

# TOWN OF APPLE VALLEY PLANNING COMMISSION AGENDA REGULAR MEETING Wednesday, SEPTEMBER 19, 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 <a href="https://www.applevalley.org">www.applevalley.org</a> 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	; Ka	allen	;Qualls	
	Chairman	Tinsley	and V	'ice-ChairmanLamoreaux	
PLEDGE OF ALLEGIANO	E	, <u> </u>			

# **PUBLIC COMMENTS**

Anyone wishing to address an item <u>not</u> on the agenda, or an item that is <u>not</u> 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**

None

# **PUBLIC HEARING ITEMS**

1. Conditional Use Permit No. 2018-001 and Tentative Parcel Map No. 19946 - A request for approval of a Conditional Use Permit to construct a three (3)-story, 104-room hotel and six (6) medical office buildings totaling 59,875 square-feet. The Tentative Parcel Map is a request to subdivide approximately ten (10) acres into seven (7) parcels ranging in size from one (1)-acre to 3.8 acres each.

Applicant: Mukesh Desai

Location: Northwest corner of Jess Ranch Parkway and Town Center Drive; APN

399-271-01. **Environmental** 

**Determination:** The project is within the scope of the approved Mitigated Negative

Declaration that was adopted by the Planning Commission on February 7, 2007 for Development Permit No. 2006-045, Special Use Permit No. 2006-014 and Tentative Parcel Map No. 18416 (Jess Ranch Marketplace Phase III). Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed request is

Exempt from further evaluation.

Case Planner: Carol Miller, Assistant Community Development Director

Proposal: Approval

2. Development Permit No. 2018-008 - A request to approve a Development Permit allowing the construction of eighteen (18) single-family tract homes within Stonebrook Estates, Tract 13771. The proposal consists of five (5) floor plans ranging from 2,646 to 3,486 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: Star-West Homes

Location: The site is generally located near Monterey Street and Ivanpah Road; APNs 3088-621-01 thru -07, 3088-621-15 thru -24, and 3088-621-29.

**Environmental** 

**Determination:** This project is within the scope of the approved Mitigated Negative

Declaration that was adopted by the Planning Commission for Tentative Tract Map No. 13771 on September 5, 1989. Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act

(CEQA), the proposed request is not subject to further evaluation

Pam Cupp, Associate Planner Case Planner:

Proposal: Approval

# PLANNING COMMISSION COMMENTS

# STAFF COMMENTS

# **OTHER BUSINESS**

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

# **ADJOURNMENT**

The Planning Commission will adjourn to its next regularly scheduled Planning Commission meeting on October 17, 2018.



# TOWN OF APPLE VALLEY PLANNING COMMISSION

# **Staff Report**

AGENDA DATE: September 19, 2018

CASE NUMBERS: Conditional Use Permit No. 2018-001

Tentative Parcel Map No. 19946

**APPLICANT:** Mukesh Desai

**PROPOSAL:** A request for approval of a Conditional Use Permit to construct a three (3)-

story, 104-room hotel and six (6) medical office buildings totaling 59,875 square-feet. The Tentative Parcel Map is a request to subdivide approximately ten (10) acres into seven (7) parcels ranging in size from one (1)-acre to 3.8

acres each.

**LOCATION:** Northwest corner of Jess Ranch Parkway and Town Center Drive; APN 399-

271-01.

**ENVIRONMENTAL** 

**DETERMINATION:** The project is within the scope of the approved Mitigated Negative Declaration

that was adopted by the Planning Commission on February 7, 2007 for Development Permit No. 2006-045, Special Use Permit No. 2006-014 and Tentative Parcel Map No. 18416 (Jess Ranch Marketplace Phase III). Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed request is Exempt from

further evaluation.

CASE PLANNER: Carol Miller, Assistant Community Development Director

**RECOMMENDATION**: Approval

# PROJECT SITE AND DESCRIPTION

A. Project Size

The property is approximately ten (10) acres in size.

B. <u>General Plan Designations</u>

Site - Specific Plan (SP)

North - Specific Plan (SP) South - Specific Plan (SP)

East - Regional Commercial (C-R)

West - Specific Plan (SP)

# C. <u>Surrounding Specific Plan Zoning and Land Use</u>

Site - Neighborhood Commercial (NC), Vacant

North - Neighborhood Commercial (NC), Retail Center

South - High Density Residential (HDR), Detached Residential Units

East - Regional Commercial (C-R), Vacant West - Open Space (OS), Mojave River

# D. Site Characteristics

The ten (10) acre project site is currently a graded vacant parcel to accommodate future development.

E. <u>Building Height:</u> Permitted: 50 feet Proposed: 27 & 47 feet

F. Building Setback Analysis:

Jess Ranch Parkway
Side
Rear

Required
Proposed
20 ft.
19.75 ft.
88 ft.
0 ft.
210 ft.

G. <u>Landscaping:</u> Required: 10 % Proposed: 15 %

H. Parking Analysis: Required: 414 Spaces Proposed: 439 Spaces

Hotel -- One per room and one per 3 employee 114 spaces Medical Office -- One space per 200 square feet 300 spaces

# <u>ANALYSIS</u>

# A. General:

The applicant is requesting approval of a Conditional Use Permit to construct a 104-room hotel and six (6) medical office buildings totaling 59,875 square-feet. The property is located within the Jess Ranch Specific Plan which has a specific plan land use designation of Neighborhood Commercial (NC). This designation allows hospitality and medical office uses. The proposed tentative parcel map will create seven (7) parcels.

# Site Analysis:

Each parcel does not stand alone for access and parking. Therefore, to ensure that the project functions as a center, all interior drive aisles, corresponding landscape improvements, related parking, street and retention basin improvements are required to be constructed with the first building permit approval of the project or recordation of the map.

The minimum landscape requirement is ten (10) percent of the entire site. The applicant is providing fifteen (15) percent landscape coverage throughout the site, and therefore, exceeds the minimum amount of landscaping. The project is also required to conform to the Development Code requirement for a minimum ten (10)-foot wide landscape setback along Jess Ranch Parkway. The applicant will also be responsible for all landscaping within the public right-of-way. Condition No. P11, requires that a minimum ten (10)-foot wide landscape setback along the entire length of Jess Ranch Parkway be provided.

Access to the site will be provided via two driveways from Jess Ranch Parkway and one access point into the Jess Ranch Marketplace center. Jess Ranch Parkway, adjacent to the development will be required to be improved to the road to full half width standards where deficient.

In accordance with Development Code Section 9.70.020.H.6, the maximum height for parking lot lighting and/or security lighting is not to exceed twenty (20) feet in height. However, staff is recommending the light standards within the southerly area and closest to the residential area be limited to a maximum height of fifteen (15) feet (Condition of Approval No. P23).

# B. Architecture Analysis:

The hotel and office complex incorporate a contemporary Spanish style, utilizing matching materials and color schemes, which will establish an overall uniform theme. The proposed materials include terra cotta "S" roof tiles, plaster walls, stone veneer, rafter tails under the gable roofs and cornice moldings. The proposed design of the office buildings replicates varied roof lines and arches on the building. A variety of earth-tone colors are proposed, which include shades of tan and brown. Architectural accents, such as pre-cast concrete medallions, decorative tile and stone veneer will be applied to all of buildings proposed within this development.

The facade of the hotel is broken up with a variety of architectural elements, including popouts, reveals, covered entryways. The wall planes of the building are staggered to add to the visual interest of the building.

# C. Tentative Parcel Map

This subdivision will facilitate the development of a center. The proposed map will create seven (7) commercial lots ranging from 0.9 to 3.8 acres in size. The Jess Ranch Specific Plan establishes no minimum lot size for lots within the Neighborhood Commercial designation. The sizes of seven (7) proposed parcels are as follows:

Lot 1: 3.8 acres Lot 2: 1.0 acres Lot 3: 1.0 acres Lot 4: 0.9 acres Lot 5: 1.1 acres Lot 6: 1.2 acres

Lot 7: 1.3 acres

Each parcel is not designed to accommodate the required amount of on-site parking for each proposed building within each parcel. Therefore, to ensure that the project functions as a center, all interior drive aisles, corresponding landscape improvements, related parking, street and retention basin improvements are required to be constructed with the first building permit approval of the project or prior to the recordation of the map. Also, a reciprocal access and parking agreement is required to be recorded.

