



Get a Slice of the Apple.

**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, FEBRUARY 21, 2018 – 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: Shoup _____; Kallen _____; Qualls _____
Chairman Tinsley _____ and Vice-Chairman Lamoreaux _____

PLEDGE OF ALLEGIANCE

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.

APPROVAL OF MINUTES

1. Minutes for the regular meeting of January 17, 2018.

PUBLIC HEARING ITEMS

2. **Development Permit No. 2018-009.** The applicant proposes a request to approve a Development Permit allowing the construction of seventeen (17) single-family tract homes within the Ravenswood subdivision, Tract 16059. The proposal consists of four (4) floor plans ranging from 2,950 to 4,197 square feet of indoor living area. The project area is approximately nine (9) acres in size and located within the Single-family Residential (R-SF) zoning designation.

APPLICANT: Mr. Jeff Simonetti, representing Ravenswood 17, LLC

LOCATION: The site is generally located at the northeast corner of Apple Valley Road and Sitting Bull Road; APNs 3087-731-08, -09 and 3087-741-18 thru -33.

ENVIRONMENTAL

DETERMINATION: The project is within the scope of the approved Mitigated Negative Declaration that was adopted by the Planning Commission for Tentative Tract Map No. 16059 on February 20, 2002. Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed request is not subject to further evaluation.

CASE PLANNER: Ms. Pam Cupp, Associate Planner

RECOMMENDATION: Approval

PLANNING COMMISSION COMMENTS

STAFF COMMENTS

OTHER BUSINESS

ADJOURNMENT

The Planning Commission will adjourn to its next regularly scheduled Planning Commission meeting on March 7, 2018.

MINUTES

**TOWN OF APPLE VALLEY
PLANNING COMMISSION
REGULAR MEETING**

January 17, 2018

CALL TO ORDER

Chairman Shoup called to order the regular meeting of the Town of Apple Valley Planning Commission at 6:00 p.m.

Roll Call

Present: Commissioners Bruce Kallen; Jason Lamoreaux; Doug Qualls; Vice-Chairman B. R. "Bob" Tinsley; Chairman Mark Shoup.

Absent: None

Staff Present

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Yvonne Rivera, Planning Commission Secretary.

APPROVAL OF MINUTES

1. **Approval of Minutes**
 - a. Regular Meeting of November 15, 2017

MOTION

Motion by Vice-Chairman Tinsley, seconded by Commissioner Lamoreaux, to approve the minutes for the Regular Meeting of November 15, 2017.

Vote: Motion carried 5-0-0-0

Yes: Commissioners Kallen; Lamoreaux; Qualls; Vice-Chairman Tinsley; Chairman Shoup.

Absent: None

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

2. **Special Use Permit No. 2017-002 and Variance No. 2017-001.** A request for a Special Use Permit to allow the installation of gasoline pump island with fuel pumps at an existing liquor store. The Variance is a request to deviate from the following Development Code Sections: Section 9.36.190 C (3) to allow a four (4)-foot setback from the front property line where a ten (10)-foot setback is required, Development Code Section 9.36.190 C (6)(a) to allow approximately 3.5 percent of the site to be landscaped where a minimum ten (10) percent is required, Development Code Section 9.36.190 C (7) to allow two (2) existing thirty-five (35) foot wide driveways to remain where one thirty-two (32) foot wide driveway is allowed for gas stations, and Development Code Section 9.72.080 (A) (2) to allow zero landscape setback along Navajo Road where a minimum ten (10) foot landscape setback is required along the street frontage.

Applicant: Dale Mell & Associates

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

Carol Miller, Assistant Director of Community Development, informed the Commission that the Applicant has requested to withdraw the application.

Thomas Rice, Town Attorney, stated that no further action is needed by the Planning Commission.

Chairman Shoup, with the consensus of the Planning Commission, stated for the record that the Applicant's request to withdraw the application is accepted.

There being no requests to speak, Chairman Shoup closed the public hearing at 6:03 p.m.

There was no further action taken.

3. **General Plan Amendment No. 2017-002 and Zone Change No. 2017-002** (Continued from November 1, 2017).

Applicant: Town of Apple Valley

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

Pam Cupp, Associate Planner, presented the staff report as filed with the Planning Division. She stated that this item is continued from the November 1, 2017 Planning Commission meeting. At the request of the Commission, Development Code 2017-001 contains a provision that allows existing 2-4 units located in a residential neighborhood to be rebuilt in the event of damage or catastrophic loss.

Ms. Cupp informed the Commission that she had been contacted by a property owner who is requesting that their property be included in the amendment. She noted that the property, as shown on Page 3-31, is located adjacent to Project Area 9 on the southwest corner of Mesquite Road and Outer Highway 18.

Chairman Shoup questioned whether adding the property would change the noticing requirements.

Thomas Rice, Town Attorney, responded to questions by the Commission as it related to the proper noticing requirements to amend the proposed designation to include areas that were not originally included. He recommended that the Commission direct staff to come back with a report that includes adding the property.

Ernesto Flores, Apple Valley, stated that although he did not receive a notice to attend tonight's Planning Commission meeting, he is grateful for the opportunity to ask the Commission for approval to build a single-family resident on his lot. He noted that although his zoning is for multi-family units, he respectfully requests that the Commission consider an amendment to that designation to single-family residential. He also stated that he would be open to building his home facing Mesquite Road instead of Highway 18.

Mr. Rice explained the Commission's options to proceed with approval of staff's recommendation or to continue the item and allow staff the opportunity to notice with the additional property. He also answered questions by the Commission regarding whether or not the property owners would incur any costs should staff initiate the process.

Carol Miller, Assistant Director of Community Development, noted that initiation by staff would come at the direction of the Town Council.

Adolfo Martinez, Apple Valley, commented on the property he owns on Cochiti Road. He believed that the lots would remain unbuildable should the Commission not move forward with approval of this item. He also commented on the difficulties to build a duplex, due to the lot size, as well as restrictions placed by Lahontan.

There being no additional requests to speak, Chairman Shoup closed the public hearing at 6:13 p.m.

Discussion ensued amongst the Commissioners regarding the noticing required to continue the General Plan Amendment to a future meeting. Ms. Cupp informed the Commission that if recommended, a new notice would be advertised to include the additional parcel number.

Mr. Rice advised against any further discussion by the Commission regarding the inclusion of specific property. He recommended that the Commission continue the item for reconsideration at a future meeting. He also stated that there would be a 10-day

Public Notice requirement under the Planning and Zoning Laws of a Public Hearing at the Planning Commission level. He clarified that if the matter is continued to a date certain, a new notice is not required.

Ms. Cupp clarified for the benefit of the Planning Commission, that there would not be a need to inform Cal-Trans of the proposed zone change for the frontage on Highway 18.

It was the consensus of the Planning Commission to continue this matter to the next regularly scheduled Planning Commission meeting on February 7, 2018.

There being no requests to speak, Chairman Shoup closed the public hearing at 6:13 p.m.

MOTION

Motion by Commissioner Lamoreaux, and seconded by Commissioner Kallen to:

1. Continue this matter to the next Regular Planning Commission meeting on February 7, 2018.

Vote: Motion carried 5-0-0-0

Yes: Commissioners Kallen; Lamoreaux; Qualls; Vice-Chairman Tinsley; Chairman Shoup.

Absent: None

4. Conditional Use Permit No. 2017-008 (Continued from December 20, 2017)

Applicant: Oak Fence Senior, LLC

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

Pam Cupp, Associate Planner, presented the staff report as filed with the Planning Division. She informed the Commission that the Applicant is requesting that the item be continued to the Planning Commission meeting on February 7, 2018. She explained that because the Applicant specifically requested the continuance, the Town Attorney is recommending the Commission grant the continuance.

Thomas Rice, Town Attorney, explained his recommendation for a continuance.

Suzanne Meyer-Dalzell, Apple Valley, spoke in opposition of the project. She commented on concerns surrounding traffic, noise pollution and parking. She respectfully requested that the Planning Commission deny the continuance and deny the project.

There being no additional requests to speak, Chairman Shoup closed the public hearing at 6:23 p.m.

Mr. Rice responded to questions by the Commission regarding whether approving the continuance would give the Applicant an opportunity to come back with new information. He explained that the terms of a continuance are a matter of courtesy that gives the Applicant an opportunity to be heard. He indicated that the Commission can deny staff's recommendations to grant the continuance; however, it would be less defensible. He recommended that the Commission grant the continuance.

Chairman Shoup spoke in support of the residents who expressed concerned about this project in their neighborhood. He believed that the residents deserve some sense of finality by having the Commission move forward with the denial.

Mr. Rice reminded the Commission of the Applicant's ability to appeal their decision to deny the project to the Town Council.

