



Get a Slice of the Apple.

**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA**

WEDNESDAY, SEPTEMBER 6, 2017

Workshop 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 SEPTEMBER 6, 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 July 19, 2017
- 1c. Minutes of the Workshop Meeting of August 2, 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. Sign Program 2005-038 AMD. #2** A request to amend the approved Sign Program for St Mary's Medical Center to include signage for the new St. Mary's Medical Center Urgent Care. The amendment includes adding an additional twelve (12) foot tall freestanding sign, a twelve (12) square-foot directional sign, two (2) canopy signs, and two (2) building wall signs.

APPLICANT: Ricardo Cazares representative for St. Mary's Medical Center and Urgent Care

CASE PLANNER: Ms. Silvia Urenda, HCD Specialist

RECOMMENDATION: Approval

OTHER BUSINESS

- 3.** Subdivision Map Act Violations – Opportunity to Present Evidence to Legislative Body Per Government Code§ 66499.36 Prior to Recordation of Notice of Violation.
- 4. Development Code Interpretation No. 2017-003.** Pam Cupp, Associate Planner, is requesting the Planning Commission's interpretation relating to the appropriate zone and application process that could allow the outdoor processing, storage and sale of firewood within the Town of Apple Valley.
- 5.** Pam Cupp, Associate Planner, is requesting the Planning Commission Consideration of Mesh Roofing Material.
- 6. Development Code Interpretation No. 2017-004.** Carol Miller, Assistant Director of Community Development, is requesting the Planning Commission's interpretation as to the most appropriate Development Code section to apply relating to modified cargo containers less than 120 square feet in size.

PLANNING COMMISSION COMMENTS

STAFF COMMENTS

ADJOURNMENT

The Planning Commission will adjourn to its next regularly scheduled Planning Commission meeting on September 20, 2017.

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 6:57 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 Richart, 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. Richart 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 modify the approval of Amendment No. 2, to eliminate the last sentence of Condition P8 for Amendment No. 2 and replace the last sentence with language to indicate that further development on the vacant parcel shall be subject to Conditions P8, P9, P10 and EC2 of the Amendment No. 1 conditions.

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. Approve 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, July 19, 2017

CALL TO ORDER

At 6:02 p.m., the Regular Meeting of the Planning Commission of the Town of Apple Valley for July 19, 2017, was called to order by Chairman Shoup.

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 and Commissioner Jason Lamoreaux.

STAFF PRESENT

Carol Miller, Assistant Director of Community Development, Richard Pederson, Deputy Town Engineer, Thomas Rice, Town Attorney, and Yvonne Rivera, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Vice-Chairman Tinsley led the Pledge of Allegiance.

1. APPROVAL OF MINUTES

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

Chairman Shoup commented on the need to make a correction to the Minutes for the Regular Meeting of February 15, 2017, as follows:

Agenda item no. 5:

"Mr. Thomas Rice, Town Attorney, recommended the approval of Amendment No. 2 be modified to eliminate the last sentence."

Thomas Rice, Town Attorney, recommended that the item be continued to the next regular Planning Commission Meeting, to allow him the opportunity to confirm the Motion made by the Planning Commission, and bring it back for approval.

Motion by Vice-Chairman Tinsley, and seconded by Commissioner Qualls, to continue the Minutes for the Regular Meetings of February 15, 2017, to the next Regular Meeting of August 16, 2017.

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

Discussion ensued amongst the Planning Commission regarding the need to make the following modifications to the Minutes for the Regular Meeting of June 21, 2017, Agenda item no. 1b.

Page 1b-7:

MOTION

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

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.

Page 1b-6, second paragraph:

Thomas Rice, Town Attorney, commented on the need to make a correction to his title as shown on Page 6, second paragraph for the minutes for the Regular Meeting of June 21, 2017 as follows:

Mr. Thomas Rice, Town Attorney

Motion by Commissioner Qualls, seconded by Vice-Chairman Tinsley, to approve the Minutes for the Regular Meeting of June 21, 2017, as amended.

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

PUBLIC COMMENTS:

None.

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: The site is located at the south side of Sitting Bull Road, west of Deep Creek Road; APN 3087-161-5 & 11.

Chairman Shoup opened the public hearing at 6:11 p.m.

Ms. Carol Miller, Assistant Director of Community Development, presented the staff report as filed by the Planning Division. Ms. Miller noted the expiration date for this extension will be July 10, 2010.

Mr. Beau Cooper, Applicant, commented on Conditions EC 5, 6 and 7. He clarified for the record, that these conditions related to road dedication requirements would not be required until the final map.

Chairman Shoup asked if Applicant agreed with all Conditions of Approval.

Mr. Cooper responded yes.

PUBLIC COMMENT

None.

Chairman Shoup closed the public hearing at 6:19 p.m.

MOTION

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

1. Approve the applicant's request for a three (3) year time extension for Tentative Tract Map 18763.

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

3. Ms. Carol Miller, Assistant Director of Community Development, presented the annual review of Development Permit projects that have been approved at staff level.

This is a receive and file item only. No action is required.

PUBLIC COMMENTS

None.

PLANNING COMMISSION COMMENTS

Commissioner Qualls announced that he would not be present at the Workshop scheduled for August 2, 2017, as he will be out of town.

STAFF COMMENTS

Ms. Miller commented on the R-M Public Workshop to be held on August 2, 2017.

Ms. Miller also informed the Planning Commission that there will be a discussion item placed on the July 25, 2017 Town Council Agenda regarding the Equestrian trails.

ADJOURNMENT

Motion by Commissioner Qualls, seconded by Vice-Chairman Tinsley, and unanimously carried to adjourn the meeting of the Planning Commission at 8:13 p.m. to the R-M Public Workshop on August 2, 2017.

Respectfully Submitted by:

Yvonne Rivera
Planning Commission Secretary

Approved by:

Chairman Mark Shoup

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Workshop Meeting Wednesday, August 2, 2017

CALL TO ORDER

At 6:01 p.m., the Regular Meeting/Workshop of the Planning Commission of the Town of Apple Valley for August 2, 2017, was called to order by Chairman Shoup.

ROLL CALL

Planning Commission

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

STAFF PRESENT

Carol Miller, Assistant Director of Community Development, Pam Cupp, Associate Planner, and Yvonne Rivera, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Kallen led the Pledge of Allegiance.

PUBLIC COMMENTS:

None.

- 1. The Planning Commission will receive comments and discuss the Town of Apple Valley's Development Code Standards and requirements relative to Multi-Family Residential (R-M) Zoning District development standards.**

Carol Miller, Assistant Director of Community Development, presented the staff report as filed with the Planning Division. She explained that the purpose of the Workshop is to receive comments and discuss the Town of Apple Valley's Development Code standards as it relates to Multi-Family Residential (R-M) Zoning District development standards, as well as receive direction from the Planning Commission.

Ms. Miller commented on code highlights related to the Multi-Family Residential Zoning District development standards.

PUBLIC COMMENTS

Keri Leon, Agio Real Estate, Apple Valley, commented on the issues surrounding open space and the development of multi-family housing. She also stated she was asked to remove her sign for the new four-plex units because it falls under commercial. She respectfully reminded staff and Planning Commission that units greater than four would fall under commercial listings.

Ms. Miller provided the Planning Commission with information regarding what the code calls for as it relates to multi-family housing that is greater than 20 units.

Bob Basen, Commercial Real Estate Broker, Apple Valley, commented on the various requirements in the code for Multi-Family Housing development that he believed is preventing developers from getting the 20 units per acre allowed by the zoning due to the restrictive requirements. He also talked about what renters look for in units today and the need to upgrade the style of units in Apple Valley.

Ms. Miller asked questions regarding the threshold that strikes the desire for amenities.

Jay Pierce, JD Pierce Company, Inc., commented on his experience with building large complexes. He reviewed the current Multi-Family Residential standards with the Planning Commission and provided a list of modifications that he believed would help improve the current code. He also recommended that the Town work with the staff from Lewis Communities for their input on amenities for large complexes.

Discussion ensued regarding the multi-family housing with amenities.

Ms. Leon would like to see more flexibility in the code that would allow for storage units and more parking. She also commented on the need for the development of smaller units in Apple Valley.

Jeanette Lasara, Apple Valley, commented on amenities that most renters desire including pools, gated communities and parking. She also stated that the standard lease agreement is one year.

The Planning Commission asked a series of questions regarding rental standards.

Rachel Eiswert, Apple Valley, commented on the need for developers to register with the California Apartment Association for the development of apartments with more than 7 units. She also commented on her desire to develop units with renewable energy. She also commented on issues surrounding zoning.

Bob Broker, Apple Valley, expressed concern regarding the shortage of larger units in Apple Valley; he recommended that the Town consider raising the standards. He also commented on the benefits that come from professional management services vs. units that are managed by Investors.

Lengthy discussion ensued among the Planning Commissioners regarding the various requirements for units, including amenities, and landscaping. They also discussed the parking standards for commercial vs. multi-family housing. Ms. Miller answered questions by the Planning Commission regarding the reasons why developers are

required to submit a detailed site plan for multi-family units as raised by someone from the audience. She commented on the many benefits that come from the submittal of a site plan includes catching errors early as well as making sure the standards are being met. It's easier to make changes to the site plan during the review phase as opposed to making changes during plan check resulting in changes to the grading plan. She stated that the requirement is also due to fire district requirements. It's not a final site plan, just preliminary plan to try to catch errors that may affect other things.

Commissioner Lamoreaux commented on the tour he participated in of smaller units that were gated and had amenities. He would like to see the same style of units built in Apple Valley. He stated he would like staff to focus on what developers can build in Apple Valley that includes small units.

The Commissioners discussed the need to allow more flexibility in the development of units in Apple Valley as well as the need for developing modern housing as an alternative to buying homes. He also spoke of the importance of advertise the Workshops.

Ms. Miller pointed out to the Planning Commissioners that the invitation to attend tonight's workshop was also extended to designers.

Vice-Chairman Tinsley recommended advertising the Town's interest in modern housing be sent out to the community. He also believed there is a need to look at development issues on a case-by-case basis.

Chairman Shoup commented on how he believed the community is changing. He also commented on the Town's desire to maintain the quality of development in Apple Valley. He requested to know of any potential locations where quality apartments can be build.

Lengthy discussion ensued regarding affordable units that would be allowed to be built Apple Valley, as well as state mandates vs. the code requirements.

Pam Cupp, Associate Planning, answered questions by the Planning Commission regarding landscaping requirements according to the code.

Ms. Miller stated that the Climate Action Plan requires there be some landscaping with Plants; the code would not allow with no landscaping.

After the discussion regarding the issues surrounding landscaping, the Commission asked that staff come back with a modified plan that would make it more attractive for developers to build in Apple Valley.

Ms. Miller stated that all the comments made today will be taken into consideration. She commented on the next steps that will be taken which include setting up a tour of facilities, then setting up another Workshop with information on neighborhood.

Commissioner Lamoreaux recommended that staff reach out to Building Industry Association (BIA) for guidance on future development of apartment complexes. Vice-Chairman Tinsley believed it is important that the Town allow more flexibility in the code for development of Multi-Family Housing and offer guidance, on a case by case basis, according to how the housing market dictates.

Ms. Miller responded to questions by the Planning Commission regarding seeking out property owners for their input on the zoning as it relates to the development of Multi-Family housing.

Ms. Leon commented on the need to adjust the parking standards on a case by case basis according to the project. She also commented on the use of a grey water system for landscaping. She also noted that according to the California Association of Realtors, the high desert falls short in the development of Multi-Family housing.

OTHER BUSINESS

None.

PLANNING COMMISSION COMMENTS

None.

STAFF COMMENTS

Ms. Miller announced that the next regular Planning Commission meeting will be held on August 16, 2017. She also reminded the audience to sign in to receive a Notice to the next scheduled Workshop.

ADJOURNMENT

Motion by Commissioner Kallen, seconded by Vice-Chairman Tinsley, and unanimously carried to adjourn the meeting of the Planning Commission at 7:41 p.m. to the Regular Planning Meeting on August 16, 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: September 6, 2017

CASE NUMBER: Sign Program No. 2005-038 Amendment No. 2

APPLICANT: Ricardo Cazares representative for St. Mary's Medical Center and Urgent Care

PROPOSAL: A request to amend the approved Sign Program for St Mary's Medical Center to include signage for the new St. Mary's Medical Center Urgent Care. The amendment includes adding an additional twelve (12) foot tall freestanding sign, a twelve (12) square-foot directional sign, two (2) canopy signs, and two (2) building wall signs.

LOCATION: 18300 Highway 18: APN 3087-342-29 and 0473-101-39

CASE PLANNER: Silvia Urenda- HCD Specialist

RECOMMENDATION: Approval

PROJECT AND SITE DESCRIPTION:

A. General Plan Designations

Project Site - Office Professional (O-P)
North - Office Professional (O-P)
East - General Commercial (C-G)
South - General Commercial (C-G)
West - Office Professional (O-P)

B. Surrounding Zoning and Land Use

Site - Office Professional (O-P), Hospital, Parking Lot
North - Office Professional (O-P), Medical Offices
East - General Commercial (C-G), Church and school
South - General Commercial (C-G), Medical Office
West - Office Professional (O-P), Medical Offices

C. Site Description:

The hospital campus is comprised of 20 acres located on northeast corner of Kasota Rd. and Highway 18. The site has developed a new 12,500 square-foot urgent care which will be located east of the St. Mary's Medical Center. The surrounding zones consist of other Office Professional (O-P) and General

Commercial (C-G) within an area developed with professional and medical offices, school and church facility.

Currently, the signage for the hospital consists of three (3) freestanding identification/ directional signs. The existing freestanding identification/directional signs are located on Kasota Rd., and range in height from ten (10) to twelve (12) feet in height. Additionally, located throughout the complex are directional signs.

D. General

The original sign program was approved by the Planning Commission at their January 4, 2006 meeting and amended May 6, 2011.