# F. Drainage:

The Engineering Division has recommended Condition No. EC1, which requires that a final drainage plan to be submitted for review and approval to the Town Engineer. This plan must show provisions for receiving and conveying off-site and on-site tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties.

# G. Environmental Assessment:

The project is within the scope of the approved Mitigated Negative Declaration that was adopted by the Planning Commission on February 7, 2007 for Development Permit No. 2006-045, Special Use Permit No. 2006-014 and Tentative Parcel Map No. 18416 (Jess Ranch

Marketplace Phase III). Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed request is Exempt from further evaluation.

# H. Noticing:

This item was advertised as a public hearing in the Apple Valley News newspaper on September 7, 2018.

# I. Conditional Use Permit Findings:

Before approving a Special or Conditional Use Permit, the Director, Commission or Council when appropriate, shall find that the circumstances prescribed below do apply:

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

### Comment:

The hotel and office complex is proposed on property with a Jess Ranch Specific Plan land use designation of Neighborhood Commercial and is in compliance with the Specific Plan which in turn is in compliance with the General Plan Land Use that allows new construction of commercial and office structures, subject to approval of a Conditional Use Permit. Therefore, the project is consistent with the goals, objectives and policies of the adopted General Plan relative to permitted uses within the Neighborhood Commercial district.

2. That the location, size, design and operating characteristics of the proposed use will be compatible with and will not adversely affect nor be materially detrimental to adjacent uses, residents, buildings, structures or natural resources;

# Comment:

The proposed project is adjacent to Jess Ranch Parkway. Although the project site is surrounded by commercial businesses and vacant commercial land, the design, materials and details of the proposed project will be compatible with the surrounding uses and will utilize an overall architectural design theme. The site is required to construct improvements to facilitate the proposed project.

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

# Comment:

The proposed project is adjacent to commercial uses or zoning on the north and east. Single family residential is located to the south within the gated portion of Jess Ranch Specific Plan. The site is designed with the taller hotel located to the rear of the site and not facing towards the residential, providing a compatible transition in scale. All the office buildings are single story and not exceeding twenty-seven (27) feet in height. Perimeter landscaping will add buffering to the site. The proposed project is a compatible use because the site has been designed with adequate setbacks, parking and access points, and is not anticipated to generate excessive noise, vibration, traffic or other disturbances.

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

Comment: The project, as conditioned, will have adequate public facilities, services and utilities when the project is completed.

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

Comment: The location, size, design and operating characteristics of the proposed project, and the conditions under which it will be operated and maintained, will not be detrimental to the public health, safety or welfare, nor will it be materially injurious to properties or improvements in the vicinity.

6. That the generation of traffic will not adversely impact the capacity and physical character of surrounding streets.

Comment: Traffic generated by the proposed project will not adversely impact the surrounding area. The proposed development will be located along improved roadway that can accommodate traffic generated from the project site.

7. The traffic improvements and/or mitigation measures are provided in a manner adequate to maintain the existing service level or a Level of Service (LOS) C or better on arterial roads and are consistent with the Circulation Element of the General Plan.

Comment: Traffic generated by the proposed project will not adversely impact the surrounding area and was anticipated within the General Plan. The proposed development will be located along improved roadways that can accommodate traffic generated from the project site.

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

Comment: Under the State guidelines to implement the California Environmental Quality Act (CEQA), the project is not anticipated to have any direct or indirect impact upon the environment.

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

Comment: Under the State guidelines to implement the California Environmental Quality Act (CEQA), the project is not anticipated to have any direct or indirect impact upon the environment, as it has been determined that the proposed request is Exempt from further environmental review.

10. That the impacts, as described in paragraphs 1 through 9 above, and the proposed location, size, design and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, nor be materially injurious to properties or improvements in the vicinity, nor be contrary to the adopted General Plan.

Comment: The proposed development and use will not endanger the public health, safety or welfare. The development is required to comply with all Building and Fire Codes.

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

Comment: The project is required to comply with the Jess Ranch Specific Plan and the

Town's Development Code.

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

Comment: The design, materials and details of the proposed buildings are compatible

with properties or improvements in the vicinity.

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

Comment:

The maximum height of the tallest building is 47 feet and all other buildings are approximately 27 feet in height. The height of the structure is well below the maximum height of fifty (50) feet. The building heights are similar to the existing commercial buildings to the north but are higher than the singlefamily residences to the south. However, those structures are over 100 feet away and should not be impacted.

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

Comment: The proposed development fits within the intent of the Jess Ranch Specific Plan Neighborhood Commercial zone where it is being developed, which is to service the entire community both locally and regionally by providing a range of office opportunities and hotel.

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

### J. Parcel Map Findings:

As required under Section 9.71.040 (A5) of the Development Code, prior to approval of a Tentative Parcel Map, the Planning Commission must make the following Findings:

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

Comment: The project is a proposal to subdivide approximately ten (10) acres into seven (7) parcels that meet the requirements for lots within the Neighborhood Commercial district. The property is located within the Jess Ranch Specific Plan. The subject site is vacant, and the surrounding properties are vacant, commercial development and single family residential.

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

Comment:

The proposal consists of a land subdivision within the Neighborhood Commercial (NC) specific plan zoning designation. No houses are being removed, and housing needs will not be negatively impacted. The proposed subdivision will allow the property owner to develop the proposed center in a manner that is consistent with the Town's General Plan Goals and Objectives to promote commercial development.

3. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision (Subdivision Map Act Section 66473.1).

Comment:

The commercial parcels created under this subdivision are appropriate in size to provide natural heating and cooling opportunities for development of the site. The subdivision proposal will facilitate the development of the center and will not conflict with the provisions of any adopted, applicable plan, policy or regulation. As development occurs, the individual lots are subject to the implementation of natural heating and cooling requirements pursuant to Title 24 energy requirements and the Town's Climate Action Plan.

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

Comment:

The project is a commercial land subdivision and is required to connect to the Town of Apple Valley's sewer system. The proposed development can be accommodated by the existing capacity of the sewer system. Applicable fees to connect to these existing infrastructure facilities is a required condition of approval. The requirement to hook up to existing sewer and wastewater lines will comply with California Water Code.

# RECOMMENDATION

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

- 1. Find that, pursuant to the California Environmental Quality Act (CEQA), that the project is within the scope of the approved Mitigated Negative Declaration that was adopted by the Planning Commission on February 7, 2007 for Development Permit No. 2006-045, Special Use Permit No. 2006-014 and Tentative Parcel Map No. 18416 (Jess Ranch Marketplace Phase III). Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed request is Exempt from further evaluation.
- 2. Find the facts presented in the staff report do support the required Findings for Approval for Conditional Use Permit No. 2018-001 and Tentative Parcel Map No. 19946.
- 3. Adopt the Findings as provided in the staff report and approve Conditional Use Permit No. 2018-001 and Tentative Parcel Map No. 19946 subject to the Conditions of Approval.
- 4. Direct staff to file the Notice of Exemption.

<b>Prepared</b>	By:
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Carol Miller

Assistant Community Development Director

# ATTACHMENTS:

- 1. Recommended Conditions of Approval
- 2. Site Plan
- 3. Building Elevations4. Tentative Parcel Map (Separate Cover)
- 5. Zoning Map

# Town of Apple Valley

Recommended Conditions of Approval

Conditional Use Permit No. 2018-001 & Tentative Parcel Map No. 19946

**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 for Conditional Use Permit No. 2018-001, 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 approval 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. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council. A time extension may be approved in accordance with the State Map Act and Town Ordinance, if an extension application is filed and the appropriate fees are paid thirty (30) days prior to the expiration date. The Tentative Parcel Map becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- P3. The applicant shall 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.
- P4. The approval of Conditional Use Permit No. 2018-001 and Tentative Parcel Map No. 19946 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. Prior to issuance of a building permit, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:

