



Get a Slice of the Apple.

**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, OCTOBER 17, 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 August 15, 2018.

PUBLIC HEARING ITEMS

2. **Tentative Tract Map No. 18914.** The applicant proposes a request for a three (3) year time extension for a previously approved subdivision of approximately fifty-nine (59) acres into eighty-seven (87) single-family residential lots. The project will have lots ranging from 18,000 to 38,520 square feet in size.

APPLICANT: Prime Healthcare Services

LOCATION: The project is located at the southeast corner of the Central Road and Esaws Avenue; APN 0439-022-65.

**ENVIRONMENTAL
DETERMINATION:**

There is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project and adopted on October 21, 2015 by the Planning Commission. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.

CASE PLANNER: Ms. Pam Cupp, Associate Planner

RECOMMENDATION: Approval

3. **Development Permit No. 2018-004 and Special Use Permit 2018-001.** The applicant proposes a request for review of a Development Permit and Special Use Permit involving the demolition of existing buildings and paved parking to allow for the construction of a new 4,574 square-foot, two (2) suite commercial building, drive-thru lane, landscaping and parking. The project will include the elimination of the Outer Highway 18 South between Tuscola and Kasota Roads, new street improvements along Kasota Road and rear alleyway improvements.

APPLICANT: Robert Martinez representing Ash Pathi

LOCATION: The site is located at 18155-18157 and 18165-18195 Highway 18 South; APNs 0473-112-10 & -11

**ENVIRONMENTAL
DETERMINATION:**

The proposal involves the demolition of a commercial building and the construction of a new commercial building and new parking. This proposal results in approximately fifty (50) percent reduction in building square-footage. Therefore, there is no new substantial change in the development of the site that would result in new, significant environmental impacts. Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), Section 15302, Class 2, the proposed request is Exempt from further environmental review.

CASE PLANNER: Carol Miller, Assistant Community Development Director

RECOMMENDATION: Approval

PLANNING COMMISSION COMMENTS

STAFF COMMENTS

OTHER BUSINESS

ADJOURNMENT

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

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION REGULAR MEETING

August 15, 2018

CALL TO ORDER

Chairman Tinsley 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; Doug Qualls; Mark Shoup; Chairman B.R. "Bob" Tinsley
Absent: Vice-Chairman Lamoreaux

Staff Present

Lori Lamson, Assistant Town Manager, Albert Maldonado, Town Attorney, Yvonne Rivera, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Kallen.

APPROVAL OF MINUTES

1. **Approval of Minutes**
 - 1a. Regular Meeting of July 18, 2018.

MOTION

Motion by Commissioner Shoup, seconded by Commissioner Kallen, to approve the minutes for the Regular Meeting of July 18, 2018.

Vote: Motion carried 4-0-1-0
Yes: Commissioners Kallen; Qualls; Shoup; Chairman Tinsley.
Absent: Vice-Chairman Lamoreaux.

1b. Regular Meeting of August 1, 2018.

MOTION

Motion by Commissioner Shoup, seconded by Commissioner Qualls, to approve the minutes for the Regular Meeting of August 1, 2018.

Vote: Motion carried 4-0-1-0

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

Absent: Vice-Chairman Lamoreaux.

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

CONTINUED FROM AUGUST 1, 2018

2. **Conditional Use Permit No. 2018-007 and Deviation Permit No. 2018-006.** A request for approval of a Conditional Use Permit to install a seventy-five (75)-foot tall wireless telecommunications tower designed as a faux water tank. The tower has been designed to accommodate a second carrier. The tower will be situated within the southeasterly corner of the park within a 784 square-foot lease area that accommodates the tower and equipment enclosure. The Deviation is a request for a reduced separation distance from residential zoned property to the south and west.

Applicant: Spectrum Services for Verizon Wireless

Chairman Tinsley opened the public hearing at 6:05 p.m.

Lori Lamson, Assistant Town Manager, presented the staff report as filed with the Planning Division. She noted that the faux water tank would include the Town's Logo, as well as the name "Lenny Brewster Sports Complex", which she believed would make the tank aesthetically pleasing for the area.

Commissioner Qualls questioned the properties that may be affected by the deviation. He also asked if a tentative tract map existed for the properties that have not been developed.

Ms. Lamson informed the Commission that the proposed site is located within the dry lake area where the zoning is low density residential. She commented on the specifications used for new construction in the dry lake area, including the need to elevate homes above the flood plain levels.

Elinor “Jan” Mander, Apple Valley, requested information regarding the separation distance between the cell tower and her property.

Chairman Tinsley asked the Applicant if he agreed with all Conditions of Approval.

Chris Colten, Spectrum Services, stated that the applicant was in agreement with all of the conditions.

There being no one else wishing to speak from the audience, Chairman Tinsley closed the public hearing at 6:15 p.m.

MOTION

Motion by Commissioner Qualls, and seconded by Commissioner Kallen, that the Planning Commission move to:

1. Determine that pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA) Section 15303, Conditional Use Permit No. 2018-007 and Deviation Permit No. 2018-006 are exempt from further environmental review.
2. Find the Facts presented in the staff report support the required Findings for approval and adopt the Findings for Conditional Use Permit No. 2018-007 and Deviation Permit No. 2018-006.
3. Approve Conditional Use Permit No. 2018-007 and Deviation Permit No. 2018-006, subject to the attached Conditions of Approval.
4. Direct Staff to file the Notice of Exemption.

Vote: Motion carried 4-0-1-0

Yes: Commissioners Kallen; Qualls; Shoup; Chairman Tinsley

Absent: Vice-Chairman Lamoreaux

PLANNING COMMISSION COMMENTS

Chairman Tinsley would like an update on the discussion items held at the August 1, 2018 meeting regarding the interpretation of the current on-site consumption of alcohol

regulations within the Development Code, as well as the issues surrounding the Point System Program.

Commissioner Qualls commented on the current interpretation of garden walls and planter walls as described in the Points System Program. He believed it lacked clarity. He would like staff to implement a guide sheet that would better clarify the descriptions of garden walls and planter walls within the program.

Lori Lamson, Assistant Town Manager, responded to the concerns expressed by the Commission regarding the Points System Program. She believed that the majority of the in-fill developers that build in Apple Valley understand the program. However, she informed the Commission that staff would be happy to work with the developers on a case by case basis, to address any issues they may have.

Ms. Lamson also informed the Commission that an initiation for a Development Code Amendment for Beer and Wine Consumption agenda item would go before the Town Council at its next regular meeting on August 28, 2018.

It was the consensus of the Commission to have staff work with the builders on a case by case basis for any issues they may have with the Points System Program.

STAFF COMMENTS

None.

OTHER BUSINESS

None.

ADJOURNMENT

Commissioner Shoup informed the Commission and public that former Planning Commissioner Gard Elliot Jensen passed away. He commented on the many contributions that he made while serving on the Commission. He respectfully requested that tonight's meeting be adjourned in his memory.

Motion by Commissioner Shoup, seconded by Commissioner Kallen, and unanimously carried, to adjourn the meeting of the Planning Commission at 6:30 p.m. in memory of former Planning Commissioner, Gar Elliot Jensen.

Respectfully Submitted by:

Yvonne Rivera
Planning Secretary

Approved by:

Chairman Bob "B.R." Tinsley



TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

- AGENDA DATE:** October 17, 2018
- CASE NUMBER:** Tentative Tract Map No. 18914, Extension of Time
- APPLICANT:** Prime Healthcare Services
- PROPOSAL:** This is a request for a three (3) year time extension for a previously approved subdivision of approximately fifty-nine (59) acres into eighty-seven (87) single-family residential lots. The project will have lots ranging from 18,000 to 38,520 square feet in size.
- LOCATION:** The project is located at the southeast corner of the Central Road and Esaws Avenue; APN 0439-022-65.
- ENVIRONMENTAL DETERMINATION:** There is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project and adopted on October 21, 2015 by the Planning Commission. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.
- CASE PLANNER:** Ms. Pam Cupp, Associate Planner
- RECOMMENDATION:** Approval

PROJECT SITE AND DESCRIPTION

- A. Project Density:
The subject site is approximately fifty-nine (59) acres in size and zoned Single-family Residential (R-SF) and Equestrian Residential (R-EQ), which allows one (1) dwelling unit per 0.4 to 0.9 net acres. The Tentative Tract Map shows a minimum lot size of 18,000 square feet (0.4 net acre), meeting the minimum size requirement of the Municipal Code.

B. General Plan Designations:

- Project Site - Single-Family Residential (R-SF)
- North - Single-Family Residential (R-SF) and Public Facility (P-F)
- South - General Commercial (C-G)
- East - Single-Family Residential (R-SF)
- West - Medium Density Residential (R-M) and General Commercial C-G)

C. Surrounding Zoning and Land Use:

- Project Site - Single-Family Residential (R-SF) and Equestrian Residential (R-EQ), Vacant
- North - Single-Family Residential (R-SF) and Public Facility (P-F), Vacant and Granite Hills High School
- South - General Commercial (C-G), Vacant
- East - Equestrian Residential (R-EQ), Vacant
- West - Multiple-Family Residential (R-M) and General Commercial (C-G), Vacant

D. Site Characteristics

The site is vacant land previously disturbed by off-road vehicle activity. The existing topography is relatively flat with a slight slope from the southwest to the northeast. The most commons plants on the site are salt brush, and creosote bush, and there are no Joshua Trees on the property.

ANALYSIS

A. Background

The Planning Commission approved Tentative Tract Map No. 18914 on October 21, 2015 with an expiration date of October 21, 2018. In accordance with the Town of Apple Valley Development Code and in compliance Section 66452.6(e) of the Subdivision Map Act, the applicant is now requesting a three (3) year extension of time. Unless extended through additional legislative actions, this is the final map extension.

B. General:

The R-EQ and R-SF zoning designations set minimum property size standards for land uses, subject to conformance with the provisions of the Development Code. The R-EQ and R-SF zoning designation requires a minimum lot size of 0.4 acre (18,000 square feet), minimum lot width of 100 feet and a minimum lot depth of 150 feet. The proposed map will create eighty-seven (87) lots with an average lot size of 19,712 square feet, which exceeds the minimum site development standards as identified in the Development Code and complies with Measure “N” (i.e., no more than two (2) lots per acre).

The Extension of Time process affords the Town an opportunity to review subdivisions for compliance with current site development standards. There have been no significant modifications to the Development Code; therefore, the proposed subdivision, as previously approved, remains in compliance with the existing development standards. There have been no physical alterations or improvements made to the property that necessitates changes to the Conditions of Approval, however; additional changes to the Conditions of Approval are recommended for consistency with the Town's Standard Conditions of Approval.

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

C. Environmental Assessment:

There is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project, and adopted by the Planning Commission on October 21, 2015. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.

D. Noticing:

The proposed time extension to Tentative Tract Map No 18914 was legally noticed to all property owners within 700 feet and published in a local newspaper on October 5, 2018.

E. Findings:

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

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

Comment: The subject property has a General Plan land use designation of Single-Family Residential (R-SF) and, by size, shape and configuration, has the ability to be used in a manner consistent with the General Plan Land Use Element and Zoning designations. The project is a proposal to subdivide the fifty-nine (59)-gross acre property into eighty-seven (87) single-family lots and, with adherence to recommended conditions, will meet the minimum requirements for lot size, width and depth as prescribed by the Code.

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

Comment: The proposal consists of a land subdivision, located on residentially-designated land, for the purpose of future residential development at the

density allowed by the underlying zoning. No houses are being removed and housing needs will not be negatively impacted.

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

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

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 requirement, the Planning Commission may disapprove the subdivision (Subdivision Map Act Section 66474.6).

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

RECOMMENDATION

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

1. Determine that, there is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project and adopted by the Planning Commission on October 21, 2015. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.
2. Find that the facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve a three (3) year extension of time for Tentative Tract Map No.18914, subject to the attached, Conditions of Approval, as amended.
4. Direct Staff to file the Notice of Determination.

Prepared by:

Reviewed By:

Pam Cupp
Associate Planner

Carol Miller
Assistant Director of Community Development

ATTACHMENTS:

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

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Case No. Tentative Tract Map No. 18914, Extension of Time No. 1

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

Planning Division Conditions of Approval

- P1. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council. ~~A time extension may be approved in accordance with the State Map Act and Town Ordinance, if an extension application is filed and the appropriate fees are paid thirty (30) days prior to the expiration date. Unless extended through California legislative action, this is the final map extension that may be approved.~~ The Tentative Tract 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.
- P2. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:
- a. Apple Valley Fire Protection District
 - b. Liberty Utility
 - c. Apple Valley Public Services Department
 - d. Apple Valley Engineering Division
 - e. Apple Valley Planning Division
 - f. California State Fish and Wildlife
- P3. The applicant agrees to defend at his sole expense (with attorneys approved by the Town) and indemnify the Town against any action brought against the Town, its agents, officers or employees resulting from or relating to this approval. The applicant shall reimburse the Town, its agents, officers or employees for any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of these obligations under this condition.
- P4. ~~The filing fee for a Notice of Determination (NOD) requires the County Clerk to collect a handling fee of \$50.00. Additionally, as of January 1, 2015, a fee of \$2,260.00 (includes \$50.00 administration fee) is required to be collected by the County for the processing of a NOD for the State Fish & Game fees. The fees must be paid within five (5) days of the approval of this application in order to reduce the Statute of Limitations to thirty (30) days. All fees must be submitted prior to the issuance of any permits. The check shall be made~~

~~payable to the Clerk of the Board of Supervisors and submitted to the Planning Division for processing.~~ **Satisfied.**

- P5. The approval of Tentative Tract Map No. 18914 Extension of Time by the Planning Commission is recognized as acknowledgment of Conditions of Approval by the applicant, unless an appeal is filed in accordance with the Town's Development Code.
- P6. A separate Development Permit, approved by the Planning Commission, is required prior to new single-family residential construction. The submittal shall include a Development Plan consisting of plot plans, a minimum of four (4) floor plans and twelve (12) building elevations, demonstrating a variety of heights, setbacks, roof shapes and trim to create visually pleasing aesthetics within a cohesive design.
- The development of single-family residences will require the installation of landscaping within the required front and street-side yard setbacks. A minimum of four (4) landscape plans shall be submitted for review with the Development Permit.
- P7. Landscaping shall be installed for each house, or applicable deposit submitted, prior to the final building inspection for occupancy.
- P8. 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.
- P9. All subdivision walls proposed for construction along the perimeter of the property lines shall be constructed of decorative slump stone, split face or other decorative masonry material. Prior to the issuance of a grading permit, Developer/applicant shall submit detailed plans showing all proposed walls for this subdivision subject to approval by the Assistant Town Manager of Community Development (or designee).
- P10. If the tract map is adjacent to existing development, a fence/wall plan shall be submitted with the grading, and landscape/irrigation plans to identify how new fencing or walls will relate to any existing fences or walls located around the perimeter of the tract/parcel map. Double fencing shall be avoided, and review and approval of the fencing/wall plan are required prior to issuance of grading permits.
- P11. The project shall conform to the Single-Family Residential (R-SF), and Equestrian Residential (R-EQ) development standards.
- P12. All trails shall be developed in conformance with the Multi-Use and Equestrian Trails standard within the (R-EQ) portion of the project. This requires the development and installation of trails on the north and west side of the right-of-way in lieu of sidewalks.
- P13. A Class 1 Bike Path shall be constructed along Central Road adjacent to the project boundary.
- P14. No roof-mounted equipment shall be placed on any building unless screened as specifically approved by the Planning Division (except for solar collection panels).