Discussion ensued regarding the appeal process if the Commission chooses to deny the project.

MOTION

Motion by Vice-Chairman Tinsley, and seconded by Commissioner Qualls to:

1. Find that, pursuant to the California Environmental Quality Act (CEQA), Section 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 Denial for Conditional Use Permit No. 2017-008 and adopt those findings.
3. Deny Conditional Use Permit No. 2017-008.

Vote: Motion carried 5-0-0-0

Yes: Commissioners Kallen; Lamoreaux; Qualls; Vice-Chairman Tinsley; Chairman Shoup.

Absent: None

It was the consensus of the Planning Commission to continue the General Plan Amendment to the next Regular Planning Commission meeting on February 7, 2018.

5. **Development Code Amendment No. 2017-001** – This is an amendment to Title 9” Development Code” of the Town of Apple Valley Municipal Code that will amend 9.29 “Specific Use Regulations for Residential Districts” relating to multi-family residential development standards and amending Section 9.07.030 “Continuance of Legal Nonconforming Structures”.

Applicant: Town of Apple Valley

Commissioner Lamoreaux announced that he had a potential conflict of interest on this item; therefore, he recused himself from voting on this item.

COMMISSIONER LAMOREAUX RECUSED HIMSELF FROM THE DAIS AT 6:32 P.M.

Chairman Shoup opened the public hearing at 6:32 p.m.

Carol Miller, Assistant Director of Community Development, presented the staff report as filed with the Planning Division. She noted that this item was continued from the December 20, 2017 Planning Commission Meeting. She reminded the Commission that at the meeting, it was the consensus of the Commission to leave the parking standards as is; therefore, that portion was removed from the staff report.

Ms. Miller commented on the following modifications to the General Plan Amendment, as listed under "Continuance of Legal Non-Conforming Structures" outlined below:

1. A exception was added to allow 2-4 units in a residential zones to completely rebuild in the event of any damage or castastrophic loss.
2. Unit size has been included.
3. A requirement has been added for open space to include the four-plex
4. Specific language has been added under "amenities" that provides more direction to staff and the applicants
5. A modification to the on-site storage requirement of 400 cubic square feet has been converted to 25 square feet.
6. A provision has been added to the code that stipulates for unit sizes that are 200 square feet or larger, as shown on Page 5-5, that all private open space can be waived.

Ms. Miller informed the Commission that Line Item No. 6 was included for discussion; however, should the Commission agree that this ~~should not be a~~ provision should be deleted, staff would strike it from the code and revise the resolution.

A series of questions were asked by the Commission regarding the reconfigurations used in determining the on-site storage requirements.

Ms. Miller commented on the need to renumber some sections which is why there has now included a new Subsection "C", in order to avoid adding the same paragraph twice. When asked by Commissioner Kallen about the Mountain Vista area provisions Ms. Miller stated that the Mountain Vista exception is existing language and that it was there to encourage development in the Mountain Vista area.

Commissioner Kallen asked questions regarding the proposed amenities and community focal points as shown on Page 5-4, Paragraphs B and C.

Ms. Miller clarified that a focal point is defined as a central meeting place for residents such as a club house or a gazebo. She noted that the focal point should be appropriate for the project size and is reviewed on a case by case basis.

Vice-Chairman Tinsley believed that reviewing focal points on a case by case basis would ensure that amenities would adhere to Town standards.

After a lengthy discussion regarding the amenities and community focal points, it was the consensus of the Planning Commission to make the following modifications to the development code:

1. Strike out the private open space waiver in Section B6, A-3, as shown on Page 5-8.
2. Page 5-10, Section 8C – The first line is being amended to read “Projects containing 20 or more units require...”
3. Page 5-10, Section 13 - Modify the language in the first two lines to read “Onsite storage: Each dwelling unit shall be provided a minimum of 200 cubic feet of private and closed lockable storage space within the garage, carport or ...”

There being no requests to speak, Chairman Shoup closed the public hearing at 7:00 p.m.

MOTION

Motion by Commissioner Qualls, and seconded by Vice-Chairman Tinsley to move to approve Planning Commission Resolution No. 2018-001, forwarding a recommendation that the Town Council amend Title 9 “Development Code” of the Town of Apple Valley Municipal Code, as amended.

Vote: Motion carried 4-0-0-1

Yes: Commissioners Kallen; Qualls; Vice-Chairman Tinsley; Chairman Shoup.

Absent: Commissioner Lamoreaux (excused from dais).

COMMISSIONER LAMOREAUX RETURNED TO THE DAIS AT 7:01 P.M.

OTHER BUSINESS

None.

PLANNING COMMISSION COMMENTS

None.

STAFF COMMENTS

Carol Miller, Assistant Director of Community Development, provided the Planning Commission with an update on the Big Lots project. She noted that the grading phase had begun.

ADJOURNMENT

Motion by Vice-Chairman Tinsley, seconded by Commissioner Lamoreaux, and unanimously carried, to adjourn the meeting of the Planning Commission at 7:03 p.m. to its next regularly scheduled meeting on February 7, 2018.

Respectfully Submitted by:

Yvonne Rivera
Planning Secretary

Approved by:

Chairman Mark Shoup



TOWN OF APPLE VALLEY PLANNING COMMISSION

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Staff Report

- AGENDA DATE:** February 21, 2018
- CASE NUMBER:** Development Permit No. 2018-001
- APPLICANT:** Mr. Jeff Simonetti, representing Ravenswood 17, LLC
- PROPOSAL:** A request to approve a Development Permit allowing the construction of seventeen (17) single-family tract homes within the Ravenswood subdivision, Tract 16059. The proposal consists of four (4) floor plans ranging from 2,950 to 4,197 square feet of indoor living area. The project area is approximately nine (9) acres in size and located within the Single-family Residential (R-SF) zoning designation.
- LOCATION:** The site is generally located at the northeast corner of Apple Valley Road and Sitting Bull Road; APNs 3087-731-08, -09 and 3087-741-18 thru -33.
- ENVIRONMENTAL DETERMINATION:** The project is within the scope of the approved Mitigated Negative Declaration that was adopted by the Planning Commission for Tentative Tract Map No. 16059 on February 20, 2002. Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed request is not subject to further evaluation.
- CASE PLANNER:** Pam Cupp, Associate Planner
- RECOMMENDATION:** Approval

PROJECT SITE AND DESCRIPTION

- A. Project Size:
The project site consists of seventeen (17) single-family lots within Phase I and II Tract No. 16059.

B. General Plan Designations:

Project Site - Single-family Residential (R-SF)
 North - Single-family Residential (R-SF)
 South - Single-family Residential (R-SF)
 East - Single-family Residential (R-SF)
 West - Single-family Residential (R-SF)

C. Surrounding Zoning and Land Use:

Project Site- Single-family Residential (R-SF)
 North - Single-family Residential (R-SF), vacant
 South - Single-family Residential (R-SF), single-family residences
 East - Single-family Residential (R-SF), single-family residences
 West - Single-family Residential (R-SF), single-family residences

D. Building/Unit Analysis:

Required Livable Space: Minimum 1,200 sq. ft.

Proposed Maximum Livable Space:

Plan 1:	2,950 sq. ft.
Plan 2:	3,232 sq. ft.
Plan 3:	3,500 sq. ft.
Plan 4:	3,957 sq. ft.

E. Building Height: Permitted Maximum: 35 ft.
 Proposed Maximum: 27 ft.

F. Setback Analysis: Shall vary in conformance with the R-SF design standards specified within the adopted Development Code.

G. Parking Analysis:

Required: Minimum two-car garage (20 ft. x 20 ft. clear space) per home
 Proposed:

Plan 1	3-car garage (722 sq. ft.)
Plan 2:	3 car garage (805 sq. ft.)
Plan 3:	3 car garage (731 sq. ft.)
Plan 4:	3 car garage (715 sq. ft.)

H. Options:

No.	Plan Options	Added Sq. Ft.	Total (Livable) Sq. Ft.
Plan 2:	2 nd floor Guestroom	279	3,511
Plan 3:	2 nd floor Guestroom	203	3,703
Plan 4:	2 nd floor Guestroom	240	4,197

I. Lot Coverage:

Maximum Permitted 0.40
 Maximum Proposed 0.32

ANALYSIS

A. General:

Pursuant to the Development Code, a Development Permit is required for all new single-family residential construction within a housing tract to afford the Commission the opportunity

to review the architectural/aesthetics of any proposed structure. The applicant is proposing to construct seventeen (17) single-family residences on existing, partially improved lots.