Apple Valley Fire Protection District Liberty Utility

Apple Valley Public Works Division

Apple Valley Engineering Division

Apple Valley Planning Division

- P6. The site plan and rendering presented to and approved with Conditions by the Planning Commission at the public hearing shall be the anticipated and expected appearance of the structure upon completion.
- P7. 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 Conditional Use Permit.
- P8. The filing of a Notice of Exemption requires the County Clerk to collect a fee of \$50.00. The fee must be paid in a timely manner in accordance with Town procedures. The check shall be made payable to the Clerk of the Board of Supervisors.
- P9. 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 Division for consideration and approval.
- P10. All outdoor mechanical and electrical equipment, whether rooftop, side of structure, or on the ground, shall be screened from view from the public street by architectural elements designed to be an integral part of the building.
- P11. All front building setbacks and right-of-way areas located between on-site improvements and the back of existing or future public sidewalks or street curbs, except needed access driveways, shall be fully landscaped. A minimum of ten (10) feet shall be provided along Jess Ranch Parkway.
- P12. 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.
- P13. Landscaping shall be installed with appropriate combinations of drought tolerant trees, shrubs, and ground cover, consistent with Chapter 9.75, *Water Conservation Landscape Regulations*, of this Code.
- P14. Final landscape and irrigation plans shall be submitted prior to the issuance of Building Permits and installed prior to issuance of occupancy permits subject to approval by the Planning Division.
- P15. All identification signs shall have a separate permit and are subject to final approval by the Town Planning Division.
- P16. Access to roofs shall be from the interior of the building. If roof access is on the exterior of the building, the roof access ladder shall be screened from view from any public street or public parking area and security shall be provided to prevent unauthorized access.
- P17. Parking requirements shall be met and be in compliance with Town standards. All parking stalls shall be clearly striped and permanently maintained with double or hairpin lines.
- P18. Required parking spaces shall be provided for the handicapped in accordance with Town standards and in accordance with Title 24 of the California Administrative Code. The

- handicapped spaces shall be located as close as practical to the entrance of the facility. Each space must be provided with access ramps and clearly marked in accordance with Title 24 of the California Administrative Code.
- P19. Trash Enclosure shall be in accordance with Town Standards and is recommended to reflect the architectural design (trellis canopy or other similar feature) of approved project subject to the review and approval of the Planning Division.
- P20. All fencing and screening material shall be in conformance with the Development Code subject to approval by the Planning Division.
- P21. Exterior lighting shall be contained within the site. All lights shall be directed downward and fully shielded.
- P22. A low wall, berm or landscaping, thirty-six to forty-two (36 to 42) inches in height, shall be installed to screen automobile headlights from the public right-of-way.
- P23. In accordance with Development Code Section 9.70.020.H.6, the maximum height for parking lot lighting and/or security lighting is not to exceed twenty (20) feet in height. The light standards within the southerly parking area and closest to the residential area shall be limited to a maximum height of fifteen (15) feet.
- P24. All on-site, circulation aisle ways, landscaping and amenity's improvements shall be constructed as part of the first phase and prior to recordation of the Final Map whichever comes first, and the undeveloped pad areas of the remaining phases shall be hydro seeded, or another form of permanent dust control treatment applied to pad areas.
- P25. Prior to final map or first building permit, a reciprocal vehicular and pedestrian ingress, egress, and parking easement shall be recorded prior to the recordation of Parcel Map No. 19946.
- P26. Bricks, pavers or decorative stamped concrete shall be used to accent and highlight street entries, main travel lanes and pedestrian walkways in parking areas or focal areas.
- P27. A Sign Program is required before any issuance of a sign permit.
- P28. Two (2)-foot overhangs on parking spaces are only allowed into five (5)-foot minimum landscape planter areas and sidewalks wider than four (4) feet in width.
- P29. Maximum number of compact spaces shall not exceed fifteen (15) percent and shall be evenly distributed throughout the project.
- P30. A minimum twenty (20)-foot wide building setback shall be provided from Jess Ranch Parkway.

# **Engineering Division Conditions of Approval**

EC1. A final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall consider reducing the post-development site-developed flow to 90 percent of the pre-development flow for a 100 year design storm. (Town Resolution 2000-50; Development Code 9.28.050.C, 9.28.100)

- EC2. A final grading plan shall be approved by the Town Engineer prior to issuance of a grading permit.
- EC3. A twenty-four (24)-foot wide easement for bike path and pedestrian purposes shall be dedicated to the Town of Apple Valley along and adjacent to the southerly boundary of the project.
- EC4. A twelve (12)-foot wide concrete bike path shall be constructed along the southerly boundary of the project. The bike path shall be constructed to connect the Mojave Riverwalk South class 1 bike path to Jess Ranch Parkway.
- EC5. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC6. Traffic impact fees adopted by the Town shall be paid by the developer.
- EC7. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.
- EC8. Utility lines shall be placed underground in accordance with the requirements of the Town.

# **Public Works Department Conditions of Approval**

- PW1. Sewage disposal shall be by connection to the Town of Apple Valley sewer system. Financial arrangements, plans and improvement agreements must be approved by the Town of Apple Valley Public Works Department.
- PW2. Sewer connection fees required.

# **Environmental and Transit Services Conditions of Approval**

- ER1. The project must provide adequate areas for collecting and loading recyclable materials in compliance with AB 341. The trash enclosure must comply with the newly adopted recycling standards. (Public Resource Code Section 42910-42912)
- ER2. The developer shall complete and submit a Waste Management Plan ("WMP"), on a WMP form approved by the Town for this purpose as part of the application packet for the building or demolition permit. The completed WMP shall indicate all of the following:
  - (1) The estimated volume or weight of project C&D debris to be generated;
  - (2) The estimated volume or weight of such materials that can feasibly be diverted via reuse or recycling;
  - (3) The vendor or facility that the Developer proposes to use to collect or receive that material; and
  - (4) The estimated volume or weight of C&D materials that will be landfilled. (Town of Apple Valley Municipal Code Section 8.19.020(a))
- ER3. Compliance with Condition of Approval No. ER2 shall be met by any of the following:
  - (1) Contract for hauling services with Town's franchise hauler, with all Project debris delivered to San Bernardino County self-haul landfill diversion program, provided the diversion program is currently operating; and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP

- (2) Self-haul all Project debris to San Bernardino County self-haul landfill diversion program, provided the diversion program is currently operating; and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP
- (3) Self-haul all Project debris to a construction materials recycling facility, and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP
- (4) Contract with a construction site cleanup company to recycle at least 50% of the Project construction debris, and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP. (Town of Apple Valley Municipal Code Section 8.19.030)
- ER4. Prior to issuance of Certificate of Occupancy, the developer shall submit to the WMP Compliance Official documentation proving that it has met the Diversion Requirement for the Project. The Diversion Requirement shall be that the developer has diverted at least fifty percent (50%) of the total C&D debris generated by the Project via reuse or recycling. This documentation shall include all of the following:
  - (1) Receipts from the vendor or facility that collected or received each material showing the actual weight or volume of that material;
  - (2) A copy of the previously submitted WMP for the Project adding the actual volume or weight of each material diverted and landfilled;
  - (3) Any additional information the Developer believes is relevant to determining its efforts to comply in good faith with this Chapter 8.19. (Town of Apple Valley Municipal Code Section 8.19.050)
- ER5. The developer shall make reasonable efforts to ensure that all C&D debris diverted or landfilled are measured and recorded using the most accurate method of measurement available. To the extent practical, all C&D debris shall be weighed by measurement on scales. Such scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For C&D debris for which weighing is not practical due to small size or other considerations, a volumetric measurement shall be used. For conversion of volumetric measurements to weight, the developer shall use the Standardized Conversion Rates approved by the Town for this purpose.

# **Building and Safety Conditions of Approval**

- BS1. An engineered grading report including soils report shall be submitted to and approved by the Building Official prior to recordation of the final map or issuance of permits for grading in excess of 1,000 cubic yards.
- BS2. Grading and drainage plans must be submitted to and approved by the Building Official, Planning Department and Town Engineer prior to permit issuance.
- BS3. Submit plans and obtain permits for all structures and retaining walls, signs.
- BS4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard, native plant protection and desert tortoise habitat.
- BS5. A Notice of Intent (NOI) and Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.

- BS6. All utilities shall be placed underground in compliance with Town Ordinance No. 89.
- BS7. Comply with the State of California Disability Access requirements.
- BS8. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the Building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as a Biologist and/or Paleontologist.
- BS9. A dust palliative or hydro seed will be required on those portions of the site graded but not constructed upon or landscaped.
- BS10. Page two (2) of the submitted building plans will be the Conditions of Approval.
- BS11. Construction must comply with the California Building Codes and California Green Building Code effective at the time of submittal.
- BS12. Best Management Practices (BMP's) are required for the site during construction.
- BS13. Provide Water Quality Management Plan (WQMP) or Alternative Compliance Plan.