- P15. A copy of the final grading plan shall be submitted to the Planning Division for review and approval. All on-site cut and fill slopes shall be contour graded to blend with existing natural contours.
- P16. All mitigation measures described in the Initial Study will be implemented as part of the project.
- P17. The applicant/developer shall install the landscaping along Central Road and Esaws Avenue and within the retention/detention basin. The applicant/developer shall form an annex into an assessment district to maintain the landscaping and lighting standards of the development, and any retention basin created.
- P18. Prior to recordation of Final Map, three sets of detailed landscaping and irrigation plans for the parkway area and subdivision entrances, prepared by a qualified licensed landscape professional, shall be submitted to the Planning Division for review and approval. The landscape and irrigation plans shall be prepared in compliance with the applicable landscape section of the Town Development Code.
- P19. Landscaping shall be installed in accordance with Section 9.75 of the Development Code. Xeriscape landscaping techniques are encouraged for use in parkway areas, which typically consists of drought tolerant, native type plants, trees and groundcover. Tract areas which back onto rights-of-way shall be landscaped as required by Subsection 9.75.040.E, "*Landscape Improvement Requirements*". Final landscape and irrigation plans shall be submitted and installed for each individual unit, prior to issuance of occupancy permits.
- P20. Prior to recordation of the final map, any phasing of the map shall be approved by the Planning Division.
- P21. In accordance with Code Section 9.28.050(E)(2), a sixteen (16)-foot wide landscape easement is required along Esaws Avenue.
- P22. 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.
- P23. Construction of homes adjacent to Central Road and Esaws Avenue shall incorporate noise attenuating features and building techniques to ensure a maximum exterior noise level of 65 dBA and a maximum interior noise level of 45 dBA as determined by a noise analysis.
- P24. The applicant/developer shall form a Home Owners Association (HOA) or annex into an assessment district to maintain the landscaping and lighting standards of the development, and any retention basin created.
- P25. Prior to grading of the site, a current biological survey (within 30 days) shall be completed and submitted to the Planning Division. A pre-construction survey is required to ensure that special status species have not moved onto the site since the date of the initial biological survey conducted on July 29, 2013. In the event evidence of special status

species are present, appropriate permits shall be obtained from the U.S. Fish and Wildlife Service and California Department of Fish and Game (CDFG).

- P26. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Engineering Division Conditions of Approval

- EC1. Prior to issuance of a grading permit, a final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing 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 retaining onsite drainage flows from a 100 year design storm. (Town Resolution 2000-50; Development Code 9.28.050.C, 9.28.100)
- EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.
- EC3. All interior streets shall be improved to Town standards with curb, gutter and street pavement. Minimum residential width of streets shall be thirty-six (36) feet curb to curb.
- EC4. All streets abutting the development shall be improved a minimum half-width of twenty-eight (28) feet with curb, gutter and sidewalk on the development side.
- EC5. Central Road adjacent to the property shall be improved to the Town's half-width Major Divided Road standards.
- EC6. Esaws Avenue adjacent to the property shall be improved to the Town's half-width Secondary road standards.
- EC7. A seventy-two (72)-foot wide half-width road dedication along Central Road adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.
- EC8. A forty-four (44)-foot wide half-width road dedication along Esaws Avenue adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.
- EC9. During the grading of the roads, soils testing of the road subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural road section. Minimum asphalt concrete thickness for all streets shall be 0.25 ft.

- EC10. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC11. Final improvement plans and profiles shall indicate the location of any existing utility which would affect construction and shall provide for its relocation at no cost to the Town.
- EC12. A final grading plan shall be submitted to the Town Engineer prior to issuance of a grading permit for review and approval. A grading permit shall not be issued until street improvement plans have been submitted to the Town Engineer for review and substantial completion of the street plans has been attained as determined by the Town Engineer.
- EC13. The developer shall form or annex into an assessment district to provide for the ongoing maintenance areas along Central Road, Esaws Avenue, and all retention basins and channels.
- EC14. Street lights shall be required and shall conform to Town's standards for such. The developer shall form or annex into an assessment district to provide for the ongoing maintenance of the street lights.
- EC15. Prior to Town acceptance of the Final Map, Subdivider shall present evidence to the Town Engineer that he has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
- EC16. Utility lines shall be placed underground in accordance with the requirements of the Town.
- EC17. Traffic impact fees adopted by the Town (Ordinance No. 42) shall be paid by the developer.
- EC18. Any developer fees including but not limited to drainage fees shall be paid by the developer as per Town enactment.
- EC19. Any required street striping shall be thermoplastic as approved by the Town Engineer.
- EC20. Grading and drainage parameters shall be in compliance with the Building Code. The developer shall provide landscaping of these basins subject to the approval of the Town and shall form an assessment district to provide for the on-going maintenance of these basins. The developer shall pay for all costs relating to establishment of the district.
- EC21. The developer shall be required to notify future homeowners, in writing, that the homes are located within the Landscape and Lighting Assessment District for the maintenance of drainage, landscaping, fencing and other similar improvements and that an annual landscaping maintenance charge will be levied.
- EC22. Where feasible, retention/detention basins shall be designed as dual use facilities (it is anticipated that the majority of the dual use will be for recreation purposes).
- EC23. Retention/detention basins greater than one (1) acre in size shall not be greater than eight (8) feet in depth (unless otherwise approved by the Planning Commission).
- EC24. The sides of any retention/detention basins shall be 4:1 or flatter slopes.

- EC25. The retention basins shall include dry wells to help facilitate the rapid removal of storm water.
- EC26. The channel along Central Road shall be design to include an outlet structure or box culvert at Esaws Road.
- EC27. A seventy (70)-foot wide drainage easement shall be dedicated to the Town of Apple Valley along Central Road for the drainage Channel.
- EC28. In the event that an applicant/developer chooses to seek Council approval of the Final Map prior to completion of the required improvements, an "Agreement for Construction of Improvements" shall be required. In accordance with the California Labor Code, any such Agreement will contain a statement advising the developer that certain types of improvements will constitute a public project as defined in California Labor Code, Sections 1720, and following, and shall be performed as a public work, including, without limitation, compliance with all prevailing wage requirements.
- EC29. All street names shall be approved by the Town and such approval shall be coordinated through the Town Engineer.
- EC30. A Class 1 Bike Path shall be constructed along Central Road adjacent to the project boundary.
- EC31. A Storm Water Pollution Prevention Plan (SWPPP) in accordance with the National Pollutant Discharge Elimination System (NPDES) shall be required.

Public Works Division 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. Construct the sewer collector lines and laterals to each lot to connect to the trunk sewer system or other system as approved in advance by the Town.
- PW3. All existing manholes within project boundaries shall be brought to current Town of Apple Valley Standards. Frame and cover shall be Long Beach Iron Works Inc. X-106E, Alhambra Foundry Inc. LTD. A-1254 or approved equal.
- PW4. Sewer connection fees required.
- PW5. Buy-in fees required.
- PW6. Sewer development impact fees required.
- PW7. Submit mylars along with three sets of approved plans upon completion of plan check. In addition, the plans must be provided in an electronic format of the Town's choosing. These requirements are the same for the approved plans and the As-Built plans.

Apple Valley Fire Protection District Conditions of Approval

- FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements.
- FD2. All new construction shall comply with applicable sections of the California Fire Code, California Building Code, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, or Apple Valley Fire Protection District.
- FD3. The development and each phase thereof shall have two points of paved access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of these points of access shall provide an independent route into the area in which the development is located. This shall be completed prior to any combustible construction.
- FD4. Fire lanes shall be provided with a minimum width of twenty-six (26) feet, maintained, and identified.

Apple Valley Fire Protection District Ordinance 55
- FD5. A turnaround shall be required at the end of each roadway 150 feet or more in length and shall be approved by the Fire District. Cul-de-sac length shall not exceed 1,000 feet.
- FD6. 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.
- FD8. New dwelling addresses shall be posted with a minimum of four (4)-inch numbers visible from the street, and during the hours of darkness the numbers shall be internally illuminated. Where building setbacks exceed seventy-five (75) feet from the roadway, additional contrasting four (4)-inch numbers shall be displayed at the property entrance.
- FD9. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to and approved by the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems.
 - A. Unless otherwise approved by the Fire Chief, on-site fire protection water systems shall be designed to be looped and fed from two (2) remote points.
 - B. System Standards:

*Fire Flow 500 GPM @ 20 psi Residual Pressure on 8" minimum water main size..
Duration 1 Hour
Hydrant Spacing 660 Feet

NFPA 13D (RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM): REQUIRED

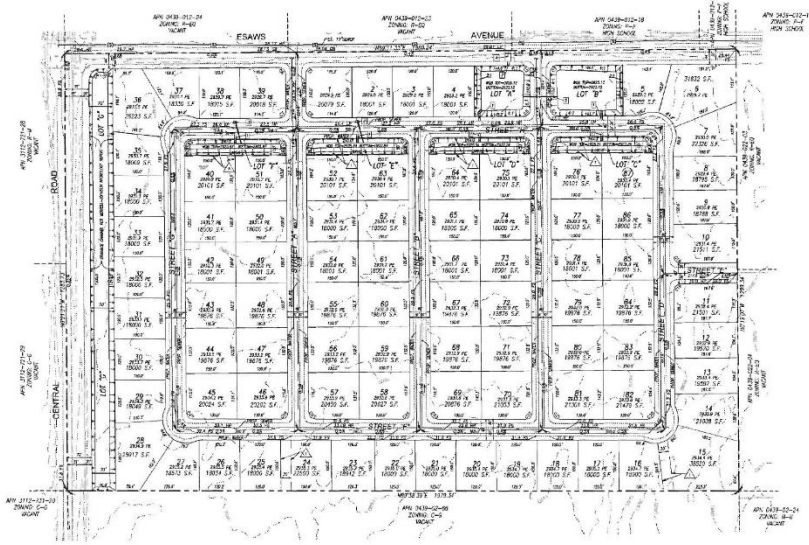
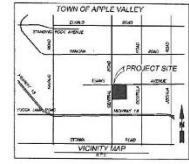
This residence shall be constructed with an automatic fire sprinkler system (NFPA 13D) throughout the structure, including garage. Plans shall be submitted by a licensed C-16 contractor to the Fire District for review and approval along with plan review fees. Fire Sprinkler work shall not commence until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

- FD10. A letter shall be furnished to the Fire District from the water purveyor stating that the required fire flow for the project can be met prior to the Formal Development Review Committee meeting.
- FD11. Apple Valley Fire Protection District Final Subdivision/Tract/Development fees shall be paid to the Fire District prior to final map acceptance according to the current Apple Valley Fire Protection District Fee Ordinance.
- FD12. The developer shall submit a map showing complete street names within the development, to be approved by the Fire District prior to final map.
- FD13. A Knox Box Rapid Entry System shall be required at all gated ingress/egress points within this project.

Apple Valley Fire Protection District Ordinance 55

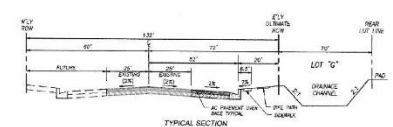
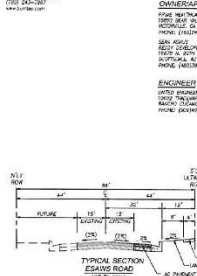
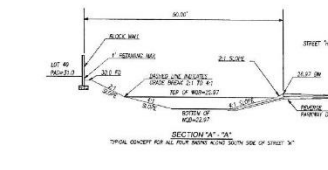
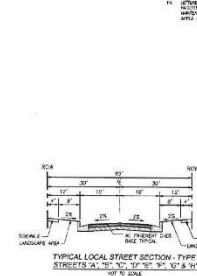
END OF CONDITIONS

IN THE TOWN OF APPLE VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.
TENTATIVE MAP - TRACT NO. 18914
 BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN IN BOOK 71 PAGE 36 OF RECORDS OF SURVEYS IN THE OFFICE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.
 UNITED ENGINEERING GROUP CA, INC. JULY 2015



Lot #	Area (sq ft)
1	12,000
2	12,000
3	12,000
4	12,000
5	12,000
6	12,000
7	12,000
8	12,000
9	12,000
10	12,000
11	12,000
12	12,000
13	12,000
14	12,000
15	12,000
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37	12,000
38	12,000
39	12,000
40	12,000
41	12,000
42	12,000
43	12,000
44	12,000
45	12,000
46	12,000
47	12,000
48	12,000
49	12,000
50	12,000