The applicant is requesting review and approval of an amendment to the approved sign program for the hospital facility by adding signage for the new urgent care facility. Sign programs address the criteria for design, size and location of all allowable signage. The intent of a sign program is to integrate signs with building and landscape design to create a unified architectural statement throughout the center. 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.

E. Sign Program Analysis:

Existing Hospital Campus Signs

No. of Signs	Type of Sign	Location
55	Directional Signs	Various locations throughout the hospital campus
1	12' high, 30 sq. ft. Freestanding Sign	Kasota Rd. and Highway 18
2	10' high, 45 sq. ft. Freestanding Sign	Kasota Rd.

Proposed Urgent Care Signs

No. of Signs	Type of Sign	Location
2	Canopy Signs	South & west side of building
2	Building Wall Signs	South & west side of building
1	5' -6", 12 sq. ft. Directional Sign	Located inside parking lot
1	12' high, 45 sq. ft. Freestanding Sign	Located on Highway 18

Wall and Canopy Signs – The applicant is proposing two (2) signs mounted on top of the metal canopy covers located on the south and west sides of the building. Additionally, the applicant is proposing wall signage on the south and west sides of the building. In accordance with the Sign Code, the total cumulative sign area per frontage is a one (1) square foot per linear foot of building frontage ratio.

As proposed, signs mounted on top of a building canopy is not permitted under the Development Code. However, given the design and use of the building, the canopy signs appear suited in this

case and be incorporated in the cumulative sign area per building frontage and allocated against the total cumulative sign area for wall signs. Sign programs are intended to provide means of flexible application of sign regulations to encourage maximum creativity in the design and display of signs.

Freestanding Sign – The freestanding sign proposed along the Highway 18 frontage is located approximately 400 feet east of the existing freestanding sign at the corner of Highway 18 and Kasota Road. The proposed sign is approximately seventy-two (72) square feet in size and twelve (12) feet in height. The Code allows two (2) square feet per (10) lineal feet of street frontage on which the sign is located. Based on the property frontage, the maximum area allowed by the Sign Code is sixty (60) square feet and maximum height of six (6) feet. The sign will serve as an identification sign for the hospital and urgent care. The sign is consistent in design and height with the existing freestanding sign at the corner of Highway 18 and Kasota Road serving the hospital campus.

Directional Signs-

In accordance with the Development Code standards, directional signage is permitted and exempt from any sign permit provided the sign does not exceed the four (4) square-feet of area and an overall height of four (4) feet. The design for the proposed directional sign is twelve (12) square feet and an overall height of five feet-six inches (5'6"), which is consistent to the existing directional signs located throughout the hospital campus and approved under the original 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. 2005-038 Amd. No. 2.
2. Approval Sign Program No. 2005-038 Amd. No. 2, subject to the Conditions of Approval
3. Pursuant to the California Environmental Quality Act (CEQA), Section No. 15311, the proposed request to approve signage for the new urgent care is EXEMPT from further environmental review.
4. Direct Staff to file the Notice of Exemption.

Prepared By:

Reviewed By:

Silvia Urenda
HCD Specialist

Carol Miller
Asst. Director of Community Development

ATTACHMENTS:

1. Sign Program
2. Zoning Map

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Case No. Sign Program No. 2005-038 Amd. No. 2

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. 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 Sign Program becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- P2. The applicant shall agree to defend, at its sole expense (with attorneys approved by the Town), hold harmless and indemnify the Town, its agents, officers and employees, against any action brought against the Town, its agents, officers or employees concerning the approval of this project or the implementation or performance thereof, and from any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the applicant of this obligation under this condition.
- P3. The filing of a Notice of Exemption requires the County Clerk to collect a documentary handling fee of fifty dollars (\$50.00). The fee must be paid in a timely manner in accordance with Town procedures. No permits may be issued until such fee is paid.
- P4. The approval of Sign Program No. 2005-038 Amd. No. 2 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. 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.
- P6. 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.
- P7. 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

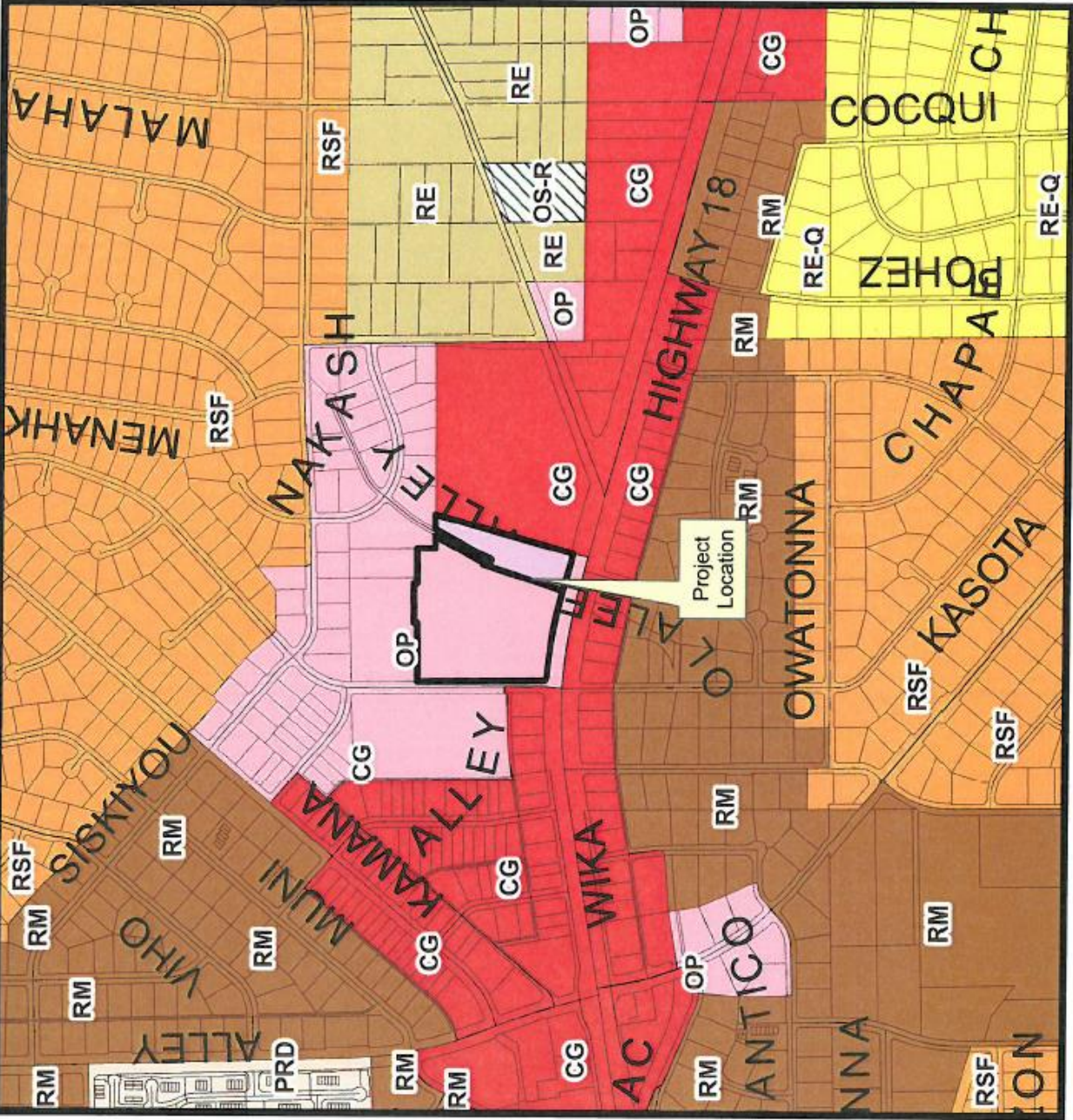
changes being first submitted to the Planning Commission for consideration and approval. Said review shall not rise to the level of a revision to the original Permit or other discretionary review, therefore necessitating a new public hearing, but shall, instead, constitute a clarification of the Planning Commission's original approval.

- P8. The total cumulative sign area per frontage allowed for wall signs shall be one (1) square foot per linear foot of building frontage cumulative of wall signs and the approved signs mounted above the canopy of the building.
- P9. The approved Sign Program shall be reprinted in its entirety to reflect all signage the approved under Sign Program 2005-038 and submitted to the Planning Dept., prior to the issuance of a sign permit.

END OF CONDITION

ZONING/LOCATION MAP

Sign Program 2005-038



18300 US Highway 18

APN 047310121
and
APN 047310139

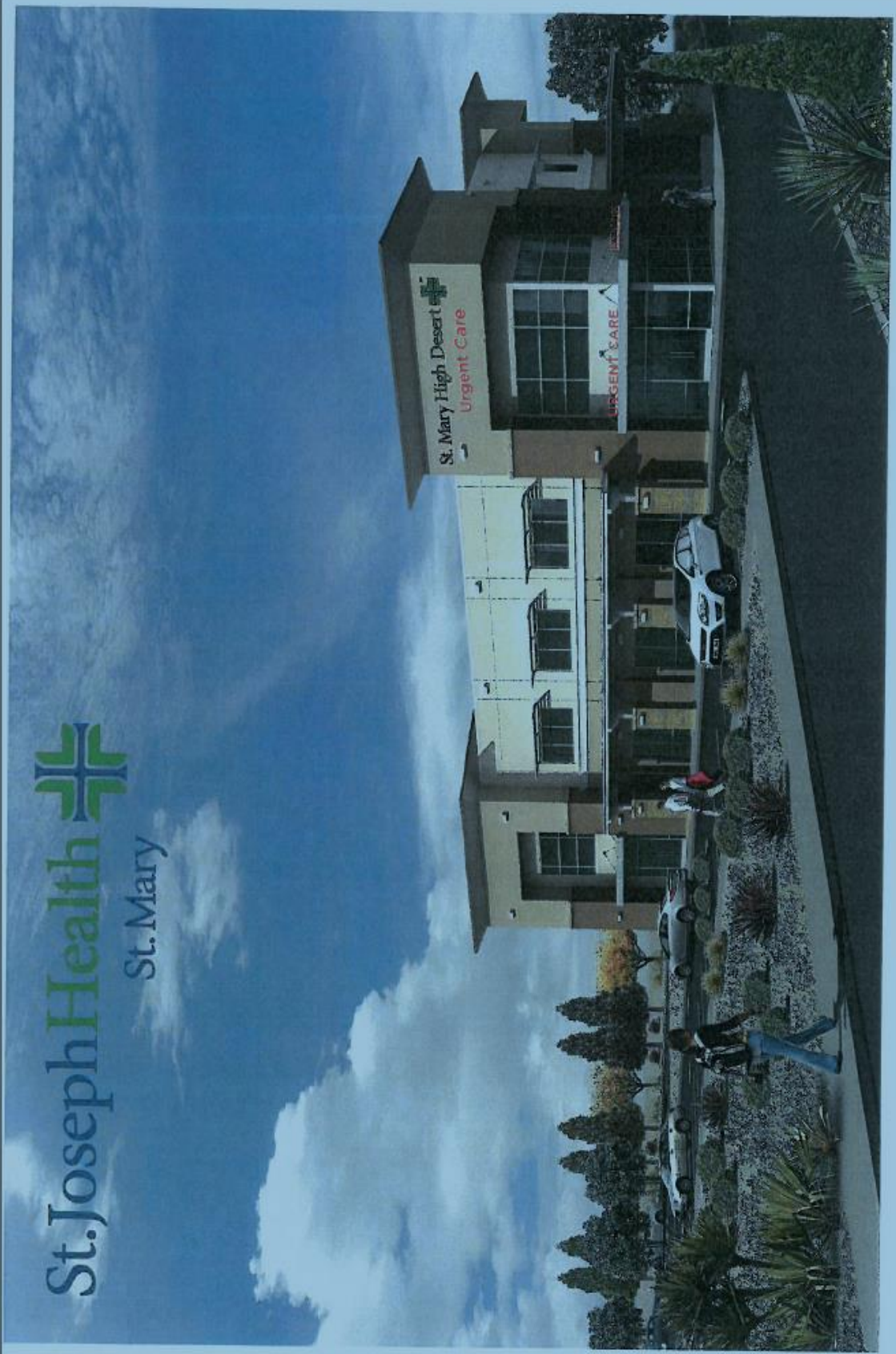


Legend

- AV_Parcels selection 2
- AV_Parcels selection
- (R-E) Estate Residential (1 du/1 to 2.5 gross acres)
- (R-EQ) Equestrian Residential (1 du/0.4 to 0.9 net acre)
- (R-SF) Single Family Residential (1 du/0.4 to 0.9 net acre)
- (R-M) Multi-Family Residential (2 to 20 du/net acre)
- (PRD) Planned Residential Development
- (C-O) General Commercial
- (O-P) Office Professional
- (OS-R) Open Space Recreation

Date: 8/31/2017

St. Joseph Health 
St. Mary



Location:
 18370 Highway 18
 Apple Valley, CA 92307

Client Approval:

Date of Approval:

Scale: P&E

Job No.:

Date:

Drawn by:

1	02-08-17	D.M.
2	03-09-17	D.M.
3	03-28-17	D.M.
4	05-17-17	D.M.
5		
6		

Electrical Requirement: 120 Vols. 277 Vols.