B. Site Analysis:

The project site is located within the Ravenswood Tract No. 16059. Phases I & II have recorded and have been partially developed. The applicant is proposing construction on the final seventeen (17) lots that remain vacant. Tentative Tract Map No. 16059 Condition of Approval No. P7 states the following:

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

- Front: 30 feet minimum, 35 feet average
- Street side: 25 feet minimum
- Interior side: 15/10 feet minimum
- Rear: 25 feet minimum”

The submitted plotting plan indicates Lot 42 cannot meet the required side yard setbacks. Unless the footprint is modified, Lot No. 42 will require a Deviation Permit. The Deviation Permit will allow a twenty (20) percent reduction to the required rear yard setback which will provide enough area to build Plan 1 in compliance with the required side yard setbacks.

C. Floor Plan Analysis:

Four (4) floor plans are proposed, ranging in size from 3,661 to 4,912 square feet (including garage area). The minimum size for single-family residential homes in the Town’s Development Code is 1,200 square feet of livable area. The plans are as follows:

Plan	Story	Bed	Bath	Garage	Options
1	1	4	2-1/2	3	
2	1	4	3-1/2	3	2 nd Floor Guestroom w/ bathroom
3	1	4	3-1/2	3	2 nd Floor Guestroom w/ bathroom
4	1	5	3-3/4	3	2 nd Floor Guestroom w/ bathroom

The floor plans submitted for Commission consideration identify several unique features to the homes being proposed, such as outdoor living areas with fireplaces, courtyards, and an option for an upstairs guest room with a separate entrance. The homes also include standard features, such as three (3) car garages, as well as multiple interior use design features, such as formal entryways, great room, family room and indoor laundry rooms. Libraries are also available on some plans.

Plan No. 1 has 4,237 square feet under roof. This includes 2,950 square feet of living area, 711 square feet of garage area split between one (1) two (2)-car garage and approximately 600 square feet of outdoor covered space. The plan offers a gated front courtyard and a formal rotunda entryway to the gallery and great room. Separate from the great room is a kitchen that is open to the family room. At the opposite side of the house are the bedrooms and master suite.

Plan No. 2 has 4,560 square feet under roof. This includes 3,232 square feet of living area, an 805-square foot, three (3)-car garage and approximately 500 square feet of outdoor covered space. The plan offers a covered front porch and a large outdoor

courtyard that includes an outdoor fireplace. The floorplan includes double-door access to the formal living. Double-door access is also available from the courtyard into the formal dining room. A sliding door from the courtyard provides access to the family room and kitchen. The plan includes an option (2X) which includes a 280-square foot guestroom above the garage.

Plan No. 3 has 4,740 square feet under roof. This includes 3,500 square feet of living area, a 731-square foot three (3)-car garage and approximately 500 square feet of outdoor covered space. Plan 3 illustrates a covered front porch with a formal rotunda entryway accessing both the formal living room and library. The floor plan also includes a front courtyard with a fireplace. There is a covered patio located off the family room and a private covered patio for the master suite. Plan 3X offers an optional 200-square foot guestroom above the garage.

Plan No. 4 has 5,072 square feet under roof. This includes 3,957 square feet of living area, 715 square feet of garage area consisting of a two (2)-car garage and a separate one (1) car, attached garage. Plan 4 illustrates a covered front porch and formal entryway. The floor plan includes a formal living and dining areas, a library, kitchen and family room. A courtyard has also been provided that includes a fireplace. The master suite and family room have access to covered patios. Plan 4 also has the option to include a separate, 240-square foot guest room above the garage.

The single-family homes previously developed within Ravenswood were constructed with livable area ranging from 2,626 square feet to 4,239 square feet. The applicant proposes to construct homes with livable area ranging from 2,950 up to 4,197 square feet for those homes that include the second story, guest room. The homes proposed will be consistent in size and height to the existing single-family residences located in the Ravenswood subdivision.

D. Architecture Analysis:

The four (4) plans exhibit designs that are contemporary in form with elements consistent with eclectic variations of "Spanish", "Mediterranean" and "Craftsman" architectural styles. The house elevations incorporate multiple roof lines and multiple off-sets to the front elevations. Pronounced entryways, courtyards and a variety of window sizes, shapes and trims are evident on all models. The homes are available with various color options consisting of earthen tones that include off-white, various brown tones, various green tones, yellowish tones and gray.

Development Code Section 9.31.030(G) "Single Family Subdivision Development Design Criteria" contains minimum architectural requirements for tract homes. As submitted, the single garage door design does not comply. The Code requires variations to garage door patterns. Although each plan offers a variety of garage window styles and door colors, the garage doors all have the same pattern. Staff is recommending Condition No. P16 requiring a variety of designs to be used on garage doors. No two adjacent homes that have the same floor plan and elevation using the same garage door pattern. In no case shall more than three homes of any floor plan or elevation have the same garage door pattern in a row.

E. Landscape Analysis

Development Permits for tract home development require the Commission to review parkway landscaping; however, this tract has already received approvals for its parkway

landscaping. The applicant requested a deferral of front yard landscape plans until such time that individual building permits are submitted. Therefore, staff is recommending Condition No. P18 which will require a minimum of four (4) distinct landscape plans, prepared by a landscape architect, be submitted for review and approval by the Planning Division prior to building permit issuance.

F. Environmental Assessment:

The project is within the scope of the approved Mitigated Negative Declaration that was adopted by the Planning Commission for Tentative Tract Map No. 16059 on February 20, 2002. Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed request is not subject to further evaluation.

G. Noticing:

This item was advertised as a public hearing in the Apple Valley News newspaper on February 9, 2017.

A. Development Permit Findings:

As required under Section 9.17.080 of the Development Code, prior to approval of a Development Permit, the Planning Commission must make specific required "Findings". These Findings, as well as a comment to address each, are presented below.

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

Comment: The proposed single-family residential development is within a Residential Single Family (R-SF) zoning designation and is in compliance with the General Plan Land Use and Zoning District that allows new construction of residential homes, subject to approval of a Development Permit.

2. That the location, size and design of the proposed structures and improvements are compatible with the site's natural landforms, surrounding sites, structures and streetscapes;

Comment: The proposed single-family residential development is compatible with the surrounding area as the site and existing improvements can facilitate the proposed project and the structures (homes) are permitted subject to approval of a Development Permit.

3. That the proposed development produces compatible transitions in the scale, bulk, coverage, density and character of development between adjacent land uses;

Comment: The proposed single-family residential development is compatible with the site and surrounding area and has been designed with adequate setbacks and access. The use is not anticipated to generate excessive noise, vibration, traffic or other disturbances.

4. That the building, site and architectural design are accomplished in an energy efficient manner;

Comment: The proposed single-family residential development will be required to be constructed in accordance with the Uniform Building Code and will be oriented in a manner that will optimize efficient energy resources. The project must also comply with requirements from the Building and Safety Division as well as UBC Title 24 requirements.

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

Comment: The design, materials and details of the proposed single-family residential development will utilize an architectural design consistent with existing structures in the immediate area. However, the individual homes will incorporate stone veneers that will enhance and complement existing surrounding residential homes. The proposal, with adherence to the suggested Conditions of Approval, conforms to Code requirements.

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

Comment: The proposed single-family residential development is in conformance with Code requirements for appropriate setbacks. The proposed single-family residential development will not block public views and is in scale to other residential developments in the area.

7. That the amount, location, and design of open space and landscaping conforms to the requirements of this Code, enhances the visual appeal and is compatible with the design and function of the structure(s), site and surrounding area;

Comment: The proposed single-family residential development is compatible with adjacent uses within the surrounding area. The location, size and design of the proposed landscaping will enhance the surrounding area. The project landscaping will incorporate a blend of plant material along the street frontages.

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

Comment: The proposed single-family residential development is designed to be compatible with the surrounding development and will be located within the Residential Single Family (R-SF) zoning district. Single-family residential development, with adherence to recommended Conditions of Approval, is permitted subject to approval of a Development Permit.

9. That excessive and unsightly grading of hillsides does not occur, and the character of natural landforms and existing vegetation are preserved where feasible and as required by this Code;

Comment: The project is proposed on a relatively flat, pre-graded vacant site.

10. That historically significant structures and sites are protected as much as possible in a manner consistent with their historic values;

Comment: The site is vacant and generally surrounded by existing single-family residential homes and vacant lots with no known historical structures on site or in the vicinity.

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

Comment: There are existing improvements available to serve the site. In addition, the proposal, with adherence to the recommended Conditions of Approval, will be compatible with the surrounding neighborhood.

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

Comment: The proposed single-family residential development will be located on a residential site with interior local roads, which are improved to Town standards, including an equestrian path. Additionally, the proposal must adhere to Conditions of Approval required in the Development Permit. Therefore, the proposal will not adversely impact access, circulation and the physical character of surrounding streets.

