscape and Lighting Assessment District for the maintenance of drainage, landscaping, fencing and other similar improvements and that an annual landscaping maintenance charge shall be levied.
- EC28. In the event that an applicant/developer chooses to seek Council approval of the Final Map prior to completion of the required improvements, an "Agreement for Construction of Improvements" shall be required. In accordance with the California Labor Code, any such Agreement will contain a statement advising the developer that certain types of improvements will constitute a public project as defined in California Labor Code, Sections 1720, and following, and shall be performed as a public work, including, without limitation, compliance with all prevailing wage requirements.
- EC29. Easements, as required for roadway slopes, drainage facilities, utilities, access to adjacent properties, etc., shall be submitted and recorded as directed by the Town Engineer. No structures shall be placed on any part of the easements except those directly related to the purposes of said easements.
- EC30. The detention basin shall be designed to include the Town's Standard Two-Stage drywells.

- EC31. The sliver of land located on the southwest corner of Geronimo Road and Deep Creek Road shall be deeded to the property owner to the south. The Town may elect to receive this land for future land transition to the property owner to the south upon its development. This parcel shall be included into the assessment district at the Town's election.
- EC32. The extension of Deep Creek Road to Bear Valley Road shall be constructed within Phase 1 of the project.

Public Works Division Conditions of Approval

- PW1. A sewer feasibility study is required to determine how public sewer collection can be provided by the Town of Apple Valley. Contact the Apple Valley Public Works Department (760-240-7000 ext. 7500) to determine procedure and costs associated with completing said study.
- PW2. An engineering evaluation is required to determine sewer capacity requirements and specific improvements necessary to serve the project. This evaluation shall be reviewed and approved by Apple Valley Public Works.
- PW3. Construct the sewer collector lines and laterals to each lot to connect to the trunk sewer system or other system as approved in advance by the Town.
- PW4. Sewage disposal shall be by connection to the Town of Apple Valley sewer system. Financial arrangements, plans and improvement agreements must be approved by the Town of Apple Valley Public Works Department.
- PW5. Prior to final inspection buy-in fees shall be paid. Contact the Public Works Department for costs associated with said fees.

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. All new construction shall comply with applicable sections of the California Fire Code, California Building Code, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, or Apple Valley Fire Protection District.
- FD3. The development and each phase thereof, shall have two (2) points of paved access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of these points of access shall provide an independent route into the area in which the development is located. This shall be completed prior to any combustible construction.
- FD4. Fire lanes shall be provided with a minimum width of ~~thirty (30)~~ twenty-six (26) feet, maintained, and identified.
- Apple Valley Fire Protection District Ordinance 51
- FD5. A turnaround shall be required at the end of each roadway 150 feet or more in length and shall be approved by the Fire District. Cul-de-sac length shall not exceed one thousand (1,000) feet.

Turning radius on all roads within the facility shall not be less than twenty-two (22) feet inside and minimum of forty (40) feet outside turning radius with no parking on street, or forty-seven (47) feet with parking. Road grades shall not exceed twelve percent (12%) unless approved by the Chief.

Apple Valley Fire Protection District Ordinance 51

FD6. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

New dwelling addresses shall be posted with a minimum of four (4)-inch numbers visible from the street, and during the hours of darkness the numbers shall be internally illuminated. Where building setbacks exceed seventy-five (75) feet from the roadway, additional contrasting four (4)-inch numbers shall be displayed at the property entrance.

FD7. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to and approved by the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems.

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

B. System Standards:

*Fire Flow 500 GPM @ 20 psi Residual Pressure on 8" minimum water main size.

Duration 1 Hour

Hydrant Spacing 660 Feet

C. The total nineteen to Twenty-two (19-22) fire hydrants will be required. It is the responsibility of the owner/developer to provide all new fire hydrants with blue dot, reflective pavement markers set into street, and curb identification per Apple Valley Standards.

FD8. Residences shall be constructed with an automatic fire sprinkler system (NFPA 13D) throughout the structure, including garage. Plans shall be submitted by a licensed C-16 contractor to the Fire District for review and approval along with plan review fees. Fire Sprinkler work shall not commence until plan approval and a job card have been issued. An approved fire alarm system shall be installed that will provide a local alarm for water flow to be audible throughout the premises. **NOTE: The Fire District shall be notified a minimum of 24 hours prior to the desired final inspection date.**

FD9. A letter shall be furnished to the Fire District from the water purveyor stating that the required fire flow for the project can be met prior to the Formal Development Review Committee meeting.

FD10. Apple Valley Fire Protection District Final Subdivision/Tract/Development fees shall be paid to the Fire District prior to final map acceptance according to the current Apple Valley Fire Protection District Fee Ordinance.

FD11. The developer shall submit a map showing complete street names within the development, to be approved by the Fire District prior to final map.

FD12. A Knox Box Rapid Entry System shall be required at all gated ingress/egress points within this project.