- LEGAL DESCRIPTION**
 BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN IN BOOK 71 PAGE 36 OF RECORDS OF SURVEYS IN THE OFFICE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.
- GENERAL NOTES**
 1. PREPARED UNDER THE PROVISIONS OF THE SUBDIVISION MAP ACT.
 2. THIS MAP SHOWS THE LOCATION OF THE PROPOSED SUBDIVISION, THE LOCATION OF THE EXISTING AND PROPOSED UTILITIES, AND THE LOCATION OF THE EXISTING AND PROPOSED STREETS.
 3. THIS MAP IS TO BE USED AS A GUIDE ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF ACCURACY OR A WARRANTY OF ANY KIND.
 4. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
 5. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 6. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY FROM THE ADJACENT PROPERTY OWNERS.
 7. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE COUNTY CLERK'S OFFICE.
 8. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE COUNTY RECORDERS OFFICE.
 9. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE COUNTY ENGINEER'S OFFICE.
 10. THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE COUNTY PLANNING COMMISSION.
- LAND USE INFORMATION**
 EXISTING ZONING = RESIDENTIAL SINGLE-FAMILY (RS-1)
 PROPOSED ZONING = RESIDENTIAL SINGLE-FAMILY (RS-1)
 PROPERTY TYPE = RESIDENTIAL DEVELOPMENT
 PROPOSED USE = RESIDENTIAL DEVELOPMENT
 EXISTING AND PROPOSED UTILITIES:
 WATER: 6" (12" DEPTH)
 SEWER: 8" (24" DEPTH)
 GAS: 8" (24" DEPTH)
 POWER: 4" (24" DEPTH)
 TELEPHONE: 4" (24" DEPTH)
 CABLE: 4" (24" DEPTH)
 FIBER: 4" (24" DEPTH)
- ASSURANCES**
 LOT 1: 12,000 SQ. FT.
 LOT 2: 12,000 SQ. FT.
 LOT 3: 12,000 SQ. FT.
 LOT 4: 12,000 SQ. FT.
 LOT 5: 12,000 SQ. FT.
 LOT 6: 12,000 SQ. FT.
 LOT 7: 12,000 SQ. FT.
 LOT 8: 12,000 SQ. FT.
 LOT 9: 12,000 SQ. FT.
 LOT 10: 12,000 SQ. FT.
 LOT 11: 12,000 SQ. FT.
 LOT 12: 12,000 SQ. FT.
 LOT 13: 12,000 SQ. FT.
 LOT 14: 12,000 SQ. FT.
 LOT 15: 12,000 SQ. FT.
 LOT 16: 12,000 SQ. FT.
 LOT 17: 12,000 SQ. FT.
 LOT 18: 12,000 SQ. FT.
 LOT 19: 12,000 SQ. FT.
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 LOT 21: 12,000 SQ. FT.
 LOT 22: 12,000 SQ. FT.
 LOT 23: 12,000 SQ. FT.
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 LOT 26: 12,000 SQ. FT.
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 LOT 28: 12,000 SQ. FT.
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 LOT 31: 12,000 SQ. FT.
 LOT 32: 12,000 SQ. FT.
 LOT 33: 12,000 SQ. FT.
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 LOT 35: 12,000 SQ. FT.
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 LOT 37: 12,000 SQ. FT.
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 LOT 44: 12,000 SQ. FT.
 LOT 45: 12,000 SQ. FT.
 LOT 46: 12,000 SQ. FT.
 LOT 47: 12,000 SQ. FT.
 LOT 48: 12,000 SQ. FT.
 LOT 49: 12,000 SQ. FT.
 LOT 50: 12,000 SQ. FT.
- UTILITY PURCHASES**
 WATER: 6" (12" DEPTH)
 SEWER: 8" (24" DEPTH)
 GAS: 8" (24" DEPTH)
 POWER: 4" (24" DEPTH)
 TELEPHONE: 4" (24" DEPTH)
 CABLE: 4" (24" DEPTH)
 FIBER: 4" (24" DEPTH)
- LEGEND**
 DASHED LINE: EXISTING UTILITY
 SOLID LINE: PROPOSED UTILITY
 THICK SOLID LINE: EXISTING STREET
 DASHED THICK SOLID LINE: PROPOSED STREET
 DOTTED LINE: EXISTING LOT LINE
 SOLID THIN LINE: PROPOSED LOT LINE
 BOLD SOLID LINE: EXISTING AND PROPOSED LOT LINE
 SHADY AREA: EXISTING AND PROPOSED UTILITY RIGHT-OF-WAY
 HATCH: EXISTING AND PROPOSED STREET RIGHT-OF-WAY



Underground Service Alert
 CALL TOLL FREE 1-800-227-2000

NOTICE TO CONTRACTORS
 ALL CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 ALL CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY FROM THE ADJACENT PROPERTY OWNERS.
 ALL CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE COUNTY CLERK'S OFFICE.
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 ALL CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE COUNTY ENGINEER'S OFFICE.
 ALL CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORDS FROM THE COUNTY PLANNING COMMISSION.

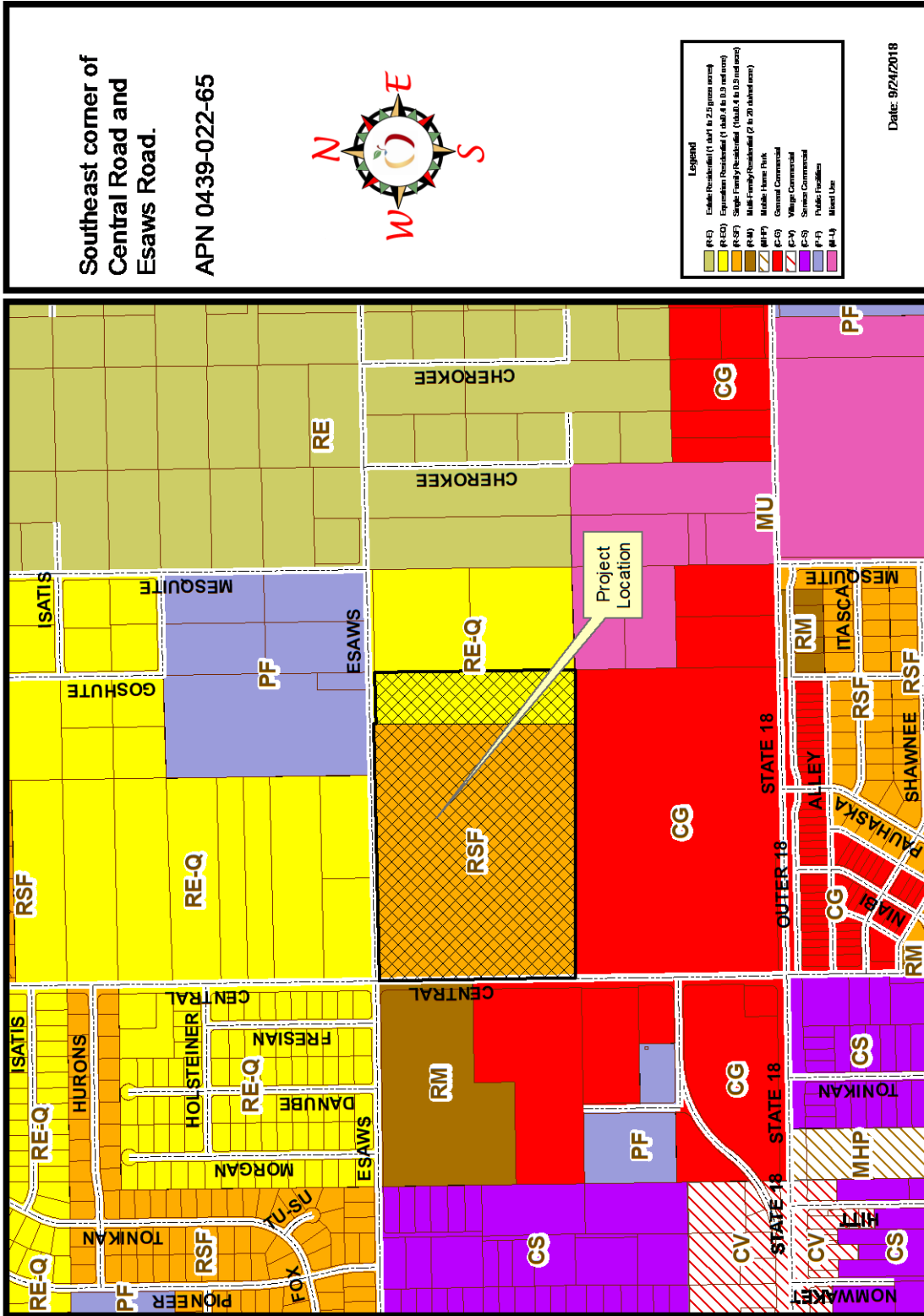
UNITED ENGINEERING GROUP
 15405 HIGHWAY 60, SUITE 200, APPLE VALLEY, CA 92308
 PH: 951-967-4000
 FAX: 951-967-4001
 WWW.UEG-CA.COM

TENTATIVE TRACT NO. 18914
 ESAWS AVENUE & CENTRAL ROAD
 APPLE VALLEY, CA

DATE: JULY 14, 2015
SCALE: 1" = 40'
PLOT NO.: 1 OF 1
PROJECT NUMBER: CA-18914

ZONING/LOCATION MAP

Tentative Tract Map No. 18914 Extension of Time





TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

AGENDA DATE: October 17, 2018

CASE NUMBER: Development Permit No. 2018-004 and Special Use Permit No. 2018-001

APPLICANT: Robert Martinez representing Ash Pathi

PROPOSAL: A request for Planning Commission review of a Development Permit and Special Use Permit involving the demolition of existing buildings and paved parking to allow for the construction of a new 4,574 square-foot, two (2) suite commercial building, drive-thru lane, landscaping and parking. The project will include the elimination of the Outer Highway 18 South between Tuscola and Kasota Roads, new street improvements along Kasota Road and rear alleyway improvements.

LOCATION: The site is located at 18155-18157 and 18165-18195 Highway 18 South; APNs 0473-112-10 & -11

ENVIRONMENTAL DETERMINATION: The proposal involves the demolition of a commercial building and the construction of a new commercial building and new parking. This proposal results in approximately fifty (50) percent reduction in building square-footage. Therefore, there is no new substantial change in the development of the site that would result in new, significant environmental impacts. Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), Section 15302, Class 2, the proposed request is Exempt from further environmental review.

CASE PLANNER: Carol Miller, Assistant Community Development Director

RECOMMENDATION: Approval

PROJECT SITE AND DESCRIPTION

A. Project Size
The project site consists of two (2) 0.64 acre lots.

B. General Plan Designations
Site - General Commercial (C-G)

- North - General Commercial (C-G)
- South - Medium Density Residential (R-M)
- East - General Commercial (C-G)
- West - General Commercial (C-G)

C. Surrounding Zoning and Land Use

- Site - General Commercial (C-G), Commercial
- North - General Commercial (C-G), Professional Office, Hospital
- South - Multi-Family Residential (R-M), Apartment Complex.
- East - General Commercial (C-G), Professional Office
- West - General Commercial (C-G). Commercial

D. Site Characteristics

The site is currently developed with an approximately 8,000 square-foot multi-tenant commercial building. The building is actually two buildings that are connected by a north facing façade to form a continuous storefront. The site is also developed with parking and is void of any landscaping.

E. Building/Unit Analysis:

The proposal includes a 4,574 square-foot commercial building with a drive-thru lane and 482 square-foot outdoor seating area. The floor plan indicates two (2) suites.

- | | | |
|----------------------------|--|---------|
| F. <u>Building Height:</u> | Permitted Maximum Adjacent to Residential: | 25 feet |
| | Proposed Maximum Adjacent to Residential: | 25 feet |

- | | | |
|--------------------------------------|----------|----------|
| G. <u>Building Setback Analysis:</u> | Required | Proposed |
| Front | 45 ft. | 94.7 ft. |
| Side | 0 ft | 64.4 ft |
| Street Side | 25 ft. | 25 ft. |
| Rear | 25 ft. | 62 ft. |

- | | | |
|------------------------|-----------|------|
| H. <u>Landscaping:</u> | Required: | 10 % |
| | Proposed: | 25 % |

- | | | |
|-----------------------------|-----------|-------------------------------|
| I. <u>Parking Analysis:</u> | Required: | 47 Spaces (refer to analysis) |
| | Proposed: | 47 Spaces |

ANALYSIS

A. General:

The applicant is requesting approval of a Development Permit to allow the construction of a new 4,574 square-foot, two (2) suite commercial building, drive-thru lane, landscaping and parking. The applicant is also requesting for approval of a Special Use Permit to allow a drive-through establishment. Both applications are typically processed at an administrative level, however; with the elimination of the Outer Hwy 18 South along the subject site frontage thereby eliminating Outer Highway through traffic onto Kasota Road, staff has forwarded this project to the Planning Commission to be considered as a public hearing item.

The two existing buildings were constructed in 1955 and 1978; would be removed as part of this project to allow redevelopment of the site which currently is deficient in parking and void of any on or off-site landscaping.

B. Site Analysis:

The project site is surrounded by commercial uses, other than the apartment complex to the south across the alley. To reduce any impact from new lighting from the site, the project is required to shield all exterior lighting so as not to spill-over onto adjacent properties, and in particular the residential property to the south (Condition No. P 11).

The drive-through suite has provided a queuing lane to accommodate 120 feet of vehicle stacking as required by the Development Code. Condition No. P27 requires the order point to be moved further east to allow more stacking room for vehicles to reduce the potential of them spilling out onto the alleyway. In accordance with Section 9.36.140.C.3, projects adjacent to residential that propose any external speakers (order point) may not operate between the hours of 10:00 p.m. and 6:00 a.m. (Condition No. P 25).

The redevelopment of the site results in the loss of two (2) angle parking spaces on the adjacent property to the west. Documentation shall be provided that the adjacent property owner agrees and demonstrates enough parking remains, or where additional parking is being provided (Condition No. P31).

The subject site encompasses two (2) separate legal parcels. To eliminate the structure being built over a common property line, Condition of Approval No. P22 requires the parcels be merged.

Once demolition occurs on the existing building, the easterly building elevation of the building on the adjacent parcel to the west will be exposed, and most likely differ in appearance than the currently visible portion. Therefore, staff is recommending a Condition of Approval that requires upon demolition, the exposed east elevation of the adjacent building be improved/modified to match the other three building elevations as approved by the Planning Division. Said improvements shall be completed prior to final of the proposed building.

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 rear parking area adjacent to the alleyway and closest to the residential area be limited to a maximum height of fifteen (15) feet (Condition No. P32).

For headlight glare avoidance, the project is required in accordance with Section 9.36.140.C.4, berming and landscaping be provided to screen the entire drive-thru area.

C. Historic- Period Building Evaluation:

Given the age of the building or portion thereof, a building assessment study was required in determining whether the buildings at 18155-18157 and 18165-18195 Outer Highway 18 South meet the statutory and regulatory definition of "historical resources," as provided by the California Public Resources Code, in particular CEQA. According to PRC §5020.1(j), "historical resource" includes, but is not limited to, any object, building, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California."

CEQA establishes that "a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the

environment” (PRC §21084.1). “Substantial adverse change,” according to PRC §5020.1(q), “means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired.” The Historic Building Study dated April 20, 2018 concluded that the two commercial buildings located on the subject property do not meet the State of California’s official definition of “historical resources,” as provided in CEQA and associated regulations, but that the 1955 building at 18165-18195 Outer Highway 18 South holds a certain level of local historical value to the community. Based on these findings, and pursuant to PRC §21084.1, CRM TECH recommendation to the Town of Apple Valley:

- The demolition, relocation, or other physical alterations of the buildings at 18155-18157 and 18165-18195 Outer Highway 18 South would not constitute “a substantial adverse change in the significance of a historical resource.”
- In the interest of preserving Apple Valley’s cultural heritage whenever possible, further photo recordation and scaled mapping should be completed on the 1955 building at 18165-18195 Outer Highway 18 South and submitted to the Town of Apple Valley to supplement the historical and architectural documentation completed during this study. The results of these procedures should be curated at the Town of Apple Valley, the South Central Coastal Information Center (SCCIC), and a local repository such as the Apple Valley Legacy Museum as a permanent record of the building.

These recommendations have been included as Condition of Approval No. P24.