13. That the proposed development's generation of traffic will not adversely impact the capacity and physical character of surrounding streets;

Comment: The proposed single-family residential development will be located on a residential site with interior local roads, which are required to be improved to Town standards and designed to accommodate residential traffic. In addition, the proposed project must adhere to the Conditions of Approval required in the Development Permit. Therefore, the proposal will not adversely impact the capacity and physical character of surrounding streets.

14. That traffic improvements and/or mitigation measures are provided in a manner adequate to maintain a Level of Service C or better on arterial roads and are consistent with the Circulation Element of the Town General Plan;

Comment: Traffic generated from the project will not adversely impact the surrounding area as circulation issues were addressed by the Town when Tentative Tract Map No. 16059 was reviewed and approved by the Planning Commission. The proposed single-family residential development will be located with interior local roads that can accommodate traffic generated from the project site.

15. That environmentally unique and fragile areas, such as the knolls, areas of dense Joshua trees, and the Mojave River area, shall remain adequately protected;

Comment: The proposal is within a Residential Single Family (R-SF) zoning district, using a site that has been determined to be outside of any known environmentally unique or fragile areas.

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

Comment: The project is within the scope of the approved Mitigated Negative Declaration that was adopted by the Planning Commission for Tentative Tract Map No. 16059 on February 20, 2002. Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed request is not subject to further evaluation.

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

Comment: The project is within the scope of the approved Mitigated Negative Declaration that was adopted by the Planning Commission for Tentative Tract Map No. 16059 on February 20, 2002. Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed request is not subject to further evaluation.

18. That the impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained, will not be detrimental to the public health, safety and welfare of the community or be materially injurious to properties or improvements in the vicinity, nor be contrary to the adopted General Plan; and

Comment: The proposed single-family residential development, by its design and operating characteristics, and with adherence to the conditions under which it will be operated and maintained, will not be detrimental to the public health, safety or welfare, nor be materially injurious to properties or improvements in the vicinity.

19. That the proposed development will comply with each of the applicable provisions of this Code and applicable Town policies, except approved variances.

Comment: The proposed single-family residential development can be built in conformance to the Development Code, subject to approval of a Development Permit and with adherence to the recommended Conditions of Approval.

RECOMMENDATION:

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

1. Determine that the project is not anticipated to have any direct or indirect impact upon the environment; therefore, 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 Development Permit No. 2018-001, subject to the attached Conditions of Approval.
4. Direct Staff to file the Notice of Exemption.

Prepared By:

Reviewed By:

Pam Cupp
Associate Planner

Carol Miller
Director of Community Development

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Elevations/Floor Plans
3. Zoning Map

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Case No. Development Permit No. 2018-001

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

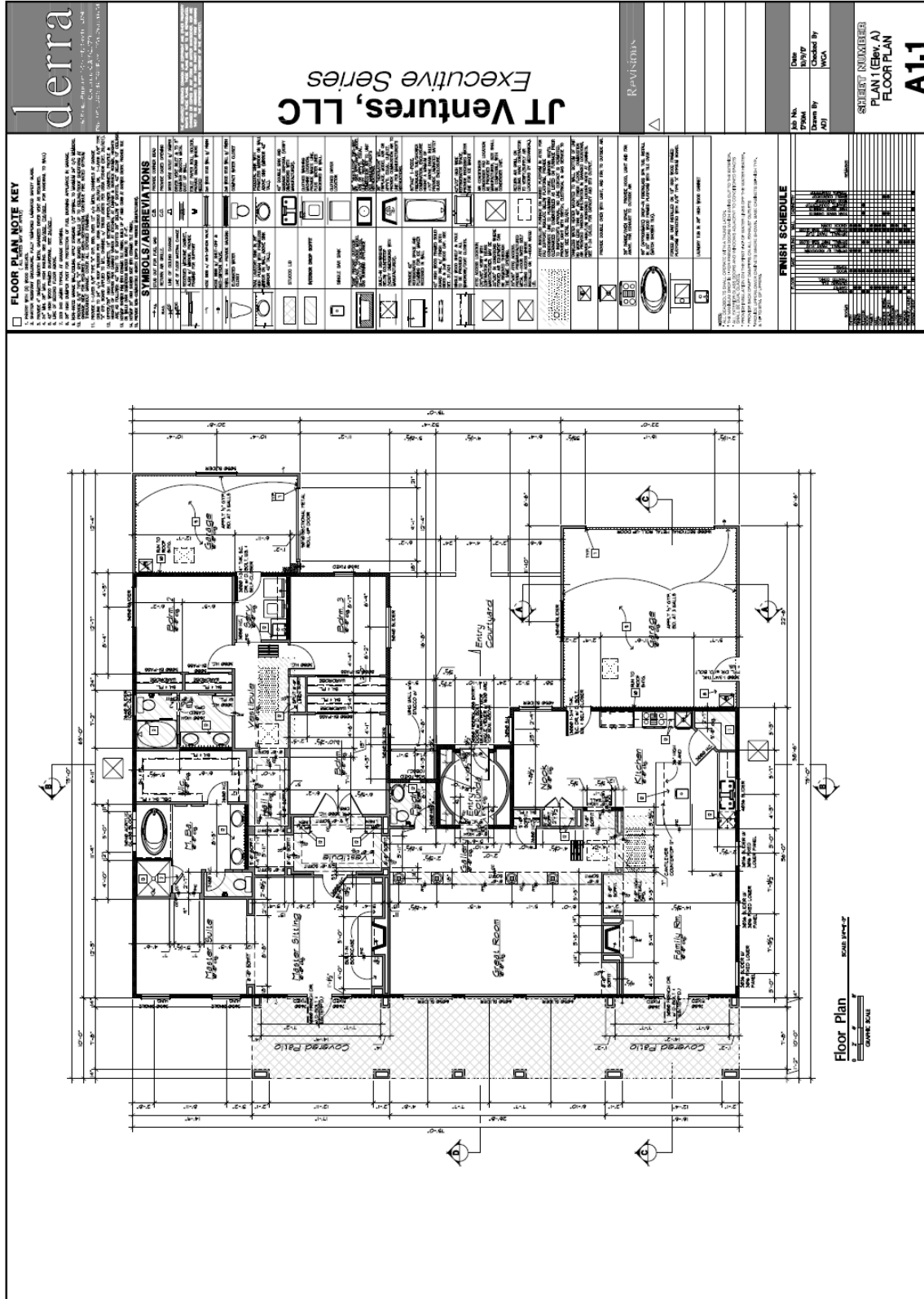
Planning Division Conditions of Approval

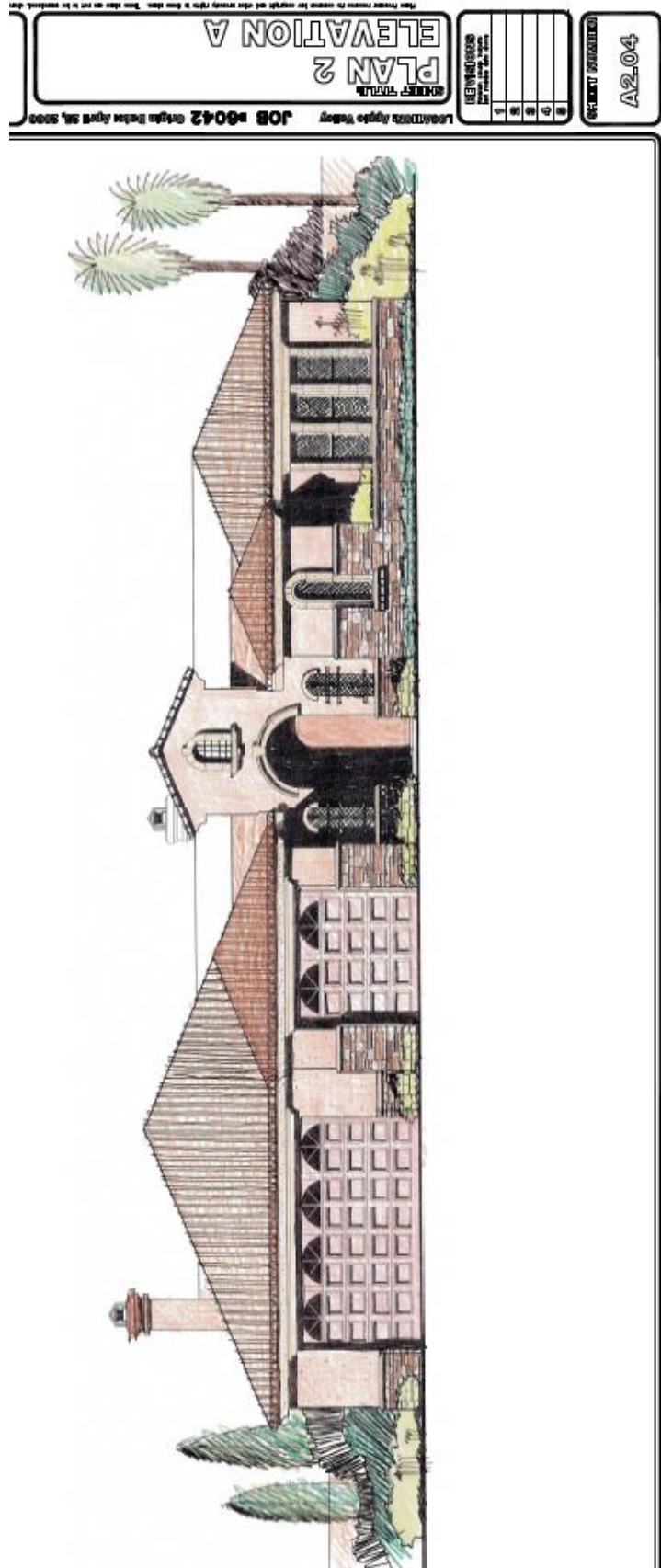
- P1. This project shall comply with the provisions of State law and the Town of Apple Valley Development Code and the General Plan. This conditional approval, if not exercised in conformance to any conditions, shall become void two (2) years from the date of action of the reviewing authority, unless 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 void date. The Development Permit becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code, Section 9.03.0180.
- 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 approval of Development Permit No. 2018-001 by the Planning Commission is recognized as acknowledgment of Conditions of Approval by the applicant, unless an appeal is filed in accordance with Section 9.12.250, *Appeals*, of the Town of Apple Valley Development Code.
- P5. Parking requirements shall be met and be in compliance with Town standards. Two (2) parking spaces per dwelling unit shall be within an enclosed garage and shall have a minimum clear gross floor area of twenty (20) feet by twenty (20) feet free of any obstructions, including mechanical equipment. Driveways for single family residences shall be at least eighteen (18) feet wide and shall be maintained clear of all obstructions.
- P6. The project shall conform to the Residential Single-Family (R-SF), development standards for front yard-building setbacks of thirty (30) feet minimum, thirty-five (35) feet average with a minimum offset of five (5) feet from adjacent properties. A plotting plan shall be submitted for review by Planning Division that complies with the R-SF setback standards.
- P7. All street elevations shall be architecturally treated and shall have no more than twenty-five percent (25%) of the homes on any block, including both sides of the street, with the