# **Apple Valley Fire Protection District Conditions of Approval**

- FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements.
- FD2. All new construction shall comply with applicable sections of the California Fire Code, California Building Code, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, or Apple Valley Fire Protection District.
- FD3. All combustible vegetation, such as dead shrubbery and dry grasses, shall be removed from each building site a minimum distance of thirty (30) feet from any combustible building material, including the finished structure. This does not apply to single specimens of trees, ornamental shrubbery, or similar plants, which are used as ground cover if they do not form a means of transmitting fire.

California Public Resources Code, Sec. 4291

- FD4. Prior to combustible construction, the development and each phase thereof, shall have two points of paved access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of these points of access shall provide an independent route into the area in which the development is located.
- FD5. Fire lanes shall be provided with a minimum width of twenty-six (26) feet, maintained, and identified. Twenty-six (26) feet access will start at both points of ingress and continue through the site.

Apple Valley Fire Protection District Ordinance 55

FD6. A turnaround shall be required at the end of each roadway one hundred fifty (150) feet or more in length and shall be approved by the Fire District. Cul-de-sac length shall not exceed one thousand (1,000) feet.

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

Apple Valley Fire Protection District Ordinance 55

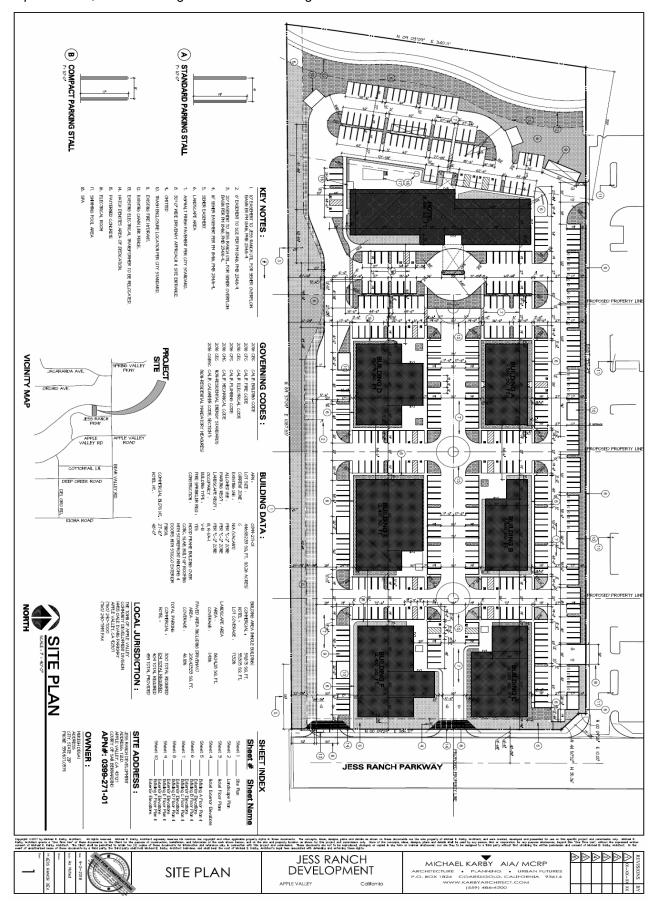
FD7. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

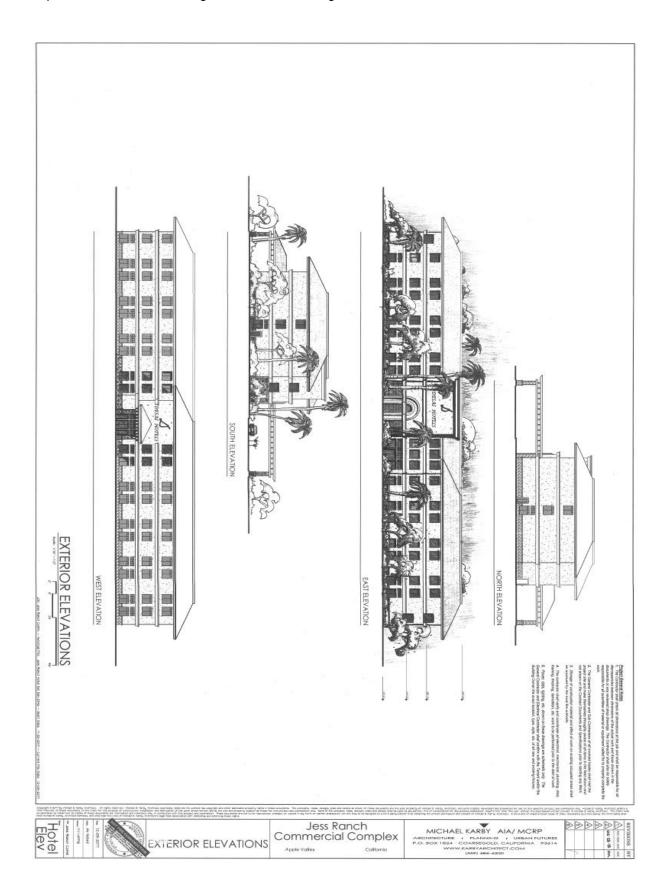
Commercial and industrial developments shall have street addresses and location approved by the Fire District, additional non-illuminated contrasting twelve (12) inch numbers shall be displayed at the property entrance. When these developments have rear doors of each unit, the unit number shall be a minimum of 6 inches and shall contrast with their background.

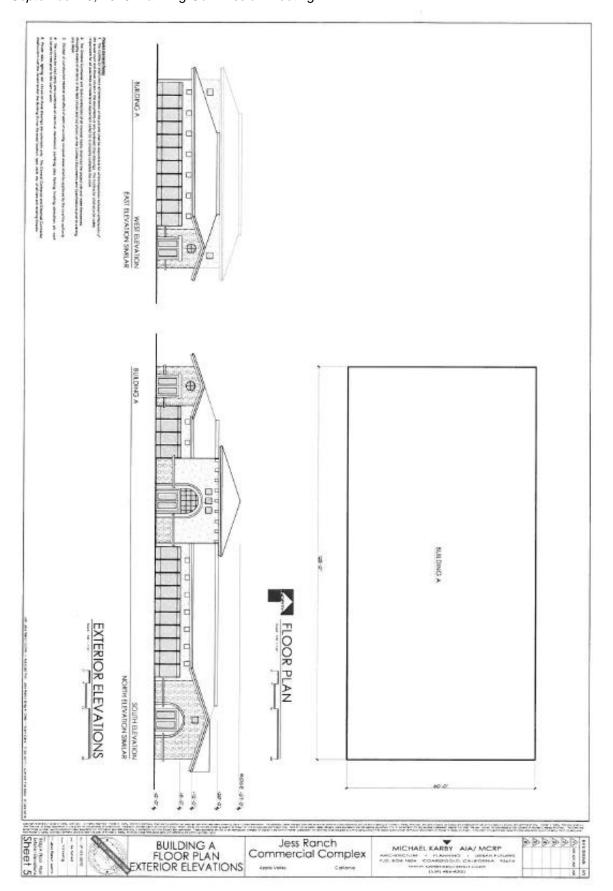
Apple Valley Fire Protection District, Ordinance 55

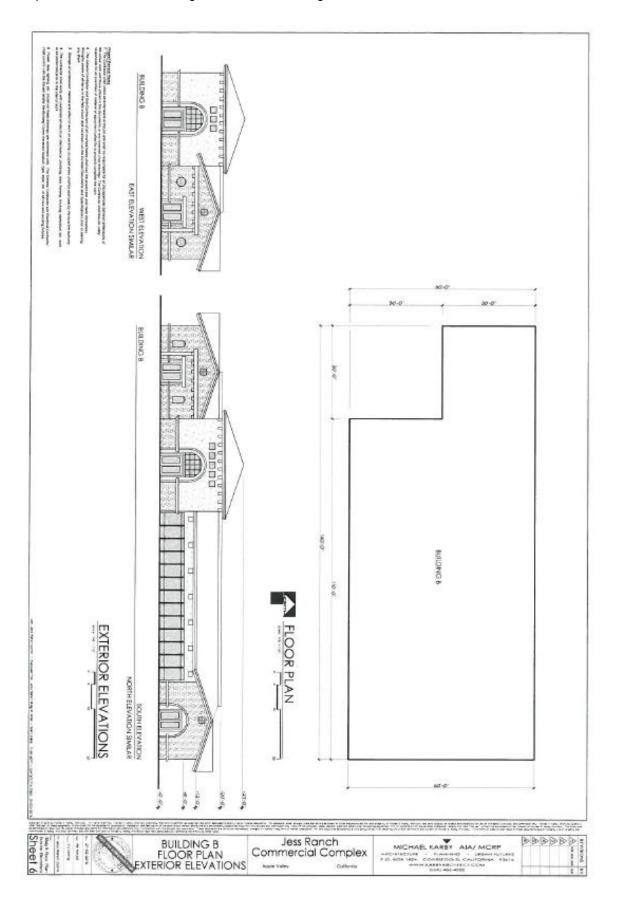
FD8. Prior to issuance of building permit, the developer shall pay all applicable fees as identified in the Apple Valley Fire Protection District Ordinance.