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Drawing No:

17-014



Page: **GI.1**

Typography & Symbols

TYPOGRAPHY:

MINION PRO BOLD

ABCDEFGHIJKLMNQRSTUWXYZ
 abcdefghijklmnopqrstuvwxyz
 1234567890!@#%&^*~()

MINION PRO MEDIUM

ABCDEFGHIJKLMNQRSTUWXYZ
 abcdefghijklmnopqrstuvwxyz
 1234567890!@#%&^*~()

St. Mary Medical Center



St. Mary High Desert



MINION PRO

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MINION PRO SEMI BOLD

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GOTHAM MEDIUM

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GOTHAM BOOK

ABCDEFGHIJKLMNQRSTUWXYZ
 abcdefghijklmnopqrstuvwxyz
 1234567890!@#%&^*~()

LOGO:

SYMBOLS:



Colors & Materials

Paint Colors

P-1		Dunn Edwards Paint: DES188 RUDDY OAK
P-2		Mathews Paint: to match Pantone Blue 287C
P-3		Mathews Paint: MP-1052 CAMPBELLS SOUP RED
P-4		Mathews Paint: to match Pantone Green 363C
P-5		Mathews Paint: MP03873 WHITE ATRIUM

Materials

M-1		Stainless Steel with #4 Vertical Brush finish
M-2		Clear Acrylic
M-3		White (7328) Acrylic
M-4		Red (2793) Acrylic

Vinyl Colors

V-1		Translucent Vinyl: 3M Bristol Blue (3630-97)
V-2		Translucent Vinyl: 3M Vivid Green (3630-156)
V-3		Translucent Vinyl: 3M Dark Red (3630-73)

Client Agreement		
Date of Approval		
Drawn By:	Joe R.	
Date:	01-20-17	
Checked By:	D.M.	
1	02-08-17	D.M.
2	03-09-17	D.M.
3	03-28-17	D.M.
4	05-17-17	D.M.
5		
6		

Electrical Requirements:
 120 V/60 Hz 277 Volts



2010 CALIFORNIA REGISTERED ELECTRICAL ENGINEER
 LICENSE NO. 15453
 16310 HWY 18, APPLE VALLEY, CA 92307
 P.O. BOX 115000, APPLE VALLEY, CA 92307

All Notes, drawings or specifications, including any drawings and specifications are hereby incorporated by reference into this contract. The contractor shall be responsible for any omissions, errors or corrections for any drawings or specifications incorporated herein.

Drawing No.

17-014



Page: **SP.1**



Location:
 18310 Highway 18
 Apple Valley, CA 92307

Client Approval:	
Site of Approval:	
Site No.:	J06 R.
Date:	01-20-17
Drawn by:	D.M.

Date:	02-08-17	D.M.
Date:	03-09-17	D.M.
Date:	03-28-17	D.M.
Date:	05-11-17	D.M.
Date:		
Date:		

Electrical Requirement:
 120 Volts 277 Volts



285 Campbell - Sign Products
 1000 S. Bascom - Sign Products
 4255 S. Bascom - Sign Products
 www.signindustries.com

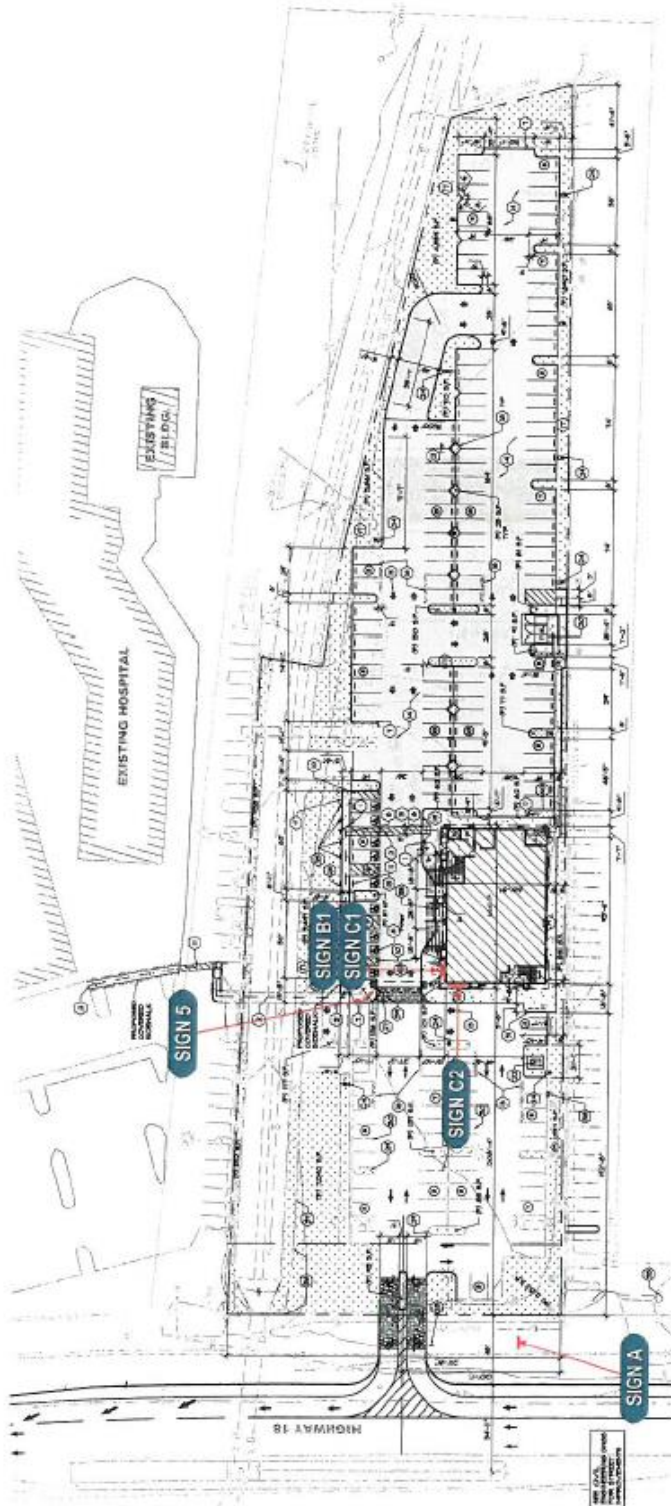
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Page **SP.2**



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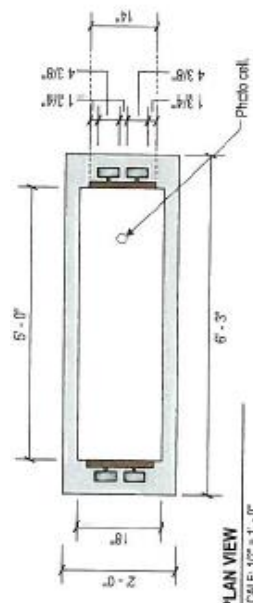
SIGN A (QTY: 1)

ELECTRICAL REQUIREMENTS:
 One (1) 20 amp circuit at 120V

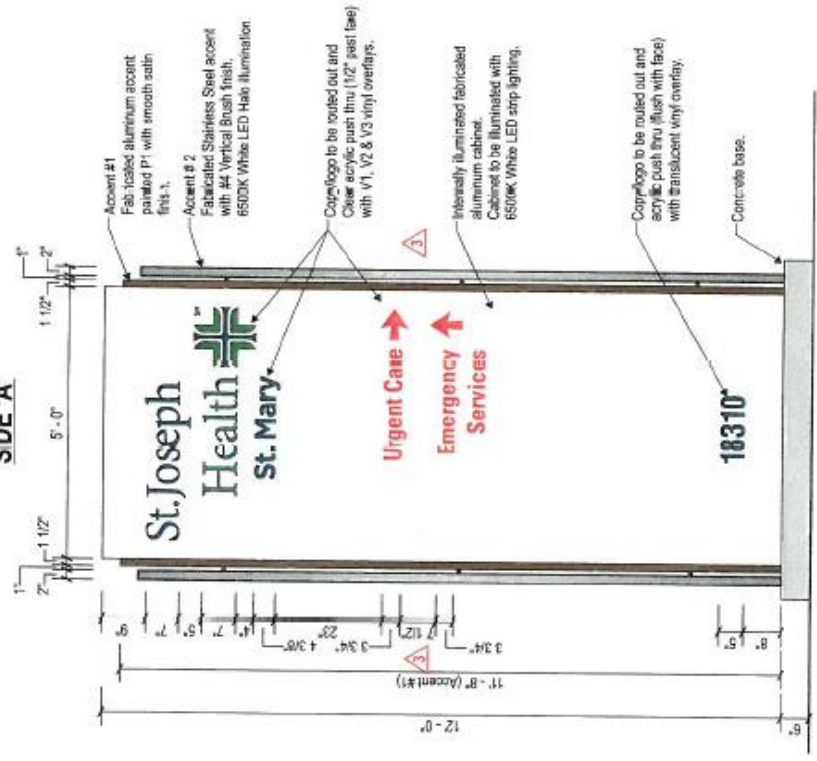
SIGN SPECIFICATIONS:
 Manufacture and install (1) off monument sign with 6500K White LED illumination.

Face: Sign faces to be routed out aluminum with logo & copy to be 3/4" clear acrylic push thru with 3M vinyl overlay. Address #'s to be routed out and flushed to face first surface.

3 PLAN VIEW
 SCALE: 1/2" = 1'-0"



SIDE 'A'



1 FRONT VIEW
 SCALE: 1/2" = 1'-0"

2 SIDE VIEW
 SCALE: 1/2" = 1'-0"



NEW SIGN - SIDE 'A'



Date	Drawn by	D.M.
02-06-17		D.M.
03-09-17		D.M.
03-28-17		D.M.
05-11-17		D.M.

Electrical Requirement:
 120 Volts 277 Volts



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Drawing No

17-014

Page **1**

Location:
18370 Highway 18
Apple Valley, CA 92307

Date:	01-20-17	Drawn by:	D.M.
1	02-06-17		D.M.
2	03-09-17		D.M.
3	03-28-17		D.M.
4	05-11-17		D.M.
5			
6			

Electrical Requirement:
 10 Vols. 277 Vols.

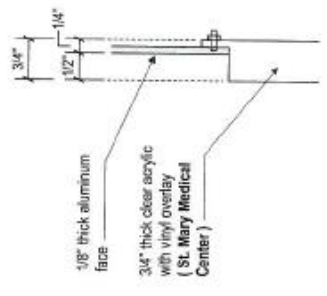


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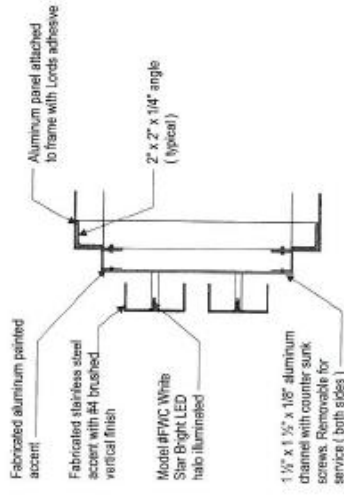
Drawing No: **17-014**
Page: **2**



3 BOLT CONNECTION DETAIL
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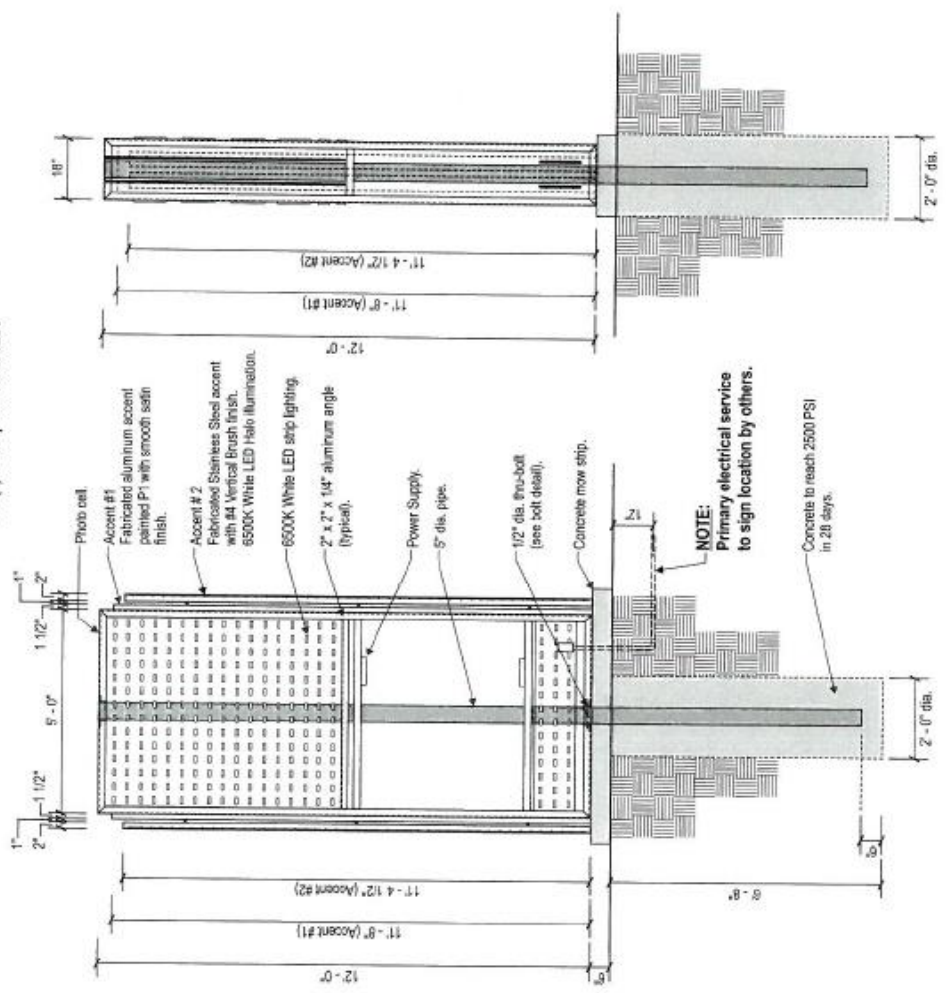


4 LETTER SECTION DETAIL
SCALE: HALF SIZE



5 ACCENT #2 SECTION DETAIL
SCALE: 1 1/2" = 1'-0"

ELECTRICAL REQUIREMENTS:
One (1) 20 amp circuit at 120V



1 FRAME ELEVATION
SCALE: 3/8" = 1'-0"

2 END VIEW
SCALE: 3/8" = 1'-0"

Project

St. Mary High Desert
URGENT CARE

Location:
16310 Highway 18
Apple Valley, CA 92307

Client/Approved:

Date of Approval:

Scale:

Job No.:

Date: 01-20-17

Drawn by: D.M.

02-08-17

03-29-17

03-28-17

05-17-17

D.M.

D.M.

D.M.

D.M.

D.M.

D.M.

D.M.

D.M.