- same elevation. Color scheme variations sensitive to the natural colors of the landscape shall be utilized.
- P8. Any equipment, whether on the roof, side of the structure or ground, shall be screened from public view from adjacent property or from a public right-of-way. The method of screening shall be integrated into the architectural design of the building and/or landscaping.
- P9. Property line walls and fences adjacent to streets shall be constructed of decorative materials such as rail fencing, split face block or slumpstone. Such fencing shall incorporate appropriate decorative enhancements such as caps or pilasters.
- P10. Final landscape and irrigation plans shall be submitted and installed for each individual unit, prior to issuance of occupancy permits.
- P11. All tract identification signs shall have a separate permit and are subject to final approval by the Town Planning Division.
- P12. The rendering(s) presented to and approved by the Planning Commission at the public hearing shall be the anticipated and expected appearance of the structure upon completion.
- P13. 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 structure, facilities and appurtenances expected and required to be installed at the approved location without deviations, modifications, alterations, adjustments or revisions of any nature.
- P14. The Community Development Director or his/her designee, shall have the authority for minor architectural changes focusing around items such as window treatments, color combinations, façade treatments, and architectural relief. Questions on the interpretation of this provision or changes not clearly within the scope of this provision shall be submitted to the Planning Commission for consideration under a Revision to the Development Permit.
- P15. All required and installed landscaping shall incorporate and maintain a functioning automatic sprinkler system, and said landscaping shall be maintained in a neat, orderly, disease and weed free manner at all times.
- P16. No two adjacent homes that have the same floor plan and elevation using the same garage door pattern. In no case shall more than three homes of any floor plan or elevation have the same garage door pattern in a row.
- P17. Lot No. 42 will require a Deviation Permit, which will provide enough area to build Plan 1 in compliance with the required side yard setbacks.

- P18. The applicant shall submit a minimum of four (4) distinct landscape plans, prepared by a landscape architect, for review and approval by the Planning Division prior to building permit issuance.







PLAN 2X
ELEVATION B

JOB #8042

DATE	BY

REVISIONS

DATE

BY

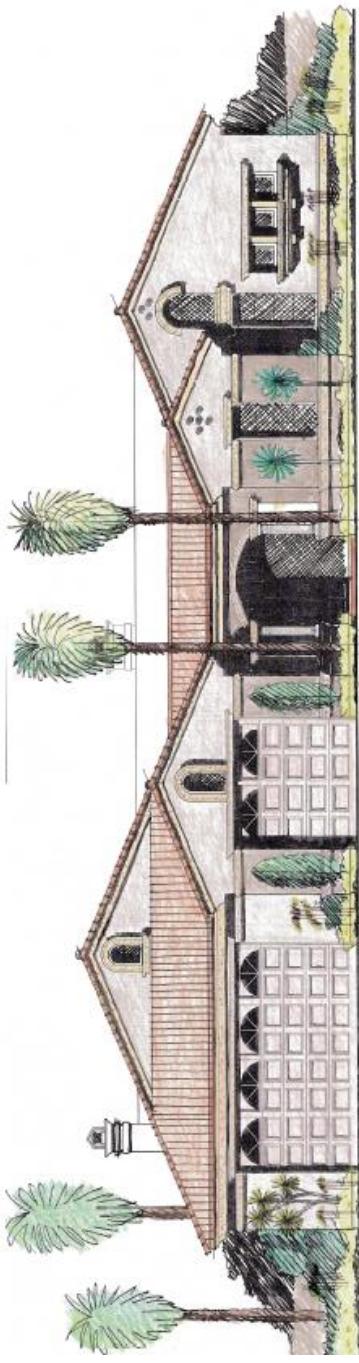


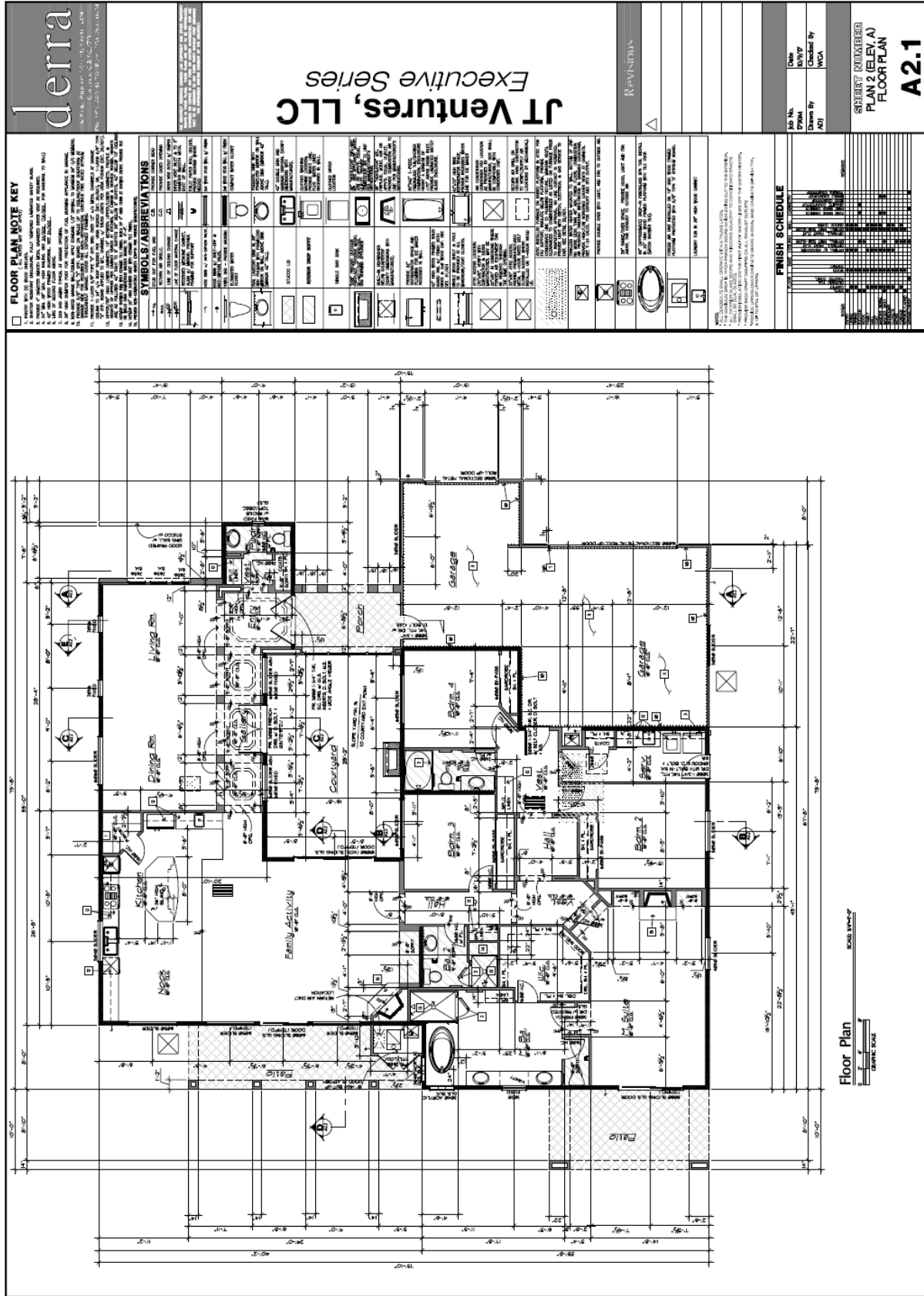
LEONARDSONS ARCHITECTURE
10000 S. 26th Ave., Suite 100
Tucson, AZ 85710
Phone: (520) 885-1111
Fax: (520) 885-1112
www.leonardsons.com