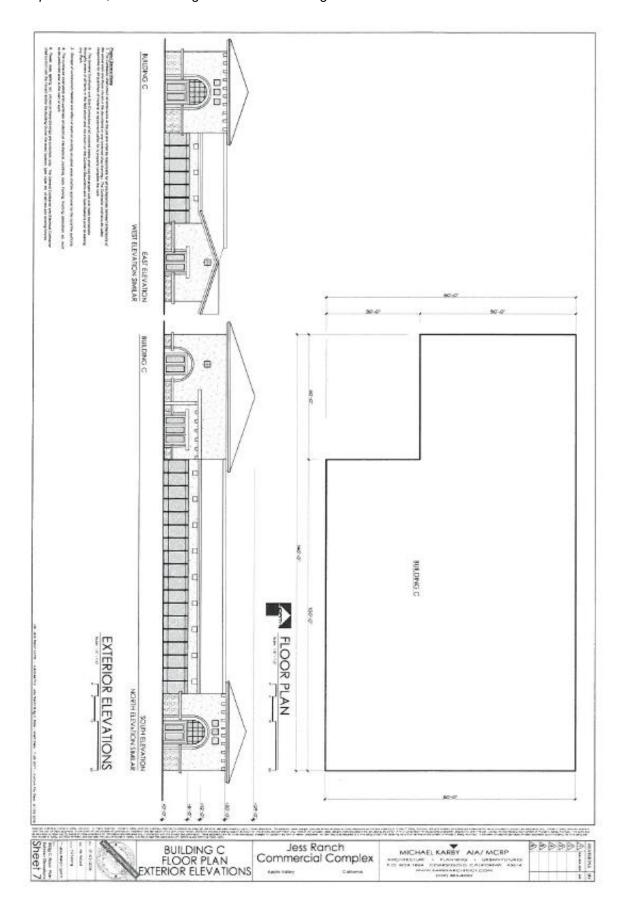
# **END OF CONDITIONS**

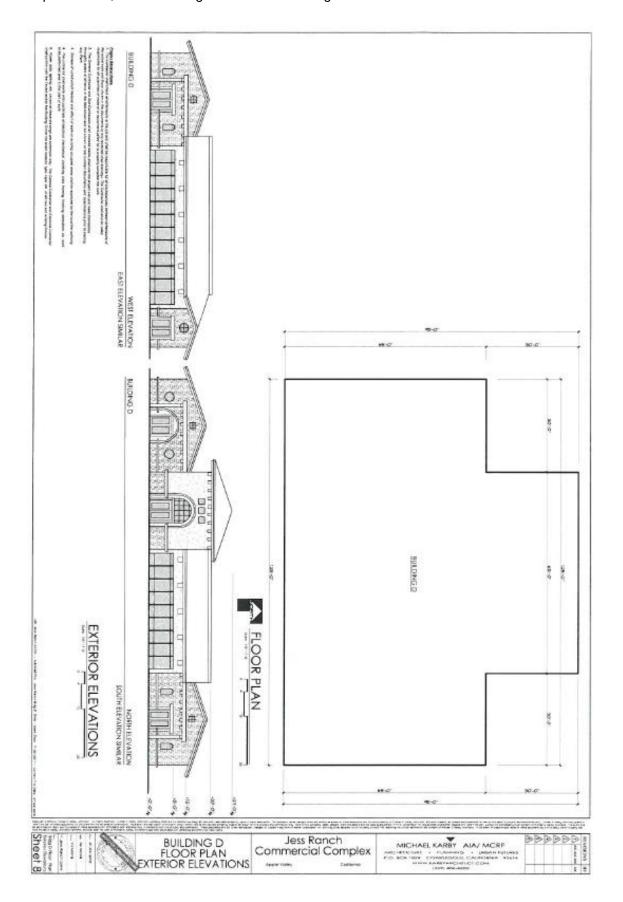


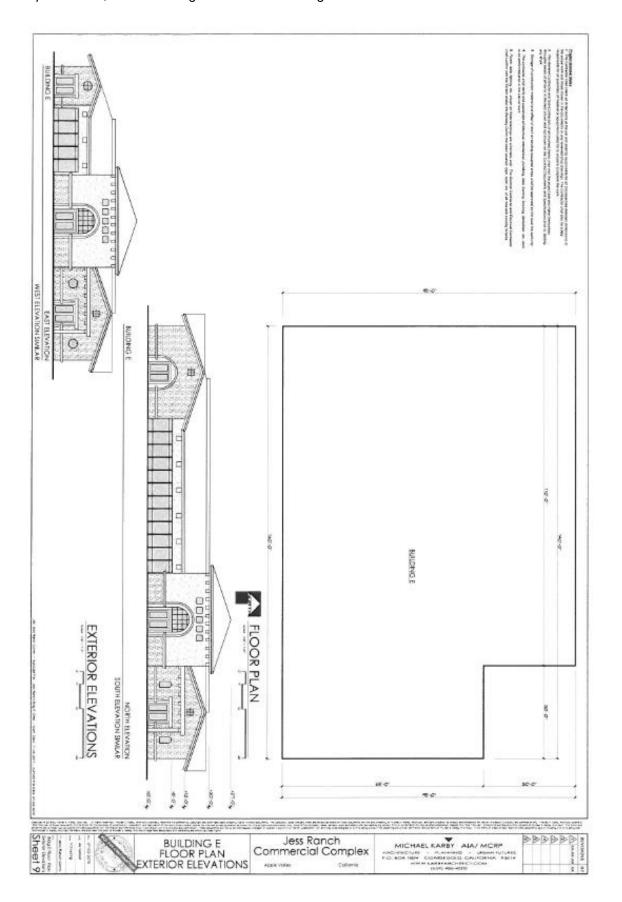


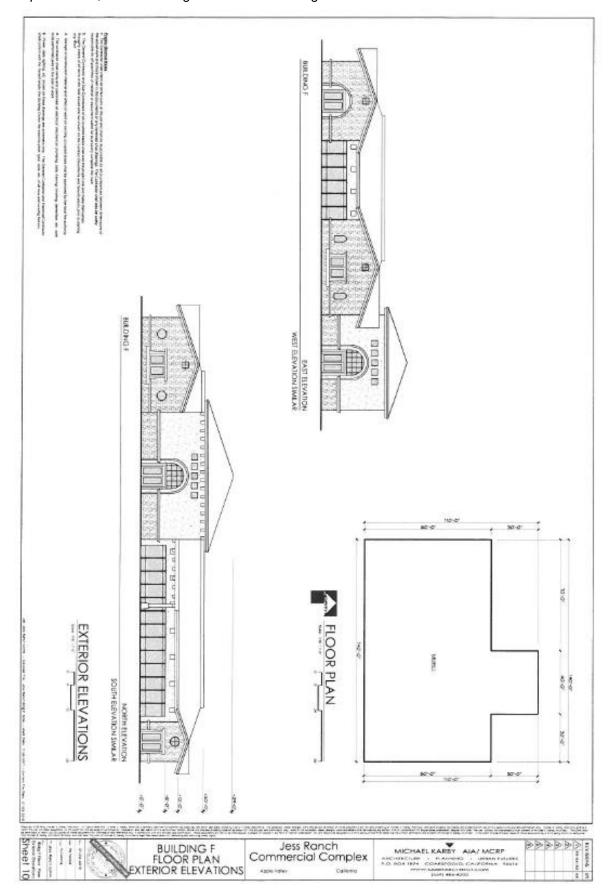


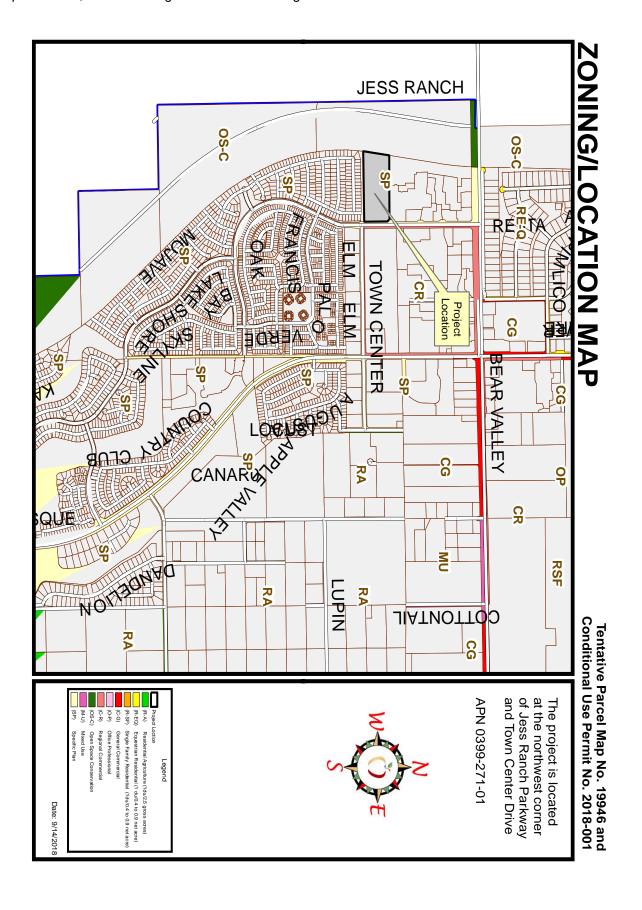












Agenda Item No. 2



# TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

# **Staff Report**

AGENDA DATE: September 19, 2018

CASE NUMBER: Development Permit No. 2018-008

**APPLICANT:** Star-West Homes

PROPOSAL: A request to approve a Development Permit allowing the

construction of eighteen (18) single-family tract homes within Stonebrook Estates, Tract 13771. The proposal consists of five (5) floor plans ranging from 2,646 to 3,486 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 near Monterey Street and Ivanpah

Road; APNs 3088-621-01 thru -07, 3088-621-15 thru -24, and

3088-621-29.

ENVIRONMENTAL

**DETERMINATION:** This project is within the scope of the approved Mitigated Negative

Declaration that was adopted by the Planning Commission for Tentative Tract Map No. 13771 on September 5, 1989. 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 eighteen (18) single-family lots with an average lot size of approximately one-half (1/2) acre.

# 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. <u>Surrounding Zoning and Land Use:</u>

Project Site- Single-family Residential (R-SF), vacant

North - Single-family Residential (R-SF), single-family residences South - Single-family Residential (R-SF), single-family residences East - Single-family Residential (R-SF), single-family residences

West - Single-family Residential (R-SF), vacant

# D. <u>Building/Unit Analysis:</u>

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

Proposed Maximum Livable Space: Plan A: 2,646 sq. ft.

Plan B: 3,157 sq. ft.
Plan C: 3,321 sq. ft.
Plan D: 2,821 sq. ft.
Plan E: 3,486 sq. ft.

E. <u>Building Height:</u> Permitted Maximum: 35 ft.

Proposed Maximum: 22 ft.

F. <u>Setback Analysis:</u> Based upon the existing development and Conditions of Approval for

Tract 13771, it is recommended that this project comply with a minimum front yard setback of forty (40) feet with an average of forty-five (45) feet.

G. Parking Analysis:

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

Proposed: Plan A: 3-car (715 sq. ft.)
Plan B: 3-car (775 sq. ft.)

Plan C: 2-car (526 sq. ft.) plus 1-car (336 sq.ft.)

Plan D: 3-car (739 sq. ft.) Plan E: 3-car (798 sq. ft.)

H. Lot Coverage: Maximum Permitted 0.40

Maximum Proposed 0.28

# <u>ANALYSIS</u>

# 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 eighteen (18) single-family residences on existing, partially improved lots.

# B. Site Analysis:

The project site consists of the remaining, undeveloped lots within Stonebrook Estates Tract No. 13771. Stonebrook Estates is a gated community with an active home owners association and architectural review committee. The subject parcels are located at the northwesterly portion of the subdivision.

The submitted plotting plan delineates the current minimum setback for the Residential Single Family (R-SF) zoning of thirty (30) feet. Staff would recommend front yard setback of the final eighteen (18) lots be consistent with the existing development. Condition of Approval P6 requires a minimum front yard setback of forty (40) feet with an average front yard setback of forty-five (45) feet, which is consistent the Conditions of Approval for Tract 13771 and the existing development within the tract.

# C. Floor Plan Analysis:

Five (5) floor plans are proposed, ranging in size from 2,646 to 3,486 square feet of livable 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:

<u>Plan</u>	Story	Bed	Bath	Garage	Other
A	1	4	3	3	None Specified
В	1	4	2-1/2	3	None Specified
С	1	4	3-1/4	3	Includes Accessory Dwelling Unit
D	1	4	3	3	Includes Accessory Dwelling Unit
E	1	4	4-1/4	3	None Specified

Plan A has 2,646 square feet of livable area including four (4) bedrooms, three (3) bathrooms. There is a seventy (70) square foot front porch, a 320 square foot covered rear patio, and a 715 square foot, three (3)-car garage.