D. Parking:

In accordance with the Development Code, the parking requirement for food establishments specifies that for customer areas, one (1) space per three (3) seats where there are fixed seats; or one (1) space per forty-five (45) square-feet of customer area, plus one (1) space per 200 square-feet of non-customer area. The applicant has based the parking tabulation based on fixed seating for a total of forty-seven (47) spaces being required, including handicap stalls. Since no users have been identified and no floor plan has been provided to collaborate the parking breakdown, Condition of Approval No. P18 is recommended that required parking will be determined as tenant improvement plans are submitted for the interior development of the suites.

E. Traffic:

Access to the site is provided from one (1) access driveway from the public alleyway and internally from the adjacent commercial parcel. The greatest impact from the site would be the amount of traffic generated as a result of a restaurant with a drive-thru lane. This proposal is expected to generate more traffic than currently going to and from the site based on existing tenants. Although the number of vehicles generated by this use would increase, because the vehicles would be leaving the site typically one at a time as they leave the drive-thru, there should not be a huge influx of vehicles all at once. Nevertheless, a traffic analysis was prepared by David Evans and Associates, Inc, dated August 9, 2018, which assessed impacts for the project. The study determined that the project would not cause negative impacts to the surrounding streets. The roadways (Highway 18 and Kasota Road) adjacent to the development will be required to be improved to the Town’s road standards and the street vacation of the Outer Highway 18 South. The alleyway is required to be improved to full width.

On February 10th, 1998, the Town Council approved and adopted Resolution No. 98-06. The purpose of the resolution is to “...enhance the traffic safety along the outer highways...”. The resolution states in Section 3, the following:

“...any development or redevelopment of any parcel of land less than 5 acres in size located at the corner of any intersection having an outer highway along Highway 18 or Bear Valley Road, said outer highway connection will either be eliminated or moved back from the main highway connection when in the opinion of the Town Engineer it is feasible to do so.”

Kasota Road and Highway 18 is one of the busiest intersections in the Town. The existing outer highway intersections at this location are in close proximity to the main highway intersection and create a challenging situation for motorists. The outer highway, along with the main highway, create a multitude of potential turning movements occurring at the same time. Due to the high amount of turning movements, there is an increase of potential conflicts between vehicles. High turnover restaurants, as proposed can generate a high volume of vehicles, much higher than the current uses, or most other uses, it is the opinion of the engineering staff that the outer highway be eliminated between Kasota Road and Tuscola Road to enhance traffic safety, which is consistent with the intent of Resolution 98-06. The Resolution also indicates that the outer highway be “moved back” if it is feasible to do so. As a result, it is recommended that a new parallel roadway be constructed approximately 400’ south of the current outer highway to create a new connection between Kasota Road and Tuscola Road. The conditions of approval for the project includes the elimination of the outer highway, however, the project is not conditioned to construct the new roadway. Though the project does generate additional traffic, it is staff’s opinion that the construction of a new road is regionally significant and therefore, should be the responsibility of the Town. In the event that the project is approved, as conditioned, Engineering staff will present the new road connection project to Town Council for review and approval. Staff will also recommend that the Council appropriate sufficient funds for its construction.

- F. Architecture Analysis:
The architecture reflects a modern Desert Contemporary style utilizing a mix of stucco, stone and metal with a maximum building height of twenty-five (25) feet. The proposed single-story building would have a flat roof. Exterior light fixtures (Rustic Barn Style) are proposed on all four sides of the building for security and added style.

- G. Environmental Assessment:
The proposal involves the demolition of a commercial building and the construction of a new commercial building and new parking. This proposal results in approximately fifty (50) percent reduction in building square-footage. Therefore, there is no new substantial change in the development of the site that would result in new, significant environmental impacts. Therefore, pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), Section 15302, Class 2, the proposed request is Exempt from further environmental review.

The building assessment study for 18155-18157 and 18165-18195 Outer Highway 18 South indicated the buildings do not meet the statutory and regulatory definition of “historical resources,” as provided by the California Public Resources Code, in particular CEQA.

- H. Noticing:
This item was advertised as a public hearing in the Apple Valley News newspaper on October 5, 2018.

I. Development Permit Findings:

As required under Section 9.16.090 of the Development Code, prior to approval of a Development Permit, the Planning Commission must make positive findings to approve this proposal. 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: As conditioned, the proposed project is consistent with the provisions of the Development Code related to the commercial development in the General Commercial (C-G) Zoning District in that the project conforms to the required setbacks, maximum allowed height, landscaping and parking requirements.

- 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 site is currently developed with a multi-tenant commercial building which is slated to be demolished to accommodate the proposed project. The proposed building is approximately 3,400 square-feet smaller in floor area than the existing building which will enable the development of parking, landscaping and road improvements. As such the project's location, size and design of the proposed structures and improvements are compatible with the site's natural landforms, surrounding sites, structures and streetscapes.

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

Comment: As conditioned, the proposed development is compatible with the surrounding uses, and utilizes complementary building colors and materials. Given the range of architectural styles along this portion of Highway 18, the building design is found to be in character and density with the nearby commercial developments.

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

Comment: The project is required to meet the Town's Climate Action Plan and all current Building Codes with respect to energy efficiency.

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

Comment: Given the range of architectural styles along this portion of Highway 18, the building design with the use of stucco and stone siding is

found to be in character and density with the nearby commercial developments.

- 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 site is currently developed with a commercial building. The subject building proposes a maximum building height of twenty-five (25) feet. This proposed height in the context of the surrounding development is equal to or less than in height. Therefore, the proposal is not anticipated to visually dominate its surrounding and or block any public views.

- 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 project exceeds the minimum Development Code standards for landscape coverage that serves to enhance the appearance of the site and the surrounding undeveloped area. The project landscaping will incorporate drought-tolerant plant material along the site frontages and within the property boundaries.

- 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 development fits within the intent of the C-G zone where it is being developed, which is to service the entire community by providing a range of retail, service and office opportunities.

- 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 site is not located on a hillside nor are there any natural landforms of vegetation on the property as it is currently developed. Under the new project all areas not covered in building or parking will be landscaped in accordance with the Town’s water conservation and landscaping regulations.

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

Comment: The Historic Building Study dated April 20, 2018 concluded that the two commercial buildings located on the subject property do not meet the State of California’s official definition of “historical resources,” as provided in CEQA and associated regulations, but that the 1955 building at 18165-18195 Outer Highway 18 South holds a certain level of local historical value to the community. In

the interest of preserving Apple Valley's cultural heritage further photo recordation and scaled mapping is required.

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.

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

Comment: As conditioned, access to the site and circulation on and off-site is safe and convenient for pedestrians, bicyclists, equestrians and motorists.

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

Comment: The site is currently developed with approximately 8,000 square feet of commercial. The project proposes less building square footage than what currently exists. A traffic analysis concluded that the project will not negatively impact Kasota Road.

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: Kasota Road and Highway 18 is one of the busiest intersections in the Town. The existing outer highway intersections at this location are in close proximity to the main highway intersection and create a challenging situation for motorists. As conditioned, will improve the traffic conflicts with improvements consistent with the Circulation Element of the General Plan.

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 site is currently developed, therefore, there are no areas that need protection.

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

Comment: The site is currently developed, and the redevelopment of the site will not impact any natural resources.

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

- 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 proposal is consistent with the General Commercial standards and review of the project did not identify any issues that would be considered to 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 as a result of the demolition and redevelopment of the site with a commercial building.

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

Comment: As conditioned, the proposed project is consistent with the provisions of the Development Code related to the commercial development in the General Commercial (C-G) Zoning District in that the project frontages are consistent with required setbacks, maximum allowed height, landscaping and parking requirements.

G. Special Use Permit Findings:

Before approving a Special Use Permit, the Commission 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: See Development Permit Finding #1.

- 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 dining establishment's drive-through facility use would provide a convenience use for the project area. The use has been analyzed with a site specific and building-specific context to ensure that the proposed uses are not in conflict with their surroundings.

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

Comment: See Development Permit Finding #3.
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: There are existing improvements available to serve the site.
5. That there will not be a harmful effect upon desirable neighborhood characteristics.

Comment: Given the range of architectural styles along this portion of Highway 18, the building design with the use of stucco and stone siding is found to be in character and density with the nearby commercial developments.
6. That the generation of traffic will not adversely impact the capacity and physical character of surrounding streets.

Comment: See Development Permit Finding #13.
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: See Development Permit Finding #14 related to service levels.
8. That there will not be significant harmful effects upon environmental quality and natural resources.

Comment: See Development Permit Finding #16 related to natural resource and environmental quality.
9. That there are no other relevant negative impacts of the proposed use that cannot be reasonably mitigated.

Comment: See Development Permit Finding #17 related to potential impacts.
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 Development Permit Finding #18.
11. That the proposed conditional use will comply with all of the applicable provisions of this title.

Comment: See Development Permit Finding #17 related to Code compliance.
12. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures.

- Comment: See Development Permit Finding #5 related to design and compatibility.
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: See Development Permit Finding #6.
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: See Development Permit Finding #8 related to quality in architectural design.
15. That access to the site and circulation on- and off-site is safe and convenient for pedestrians, bicyclists, equestrians and motorists.
- Comment: See Development Permit Finding #12 related to access and circulation.

RECOMMENDATION

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

1. Find that, pursuant to the California Environmental Quality Act (CEQA), Section 15302, the proposed request is Exempt from further environmental review.
2. Find that, the demolition, relocation, or other physical alterations of the buildings at 18155-18157 and 18165-18195 Outer Highway 18 South would not constitute “a substantial adverse change in the significance of a historical resource.”
3. Find the facts presented in the staff report do support the required Findings for Approval for Development Permit No. 2018-004 and Special Use Permit No. 2018-001.
4. Adopt the Findings as provided in the staff report and approve Development Permit No. 2018-004 and Special Use Permit No. 2018-001.
5. Direct staff to file the Notice of Exemption.

Prepared By:

Carol Miller
Assistant Community Development Director

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Site Plan
3. Floor Plan
4. Building Elevations
5. Zoning Map
6. Historic Building Evaluation, CRM Tech

Town of Apple Valley

Recommended Conditions of Approval
Development Permit No. 2018-004 and Special Use 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 or alleviate the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.*

Planning Division Conditions of Approval:

- P1. This project shall comply with the provisions of State law and the Town of Apple Valley Development Code and the General Plan. This conditional approval, if not exercised, shall expire 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 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. 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.

- P3. The approval of Development Permit No. 2018-004 and Special Use 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.

- P4. 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

- P5. 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.

- P6. The Community Development Director or 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.
- P7. 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.
- P8. 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.
- P9. All outdoor mechanical and electrical equipment, whether rooftop, side of structure, or on the ground, shall be screen from view from the public street by architectural elements designed to be an integral part of the building.
- P10. Light standards shall blend architecturally with approved project design.
- P11. All lighting shall be scheduled so light rays emitted by the fixture are projected below the imaginary horizontal plane passing through the lowest point of the fixture and in such a manner that the light is directed away from streets and adjoining properties. Light poles in parking lot shall not exceed sixteen (16) feet in height.
- P12. All front building setbacks and street 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.
- P13. 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.
- P14. 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.
- P15. Final landscape and irrigation plans shall be submitted prior to the issuance of Building Permits and installed prior to final subject to approval by the Planning Division.
- P16. A Sign Program is required before any issuance of a sign permit.
- P17. 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.
- P18. Any uses other than retail shall require a parking analysis to determine that sufficient parking is available for the center. 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.

- P19. 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.
- P20. 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.
- P21. In accordance with the Development Code Section 9.37.060.6 & 7, all roof mounted equipment is to be screened from public view based on the highest architectural element.
- P22. A lot merger shall be reviewed and approved by Planning Division and recorded with proof of recordation submitted prior to the issuance of any permit.
- P23. 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.
- P24. Prior to the issuance of a demolition permit, further photo recordation and scaled mapping shall be completed on the 1955 building at 18165-18195 Outer Highway 18 South and submitted to the Town of Apple Valley to supplement the historical and architectural documentation completed within the study prepared by CRM Tech dated April 20, 2018. The results of these procedures shall be curated at the Town of Apple Valley, the South Central Coastal Information Center (SCCIC), and at the Apple Valley Legacy Museum as a permanent record of the building.
- P25. In accordance with Section 9.36.140.C.3 any external speakers shall not operate between the hours of 10:00 p.m. and 6:00 a.m.
- P26. In accordance with Section 9.36.140.C.4, berming and landscaping shall be provided to screen the entire drive-thru area.
- P27. The "order point" as shown on the site plan shall be moved further east to allow more stacking room in the drive-thru aisle prior to reaching the order point to reduce the potential of stacking to occur within the alleyway.
- P28. Documentation shall be provided which demonstrates a recorded reciprocal access with the adjacent parcel.
- P29. Upon demolition of the subject buildings, exposing the east side wall of the adjacent building, building elevation and or plan shall be approved by the Planning Division of its modification. Said improvements shall be completed prior to final of the proposed building.
- P30. Final parking tabulation for any use other than retail or professional office shall be based on tenant improvement plans in accordance with the Development Code.
- P31. Documentation shall be provided that demonstrates sufficient parking remains or where additional parking is being provided in accordance with the Development Code for the adjacent parcel/ commercial complex.

- P32. Light standards within the rear parking area adjacent to the alleyway and closest to the residential area shall be limited to a maximum overall height of fifteen (15) feet.
- P33. A Sign Program is required before any issuance of a sign permit.
- P34. Prior to any demolition work being done (interior or exterior), the applicant shall obtain all necessary approvals from Building & Safety.
- P35. No trash or recyclable materials shall be allowed to spill or accumulate outside of any trash bin within or outside of the trash enclosure. If at any time it is determined by inspection that trash/recycle is inadequate for this site, arrangements for additional service shall be provided.

Engineering Division Conditions of Approval

- EC1. Prior to issuance of a grading permit, a final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing 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.
- EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.
- EC3. A thirty-three (33)-foot wide half-width road dedication along Kasota Road shall be granted to the Town of Apple Valley prior to Issuance of the Grading Permit.
- EC4. The Alley along the southerly boundary shall be constructed to the Town' full width Alley standards with proper transitions as approved by the Town Engineer.
- EC5. Kasota Road shall be improved to the Town's half-width Commercial Road standards with a ten (10)-foot wide sidewalk as approved by the Town Engineer. The sidewalk shall connect to the ramp at Highway 18.
- EC6. Outer Highway 18 South shall be removed along the frontage of the property and proper signs and barricades shall be placed at the intersection of Outer Highway 18 South and Tuscola Road and at Kasota Road to prohibit vehicles from utilizing the outer highway between Tuscola Road and Kasota Road.
- EC7. A sixteen (16)-foot wide portion of Outer Highway 18 South shall be vacated along the frontage of the property. The Developer shall submit an application and pay the fees for the street vacation prior to grading permit issuance.
- EC8. Developer shall be required to stripe a 230 ft. two way left turn lane along the Kasota Road frontage, prior to building final.
- EC9. Traffic Impact fees shall be paid pursuant to the Town's Arterial Street System Development Fee Ordinance. (Municipal Code Section 3.28.050)
- EC10. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.