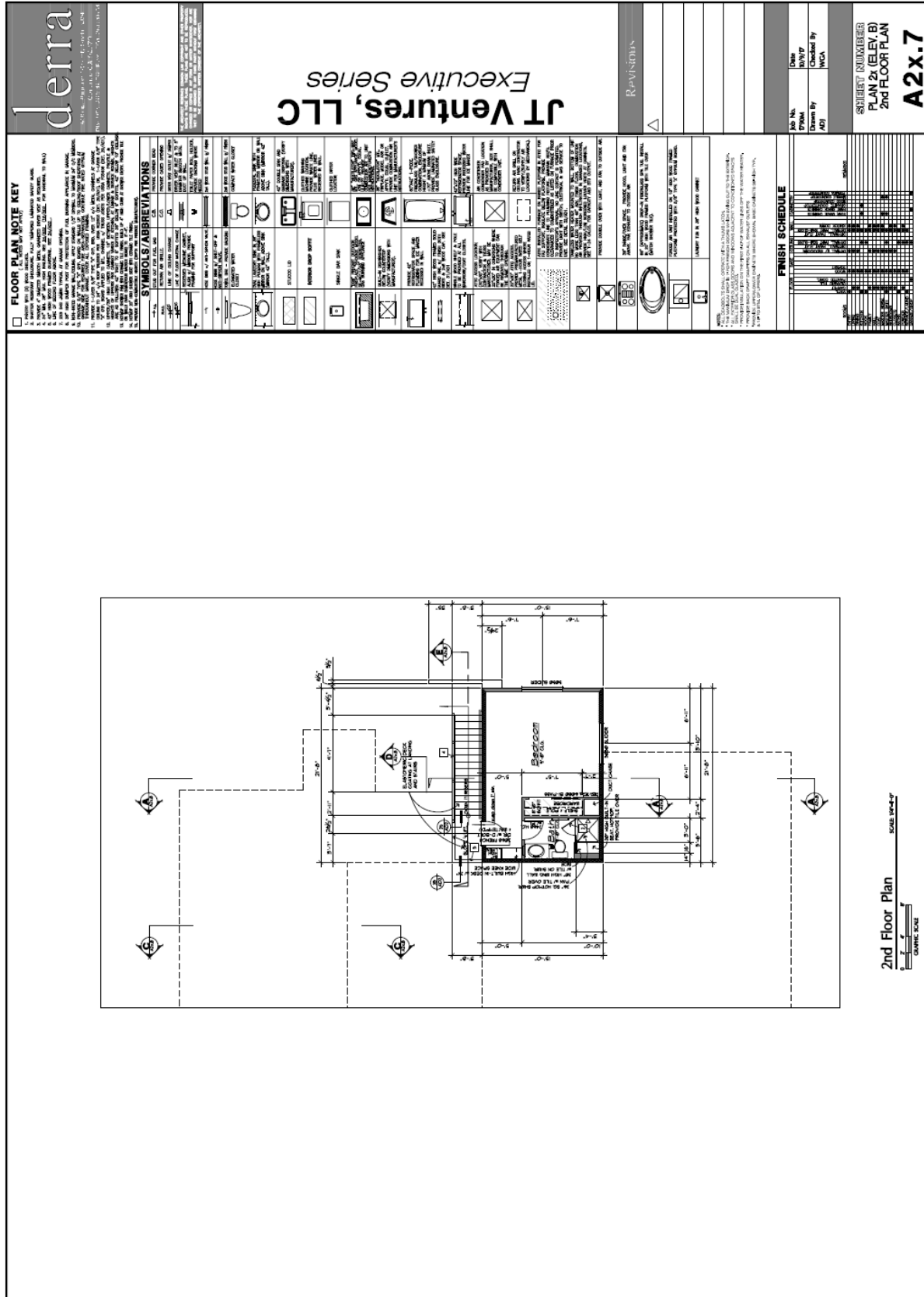
PLAN 2
ELEVATION C

JOB #0042 02/18/18

These drawings represent the minimum for approval and other details apply to these plans.