Plan B has 3,157 square feet of livable area including four (4) bedrooms and two (2) and one-half (1/2) bathrooms. There is a 206 square foot front porch and a 399 square foot side patio. The plan also includes a 440 square foot, open courtyard adjacent to the front entryway. There is no indication that the courtyard will be gated, or otherwise secured. This plan has a 755 square foot, three (3)-car garage.

Plan C has 3,321 square feet of livable area including four (4) bedrooms, three (3) and one-quarter (1/4) bathrooms and a private guest suite. There will be a 113 square foot covered front porch and a 447 square foot rear patio. There are two (2) garages, one is a 526 square foot, two (2)-car garage and the second is a single car, 341 square foot garage.

Plan D has 2,821 square feet of livable area including four bedrooms and three bathrooms. This plan includes a 460 square foot accessory dwelling unit with a small kitchenette and access from the interior of the primary home. There will be a seventy (70) square foot front porch and a 327 square foot covered rear patio. There is a 739 square foot two (2)-car garage with this plan.

Plan E has 3,486 square feet of livable area including four (4) bedrooms and four (4) and one-quarter (1/4) bathrooms. There will be an eighty-one (81) square foot covered front porch and a 646 square foot covered rear patio. The three (3)-car garage is 798 square feet in size.

Plans "C" and "D" contain guest suites that include kitchenettes. With the inclusion of cooking facilities, these spaces are considered accessory dwelling units. The Code allows overall size of an attached accessory dwelling unit to be up to thirty (30) percent of the livable area of the primary dwelling. Plan "D" complies with the Code; however, Plan "C" shows an accessory dwelling unit that is 750 square feet with an attached 341 square foot garage which is 42% of the livable area of primary. Therefore, staff is recommending Condition of Approval P16 prohibiting access from the single-car garage to the accessory dwelling unit. Without the attached garage, the accessory dwelling unit will be in compliance at twenty-nine (29) percent of the livable area of the primary dwelling. Staff is also including Condition P18 requiring the recordation of the required restrictive covenant for the properties with accessory dwelling units.

The applicant proposes homes with livable area ranging from 2,626 to 3,486 square feet in size. The eighteen (18) homes will have a average of 3,106 square feet, which is roughly 300 square feet less than those within the immediate vicinity. The Home Owner's Association has reviewed and approved the proposed houses.

# D. <u>Architecture Analysis:</u>

The five (5) plans exhibit designs that are contemporary in form with elements consistent with variations of "Spanish" and "Mediterranean" architectural styles. The house elevations incorporate multiple roof lines and multiple off-sets to the front elevations. The plans exhibit variety of window sizes, shapes and trims 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. The elevations presented do not contain the level of decorative stone, brick or ironwork evident on most of the existing homes within Stonebrook Estates.

# E. Landscape Analysis

The Covenants, Conditions and Restrictions within Stonebrook require custom landscapes for each home. Each plan must be reviewed and approved by the architectural committee prior to submitting for a building permit. The landscape plans will also be subject to the review and approval by the Planning Division.

# F. Environmental Assessment:

This project is within the scope of the approved Mitigated Negative Declaration that was adopted by the Planning Commission for Tentative Tract Map No. 13771 on September 5, 1989. 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 September 7, 2018.