Electrical Requirement:
 120 Volls 277 Volls



2000 Lakeside Plaza, Suite 300
Daly City, CA 94015
Tel: 415.999.8888
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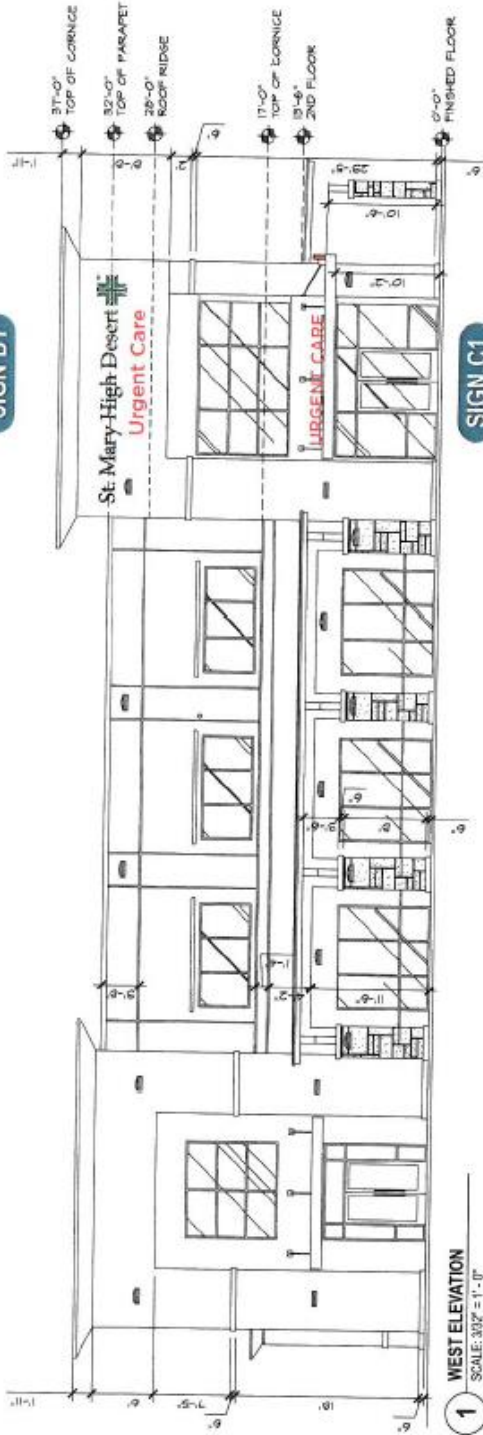
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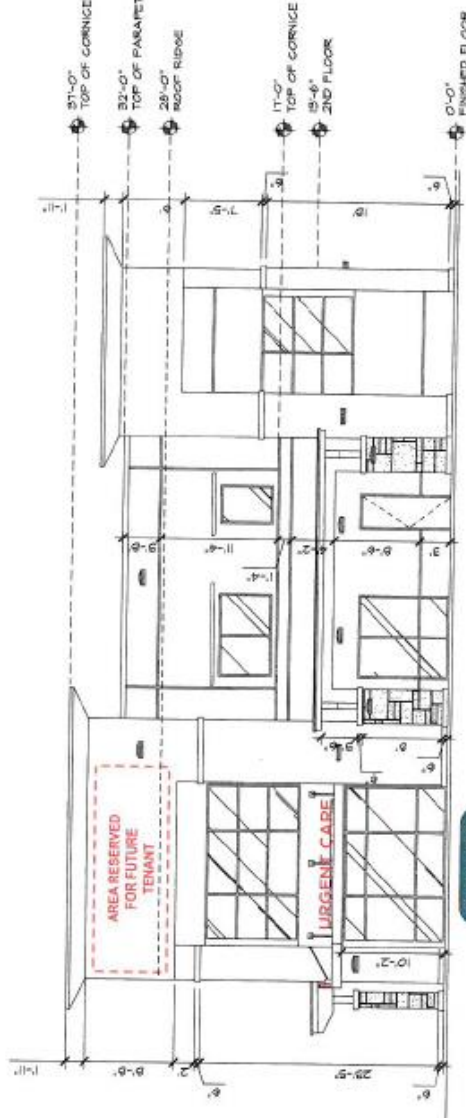


Page **3**

SIGN B1



SIGN C1



SIGN C2

SIGN B1 (QTY: 1)

Location
 18310 Highway 18
 Apple Valley, CA 92307

Client Approval

Date of Approval

Scale

Job No.

Date	Drawn by	Checked by
01-20-17	D.M.	D.M.
02-08-17	D.M.	D.M.
03-09-17	D.M.	D.M.
03-28-17	D.M.	D.M.
05-17-17	D.M.	D.M.

Electrical Requirement:
 120 Vols 277 Vols



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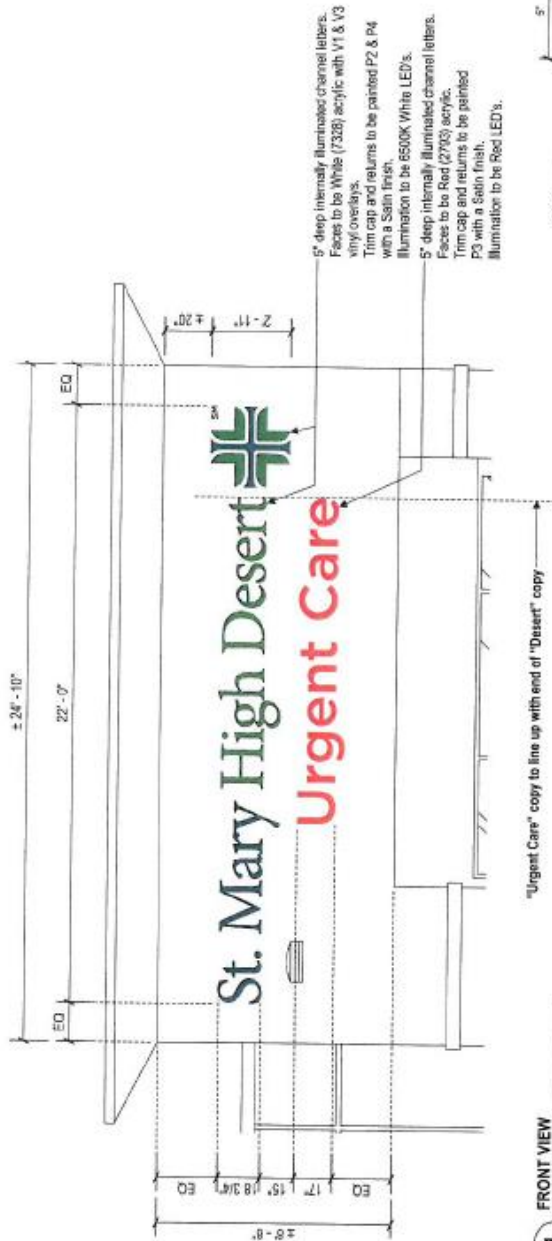
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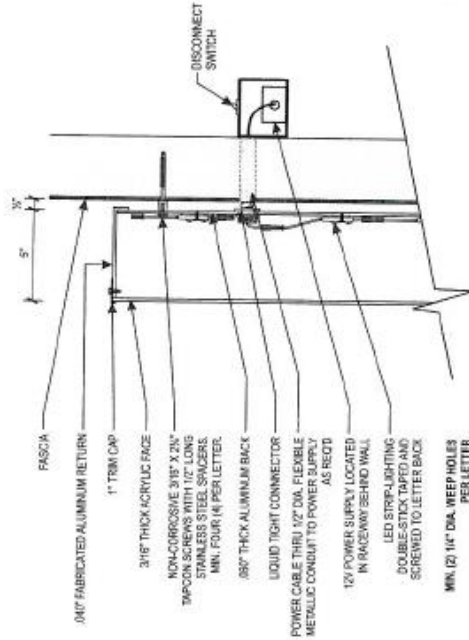


Page: 4



1 FRONT VIEW
 SCALE: 1/8" = 1'-0"

NOTE: ALL COPY WILL BE ABOVE THE ROOF LINE AS SHOWN ON PAGE 3.



L.E.D. ILLUMINATED CHANNEL LETTER SECTION
 ALL LABELS REQUIRED

ALL COMPONENTS TO BE UL APPROVED

Rev	Quantity	Description
1	02-06-17	D.M.
2	03-09-17	D.M.
3	03-28-17	D.M.
4	05-17-17	D.M.
5		
6		

Electrical Requirement:
 120 Volts 277 Volts



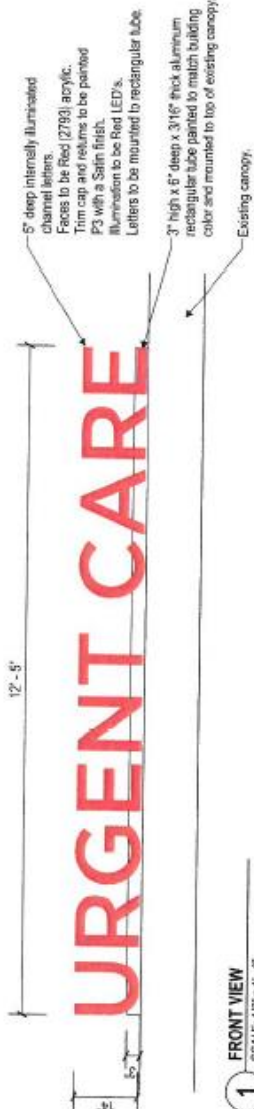
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Drawing No

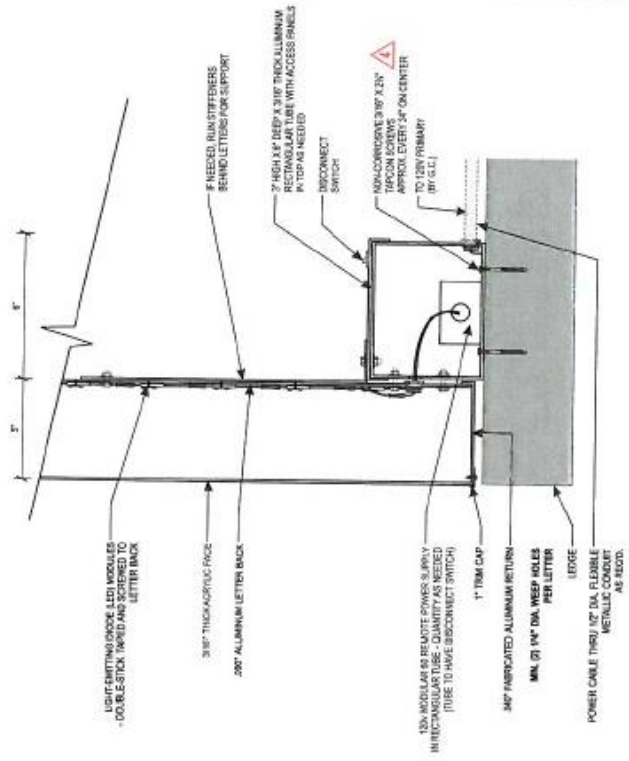
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Page 5

SIGN C1 SIGN C2 (QTY: 2)



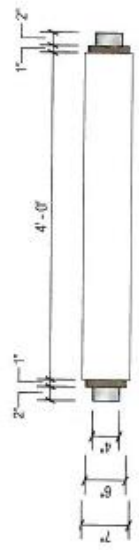
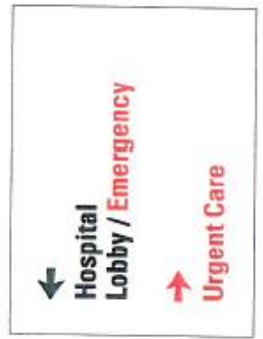
1 FRONT VIEW
 SCALE: 1/2" = 1'-0"



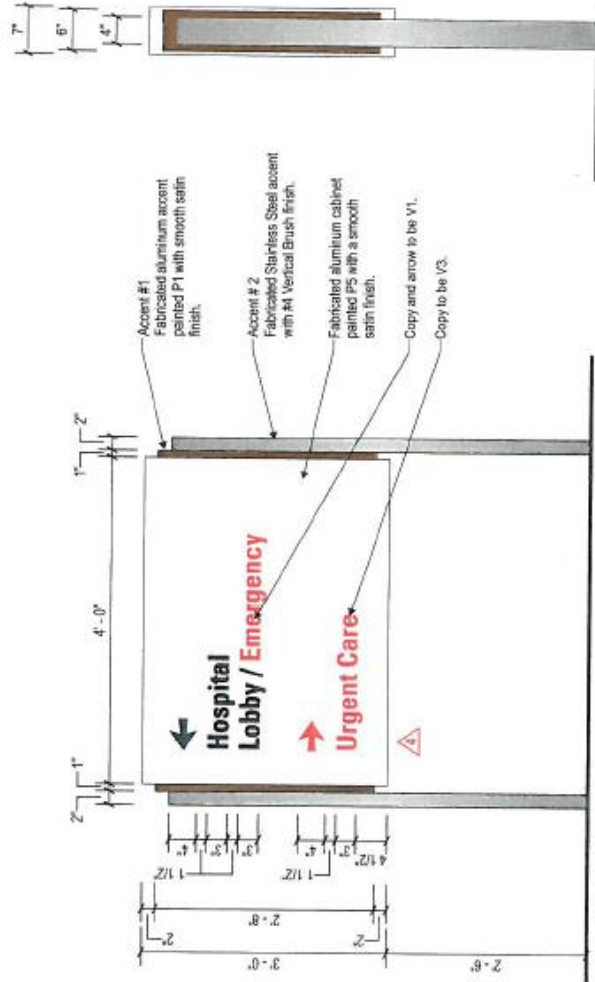
L.E.D. CHANNEL LETTER SECTION
 U.L.-RCS-3 REQUIRED

ALL COMPONENTS TO BE UL APPROVED

SIGN 5 (Qty: 1)



3 SCALE: 3/4" = 1'-0"



1 SCALE: 3/4" = 1'-0"

2 SIDE VIEW SCALE: 3/4" = 1'-0"



NEW DIRECTIONAL SIGN - SIDE 'A'

SIGN SPECIFICATIONS:
Manufacture and install (1) off non-illuminated monument sign.