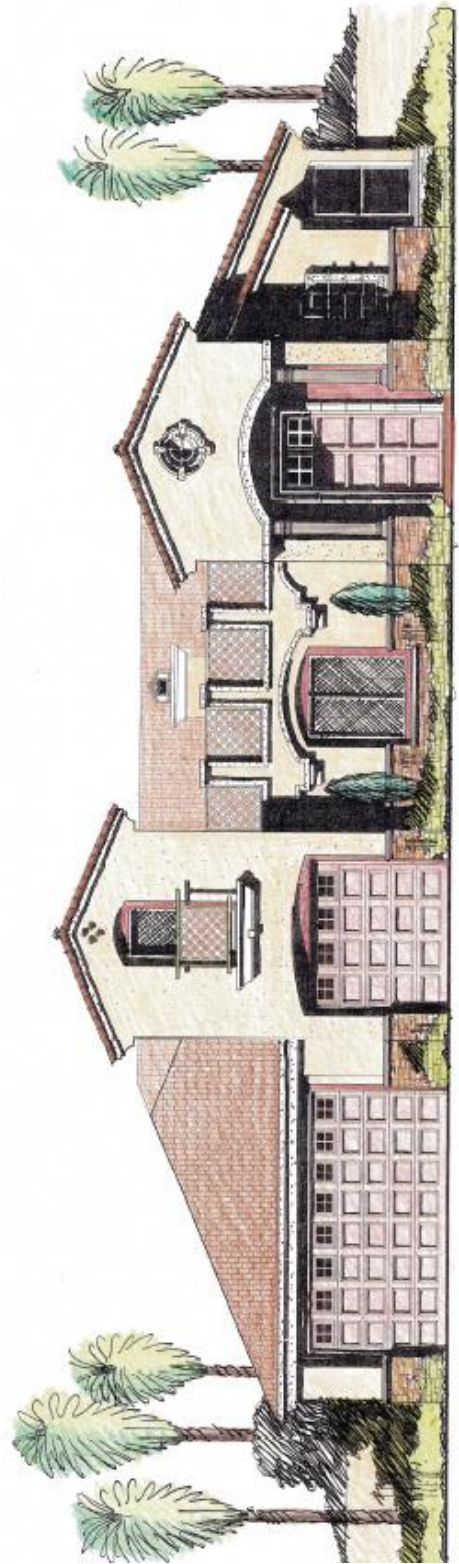


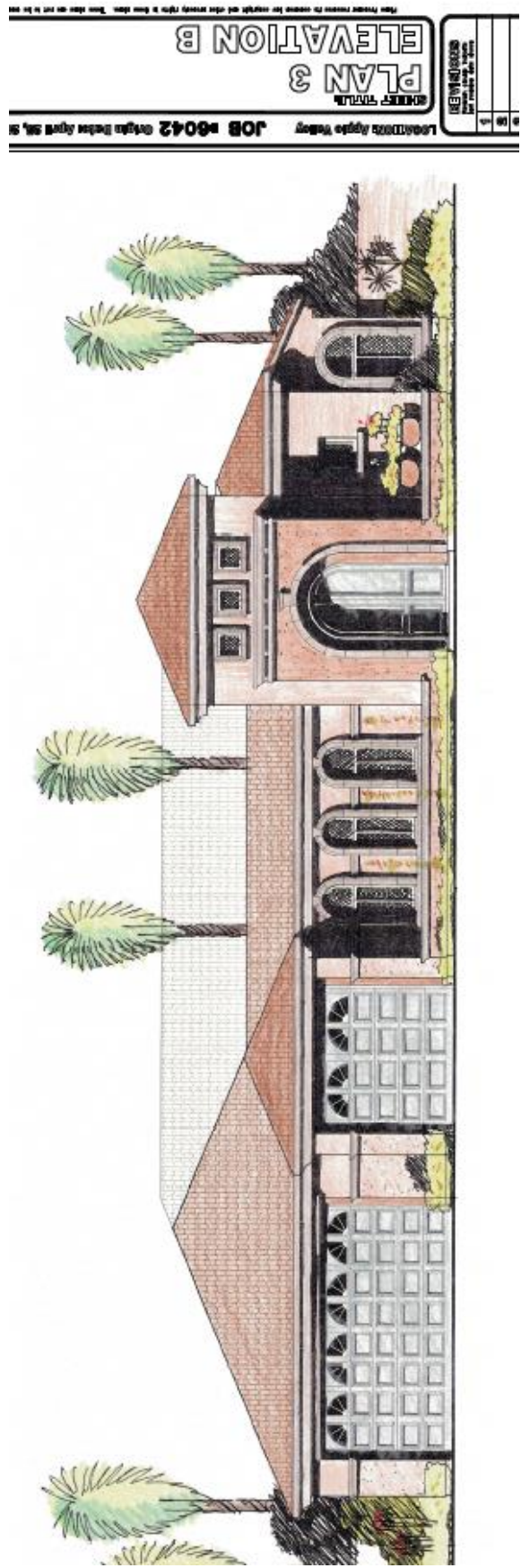
These drawings are for informational purposes only and do not constitute a contract. They are subject to change without notice. They are not to be used for any other purpose.

PLAN 3X
ELEVATION A

JOB #0042 Orange Beach, AL, 36550

DATE: _____
BY: _____



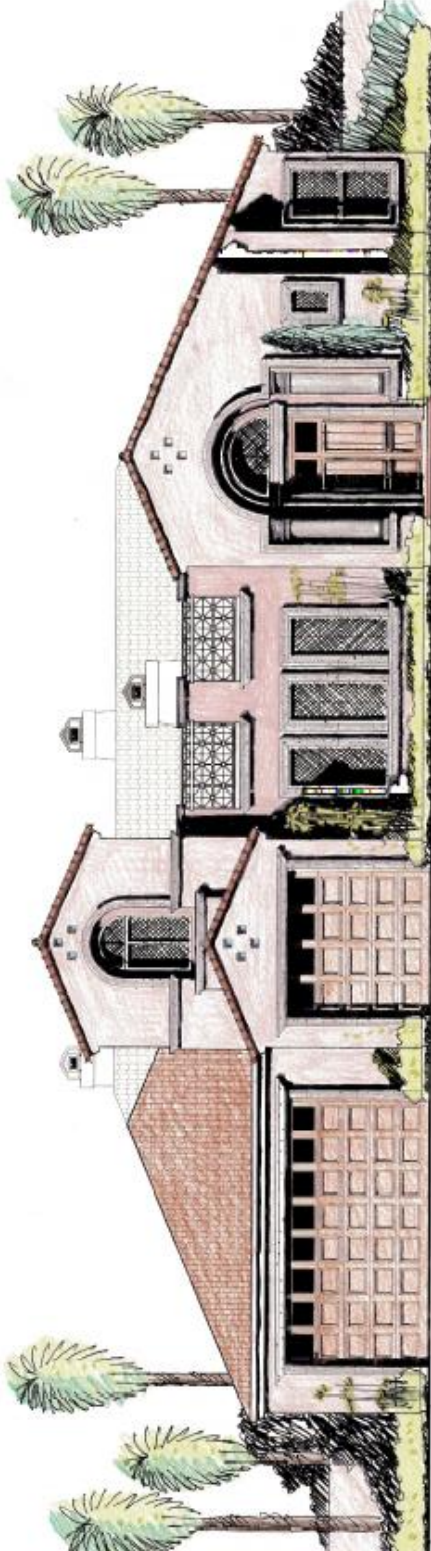


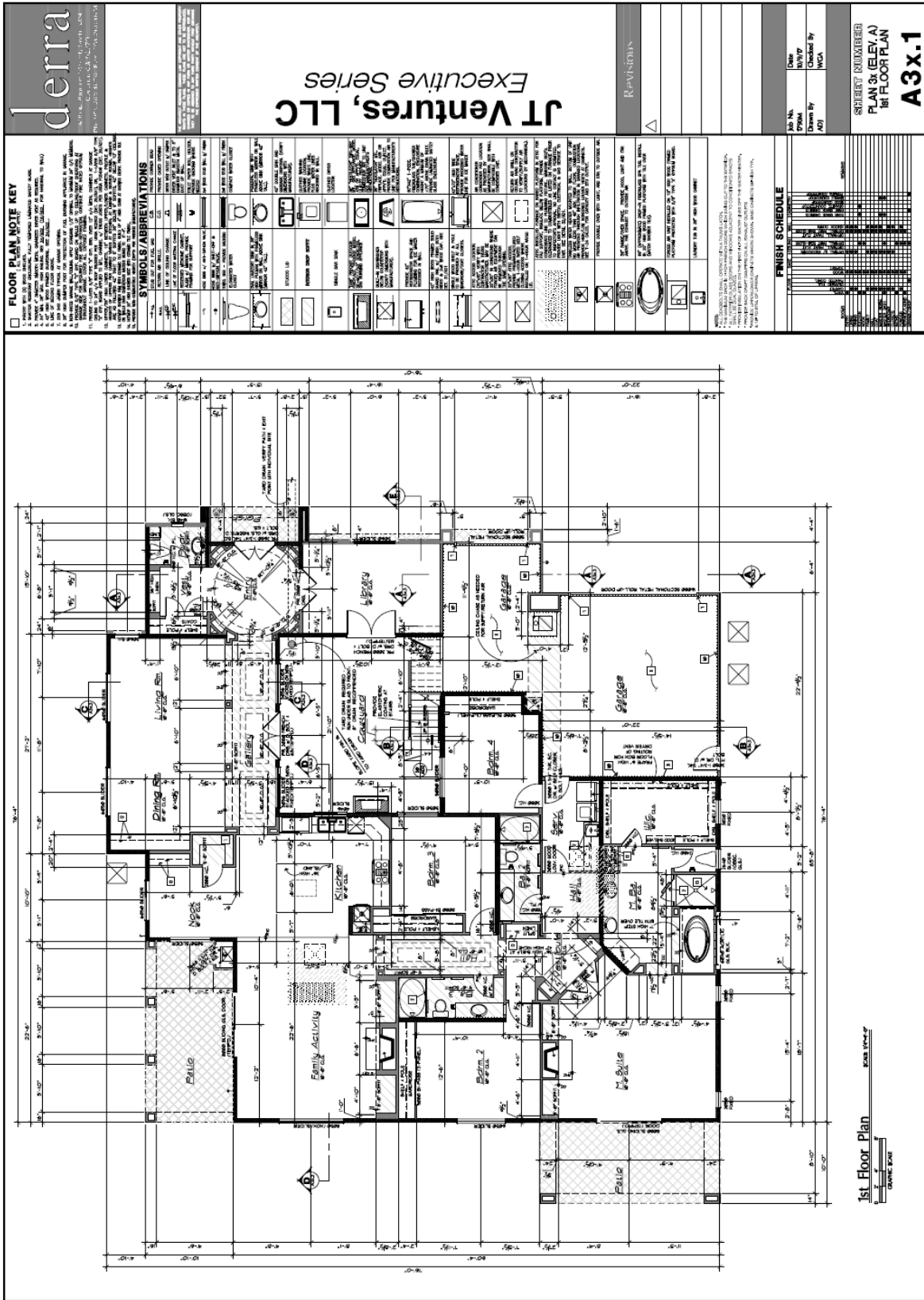
LEADING EDGE ARCHITECTURE
15000 SW 10th Street, Suite 200
Miami, FL 33185
Phone: 305-271-1111
www.leadingedgearch.com

PLAN 3X
ELEVATION C

JOB #6042 Orange Beach Airport SW, 2008

This drawing is intended for general information only and does not constitute a contract. The client is responsible for providing accurate information. This drawing is not to be used for construction.