- EC11. Utility lines shall be placed underground in accordance with the requirements of the Town. (Municipal Code Section 14.28)
- EC12. Traffic impact fees adopted by the Town shall be paid by the developer.
- EC13. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.
- EC14. A Storm Water Pollution Prevention Plan (SWPPP) in accordance with the National Pollutant Discharge Elimination System (NPDES) shall be required.

Public Works Department Conditions of Approval

- PW1. Sewer connection fees are required if any new plumbing fixtures are being installed or if any existing fixtures were not previously permitted. Plans must be approved by the Town of Apple Valley Public Works Department.

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

- BC1. 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.
- BC2. Grading and drainage plans must be submitted to and approved by the Building Official, Planning Department and Town Engineer prior to permit issuance.
- BC3. Submit plans and obtain permits for all structures and retaining walls, signs.
- BC4. 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.
- BC5. 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.
- BC6. All utilities shall be placed underground in compliance with Town Ordinance No. 89.

- BC7. All cross lot drainage requires easements and may require improvements at the time of development.
- BC8. Comply with the State of California Disability Access requirements.
- BC9. 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.
- BC10. A dust palliative or hydro seed will be required on those portions of the site graded but not constructed upon or landscaped.
- BC11. Page two (2) of the submitted building plans will be the Conditions of Approval.
- BC12. Construction must comply with the California Building Codes and California Green Building Code effective at the time of submittal.
- BC13. Best Management Practices (BMP's) are required for the site during construction.
- BC14. 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.

- 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.

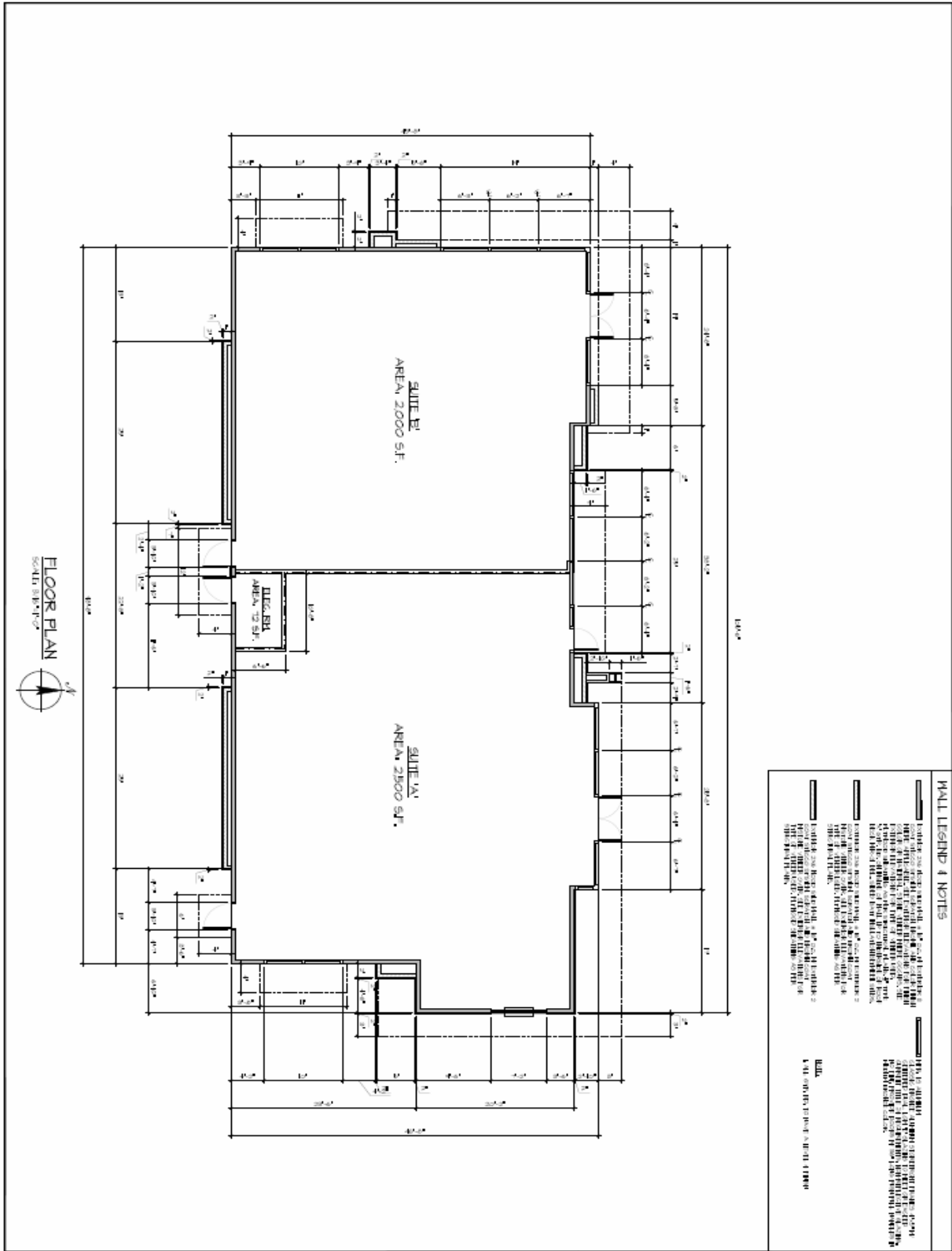
Commercial and industrial developments shall have street addresses and location approved by the Fire District. Where the building setback exceeds 200 feet from the roadway, additional non-illuminated contrasting eighteen (18) inch numbers shall be displayed at the property entrance. When these developments 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. A letter shall be furnished to the Fire District from the water purveyor stating that the required fire flow for the project can be met.

- FD9. 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



FLOOR PLAN
 SOUTH-SOUTH-EAST

ALL LEGEND & NOTES

- 1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
- 2. FINISHES ARE TO BE AS SHOWN ON THE FINISH SCHEDULE.
- 3. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2018 CALIFORNIA BUILDING CODE (CBC) AND ALL APPLICABLE LOCAL ORDINANCES.
- 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.
- 5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- 6. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL AGENCIES.
- 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
- 8. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
- 9. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
- 10. ALL WASTE AND DEBRIS SHALL BE REMOVED FROM THE SITE DAILY.
- 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.
- 12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BONDS.
- 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.
- 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.
- 15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY REFERENCES.

A1.0	FLOOR PLAN	<p>M:OA architects</p>		<p>NICO PLAZA NEW CONSTRUCTION 18195 HIGHWAY 18 APPLE VALLEY, CA</p>
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<p>EXTERIOR ELEVATIONS NORTH AND EAST</p> <p>A2.0</p>	<p>M:OA architects</p> <p>MARTINEZ + OKAMOTO architects, INC. 18195 HIGHWAY 18 APPLE VALLEY, CA 95951 TEL: 916.438.8888 FAX: 916.438.8889 WWW.MOAArchitects.com</p>	<p>NICO PLAZA NEW CONSTRUCTION 18195 HIGHWAY 18 APPLE VALLEY, CA</p>	<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	DESCRIPTION												
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HISTORIC-PERIOD BUILDING EVALUATION

18155-18157 AND 18165-18195 OUTER HIGHWAY 18 SOUTH

**Assessor's Parcel Nos. 0473-112-10 and 0473-112-11
Town of Apple Valley, San Bernardino County, California**

For Submittal to:

Planning Division
Community Development Department
Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307

Prepared for:

Nico Plaza LLC
4470 West Sunset Boulevard, #302
Los Angeles, CA 90027

Prepared by:

CRM TECH
1016 East Cooley Drive, Suite A/B
Colton, CA 92324

Bai "Tom" Tang, Principal Investigator
Michael Hogan, Principal Investigator

April 20, 2018
CRM TECH Contract No. 3321

Title: Historic Building Evaluation: 18155-18157 and 18165-18195 Outer Highway 18 South, Assessor's Parcel Nos. 0473-112-10 and 0473-112-11, Town of Apple Valley, San Bernardino County, California

Author(s): Bai "Tom" Tang, Principal Investigator
Terri Jacquemain, Historian/Architectural Historian
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Date: April 20, 2018

For Submittal to: Planning Division
Community Development Department
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USGS Quadrangle: Victorville, Calif., 7.5' quadrangle (Section 11, T5N R4W, San Bernardino Baseline and Meridian)

Keywords: Victor Valley area, southern Mojave Desert; commercial buildings, circa 1955 and 1978; Bemington and Smith, building contractor; not "historical resources" under CEQA

MANAGEMENT SUMMARY

In March and April, 2018, at the request of Nico Plaza LLC, CRM TECH performed a cultural resources study on two commercial buildings at 18155-18157 and 18165-18195 Outer Highway 18 South, Town of Apple Valley, San Bernardino County, California. The buildings occupy Assessor's Parcel Numbers 0473-112-10 and 0473-112-11, located on the southwestern corner of Outer Highway 18 and Kasota Road, within the northeast quarter of Section 11, T5N R4W, San Bernardino Baseline and Meridian.

The study is part of the environmental review process for the proposed demolition of the buildings to accommodate the construction of a new commercial building. The Town of Apple Valley, as the lead agency for the project, required the study in compliance with the California Environmental Quality Act (CEQA). The purpose of the study is to provide the Town of Apple Valley with the necessary information and analysis to determine whether the buildings' removal would cause "a substantial adverse change in the significance of a historical resource" (PRC §21084.1).

In order to facilitate the historical significance evaluation of the buildings and document their history and characteristics, CRM TECH conducted a historical resources records search, pursued historical background research, consulted with local historical organizations, and carried out a field inspection of the property and its environs. The results of these research procedures indicate these two buildings are connected on the north-facing primary façade to form a continuous storefront extending a total width of approximately 180 feet. The eastern building (18165-18195 Outer Highway 18 South) dates to 1955, and the western building (18155-18157 Outer Highway 18 South) dates to 1978.

Due to the physical connection between the buildings, both were recorded into the California Historical Resources Inventory as one property during this study. At 40 years of age, however, the 1978 building at 18155-18157 Outer Highway 18 South does not meet the general age threshold for historic value, nor does it appear to possess any exceptional merits in design, construction, and engineering. Therefore, it is not considered a potential "historical resource" under CEQA provisions.

Historical background research on the property reveals that the 1955 building at 18165-18195 Outer Highway 18 South was originally constructed and occupied by the contracting firm of Bennington and Smith, which was also the builder of many other buildings in Apple Valley. This particular building was likely a showcase for the company, with its Modern design elements combined with natural stone tower and panels. While Bennington and Smith enjoys a measure of local recognition today through its surviving buildings, this study has found no evidence that the firm attained the level of historic significance required for the building to be considered eligible for the California Register of Historical Resources, nor is the building known to be closely associated with any other persons or events of recognized significance in national, state, or local history.

The 1955 building is of common wood-frame and stucco construction with standard commercial storefront windows and doors. Architectural interest is provided by the natural stone used in the construction of a protruding "tower" and portions of the primary façade, a popular building material in early post-World War II Apple Valley. However, the building does not stand out as an important example of any style, type, period, region, or method of construction. In short, this building dates to

a relatively early period in the development of Apple Valley as a suburban community and retains good historical integrity to relate to that period, but does not demonstrate sufficient historical or architectural merits to meet the criteria for listing in the California Register of Historical Resources.

Based on these considerations, the present study concludes that the building at 18165-18195 Outer Highway 18 South does not meet CEQA's definition of a "historical resource." Nevertheless, due to its relatively early age for Apple Valley and the architectural interest noted above, it holds a certain level of local historical value to the community, as demonstrated by comments received from Marcella Taylor of the Apple Valley Legacy Museum, which should be taken into consideration during the planning process.

In the interest of preserving Apple Valley's cultural heritage whenever possible, CRM TECH recommends that further photo-recording and scaled mapping be completed on the 1955 building and submitted to the Town of Apple Valley to supplement the historical and architectural documentation completed during this study. The results of these procedures should be curated at the Town of Apple Valley, the cultural resource information center for San Bernardino County, and a local repository such as the Apple Valley Legacy Museum as a permanent record of the building. No other cultural resource compliance procedures will be necessary for the buildings on the subject property.

TABLE OF CONTENTS

MANAGEMENT SUMMARY	i
INTRODUCTION	1
HISTORICAL CONTEXT	4
RESEARCH METHODS	5
Records Search.....	5
Consultation with Community Representative	6
Historical Research	6
Field Inspection.....	6
RESULTS AND FINDINGS	7
Records Search.....	7
Consultation with Community Representative	7
Historical Research	7
Field Inspection.....	10
DISCUSSION	13
Definition	13
Evaluation	14
CONCLUSION AND RECOMMENDATIONS	15
REFERENCES	15
APPENDIX 1: Personnel Qualifications	17
APPENDIX 2: Letter from Marcella Taylor, Apple Valley Legacy Museum	21

LIST OF FIGURES

Figure 1. Project vicinity.....	1
Figure 2. Project location.....	2
Figure 3. Aerial view of the subject property	3
Figure 4. Previous cultural resources studies.....	8
Figure 5. The subject property in 1920-1932.....	9
Figure 6. The subject property in 1952-1956.....	9
Figure 7. Commercial buildings at 18155-18157 and 18165-18195 Outer Highway 18 South.....	11
Figure 8. Primary and eastern façades of 18165-18195 Outer Highway 18 South	11
Figure 9. Rear views, 18155-18157 and 18165-18195 Outer Highway 18 South.....	12

INTRODUCTION

In March and April, 2018, at the request of Nico Plaza LLC, CRM TECH performed a cultural resources study on two commercial buildings at 18155-18157 and 18165-18195 Outer Highway 18 South, Town of Apple Valley, San Bernardino County, California (Fig. 1). The buildings occupy Assessor's Parcel Numbers (APN) 0473-112-10 and 0473-112-11, located on the southwestern corner of Outer Highway 18 and Kasota Road, within the northeast quarter of Section 11, T5N R4W, San Bernardino Baseline and Meridian (Figs. 2, 3).

The study is part of the environmental review process for the proposed demolition of the buildings to accommodate the construction of a new commercial building. The Town of Apple Valley, as the lead agency for the project, required the study in compliance with the California Environmental Quality Act (CEQA; PRC §21000, et seq.). The purpose of the study is to provide the Town of Apple Valley with the necessary information and analysis to determine whether the buildings' removal would cause "a substantial adverse change in the significance of a historical resource" (PRC §21084.1).