Fact: Sign faces to be aluminum with logo & copy to be 3M Vinyl graphics applied first surface.

Client Approval:	
Date of Approval:	
Site File:	Joe R.
Date:	01-01-17
Drawn:	02-08-17
Checked:	03-09-17
Reviewed:	03-28-17
Approved:	05-17-17
Design:	D.M.
Drawn:	D.M.
Checked:	D.M.
Reviewed:	D.M.
Approved:	D.M.

Electrical Requirement:
 120 Volts 277 Volts



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TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

AGENDA DATE: September 6, 2017

APPLICANT: Town of Apple Valley Engineering Department

PROPOSAL: Action on Subdivision Map Act Violations

LOCATION: Locations as Identified in the Staff Report

ENVIRONMENTAL DETERMINATION: Pursuant to Section 15061(b)(3) of the State Guidelines to implement the California Environmental Quality Act (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.

RESPONSIBLE STAFF PERSON: Brad Miller, Town Engineer

RECOMMENDATION:

1. Provide an Opportunity for Property Owners to Present Evidence to the Planning Commission Per Government Code section 66499.36;
2. If the Owner does not appear to present evidence and/or if the Planning Commission determines that a property has been illegally divided after considering evidence presented by the Owner, provide direction and authorize recordation of notices of violation against the violating property(ies).

BACKGROUND

The Town of Apple Valley (“Town”) entered into multiple subdivision agreements with developers for subdivisions within the Town pursuant to the Subdivision Map Act, Government Code section 66410, *et seq.* (the “Map Act”). These agreements provided for a two-year period following recordation of the final tract map for completion of various improvements including, but not limited to, street improvements, landscaping, and monumentation. The agreements provided for extensions upon request. As part of entering into these agreements, developers submitted performance bonds as security for completion of the improvements under the agreements. As a result of the economic downturn, some of the subdivision projects have stalled, and the improvements were not completed within the specified timeframe. Certain developers did not request extensions under the subdivision agreements, even though they did not complete the improvements within the required timeframe. Any developers that did not complete the improvements as required, and that did not extend the term of their respective subdivision agreement, are in default under the Map Act and the Town considers these properties as illegally divided. Some of the properties are no longer owned by the same developer that entered into the original agreements.

One of the remedies the Map Act provides for real property that has been divided in violation of the Act is filing and recording a notice of violation against the offending property.

Pursuant to Government Code section 66499.36, whenever a local agency has knowledge that real property has been divided in violation of the Map Act or of local ordinances enacted pursuant to it, the local agency may mail by certified mail to the then-current owner of record of the property a notice of intention to record a notice of violation. The notice of intention must describe the real property in detail, name the owners thereof, and state that an opportunity will be given to the owner to present evidence (“Notice of Intention”). The Notice of Intention must specify a time, date, and place for a meeting at which the owner may present evidence to the legislative body supporting why the notice should not be recorded. The Notice of Intention must also contain a description of the violations and an explanation as to why the subject parcel is not lawful under subdivision (a) or (b) of Section 66412.6.

The purpose of filing a notice of violation against a property that is out of compliance is to place the property owner, as well as any potential purchasers or lenders, on notice of the incomplete improvements, and of the Map Act violations. The Town will not issue building permits or certificates of occupancy for these properties unless and until the violations are corrected.

Other than completion of the improvements, a violation may be corrected at this time if the property owner enters into a new subdivision agreement with the Town, and issues new bonds.

ANALYSIS

The Town Engineering Department identified the following properties as out of compliance with the Map Act for the general reasons described above:

Tract/Parcel Map
14310

Property Owner Name/Company ("Owner")
Pacific Ten Partners, LLC

NOTICING

The Town mailed Notices of Intention to the Owners identified above in accordance with Government Code section 66499.36. The Notices of Intention are attached to this Staff Report and set forth in detail the alleged violations on each of the identified properties. The Notices of Intention identified the date and time of the Planning Commission meeting as September 21, 2016.

RECOMMENDATION

Provide the Owner an opportunity to contest the notice of violation and to present evidence to the Planning Commission as to why the notice of violation should not be recorded. If, after the Owner has presented evidence, the Planning Commission determines that there has been no violation, the Town will mail a clearance letter to the Owner. If, after the Owner has presented evidence, the Planning Commission determines that the property has in fact been illegally divided, the Town will record the notice of violation for record with the County Recorder's Office for the County of San Bernardino.

If the Owner does not appear to present evidence and/or if the Planning Commission determines that a property has been illegally divided after considering evidence presented by the Owner, staff recommends that the Planning Commission provide direction and authorize recordation of notices of violation against the violating property(ies).

Prepared By:

Nick Gambrell
Engineering Associate



Town of Apple Valley

A Better Way of Life

6/29/2017

Pacific Ten Partners, LLC
805 W Duarte Road #101
Arcadia, CA 91007

**RE: TRACT MAP 14310 - NOTICE OF INTENTION TO RECORD
NOTICE OF VIOLATION WITH THE COUNTY RECORDER'S
OFFICE FOR THE COUNTY OF SAN BERNARDINO**

To whom it may concern:

In accordance with California Government Code section 66499.36, please TAKE NOTICE THAT:

1. The Town of Apple Valley ("Town") has knowledge that real property known as Subdivision Tract Map 14310 and more particularly described as the tract Southwest of Jess Ranch Pkwy and Apple Valley Rd and Northeast of Lakeshore Dr ("Property") has been divided in violation of the Subdivision Map Act at Government Code section 66410 et seq.
2. The owner(s) of record of the Property are as follows: Pacific Ten Partners, LLC ("Owner").
3. The Town intends to record a Notice of Violation in accordance with California Government Code section 66499.36, based on the violation(s) further detailed herein. Prior to recording such notice, the Town will provide the Owner an opportunity to contest the Notice of Violation and to present evidence by filing a written objection to the recording of the Notice of Violation, as specified below.
4. A meeting with the Town, which will be held before the Planning Commission of the Town, and the Owner has been scheduled for August 8, 2017 at 6:00 PM. The meeting shall take place at 14955 Dale Evans Parkway, Apple Valley, California 92307, and will be part of the Planning Commission's regularly scheduled meeting. The meeting will be held no sooner than thirty (30) and no later than sixty (60) days from the date of mailing of this Notice of Intention to Record Notice of Violation. The Owner may, prior to the date of the meeting set forth above, arrange a meeting with staff to attempt to resolve the concerns identified in this letter.

5. If within fifteen (15) days of receipt of this Notice of Intention to Record Notice of Violation the Owner fails to file with the Town a written objection to the recording of a Notice of Violation, the Town will file the Notice of Violation for record with the County Recorder's Office for the County of San Bernardino.
6. At the meeting described above, the Owner may present evidence to the Town's legislative body or advisory agency as to why the Notice of Violation should not be recorded. If, after the Owner has presented evidence, the Town's legislative body or advisory agency determines that there has been no violation, the Town will mail a clearance letter to the then-current owner of record of the Property. If, after the Owner has presented evidence, the Town's legislative body or advisory agency determines that the Property has in fact been illegally divided, the Town will record the Notice of Violation for record with the County Recorder's Office for the County of San Bernardino.
7. The Owner may request a meeting with Town staff prior to the above specified meeting date to discuss the contents of this Notice of Violation, and options for remedying the violation(s).

Please TAKE FURTHER NOTICE THAT:

8. The violation(s) that have occurred at the Property are as follows: failure to complete public improvements pursuant to terms and conditions in subdivision improvement agreement ("Violation").
9. Government Code section 66412.6 provides that parcels created prior to March 4, 1972, as follows, are presumed to be lawfully created:
 - (a) For purposes of the Subdivision Map Act or of a local ordinance enacted pursuant thereto, any parcel created prior to March 4, 1972, shall be conclusively presumed to have been lawfully created if the parcel resulted from a division of land in which fewer than five parcels were created and if at the time of the creation of the parcel, there was no local ordinance in effect which regulated divisions of land creating fewer than five parcels; or
 - (b) For purposes of the Subdivision Map Act or of a local ordinance enacted pursuant thereto, any parcel created prior to March 4, 1972, shall be conclusively presumed to have been lawfully created if any subsequent purchaser acquired that parcel for valuable consideration without actual or constructive knowledge of a violation of the Subdivision Map Act or the local ordinance. Owners of parcels or units of land affected by the provisions of this subdivision (b) shall be required to obtain a certificate of compliance or a conditional certificate of compliance pursuant to Government Code section 66499.35 prior to obtaining a permit or other grant of approval for development of the parcel or

unit of land. For purposes of determining whether the parcel or unit of land complies with the provisions of the Subdivision Map Act and of local ordinances enacted pursuant thereto, as required pursuant to subdivision (a) of Government Code section 66499.35, the presumption declared in this subdivision (b) shall not be operative.

Neither of the above provisions apply to the Property because this map was finalized on June 8, 1990. Since the above provisions do not apply, and as a result of the Violation, the Property is not lawful under the Subdivision Map Act.

10. The Town has authorized Brad Miller to execute, acknowledge and record a Notice of Violation. Except as otherwise specified herein, the Notice of Violation will be recorded against the Property's title in the records of the County Recorder's Office for the County of San Bernardino and will not be removed until the Violation herein has been corrected and all associated fees, fines, penalties and/or costs have been paid.
11. This Notice of Intention to Record Notice of Violation has been mailed by certified mail to the then-current owner of record of the Property.

For questions concerning the Violation covered by this Notice of Intention to Record Notice of Violation, or to arrange a meeting with staff, please contact:

Diana Szarzynski
Administrative Assistant
Engineering Department
Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, California 92307
(760) 240-7000 ext. 7013

Sincerely,

Brad Miller
Town Engineer



Town of Apple Valley

A Better Way of Life

July 12, 2017

Pacific Ten Partners, LLC
805 W Duarte Road #101
Arcadia, CA 91007

**RE: NOTICE OF POSTPONEMENT: MEETING FOR NOTICE OF
INTENTION TO RECORD VIOLATION**

TRACT MAP 14310

To whom it may concern,

The Planning Commission meeting on August 8, 2017, has been postponed. The meeting has been rescheduled to August 16, 2017 at 6:00 PM.

The public hearing for the **NOTICE OF INTENTION TO RECORD NOTICE OF VIOLATION**, has been postponed. If you have questions, please contact the Engineering Department at the number below.

Diana Szarzynski
Administrative Assistant
Engineering Department
760-240-7000, ext. 7013

Thank you,

Norman B. Miller, P.E.
Town Engineer
Town of Apple Valley

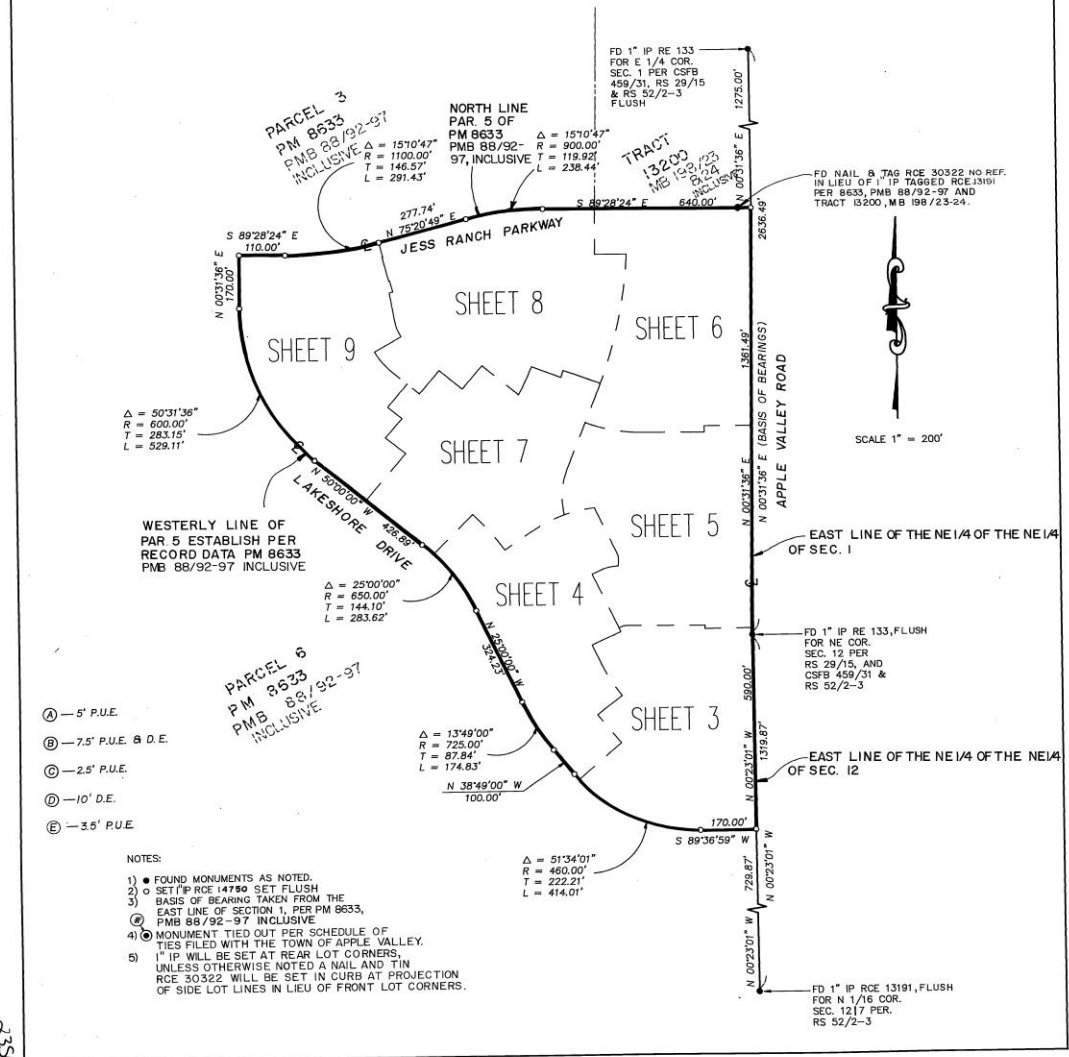
235/76

TRACT 14310

BEING A SUBDIVISION OF PARCEL #5 OF PARCEL MAP 8633,
AS PER MAP RECORDED IN BOOK 88 OF PARCEL MAPS 92 TO 97 INCLUSIVE,
IN THE TOWN OF APPLE VALLEY, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA

B.C.A. ENGINEERING CORP. SEPTEMBER, 1989

SHEET 2 OF 9 SHEETS



235/76

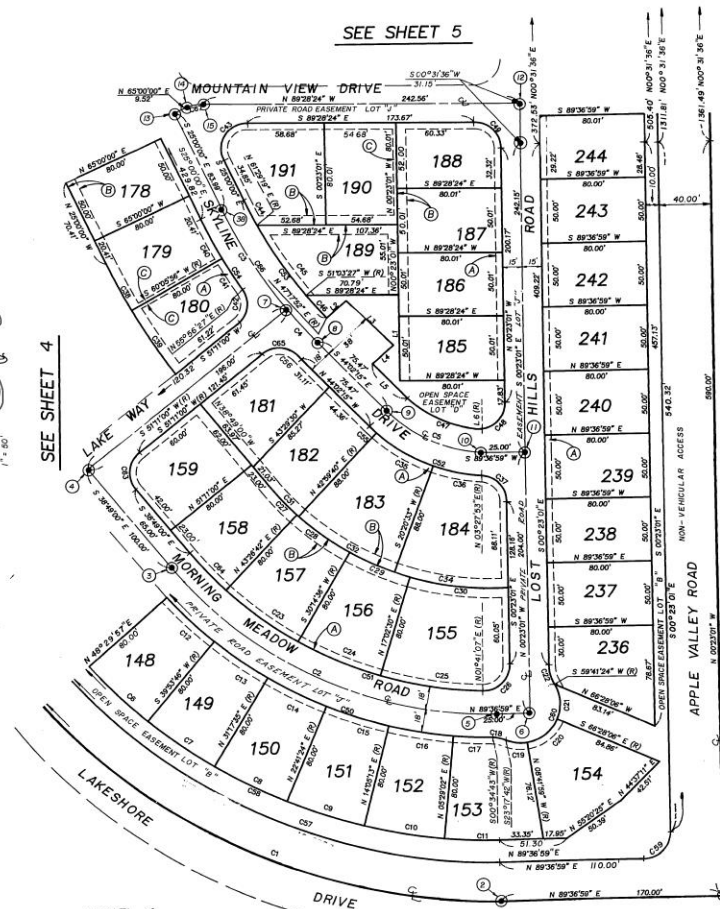
TRACT 14310

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IN THE TOWN OF APPLE VALLEY, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA

B.C.A. ENGINEERING CORP. SEPTEMBER, 1989
SHEET 3 OF 9 SHEETS

235177

235177



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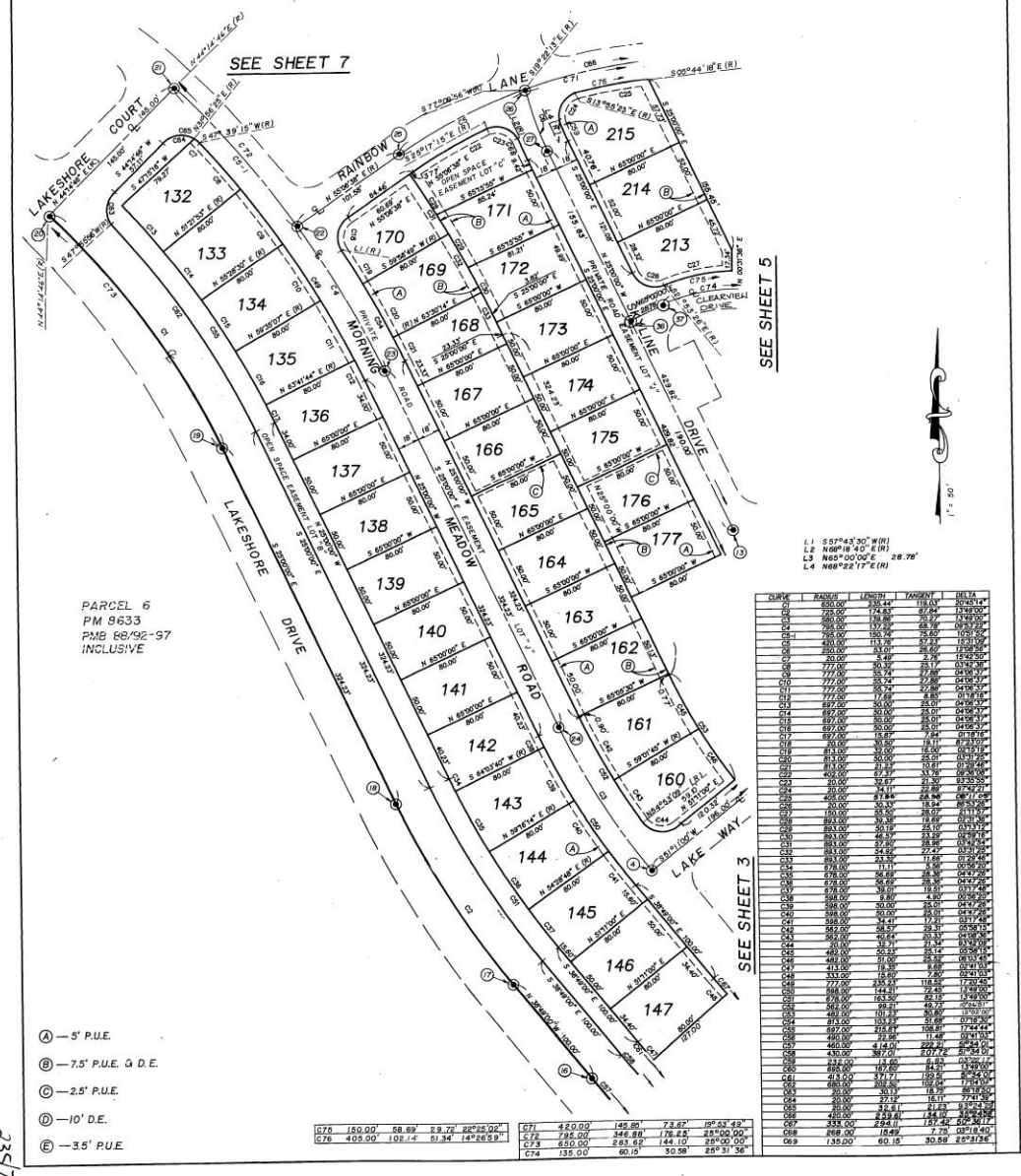
- BEARING DISTANCE
 - L1 N 00°23'00"W 87.00'
 - L2 N 48°21'09"E 18.89'
 - L3 N 40°37'29"E 10.11'
 - L4 N 48°21'09"E 21.33'
 - L5 N 44°56'29"E 14.39'
 - L6 S 07°29'25"W 37.97'
- (A) - 5' P.U.E.
 - (B) - 7.5' P.U.E. & D.E.
 - (C) - 2.5' P.U.E.
 - (D) - 10' D.E.
 - (E) - 3.5' P.U.E.

235178

TRACT 14310

BEING A SUBDIVISION OF PARCEL #5 OF PARCEL MAP 8633,
AS PER MAP RECORDED IN BOOK 88 OF PARCEL MAPS 92 TO 97 INCLUSIVE,
IN THE TOWN OF APPLE VALLEY, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA

B.C.A. ENGINEERING CORP. SEPTEMBER, 1989
SHEET 4 OF 9 SHEETS



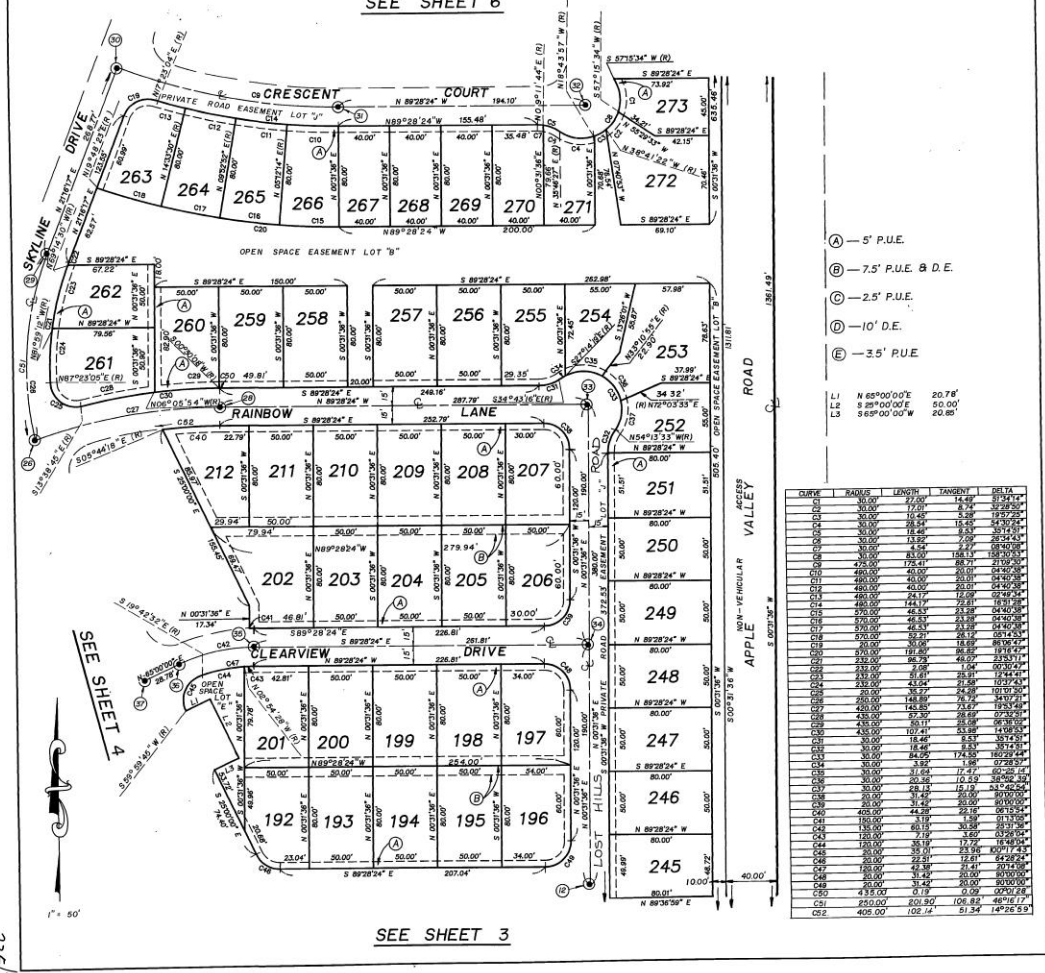
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STATE OF CALIFORNIA

B.C.A. ENGINEERING CORP. SEPTEMBER, 1989
SHEET 5 OF 9 SHEETS

SEE SHEET 6



- A — 5' P.U.E.
- B — 7.5' P.U.E. & D.E.
- C — 2.5' P.U.E.
- D — 10' D.E.
- E — 3.5' P.U.E.

- L1 N 89°00'00"E 20.78'
- L2 S 25°00'00"E 50.00'
- L3 S 89°00'00"W 20.00'

CURB	RADIUS	LENGTH	TANGENT	DATA
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SEE SHEET 3

235179

235179

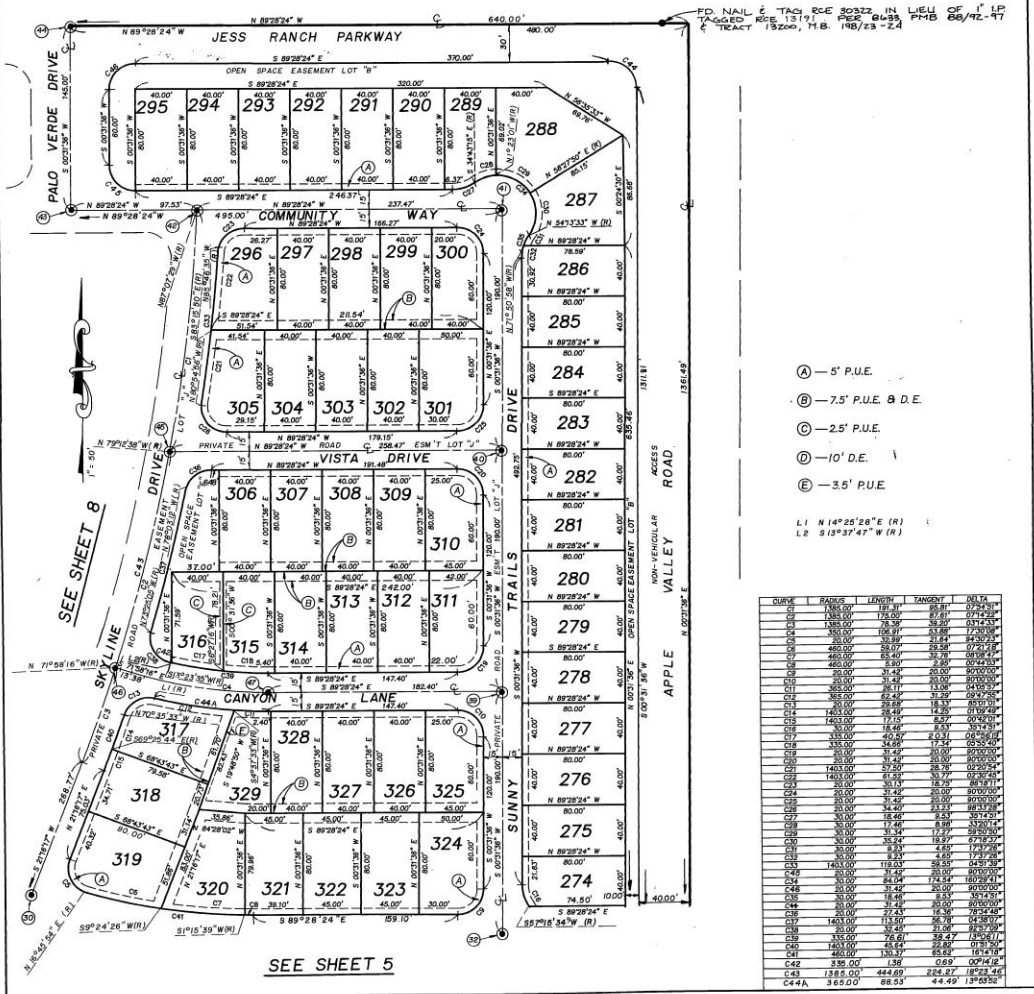
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STATE OF CALIFORNIA