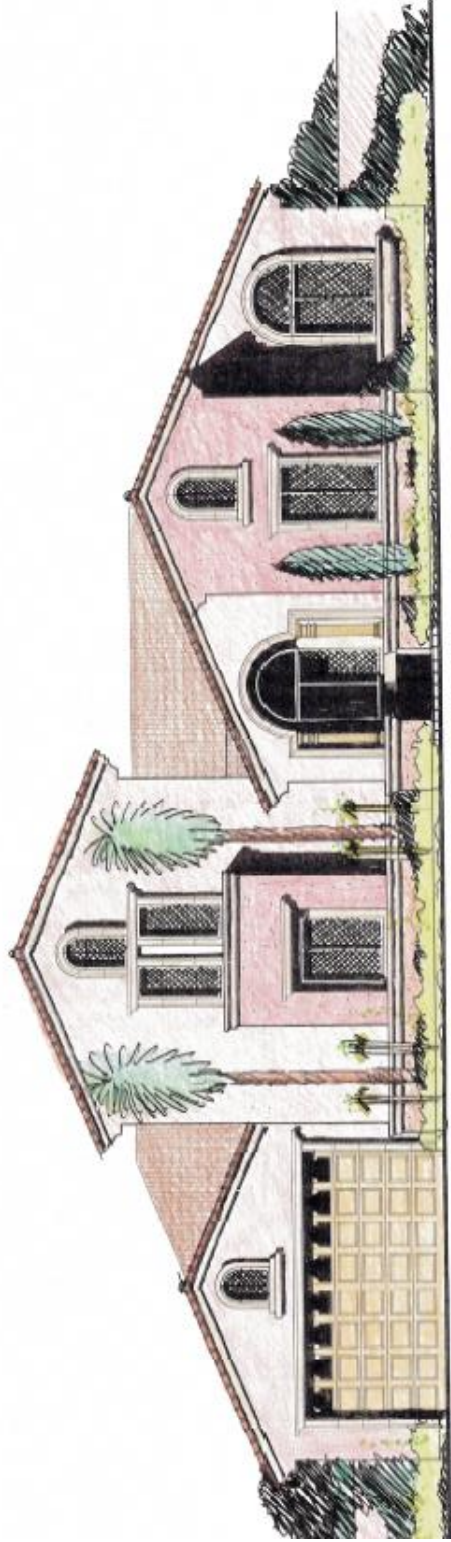




CONCRETE FORMER
PLAN 4X
ELEVATION A

LEONARDOS APPLIED DESIGN
JOB #6042 Orange Beach, AL 36561

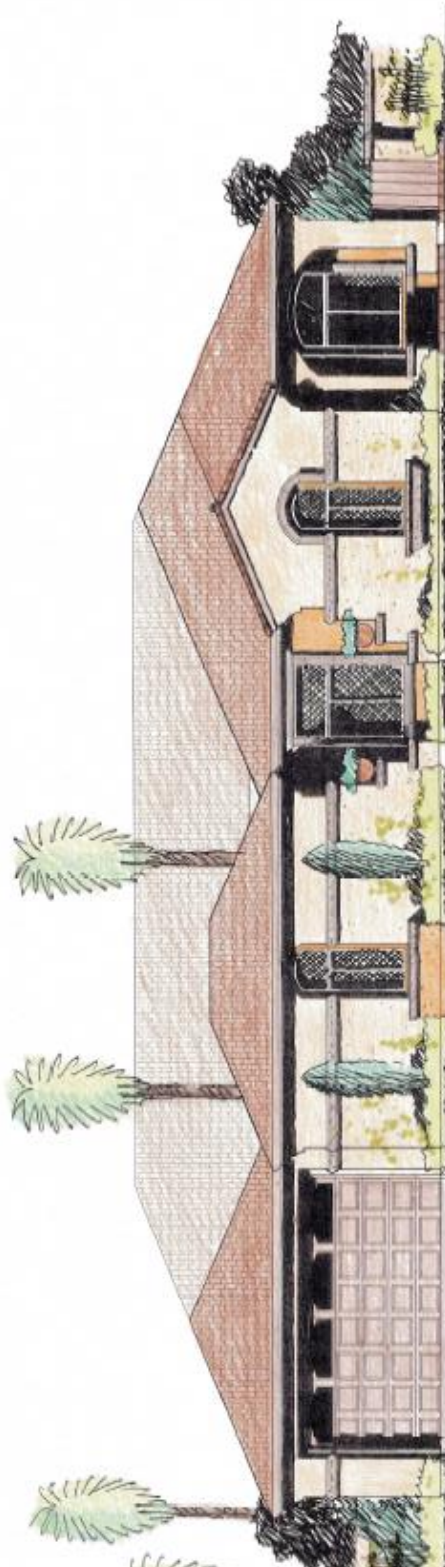
NO.	DATE	REVISION



10000000 Apple Valley
JOB #8042 Orange Grove Apple 50

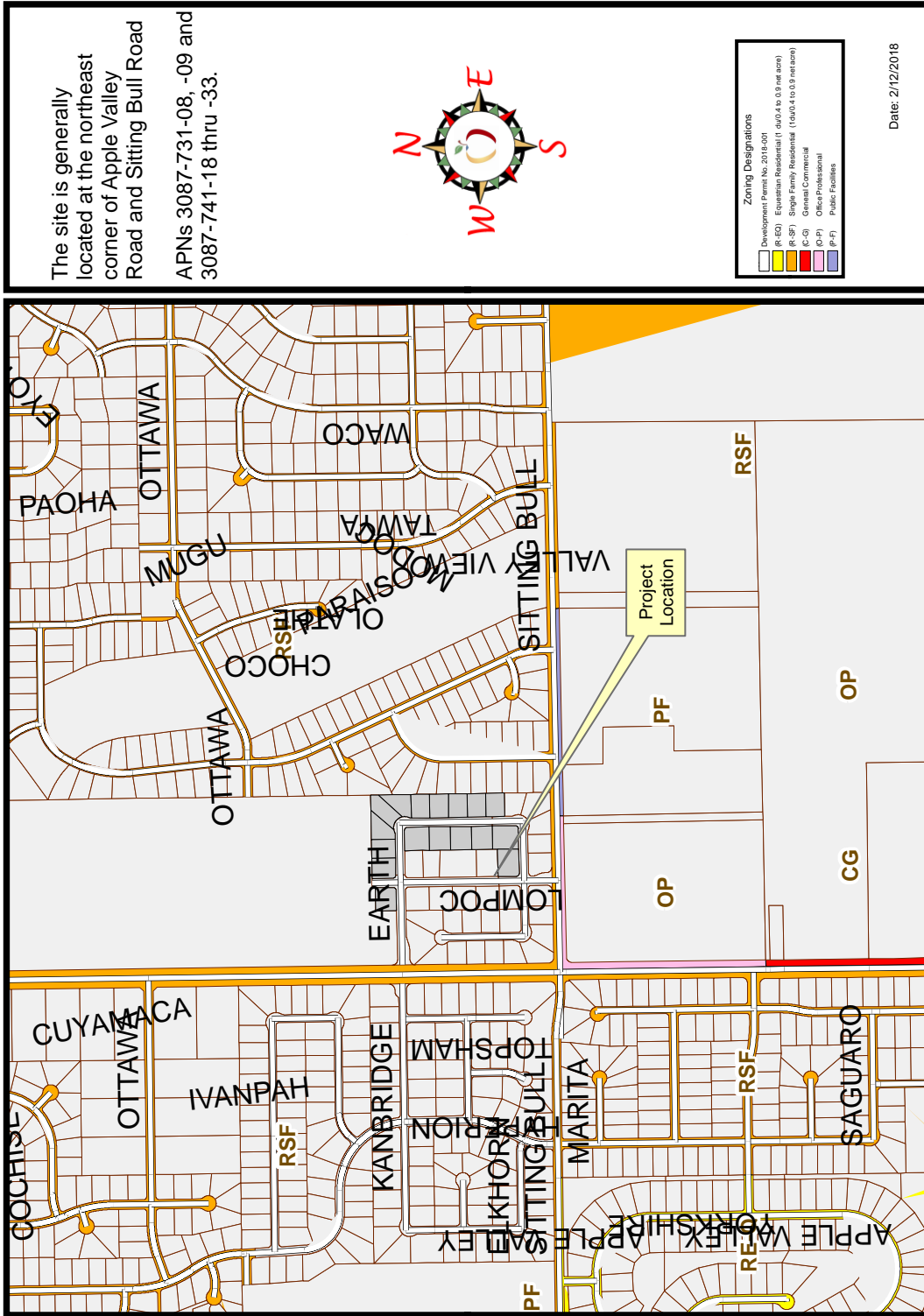
OWNER: TAYLOR
PLAN #
ELEVATION B

NO.	DATE



Development Permit No. 2018-001

ZONING/LOCATION MAP



The site is generally located at the northeast corner of Apple Valley Road and Sitting Bull Road

APNs 3087-731-08, -09 and 3087-741-18 thru -33.

Zoning Designations

Development Permit No. 2018-001
RSF - Residential Single-Family (400-4 to 6.9 net acre)
OP - Office Professional (1000-4 to 0.9 net acre)
CG - Community General
PF - Public Facilities

Date: 2/12/2018