In order to facilitate the historical significance evaluation of the buildings and document their history and characteristics, CRM TECH conducted a historical resources records search, pursued historical background research, consulted with local historical organizations, and carried out a field inspection of the property and its environs. The following report is a complete account of the methods, results, and final conclusion of the study. Personnel who participated in the study are named in the appropriate sections below, and their qualifications are provided in Appendix 1.

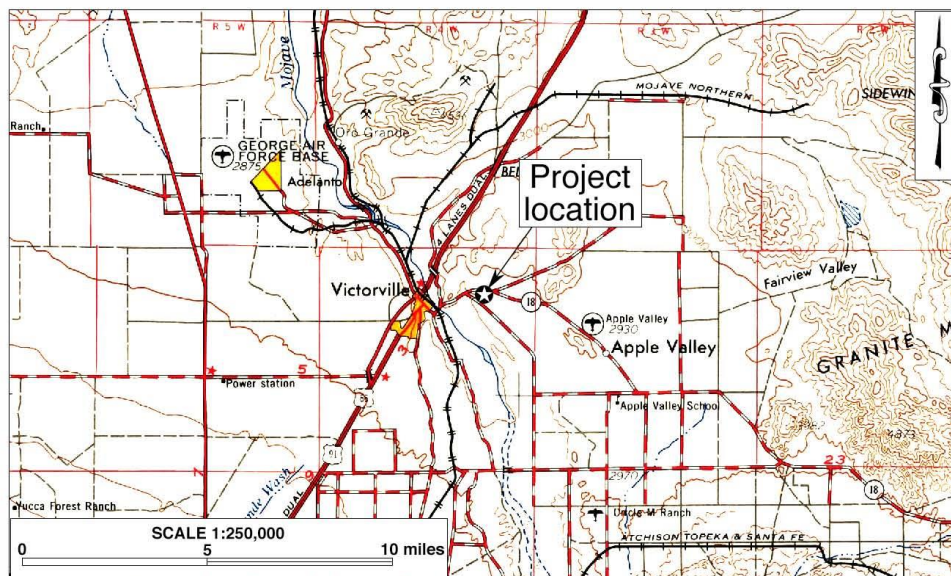


Figure 1. Project vicinity. (Based on USGS San Bernardino, Calif., 1:250,000 quadrangle [USGS 1969])

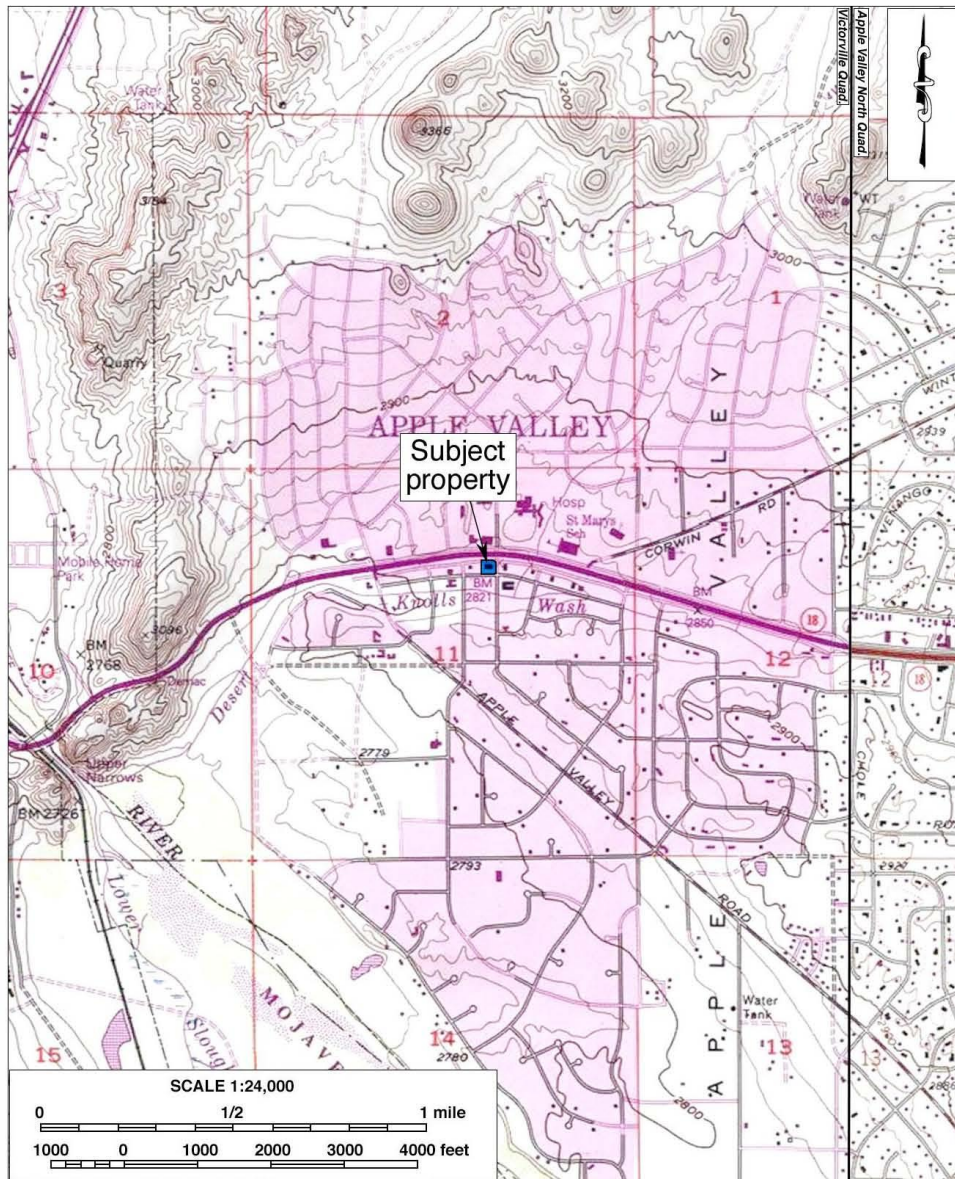


Figure 2. Project location. (Based on USGS Victorville and Apple Valley North, Calif., 1:24,000 quadrangles [USGS 1993a; 1993b])

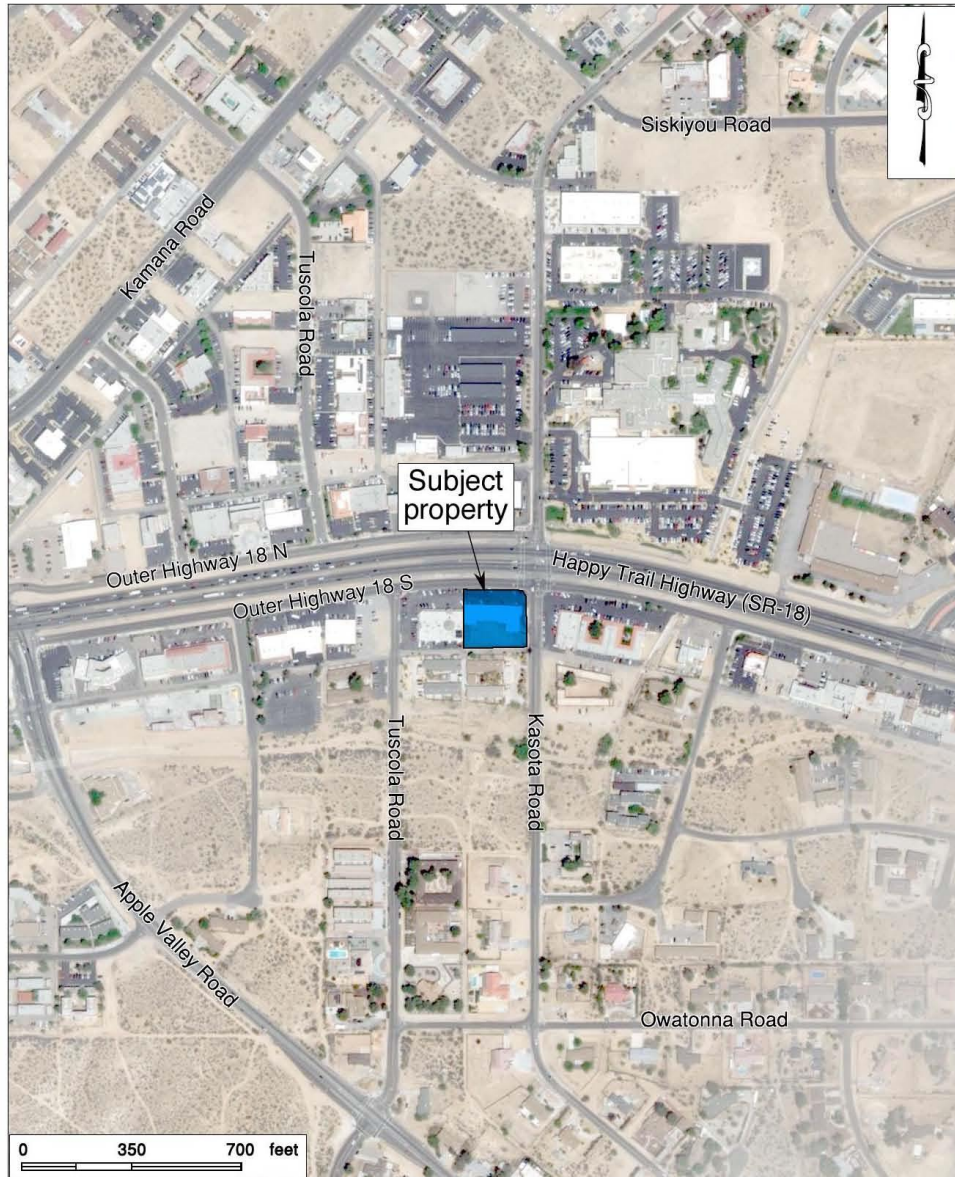


Figure 3. Aerial view of the subject property.

HISTORICAL CONTEXT

The first European visitor known to have arrived in the present-day Apple Valley area was the famed Spanish explorer Francisco Garcés, who traveled through the Victor Valley in 1776, shortly after the beginning of Spanish colonization Alta California in 1769 (Beck and Haas 1974:15). The earliest Euroamerican settlements appeared in the Victor Valley as early as 1860 (Peirson 1970:128). Despite these “early starts,” due to its harsh environment, development in the arid high desert country of southern California was slow and limited for much of the historic period, and the Victor Valley remained only sparsely populated until the second half of the 20th century.

Garcés traveled through the Victor Valley along an ancient Indian trading route known today as the Mojave Trail (Beck and Haase 1974:15). In the early 1830s, part of this trail was incorporated into the Old Spanish Trail, an important pack-train road that extended between southern California and Santa Fe, New Mexico (Warren 2004). Some 20 years later, when a wagon road known as the Mormon Trail or Salt Lake Trail was established between Utah and southern California, it followed essentially the same route across the Mojave Desert (NPS 2001:5). Since then, the Victor Valley has always served as a crucial link on a succession of major transportation arteries, where the heritage of the ancient Mojave Trail was carried on by the Santa Fe Railroad since the 1880s, the legendary U.S. Route 66 during the early and mid-20th century, and finally today’s Interstate Highway 15.

Although cattle ranchers are known to have grazed their herds along the Mojave River as early as the 1850s, the first settler to establish long-term residency in present-day Apple Valley is generally considered to be Silas Cox, a young Mormon cowboy who began using the area as a winter pasture for his family’s cattle in 1860 (O’Rourke 2004:9). The next year, a small gold rush in the San Bernardino Mountains brought an important transportation route to the Apple Valley area when the miners raised funds to build a wagon road, commonly referred to as Van Dusen Road, from the Holcombe Valley to connect with the Cajon Pass Toll Road, built around the same time by San Bernardino pioneer John Brown, Sr. (Robinson 1989:51-52; Thompson n.d.:4).

Around 1870, Brown and his sons established a cattle ranch, later known as Rancho Verde, on the southwestern edge of present-day Apple Valley (Thompson n.d.:1, 2), marking the beginning of the first permanent settlement in the area. This was followed shortly afterwards by John J. Atkinson’s homestead near the Upper Mojave Narrows and A. Frank McKenney and Jesse W. Taylor’s supply station further downstream on the newly blazed Stoddard Wells Road, a shortcut on the original Salt Lake Trail (*ibid.*:2). In 1871-1878, when George M. Wheeler surveyed and mapped a large portion of the western United States, “John Brown” and McKenney and Taylor’s station, identified then as “Huntington’s,” were the only settlements noted in the Apple Valley area (Wheeler 1878; Thompson n.d.:2).

In 1895, the Appleton Land and Water Company was organized to develop a valley-wide irrigation system and expansive apple orchards on the east side of the Mojave River (O’Rourke 2004:12). With the eventual success of the apple orchards, early settlers undertook a coordinated effort to enhance the image of the area through the creation of the Apple Valley Improvement Association in 1910 (*ibid.*:13). Ursula Poates, a dedicated promoter for the area who was given the title “Mayoress of Apple Valley” in 1911, is widely credited with coining the name of the town (*ibid.*:12; Lovato 2007:14).

By 1914, there were at least 14 notable ranches in the Apple Valley area, clustered mostly along the Mojave River (O'Rourke 2004:14, 15). Eight years later, however, the total population in Apple Valley remained only 50 (Ryon 1964). In the early 1930s, the aftermath of the Great Depression all but wiped out the apple orchards in Apple Valley, but the economic blow was somewhat softened by the town's emergence as a relatively close getaway spot for the rich and famous of Hollywood, while the open landscape and climate also provided an attractive setting for film production (O'Rourke 2004:18-19). Many of the properties in Apple Valley were converted into guest ranches, rural retreats, or sanitariums.

After enjoying a heyday that began in the 1940s and lasted roughly a decade, the dude ranch industry went into decline once the city-dwellers' vacation options broadened in the post-World War II years, most notably through the rapid ascension of Las Vegas as a tourist destination and through increased air travel (Thompson 2001:13). Eventually, one by one the guest ranches, retreats, and sanitariums fell victim to the town's later growth and, like the apple orchards before them, disappeared almost entirely from the landscape.

The post-World War II era saw the beginning of sustained growth in the Victor Valley region, including Apple Valley. Beginning in 1945, Newton T. Bass and Bernard "Bud" Westlund, two partners who had made a fortune in the petroleum industry in Long Beach, acquired approximately 25,000 acres of land in Apple Valley, and set about developing an entire new town under the name of Apple Valley Ranchos (Ryon 1964; O'Rourke 2004:37). Through a series of high-profile promotion campaigns, within 20 years Bass and Westlund succeeded in turning this sparsely settled stretch of desert land into a western-themed town of 11,000 residents (O'Rourke 2004:41-43), thus opening the history of the modern community of Apple Valley.