Apple Valley Fire Protection District Ordinance 51

Liberty Utilities Conditions of Approval

- AVR1. Water mains must be extended to provide fire protection to this tract in accordance with Apple Valley Fire Protection District's conditions.
- AVR2. A water main extension contract will be required in compliance with Rule #15 of the California Public Utilities Commission.
- AVR3. Water mains are required to be installed throughout the tract. Also, transmission mains will be required in Deep Creek and Geronimo Roads.
- AVR4. Fire hydrants are required per AVRWC standard drawings and located in accordance with Apple Valley Fire Protection District's requirements.
- AVR5. 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.
- AVR6. A supply facility fee is required which will fund development of new wells. This fee will be collected per meter that is installed at a rate of \$800 per 5/8" equivalent meter.
- AV7. A water acquisition fee is required in order for AVRWC to have rights to provide water to the site. The fee is a one-time fee and is subject to change; therefore, the amount needs to be confirmed before payment is submitted.
- AV8. The existing well (#34) site will need additional improvements for drainage, vehicular access, security, and noise attenuation purposes.

END OF CONDITIONS

IN THE TOWN OF APPLE VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.
TENTATIVE MAP - TRACT NO. 18763

APN 3087-181-0B ARE 1.100 ACRES OF THE N 1/2 OF SECTION 31, T8N, R3W, SAN BERNARDINO BASIN AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE.

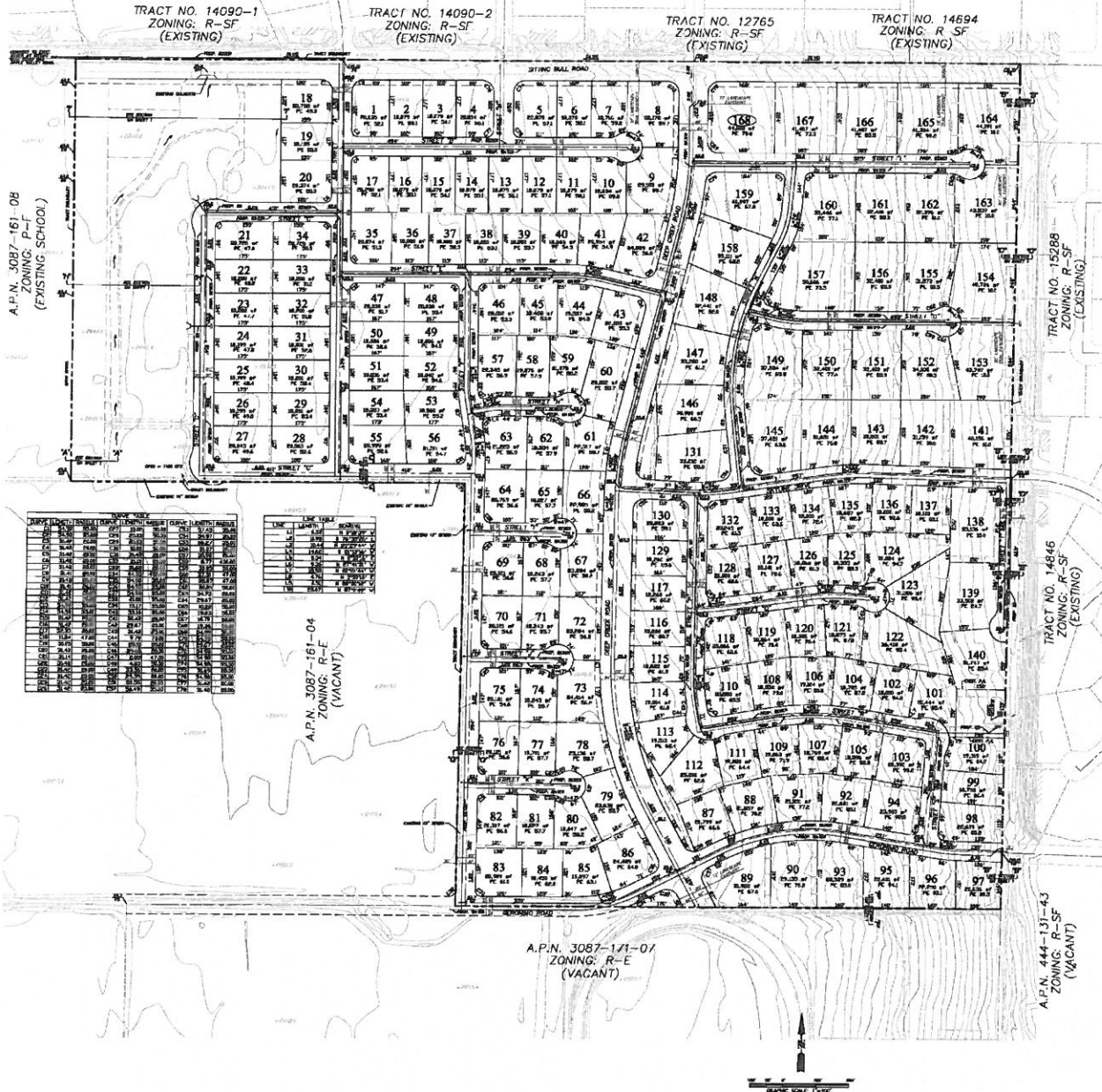
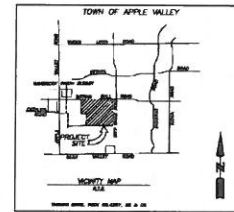
APN 3087-181-0B ARE THE N 1/2 OF THE N 1/2 OF SECTION 31, T8N, R3W, SAN BERNARDINO BASIN AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE.