B.C.A. ENGINEERING CORP. SEPTEMBER, 1989
SHEET 6 OF 9 SHEETS

TRACT 13200
PMB 199/23 & 24
INCLUSIVE



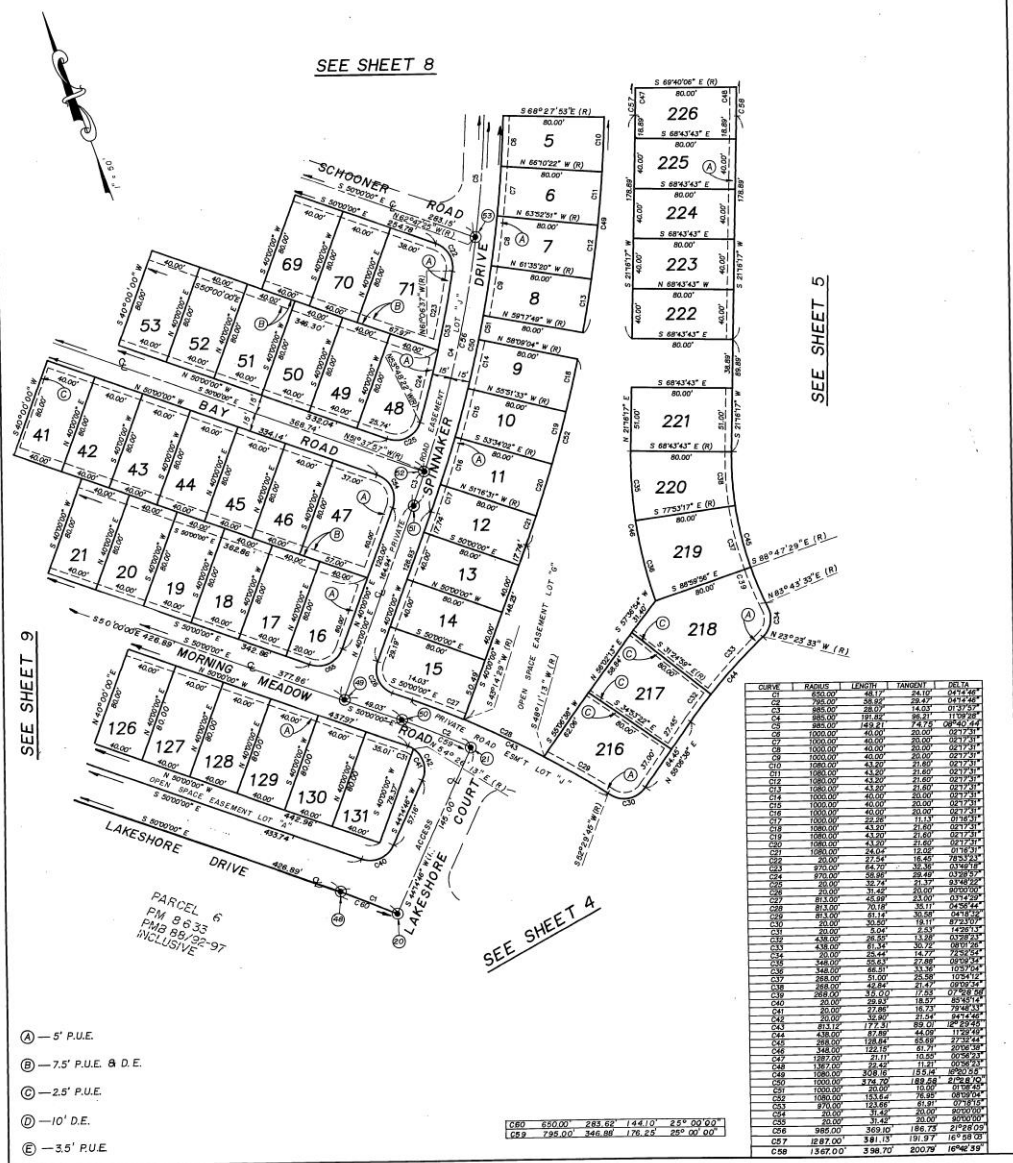
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18558

TRACT 14310

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STATE OF CALIFORNIA

B.C.A. ENGINEERING CORP. SEPTEMBER, 1989
SHEET 7 OF 9 SHEETS



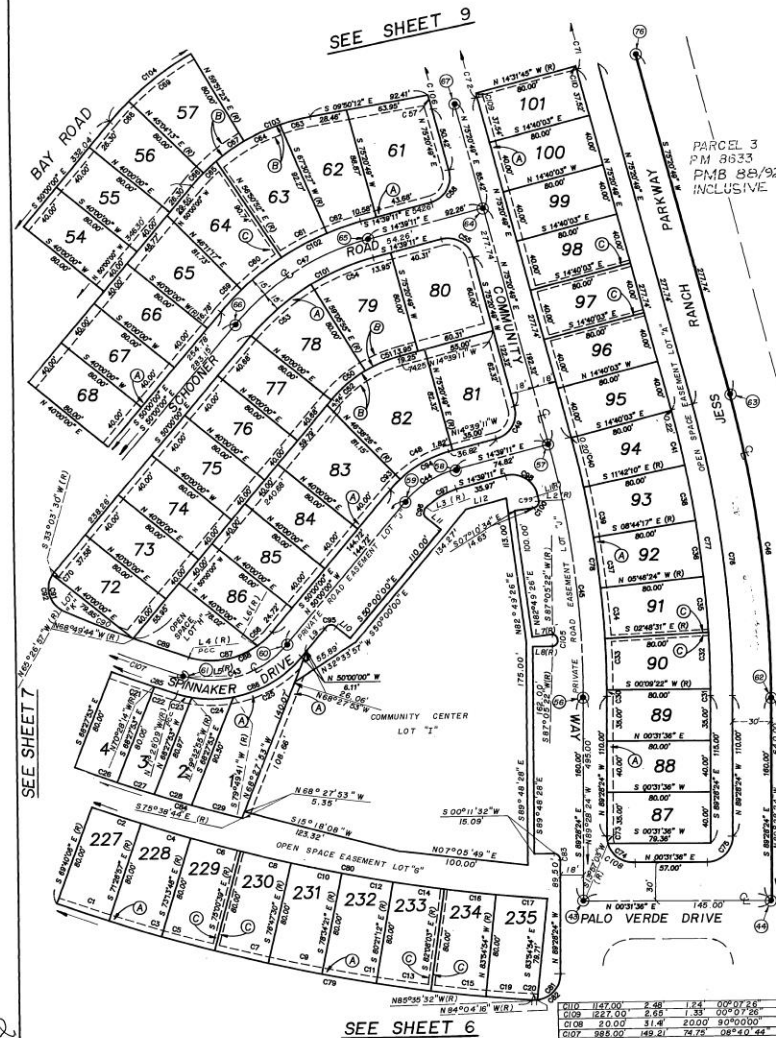
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TRACT 14310

BEING A SUBDIVISION OF PARCEL #5 OF PARCEL MAP 8633,
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STATE OF CALIFORNIA

B.C.A. ENGINEERING CORP. SEPTEMBER, 1989
SHEET 8 OF 9 SHEETS

- (A) - 5' P.U.E.
- (B) - 7.5' P.U.E. & D.E.
- (C) - 2.5' P.U.E.
- (D) - 10' D.E.
- (E) - 3.5' P.U.E.



PARCEL 3
PMB 88/92-97
INCLUSIVE

LINE	BEARING	DIST
L1	N 10° 01' 18" W (R)	
L2	S 10° 29' 48" E (R)	
L3	N 40° 02' 37" E (R)	
L4	N 71° 28' 09" W (R)	
L5	N 71° 28' 09" W (R)	
L6	N 54° 48' 18" E (R)	
L7	N 0° 00' 34" W (R)	14.99'
L8	N 0° 00' 32" E (R)	14.99'
L9	N 80° 00' 00" W	23.81'
L10	S 40° 00' 00" W	15.00'
L11	S 40° 00' 00" E	16.77'
L12	S 14° 53' 11" E	32.41'

LINE	BEARING	LENGTH	MARKING	AREA
C1	N 10° 01' 18" W (R)	20.00'		0.0000
C2	S 10° 29' 48" E (R)	20.00'		0.0000
C3	N 40° 02' 37" E (R)	20.00'		0.0000
C4	N 71° 28' 09" W (R)	20.00'		0.0000
C5	N 71° 28' 09" W (R)	20.00'		0.0000
C6	N 54° 48' 18" E (R)	20.00'		0.0000
C7	N 0° 00' 34" W (R)	20.00'		0.0000
C8	N 0° 00' 32" E (R)	20.00'		0.0000
C9	N 80° 00' 00" W	20.00'		0.0000
C10	S 40° 00' 00" W	20.00'		0.0000
C11	S 40° 00' 00" E	20.00'		0.0000
C12	S 14° 53' 11" E	20.00'		0.0000

235182

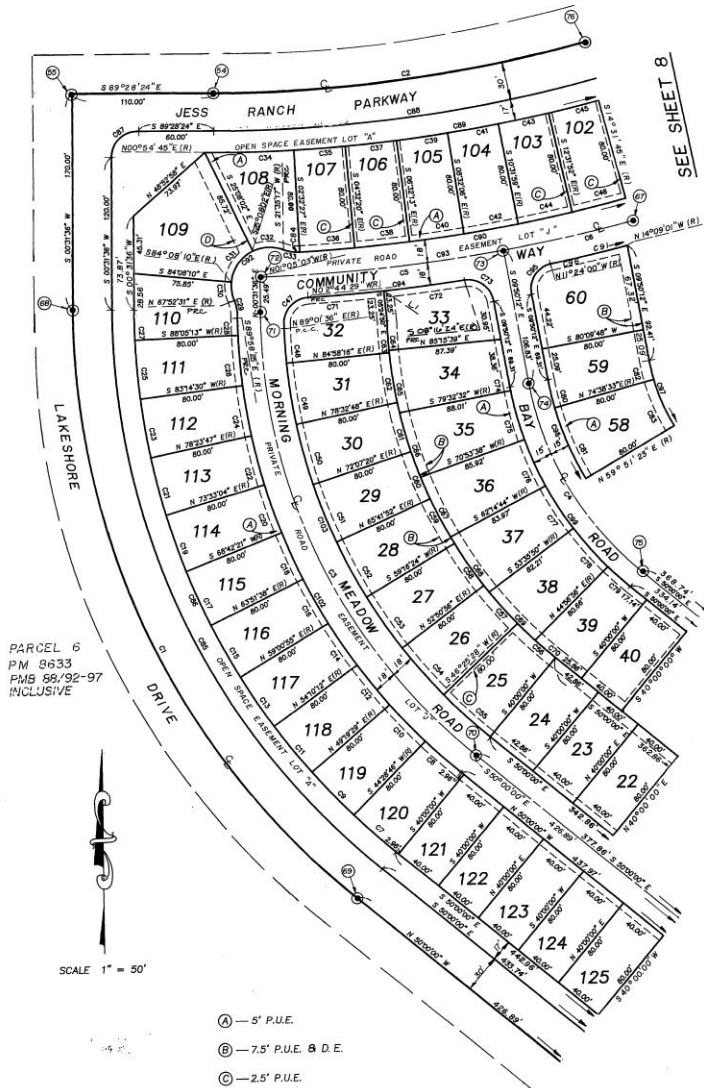
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235/83

TRACT 14310

BEING A SUBDIVISION OF PARCEL #5 OF PARCEL MAP 8633,
AS PER MAP RECORDED IN BOOK 88 OF PARCEL MAPS 92 TO 97 INCLUSIVE,
IN THE TOWN OF APPLE VALLEY, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA

B.C.A. ENGINEERING CORP. SEPTEMBER, 1989
SHEET 9 OF 9 SHEETS



L1 5 05'24"50"E (R)

CURV	RADIUS	LENGTH	TANGENT	DELTA
C01	700.00'	297.41'	724.39'	120.00°
C02	700.00'	297.41'	724.39'	120.00°
C03	700.00'	297.41'	724.39'	120.00°
C04	700.00'	297.41'	724.39'	120.00°
C05	700.00'	297.41'	724.39'	120.00°
C06	700.00'	297.41'	724.39'	120.00°
C07	700.00'	297.41'	724.39'	120.00°
C08	700.00'	297.41'	724.39'	120.00°
C09	700.00'	297.41'	724.39'	120.00°
C10	700.00'	297.41'	724.39'	120.00°
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C26	700.00'	297.41'	724.39'	120.00°
C27	700.00'	297.41'	724.39'	120.00°
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C82	700.00'	297.41'	724.39'	120.00°
C83	700.00'	297.41'	724.39'	120.00°
C84	700.00'	297.41'	724.39'	120.00°
C85	700.00'	297.41'	724.39'	120.00°
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C91	700.00'	297.41'	724.39'	120.00°
C92	700.00'	297.41'	724.39'	120.00°
C93	700.00'	297.41'	724.39'	120.00°
C94	700.00'	297.41'	724.39'	120.00°
C95	700.00'	297.41'	724.39'	120.00°
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C98	700.00'	297.41'	724.39'	120.00°
C99	700.00'	297.41'	724.39'	120.00°
C100	700.00'	297.41'	724.39'	120.00°
C101	700.00'	297.41'	724.39'	120.00°
C102	700.00'	297.41'	724.39'	120.00°
C103	700.00'	297.41'	724.39'	120.00°

235/83





TOWN OF APPLE VALLEY MEMORANDUM

Get a Slice of the Apple.