Through the Apple Valley Building and Development Company, Bass and Westlund developed and marketed thousands of residences and commercial properties, the first one sold in 1946 (Ryon 1964; O'Rourke 2004:37-38). In the ensuing decades, the community of Apple Valley continued to grow and acquire many of the services larger cities possessed, such as a police force, fire stations, more schools, hospital and clinics, and an airport. True to Bass and Westlund's original plan for Apple Valley Ranchos, the growth of the town has been largely driven by residential and commercial development. In 1988, the Town of Apple Valley was incorporated with a population of approximately 41,000.

RESEARCH METHODS

RECORDS SEARCH

On March 27, 2018, CRM TECH archaeologist Ben Kerridge conducted the cultural resources records search at the South Central Coastal Information Center (SCCIC). Located on the campus of California State University, Fullerton, the SCCIC is the State of California's official repository of cultural resources records for the County of San Bernardino, and a part of the California Historical Resource Information System established and maintained under the auspices of the Office of Historic Preservation.

During the records search, Kerridge examined maps and records on file at the SCICIC for previously identified cultural resources and existing cultural resources studies within a one-mile radius of the subject property. Previously identified cultural resources include properties designated as California Historical Landmarks, Points of Historical Interest, or San Bernardino County Landmarks, as well as those listed in the National Register of Historic Places, the California Register of Historical Resources, or the California Historical Resources Inventory.

CONSULTATION WITH COMMUNITY REPRESENTATIVE

Between March 29 and April 2, 2018, CRM TECH historian/architectural historian Terri Jacquemain contacted Marcella L. Taylor, local historian and founder of the Apple Valley Legacy Museum, both in writing and by telephone. During the consultation, Jacquemain introduced the proposed project to Ms. Taylor and solicited her input on behalf of the museum. The purpose of the consultation was to assess the potential historic value of the buildings on the subject property to local preservation groups and the community in general.

HISTORICAL RESEARCH

Terri Jacquemain conducted the historical background research for this study in order to ascertain the buildings' construction and ownership history, purposes and uses over the years, and possible associations with important historic figures or events, and to establish a historic context for the evaluation of their potential significance. The following sources were consulted during the research:

- U.S. General Land Office (GLO) land survey plat maps dated 1855-1856, on file at the California Desert District of the U.S. Bureau of Land Management, located in Moreno Valley;
- U.S. Geological Survey (USGS) topographic maps dated 1934-1993, on file at the Science Library of the University of California, Riverside;
- Aerial photographs taken in 1952-2017, available at the Nationwide Environmental Title Research (NETR) Online website and through the Google Earth software;
- Archival records of the County of San Bernardino and the Town of Apple Valley, particularly real property tax assessment records and building safety records;
- Local historical materials on file at the Newton T. Bass Branch Library in Apple Valley;
- Oral historical accounts and supplementary materials provided by Marcella Taylor and former property owner Bob Tinsley.

FIELD INSPECTION

On March 13, 2018, CRM TECH archaeologist Salvadore Z. Boites carried out the field inspection of the buildings and their environs. To facilitate the proper documentation of the buildings and the assessment of historic integrity, Boites made detailed notations and preliminary photo-recording of their structural and architectural characteristics, notable features or details, and current conditions. The field data such as architectural descriptions, UTM coordinates, location maps, and photographs were then compiled into standard site record forms for submittal to the SCCIC and inclusion in the California Historical Resources Inventory.

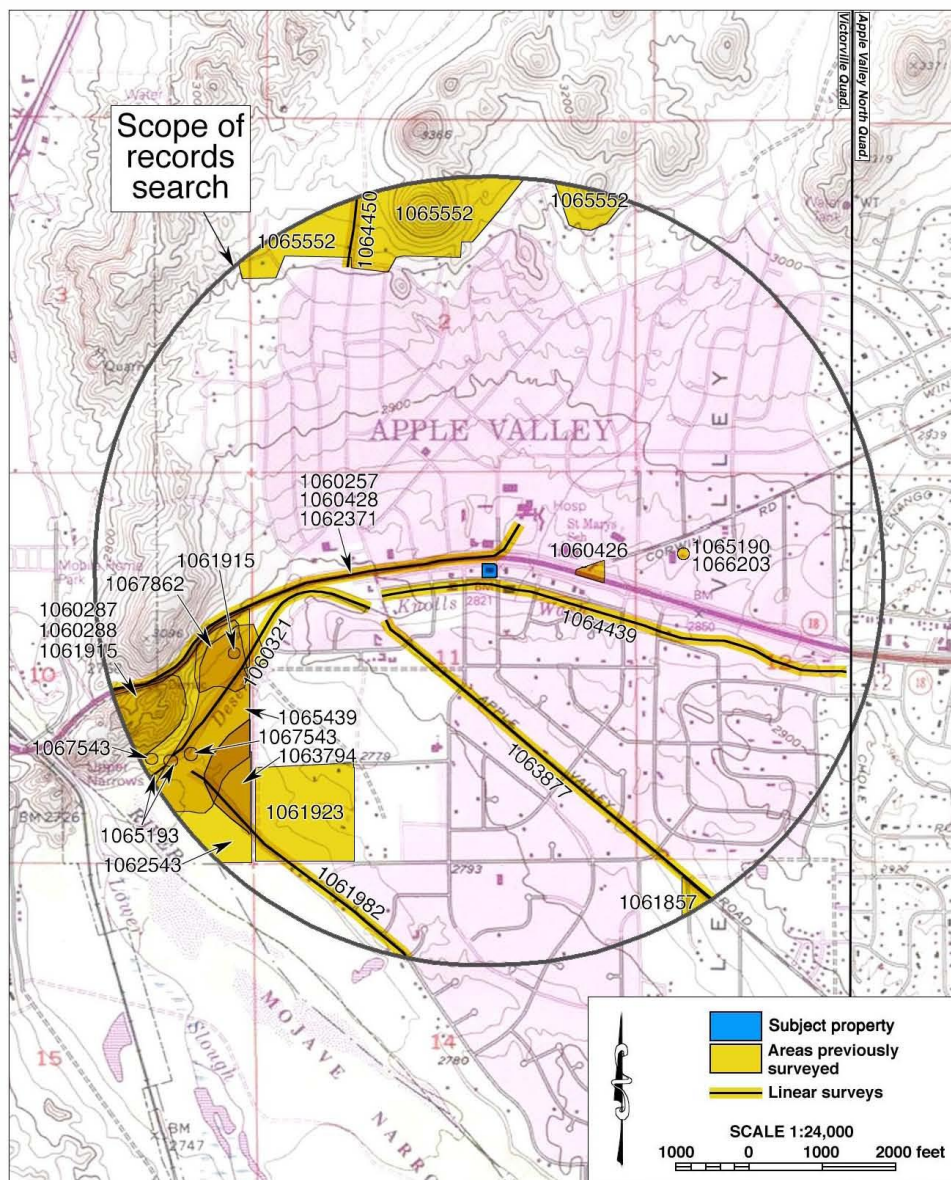


Figure 4. Previous cultural resources studies in the vicinity of the subject property, listed by SCCIC file number. Locations of historical/archaeological sites are not shown as a protective measure.

RESULTS AND FINDINGS

RECORDS SEARCH

According to SCCIC records, the two buildings had not been recorded or evaluated as a potential “historical resources” prior to this study, nor had any other cultural resources been identified on or immediately adjacent to the subject property. Within a one-mile radius of the subject property, SCCIC records show a total of 25 previous cultural resources studies on various tracts of land and linear features, including several for a wastewater pipeline project along Highway 18 and another on a drainage running to the south of the subject property (Fig. 4.).

As a result of these and other similar studies in the vicinity, 15 historical/archaeological sites and three isolates—i.e., localities with fewer than three artifacts—were previously identified within the one-mile radius. Of these, nine of the sites and all of the isolates were of Native American—i.e., prehistoric—origin, including several temporary and seasonal camps and habitation sites, possible pictographs, lithic scatters, and a resource processing complex. The other six sites dated to the historic period and included refuse scatters and St. Mary’s Hospital. The nearest among these known cultural resources, St. Mary’s Hospital (now St. Mary Medical Center), is located across Highway 18 (Happy Trails Highway) from the subject property.

CONSULTATION WITH COMMUNITY REPRESENTATIVE

When reached by telephone on April 2, Marcella Taylor of the Apple Valley Legacy Museum stated that the building at 18165-18195 Outer Highway 18 South was one of the few remaining commercial buildings from the 1950s, that it was designed by the firm of Bennington and Smith, known for several Apple Valley buildings, and that the stone panels on the façade were built of locally sourced river rocks. Ms. Taylor expressed deep regret that it had been proposed for demolition and stated that “it is depressing to see another one of our old buildings go down.”

Ms. Taylor further stated that she considers the building to be historically significant to the community and that she would send a letter to express her sentiments formally, along with pertinent historical materials from her collection. The letter was received at CRM TECH on April 4, accompanied by a flyer for the “Apple Valley Pow-Wow” in 1955, including a schedule for tours of various buildings in town at the time, and a newspaper photograph of the building from 1960 (see Appendix 2). Information from these sources is incorporated in the historical account presented below.

HISTORICAL RESEARCH

Historic maps demonstrate that the Apple Valley area remained largely undeveloped through much of the first half of the 20th century, with Bear Lake Road, the forerunner of today’s Highway 18, the only man-made feature known to be present near the subject property in the 1920s-1930s (Fig. 5). In 1952, the project vicinity remained open desert land devoid of any notable man-made features except the two-lane highway along its current alignment (NETR Online 1952).

The fact that Bennington and Smith used the building for their professional headquarters suggests the building's blend of Modern design and natural stone elements was intended to showcase the duo's talents and artistry in the building trades. Shortly after its completion, the building was included in a driving tour of the town during the 1955 Apple Valley Pow-Wow with other "points of interest...recommended by the architects and realtors who serve the Valley" (Chamber of Commerce 1955).

Archival records indicate that the subject property was held by the Reserve Oil and Gas Company before being acquired by Richard E. and Lillian E. Wilson, among other co-owners, in 1979 (County Assessor n.d.). In 1981, the ownership was transferred to a new group that included the Wilsons but was evidently headed by Bob Tinsley, a building contractor and a realtor who also had his office at this location (*ibid.*; Tinsley 2018).

A native of Oklahoma, Tinsley (2018) lived in Rancho Cucamonga before moving to Apple Valley in 1973. According to Tinsley (*ibid.*), at the time of his involvement in the property the two buildings were divided into four units that were occupied by the Hollywood Savings and Loan, a real estate office, a dry cleaner, and a hardware store, now the location of the Fitt Klub. The unit that housed the Hollywood Savings and Loan was later split into separate spaces for a coin shop and a travel agency, but was eventually merged again to accommodate the expanded dry cleaner (*ibid.*).

In addition to those for the original constructions of the two buildings in 1955 and 1978, building permits issued on the subject property by the County of San Bernardino and, after 1988, the Town of Apple Valley indicate interior partitioning in 1982, fire damage repairs in 1986, and reroofing in 1996 (County Assessor 1955-1986; Town of Apple Valley 1996). Bob Tinsley and his group remained the property owners until 2006, when the two parcels were acquired by Indra Investments LLC (County Assessor n.d.). The current owner, Nico Plaza LLC, acquired the property in February 2018 (*ibid.*).

FIELD INSPECTION

The one-story, Modern-style commercial buildings at 18155-18157 and 18165-18195 Outer Highway 18 South are nearly adjoining to each other, separated by less than two feet of space but connected on the north-facing primary façade to form a continuous storefront extending a total width of approximately 180 feet (Fig. 7). They are surmounted by matching flat roofs with wide, boxed overhang overhangs on the front and eastern sides but narrow eaves at the rear. The overhang angles inward from top to bottom and widens even further on the eastern side, over a drive-up banking window that is no longer in use (Figs. 7-8). On the western side, the 1978 building abuts another modern commercial building at 18145 Outer Highway 18 South, and features a parapet along the flank and no eave overhang.

The 1978 building on the west, the smaller of the two, is rectangular in shape and is built of concrete blocks with a coat of stucco. The larger 1955 building on the east, at 18165-18195 Outer Highway 18 South, is an L-shaped wood-frame structure clad in yellowish tan stucco with fieldstone-and-mortar panels spaced across the front façade. A plywood panel and piece of metal blend and join the top third of the front façades where the two buildings meet, and a stone panel conceals the bottom two-thirds. The stone panels also wrap around the northeastern corner of the 1955 building, with a

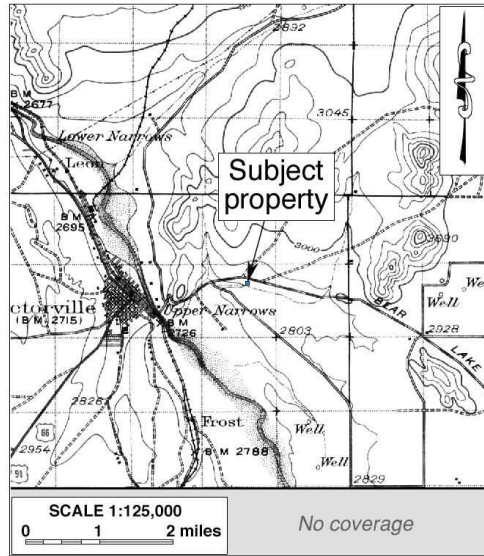


Figure 5. The subject property in 1920-1932. (Source: USGS 1934)

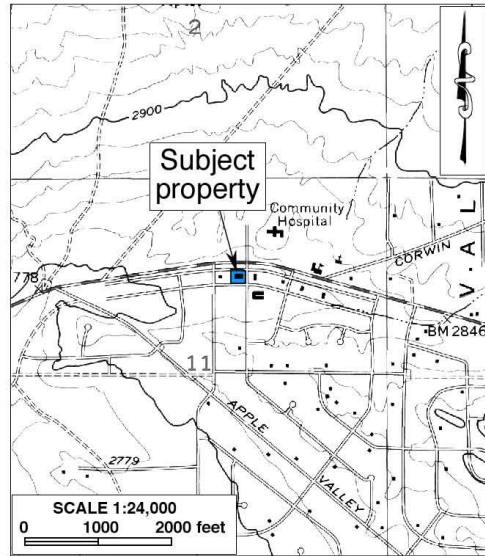


Figure 6. The subject property in 1952-1956. (Source: USGS 1956)

Roughly a mile to the east, Newton T. Bass, Bernard Westlund, and their Apple Valley Building and Development Company had by then begun to lay out streets and build residences and commercial buildings in the Apple Valley Ranchos development (*ibid.*). By 1956, the fast-expanding new town had reached the project vicinity (Fig. 6). One of the building contractors who often worked with Bass and Westlund in Apple Valley at the time, the firm of Bennington and Smith, constructed the building at 18165-18195 Outer Highway 18 South, on the eastern portion of the subject property (APN 0473-112-11 and the eastern half of APN 0473-112-10), in 1955 (County Assessor n.d.; Fig. 6). The western building on the property, at 18155-18157 Outer Highway 18 South and occupying the western half of APN 0473-112-10, was constructed in 1978 (*ibid.*).