EXCEPTING THEREFROM THE EAST 50 ACRES THEREOF.

ALSO EXCEPTING THEREFROM PARCELS 1, 2, AND 3 OF PARCEL MAP 15703 AS PER PLAT RECORDED IN BOOK 195, PAGES 1 AND 2, RECORDS OF SAID COUNTY.

UNITED ENGINEERING GROUP

AUGUST 2011



A.P.N. 3087-161-08
 ZONING: P-F
 (EXISTING SCHOOL)

TRACT NO. 14090-1
 ZONING: R-SF
 (EXISTING)

TRACT NO. 14090-2
 ZONING: R-SF
 (EXISTING)

TRACT NO. 12765
 ZONING: R-SF
 (EXISTING)

TRACT NO. 14694
 ZONING: R-SF
 (EXISTING)

TRACT NO. 15288
 ZONING: R-SF
 (EXISTING)

TRACT NO. 14846
 ZONING: R-SF
 (EXISTING)

A.P.N. 444-131-43
 ZONING: R-SF
 (VACANT)

A.P.N. 3087-161-04
 ZONING: R-E
 (VACANT)

A.P.N. 3087-171-07
 ZONING: R-E
 (VACANT)

TRACT NO.	APN	ACRES	AREA	PERCENT	STATUS
18763	3087-181-0B	1.100	1.100	100%	EXISTING
14090-1	3087-161-08	1.100	1.100	100%	EXISTING
14090-2	3087-161-04	1.100	1.100	100%	VACANT
12765	3087-171-07	1.100	1.100	100%	VACANT
14694	444-131-43	1.100	1.100	100%	VACANT
15288	3087-161-04	1.100	1.100	100%	VACANT
14846	3087-161-04	1.100	1.100	100%	VACANT

TRACT NO.	APN	ACRES	AREA	PERCENT	STATUS
18763	3087-181-0B	1.100	1.100	100%	EXISTING
14090-1	3087-161-08	1.100	1.100	100%	EXISTING
14090-2	3087-161-04	1.100	1.100	100%	VACANT
12765	3087-171-07	1.100	1.100	100%	VACANT
14694	444-131-43	1.100	1.100	100%	VACANT
15288	3087-161-04	1.100	1.100	100%	VACANT
14846	3087-161-04	1.100	1.100	100%	VACANT

NO.	REVISIONS	DATE

DESIGNED BY	
CHECKED BY	
DATE	



TENTATIVE TRACT MAP
 TRACT NO. 18763
 TOWN OF APPLE VALLEY, CA

2
 SHEET 2 OF 2
 PROJECT NUMBER
 CA-13815



TOWN OF APPLE VALLEY MEMORANDUM

Get a Slice of the Apple.

TO: Planning Commission
FROM: Carol Miller, Assistant Director of Community Development
SUBJECT: Development Permit Annual Review
DATE: July 19, 2017

Attached is the annual review of Development Permits that have been administratively approved from August 1, 2016 through July 13, 2017.

This summary is for the Planning Commission's information only; no action is required. Staff is providing this information without the Conditions of Approval and associated site plans, per the Planning Commission's direction at the August 20, 2008 meeting. The annual review consists only of the attached spreadsheet. Should any Commissioner wish to review the supporting documentation, please let me know if a CD or hard copy is the preferred media.

Attachments: Development Permit Annual Review

DEVELOPMENT PERMIT ADMINISTRATIVE APPROVALS							
8/1/2016 - 7/14/2017							
B & S Status	Planning Approval Date	Project Address	Applicant	Case I.D.	Date Submitted	Project Description	Planner
Permit issued - #75533	June 19, 2017	13584 Central Rd	Octavio Carrasco	DP 2017-001	April 4, 2017	HD Surplus - Conversion of 10,000sf warehouse to retail space.	Miller
No activity as of 7/13/2017	June 9, 2017	18300 US Highway 18	Robert Martinez, Architect/St. Mary's	DP 2017-002	May 1, 2017	Expanding of hospital's existing Imaging Department by 900sf.	Miller
No activity as of 7/13/2017	June 29, 2017	18845 US Highway 18	Maher Flatieh	DP 2017-003	May 1, 2017	Construction of a 3,586sf convenience store.	Cupp
No activity as of 7/13/2017	July 10, 2017	West side of Wanaque Rd. North of Thunderbird Rd. APN# 0441-171-20	Gerardo Carrillo, Carrillo Design & Associates	DP 2017-004	May 1, 2017	Construction of a 4 plex consisting of one 2-bedroom and three 3-bedrooms units ranging in size from 1,273 to 1,546 sf.	Miller