# 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 will be constructed 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 blend with existing structures in the immediate area. The proposal, with 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 homes will be single-story and will not block public views and will be 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 be customized to each home and subject to the approval of the Home Owner's Association and the Planning Division.

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 singlefamily residential homes 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. 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. 13771 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:

This project is within the scope of the approved Mitigated Negative Declaration that was adopted by the Planning Commission for Tentative Tract Map No. 13771 on September 5, 1989. 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:

This project is within the scope of the approved Mitigated Negative Declaration that was adopted by the Planning Commission for

Tentative Tract Map No. 13771 on September 5, 1989. 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. 2018-008, subject to the attached Conditions of Approval.
- 4. Direct Staff to file the Notice of Exemption.

Prepared By:	Reviewed By:		
Pam Cupp	Carol Miller		
Associate Planner	Assistant 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. 2018-008

**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. 2018-008 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.
- P6. The project shall maintain a minimum front yard setback of forty (40) feet with an average of forty-five (45) with a minimum offset of five (5) feet from adjacent properties as required by the Conditions of Approval for Tract Map No. 13771. A plotting plan shall be submitted for review by Planning Division that complies with these 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. No two adjacent homes shall have the same floor plan and elevation.

- 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 for each individual home and approved prior issuance of a building permit. Said landscaping and irrigation must be installed prior to a final inspection for occupancy.
- P11. 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.
- P12. All tract identification signs shall have a separate permit and are subject to final approval by the Town Planning Division.
- P13. 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.
- P14. 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.
- P15. 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.
- P16. The accessory dwelling units may not be accessible from a garage.
- P17. Accessory dwelling units are subject to fees as determined by Building and Safety.
- P18. Prior to the issuance of a building permit for an accessory dwelling unit, a restrictive covenant against the land, which is binding on the property owner and their successors in interest, shall be recorded with the office of the San Bernardino County Recorder, which specifies that the following:

- a. The use of the accessory dwelling unit as an independent living space may continue only if one dwelling on the lot is occupied by the property owner.
- b. The accessory dwelling unit may not be sold or otherwise conveyed separate from the primary residence.
- c. The property may only contain one (1) rented unit.