TO: Planning Commission

FROM: Pam Cupp, Associate Planner

SUBJECT: Development Code Interpretation No. 2017-003 regarding the processing, storage and sale of firewood.

DATE: September 6, 2017

Staff is requesting the Planning Commission's interpretation relating to the appropriate zone and application process that could allow the outdoor processing, storage and sale of firewood within the Town of Apple Valley. Firewood related activities are not specifically addressed within the Town's Municipal Code; therefore, staff is seeking guidance from the Planning Commission on this matter. Commercial firewood processing includes the delivery of bulk, forestry product which is then cut and split and stacked for public consumption. Commercial firewood activities may be associated with agricultural businesses and home and garden centers.

The Development Code addresses outdoor commercial activities within Section 9.36.170(B), which states the following:

"B. Outdoor Displays and Sales of Merchandise. All businesses shall be conducted completely within an enclosed building, except that the following outdoor sales and commercial activities may be permitted to operate outdoors, within their respective districts and subject to any required reviews and permits:

1. Automobile/vehicle sales and rental, subject to approval of a Conditional Use Permit.
2. Building material, supplies and equipment, rental and sales, subject to approval of a Conditional Use Permit.
3. Fruit and vegetable stands, subject to approval of a Special Use Permit.
4. Horticultural nurseries.
5. Outdoor recreation uses, see paragraph D, below.
6. Parking lot and sidewalk sales, subject to approval of a Special Event Permit, see Code Section 9.21.110 "Parking Lot and Sidewalk Sales".
7. Swap Meets (outdoor) subject to approval of a Conditional Use Permit."

Development Code Section 9.35.080 "Outdoor Storage and Use" states the following:

"Outdoor Storage. Outdoor storage of materials and equipment is permitted in the C-S, C-V and M-U districts when it is clearly incidental to the permitted use on the site and is in compliance with the provisions of this Chapter. Such storage shall be located in the

rear one-half of the site and screened completely from view from any adjoining property or roadway by a solid wall or fence at least six (6) feet in height, but not to exceed ten (10) feet in height. Said fence or wall shall be constructed of or finished with materials that are compatible with those of the primary building on the site. In the M-U district, outdoor storage shall be screened by a solid decorative block or stucco wall. Items that are being stored outdoors shall not be stacked to a height exceeding the height of the required wall or fence.”

In addition to the above provisions, Table 9.35.030-A “Permitted Uses” of Development Code Section 9.35 “Commercial and Office Districts” allows all uses identified within Table 9.45.030-A, “Permitted Uses” of Development Code Section 9.45 “Industrial Districts” within the Service Commercial (C-S) zone if the use is conducted within an enclosed building, except for accessory outdoor storage.

Staff’s position is that firewood storage and sales is a use that could be considered like and similar to outdoor storage and sales of other landscape and nursery supplies and would request a concurrence from the Commission or alternative direction. Staff further believes that firewood processing has impacts similar to other heavy industrial uses and should be reviewed and permitted in a similar fashion. If the Commission determines that firewood processing is an appropriate outdoor activity, staff would request direction relative to the appropriate zoning designations and if a Conditional Use Permit should be required.



TOWN OF APPLE VALLEY MEMORANDUM

Get a Slice of the Apple.

TO: Planning Commission
FROM: Pam Cupp, Associate Planner
SUBJECT: Consideration of Mesh Roofing Material
DATE: September 6, 2017

The property owner, First Assembly of God is requesting Commission approval to construct a permanent shade structure within the front yard of its campus at 21811 Ottawa Road. The structure would be constructed using metal posts with a roof consisting of a fabric mesh material. Staff's position is that an accessory structure located in front of the main building should architecturally consistent with the other buildings on the site.

On July 15, 2015, the Planning Commission approved Conditional Use Permit No. 2015-004, which authorized the expansion of the church. The church has since installed a playground and is now seeking approval to construct a 960-square foot shade structure to cover the play equipment. The structure would be located in front of the sanctuary, adjacent to the Fellowship Hall. The existing buildings are constructed of wood framing with tan and brown stucco exteriors and tile roofs. Setback from the property line approximately ninety (90) feet, the structure would meet the minimum front yard setback of forty-five (45) feet.

Development Code Section 9.29.050(C) states the following regarding churches and places of assembly:

“Neighborhood Compatibility. Church facilities and Places of Assembly shall be designed to be sensitive to the neighborhood in which they are located and shall be designed to minimize adverse impacts upon surrounding residential uses.”

The church is located within the Multi-family Residential (R-M) zone. Within residential areas, semi- permanent covers must be constructed of metal, wood or other rigid material, not to include plastic or PVC material. If the Code does not permit fabric as a building material for a semi-permanent cover, it is staff's position that a fabric roof would not be appropriate for a permanent structure.

Staff is not opposed to a shade structure at this location as long as the architecture complements the other buildings on the campus. If it is the consensus of the Commission that the proposed mesh material is an appropriate roofing material for shade structures, similar accessory structures could be approved throughout Apple Valley.

Shade Structure Proposal
First Assembly of God Apple Valley
21811 Ottawa Road

Purpose: To provide shade for our children to play in the designated play area.

Location: The Shade structure is located next to our main buildings which is important because

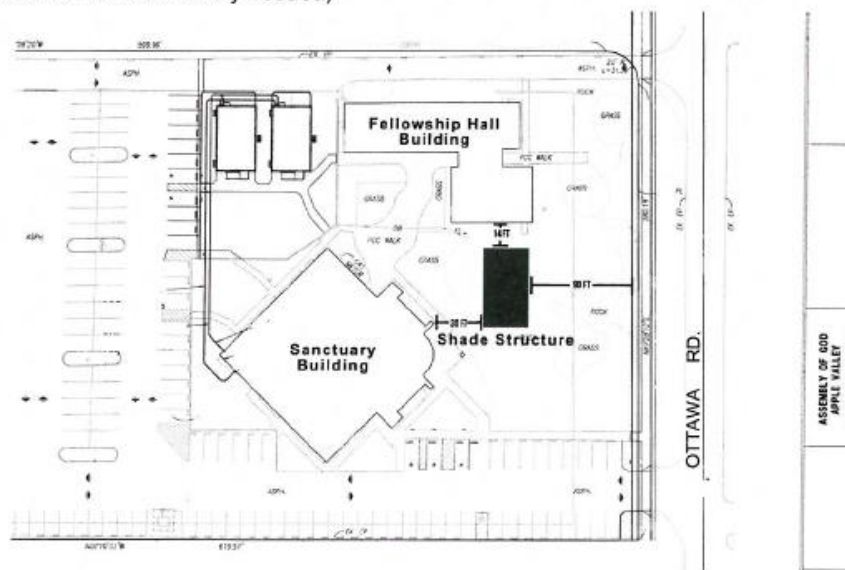
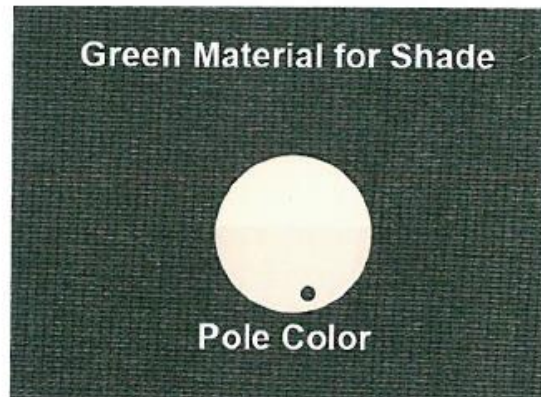
1. It provides a place of safety for our families.
2. It is near where parents are meeting during religious services and classes.
3. The children don't have to walk through the parking lot to get to the playground.
4. We value families and children, and it shows our community that we care.

Concerns: The town staff has concerns about the location because one can see it from the road. As stated above, the proposed location is on purpose and the most desirable for the church. We are trying to create a park-like experience on our property so people feel safe and for families to connect. This space was unused and we continue to expand grass, trees, and seating in the middle area between our buildings.

The town itself has shade structures that are visible from the road as well.

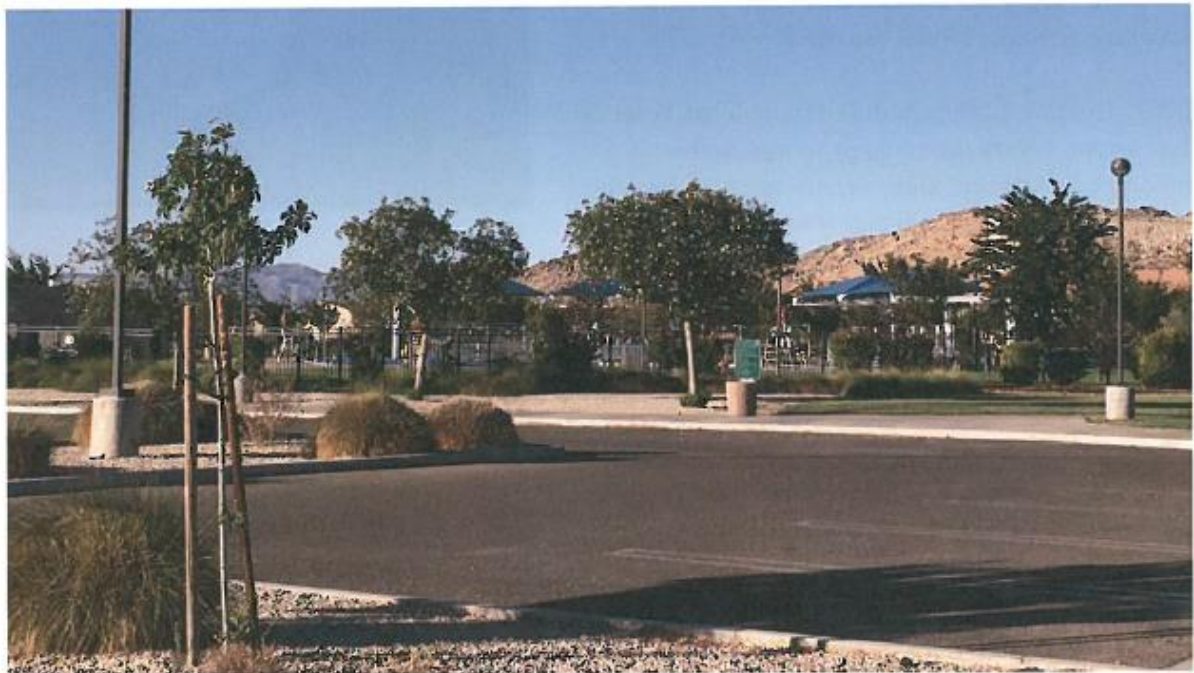
Design: The church has secured a professionally engineered and commercial shade structure to be installed. We have engineering plans finished. The structure is 90 feet from the road.

Color: The poles are scheduled to be a tan color and the canopy a dark green color to match the buildings and desert look. *(There are multiple color options that can be looked at if needed)*





EXAMPLE OF PROPOSED SHADE STRUCTURER
(Colors do not match, our colors our planned for tan poles, and Dark green shade)



VIEW OF TOWN OF APPLE VALLEY SHADE STRUCTURE FROM ROAD



TOWN OF APPLE VALLEY MEMORANDUM

Get a Slice of the Apple.

TO: Planning Commission

FROM: Carol Miller, Assistant Director of Community Development

SUBJECT: Development Code Interpretation No. 2017-004 regarding modified cargo containers less than 120 square feet in size.

DATE: September 6, 2017

Staff is requesting the Planning Commission's interpretation as to the most appropriate Development Code section to apply relating to modified cargo containers less than 120 square feet in size. A picture has been attached as an example of the type of unit being discussed. With the influx of cargo containers on the market, the containers are being repurposed for a variety of uses. In this instance, a cargo container was divided up into multiple sections and modified with a roll up door and less than 120 square feet in size. Generally, storage structures 120 square feet or less do not require a Building Permit and the Development Code only addresses location requirements. These types of structures are usually the metal or wood sided garden sheds. Structures which exceed 120 square feet have not only location requirements, but design criteria as well. Section 9.29.020.E.1 addresses design and specifically prohibits cargo containers. Section 9.29.020.E.2 identifies design based on location and further indicates the prohibition of cargo contains.

The Development Code addresses cargo containers within Section 9.29.020.E.1 and E.2 which states the following:

9.29.020 ACCESSORY USES AND STRUCTURES

E. Architectural Compatibility.

- 1.** Accessory structures larger than one-hundred, twenty (120) square feet in area or taller than eight (8) feet in height and located in front of the back line of the house shall be constructed of materials and colors which are similar to the primary building on the site. Structures built on site, or structures assembled from modular or similar units on site, or structures assembled off site and moved on site as one unit may not use metal exteriors except as described below and as described in Section 9.29.022. Structures built, assembled or fabricated, off site having metal exteriors, such as metal containers, cargo containers, freight and similar containers, modified trailers, modified rail-road cars, butler buildings, and the like, are expressly prohibited.
- 2.** Accessory structures built on site located to the rear of the back line of the house may be constructed of any material allowed by the Uniform Building Code and may utilize any desired architectural design except that metal may not be used on the exteriors of such structures unless reviewed and approved by the Planning Commission as

described below or as allowed under Section 9.29.022. Metal, freight, cargo or similar containers are not allowed within any residential district, except the Residential-Agriculture, R-A, District when placed in a manner where such containers are not visible from the public right-of-way.

Staff requests an interpretation as to which section of the Development Code shall prevail when a cargo container is less than 120 square feet in area. Does the prohibition of cargo containers regardless of size prevail or does the provision that stipulates an accessory structure less than 120 square feet can have metal siding, including a cargo container?