**End of Conditions** 







MEDITERRANEAN | SCHEME 5

SPANISH | SCHEME 3

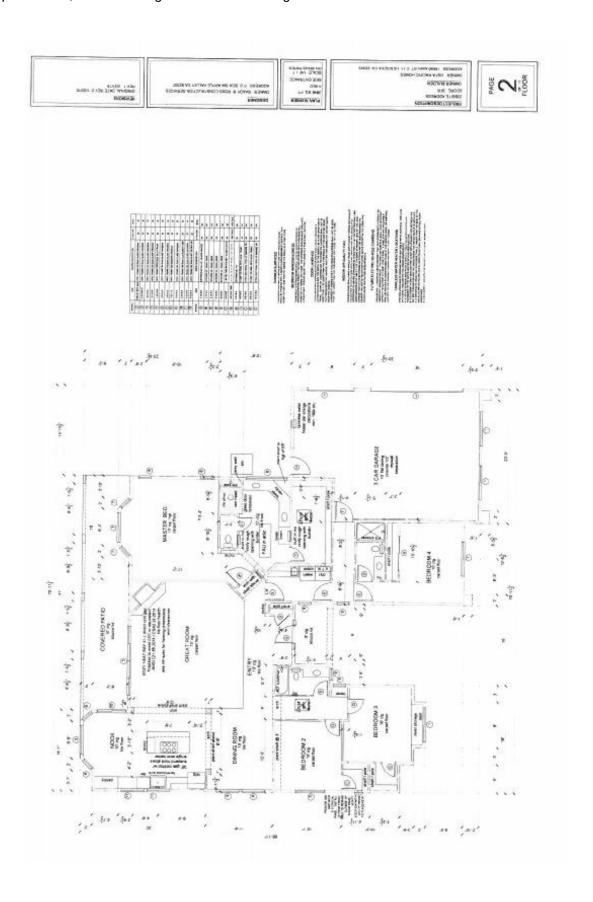
FRONT ELEVATIONS

PLAN 2646

STONEBROOK ESTATES

APPLE VALLEY, CA

VISTA PACIFIC Homes





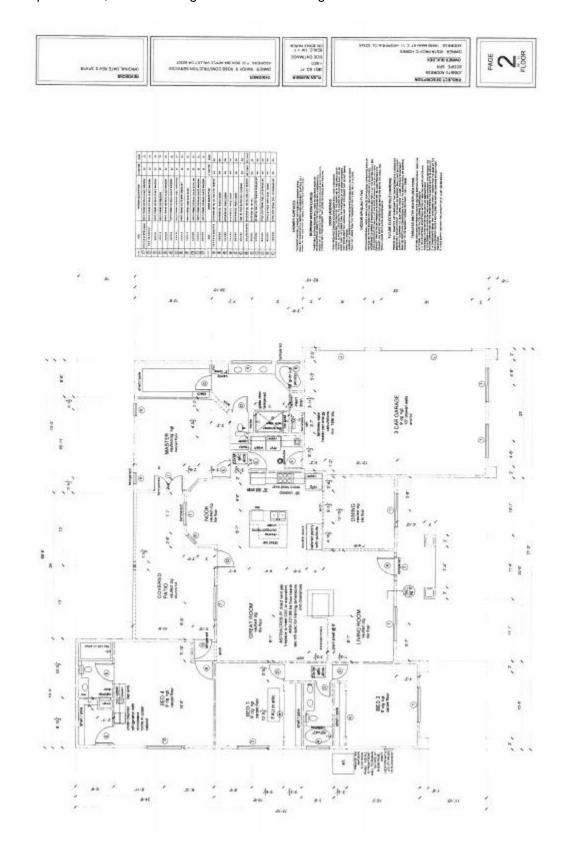


PLAN 2821

STONEBROOK ESTATES FRONT ELEVATIONS

APPLE VALLEY, CA

VISTA PACIFIC Homes





**MEDITERRANEAN SCHEME 5** 



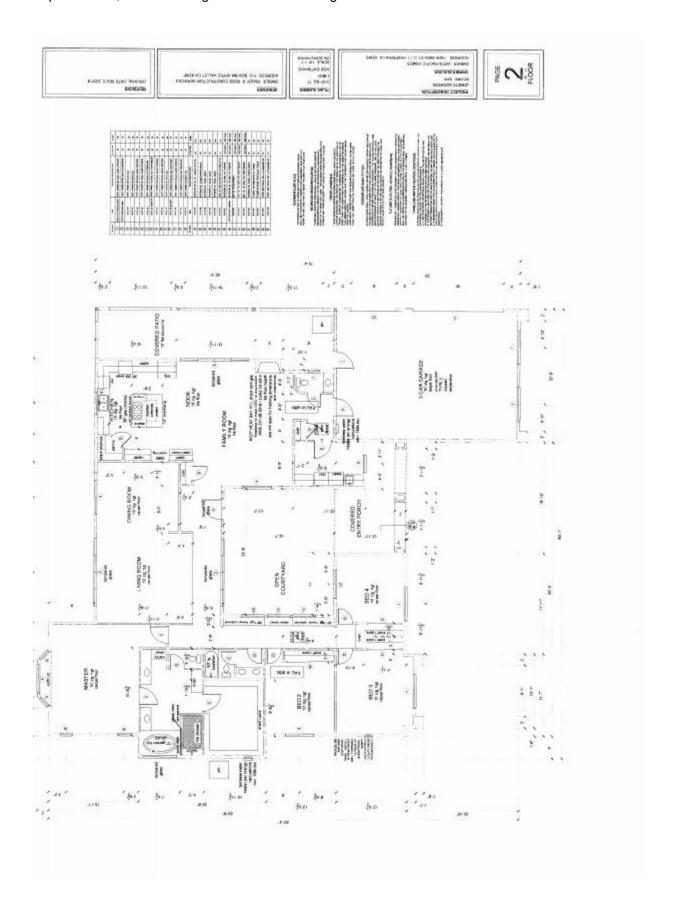
SPANISH SCHEME 1

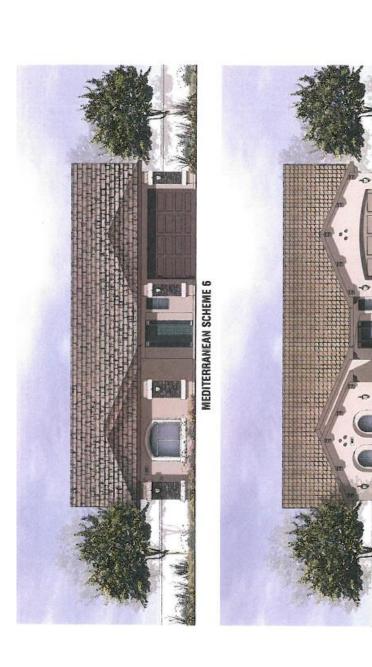
PLAN 3157

FRONT ELEVATIONS

STONEBROOK ESTATES

VISTA PACIFIC HOMES



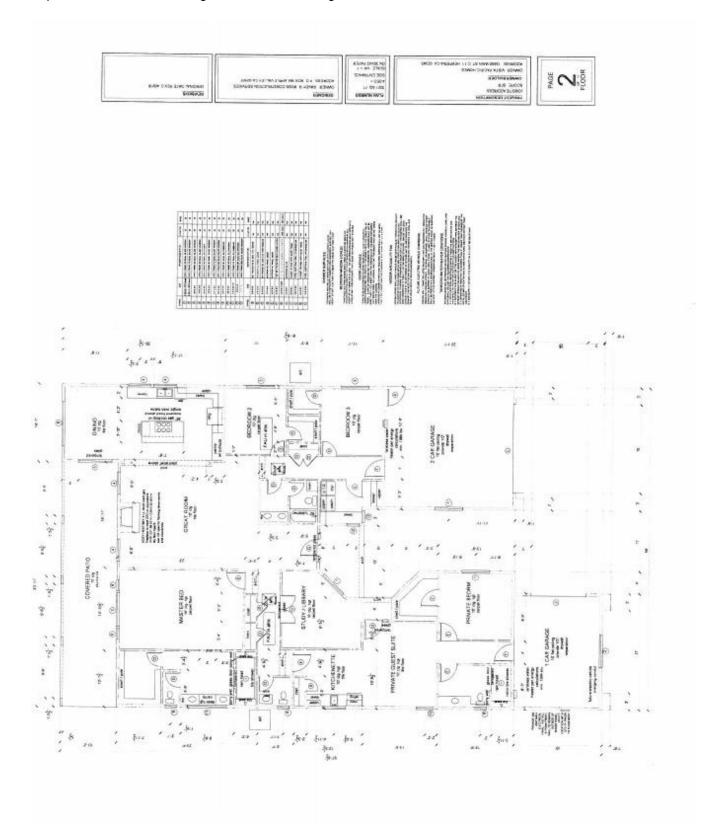


STONEBROOK ESTATES
APPLE VALLEY, CA FRONT ELEVATIONS

SPANISH SCHEME 3

PLAN 3321

VISTA PACIFIC HOMES





STONEBROOK ESTATES

FRONT ELEVATIONS

PLAN 3486

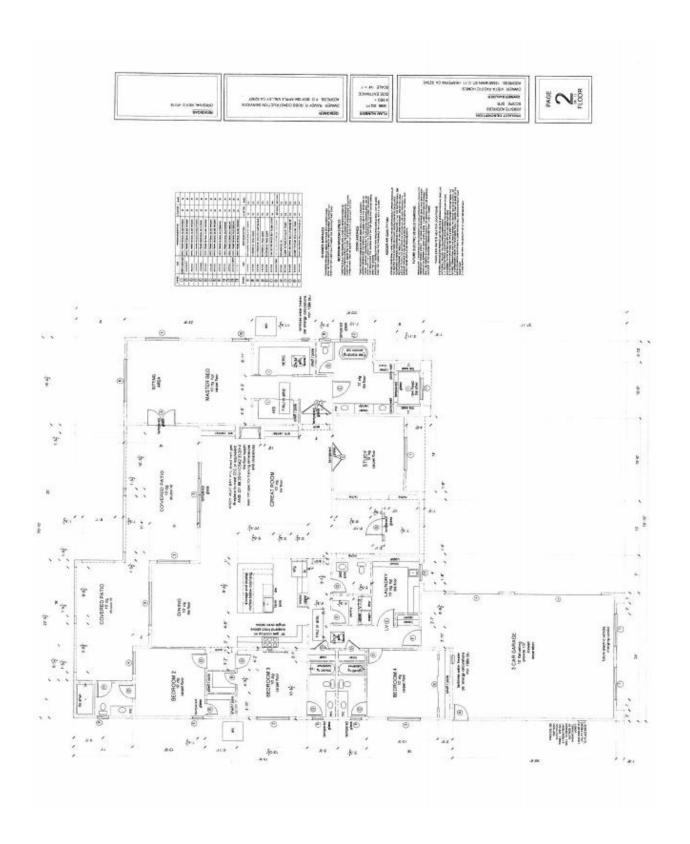
APPLE VALLEY, CA

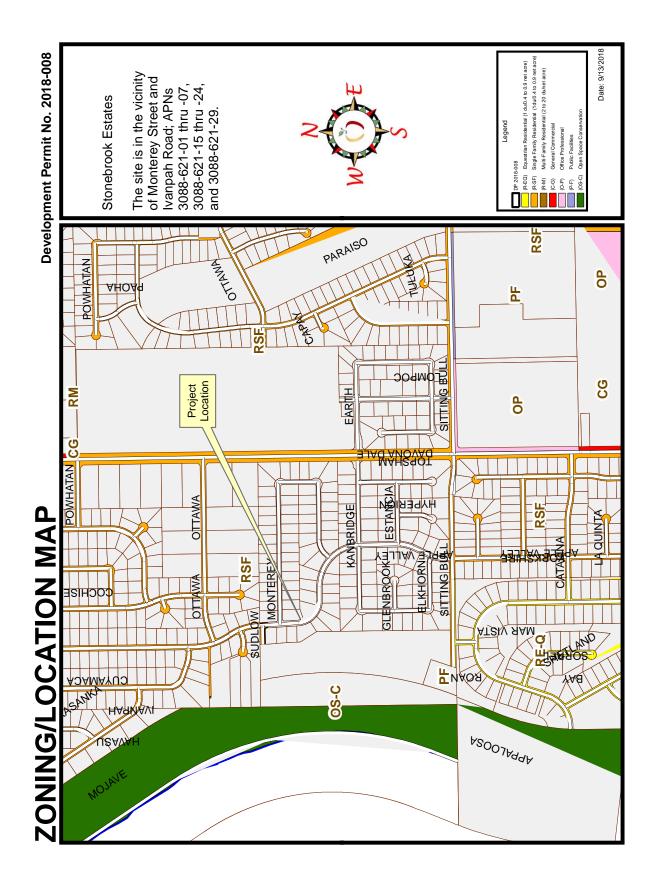
VISTA PACIFIC HOMES





MEDITERRANEAN | SCHEME 4







# TOWN OF APPLE VALLEY MEMORANDUM

Get a Slice of the Apple.

**TO:** Planning Commission

**FROM:** Carol Miller, Assistant Community Development Director

**SUBJECT:** Development Permit Annual Review

**DATE:** September 19, 2018

Attached is the annual review of Development Permits that have been administratively approved from July 14, 2017 through July 31, 2018.

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

Attachments: Development Permit Annual Review

## **DEVELOPMENT PERMIT ADMINISTRATIVE APPROVALS**

## 7/14/2017 - 7/31/2018

	7/14/2017 7/31/2010						
B&S Status	Date Submitted	Planning Approval Date	Project Address	Applicant	Case I.D.	Project Description	Planner
Grading plans submitted for review.	October 16, 2017	June 5, 2018	0434-021-33 & 34 Corner of Bear Valley/Apple Valley Rd	JP Morgan Chase Bank	DP 2017-011 & SUP 2017-006	Development of a 3,470 square foot bank. SUP to allow drive up teller.	Miller
Grading plans submitted for review.	November 2, 2017	July 10,2018	18300 Highway 18	St. Mary's Medical Center/Robert Martinez Architects	DP 2017-005 & DVN 2017-002	Relocate a trash compactor and construction of a metal canopy roof.	Cupp
Permit issued 79552	January 31, 2018	January 31, 2018	13330 Manhasset Rd	Derrick Sandwick	DP 2018-002	Construction of a 14,400-sf industrial/warehouse building.	Cupp
Permit issued 79102	March 26, 2018	July 2, 2018	0473-353-04 Between Apple Valley and Siskiyou Rd.	Mehdi Mostaedi	DP 2018-005	Construction of a four-plex 3-bedroom units.	Miller