Headed by Jack Bennington and Hal Smith, the firm is remembered today as the contractor for several notable buildings in the early years of the town, including the Apple Valley Bank in the late 1940s, St. Mary's Hospital in 1955, and Newton Bass' home, "Hilltop House," in 1960 (*Victor Valley News* 2016; Taylor 2018). In addition, Bennington and Smith also built many other residences in Apple Valley, including their own five-bedroom homes on Tigertail Road, an exclusive street near the Apple Valley Golf Course (Taylor 2018).

As of 1960, Jack Bennington and Hal Smith occupied the building on the subject property as their own office and shared it with Rancho Materials Company, likely the source of the fieldstone used in the construction (*Desert Valley News-Herald* 1960). One of the stone panels in the front façade extended about a foot beyond the western wall, and was later used to conceal the junction with the 1978 building (*ibid.*).

The storefronts present a typical configuration of full-length aluminum-framed plate-glass windows and doors, including two sets of double doors and three single doors, each with a transom light above. The building currently houses two businesses, a fitness center (the Fitt Klub at 18165) and a dry cleaner (Professional Cleaners I at 18195), each with two free-standing signs above the roofline. The eave overhang shelters a concrete walkway across the front, beyond which is an asphalt-paved herringbone-patterned parking lot. There are no green areas or landscaping.

The eastern façade, as noted above, features a drive-up banking window, more signage for the dry cleaners, and groups of aluminum-framed windows set high on the wall. A side entrance is filled with a plain wooden door and is accessed by a ramp with metal handrail. The metal-framed drive-up banking window is approached by a curved driveway from Kasota Road that is elevated slightly to reach the window. The rear façades of the buildings are relatively plain, and the narrow space between the two buildings is apparent (Fig. 9). The western building has a centered, plain double door flanked by single doors of similar character, all of them open to a concrete stoop. The eastern building features four rear entrances with two double doors and two single doors, also of similar character, which are accompanied by small concrete stoops and groups of aluminum-framed windows.

These two buildings are situated along the south side of Highway 18, amid a corridor of mostly one-story commercial buildings of mixed vintages. They are in good condition, and the 1955 building on the east appears to be largely intact with no major additions or alterations except for the apparent window replacements.



Figure 9. Rear views, 18155-18157 and 18165-18195 Outer Highway 18 South. *Clockwise from top left:* western building, constructed in 1978, view to the north; western portion of the eastern building, view to the north; eastern portion of the eastern building, view to the northeast; division between the two buildings, view to the south. (Photographs taken on March 13, 2018)



Figure 7. Commercial buildings at 18155-18157 and 18165-18195 Outer Highway 18 South, view to the south. (Photograph taken on March 13, 2018)

taller panel on the eastern side extending a few feet beyond the primary façade and protruding through the roofline to form a slightly trapezoid-shaped “tower.” The angular design element is echoed in the other stone panels, which are also of graduated thickness from bottom to top.



Figure 8. Primary and eastern façades of the 1955 building at 18165-18195 Outer Highway 18 South. *Clockwise from top left*: fieldstone “tower” at the northeast corner of the building, view to the southwest; extended, angled eave over drive-up banking window, view to the northwest; fieldstone panel and plate glass windows in the front façade, view to the east; close-up of the junction between the two buildings. (Photographs taken on March 13, 2018)

DISCUSSION

DEFINITION

The purpose of this study is to assist the Town of Apple Valley in determining whether the buildings at 18155-18157 and 18165-18195 Outer Highway 18 South meet the statutory and regulatory definition of “historical resources,” as provided by the California Public Resources Code, in particular CEQA. According to PRC §5020.1(j), “‘historical resource’ includes, but is not limited to, any object, building, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.”

More specifically, CEQA guidelines state that the term “historical resources” applies to any such resources listed in or determined to be eligible for listing in the California Register of Historical Resources, included in a local register of historical resources, or determined to be historically significant by the lead agency (Title 14 CCR §15064.5(a)(1)-(3)). In other words, buildings, structures, sites, or districts that belong to one or more of the following three categories are to be considered “historical resources” for the purposes of CEQA compliance (160 Cal. App. 4th 1051):

- Mandatory historical resources: properties that are listed in or formally determined to be eligible for listing in the California Register of Historical Resources;
- Presumptive historical resources: properties that are designated in an officially established local register, recognized by local ordinance, resolution, or general plan, or identified in a local survey prepared in accordance with PRC §5024.1(g), unless determined not to be historically or culturally significant by the lead agency upon a preponderance of the evidence;
- Discretionary historical resources: properties that are determined to be historically significant in the lead agency’s discretion, independent of any decision to list or designate them in a national, state, or local register of historical resources.

A local register of historical resources, as defined by PRC §5020.1(k), “means a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.” Regarding the proper criteria of historic significance evaluation of potential “discretionary historical resources,” CEQA guidelines mandate that “generally a resource shall be considered by the lead agency to be ‘historically significant’ if the resource meets the criteria for listing on the California Register of Historical Resources” (Title 14 CCR §15064.5(a)(3)). A resource may be listed in the California Register if it meets any of the following criteria:

- (1) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- (2) Is associated with the lives of persons important in our past.
- (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- (4) Has yielded, or may be likely to yield, information important in prehistory or history. (PRC §5024.1(c))

Due to their conjoined nature, the two buildings on the subject property were recorded into the California Historical Resources Inventory as one property during this study. At 40 years of age, however, the 1978 building at 18155-18157 Outer Highway 18 South does not meet the general age threshold for historic value. Guidelines adopted by the State of California Office of Historic Preservation provide for the consideration of properties less than 50 years old for listing in the California Register of Historical Resources, but such properties are required to be of exceptional importance in design, construction, and engineering. The building at 18155-18157 Outer Highway 18 South does not demonstrate such merits. Consequently, it is not considered a potential “historical resource” under CEQA provisions.

The 1955 building at 18165-18195 Outer Highway 18 South has not been listed in the California Register of Historical Resources, formally determined eligible for such listing, or designated in an officially established local register. Therefore, it does not meet the definition of a “historical resource” in the categories of “mandatory historical resources” and “presumptive historical resources,” as outlined above, and requires evaluation as a potential “discretionary historical resource” on the basis of the results and findings of this study.

EVALUATION

Historical background research on the property reveals that the building at 18165-18195 Outer Highway 18 South was originally constructed and occupied by the contracting firm of Bennington and Smith, which was also the builder of many other buildings in Apple Valley. This particular building was likely a showcase for the company, with its Modern design elements combined with natural stone tower and panels. While Bennington and Smith enjoys a measure of local recognition today through its surviving buildings, this study has found no evidence that the firm attained the level of historic significance required for the building to be considered eligible for the California Register of Historical Resources, nor is the building known to be closely associated with any other persons or events of recognized significance in national, state, or local history.

The building is of common wood-frame and stucco construction with standard commercial storefront windows and doors. Architectural interest is provided by the natural stone used in the construction of a protruding “tower” and portions of the primary façade, a popular building material in early post-World War II Apple Valley. However, the building does not stand out as an important example of any style, type, period, region, or method of construction. In short, this building dates to a relatively early period in the development of Apple Valley as a suburban community and retains good historical integrity to relate to that period, but does not demonstrate sufficient historical or architectural merits to meet the criteria for listing in the California Register of Historical Resources.

Based on these considerations, and in light of the criteria listed above, the present study concludes that the building at 18165-18195 Outer Highway 18 South does not appear to meet the criteria for listing in the California Register of Historical Resources, thus does not meet CEQA’s definition of a “historical resource” in the category of “discretionary historical resources.” Nevertheless, due to its relatively early age for Apple Valley and the architectural interest noted above, it holds a certain level of local historical value to the community, as demonstrated by comments received from Marcella Taylor of the Apple Valley Legacy Museum, which should be taken into consideration during the planning process.

CONCLUSION AND RECOMMENDATIONS

CEQA establishes that “a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment” (PRC §21084.1). “Substantial adverse change,” according to PRC §5020.1(q), “means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired.”

The present study has concluded that the two commercial buildings located on the subject property do not meet the State of California’s official definition of “historical resources,” as provided in CEQA and associated regulations, but that the 1955 building at 18165-18195 Outer Highway 18 South holds a certain level of local historical value to the community. Based on these findings, and pursuant to PRC §21084.1, CRM TECH presents the following recommendations to the Town of Apple Valley:

- The demolition, relocation, or other physical alterations of the buildings at 18155-18157 and 18165-18195 Outer Highway 18 South would not constitute “a substantial adverse change in the significance of a historical resource.”
- In the interest of preserving Apple Valley’s cultural heritage whenever possible, further photo-recording and scaled mapping should be completed on the 1955 building at 18165-18195 Outer Highway 18 South and submitted to the Town of Apple Valley to supplement the historical and architectural documentation completed during this study. The results of these procedures should be curated at the Town of Apple Valley, the SCCIC, and a local repository such as the Apple Valley Legacy Museum as a permanent record of the building.
- No other cultural resource compliance procedures will be necessary for the buildings on the subject property.

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**APPENDIX 1:
PERSONNEL QUALIFICATIONS**

**PRINCIPAL INVESTIGATOR/HISTORIAN/ARCHITECTURAL HISTORIAN
Bai “Tom” Tang, M.A.**

Education

- 1988-1993 Graduate Program in Public History/Historic Preservation, UC Riverside.
1987 M.A., American History, Yale University, New Haven, Connecticut.
1982 B.A., History, Northwestern University, Xi’an, China.
- 2000 “Introduction to Section 106 Review,” presented by the Advisory Council on Historic Preservation and the University of Nevada, Reno.
1994 “Assessing the Significance of Historic Archaeological Sites,” presented by the Historic Preservation Program, University of Nevada, Reno.

Professional Experience

- 2002- Principal Investigator, CRM TECH, Riverside/Colton, California.
1993-2002 Project Historian/Architectural Historian, CRM TECH, Riverside, California.
1993-1997 Project Historian, Greenwood and Associates, Pacific Palisades, California.
1991-1993 Project Historian, Archaeological Research Unit, UC Riverside.
1990 Intern Researcher, California State Office of Historic Preservation, Sacramento.
1990-1992 Teaching Assistant, History of Modern World, UC Riverside.
1988-1993 Research Assistant, American Social History, UC Riverside.
1985-1988 Research Assistant, Modern Chinese History, Yale University.
1985-1986 Teaching Assistant, Modern Chinese History, Yale University.
1982-1985 Lecturer, History, Xi’an Foreign Languages Institute, Xi’an, China.

Cultural Resources Management Reports

Preliminary Analyses and Recommendations Regarding California’s Cultural Resources Inventory System (With Special Reference to Condition 14 of NPS 1990 Program Review Report). California State Office of Historic Preservation working paper, Sacramento, September 1990.

Numerous cultural resources management reports with the Archaeological Research Unit, Greenwood and Associates, and CRM TECH, since October 1991.

PRINCIPAL INVESTIGATOR/ARCHAEOLOGIST

Michael Hogan, Ph.D., RPA*

Education

- 1991 Ph.D., Anthropology, University of California, Riverside.
1981 B.S., Anthropology, University of California, Riverside; with honors.
1980-1981 Education Abroad Program, Lima, Peru.
- 2002 Section 106—National Historic Preservation Act: Federal Law at the Local Level.
UCLA Extension Course #888.
- 2002 “Recognizing Historic Artifacts,” workshop presented by Richard Norwood,
Historical Archaeologist.
- 2002 “Wending Your Way through the Regulatory Maze,” symposium presented by the
Association of Environmental Professionals.
- 1992 “Southern California Ceramics Workshop,” presented by Jerry Schaefer.
1992 “Historic Artifact Workshop,” presented by Anne Duffield-Stoll.

Professional Experience

- 2002- Principal Investigator, CRM TECH, Riverside/Colton, California.
1999-2002 Project Archaeologist/Field Director, CRM TECH, Riverside.
1996-1998 Project Director and Ethnographer, Statistical Research, Inc., Redlands.
1992-1998 Assistant Research Anthropologist, University of California, Riverside
1992-1995 Project Director, Archaeological Research Unit, U. C. Riverside.
1993-1994 Adjunct Professor, Riverside Community College, Mt. San Jacinto College, U.C.
Riverside, Chapman University, and San Bernardino Valley College.
1991-1992 Crew Chief, Archaeological Research Unit, U. C. Riverside.
1984-1998 Archaeological Technician, Field Director, and Project Director for various southern
California cultural resources management firms.

Research Interests

Cultural Resource Management, Southern Californian Archaeology, Settlement and Exchange
Patterns, Specialization and Stratification, Culture Change, Native American Culture, Cultural
Diversity.

Cultural Resources Management Reports

Author and co-author of, contributor to, and principal investigator for numerous cultural resources
management study reports since 1986.

Memberships

* Register of Professional Archaeologists; Society for American Archaeology; Society for California
Archaeology; Pacific Coast Archaeological Society; Coachella Valley Archaeological Society.

PROJECT HISTORIAN/ARCHITECTURAL HISTORIAN

Terri Jacquemain, M.A.

Education

- 2004 M.A., Public History and Historic Resource Management, University of California, Riverside.
• M.A. thesis: Managing Cultural Outreach, Public Affairs and Tribal Policies of the Cabazon Band of Mission Indians, Indio, California; internship served as interim Public Information Officer, Cabazon Band of Mission Indians, June-October, 2002.
- 2002 B.S., Anthropology, University of California, Riverside.
- 2001 Archaeological Field School, University of California, Riverside.
- 1991 A.A., Riverside Community College, Norco Campus.

Professional Experience

- 2003- Historian/Architectural Historian/Report Writer, CRM TECH, Riverside/ Colton, California.
- 2002-2003 Teaching Assistant, Religious Studies Department, University of California, Riverside.
- 2002 Interim Public Information Officer, Cabazon Band of Mission Indians.
- 2000 Administrative Assistant, Native American Student Programs, University of California, Riverside.
- 1997-2000 Reporter, *Inland Valley Daily Bulletin*, Ontario, California.
- 1991-1997 Reporter, *The Press-Enterprise*, Riverside, California.

Membership

California Preservation Foundation.

PROJECT ARCHAEOLOGIST

Ben Kerridge, M.A.

Education

- 2014 Archaeological Field School, Institute for Field Research, Kephallenia, Greece.
- 2010 M.A., Anthropology, California State University, Fullerton.
- 2009 Project Management Training, Project Management Institute/CH2M HILL, Santa Ana, California.
- 2004 B.A., Anthropology, California State University, Fullerton.

Professional Experience

- 2015- Project Archaeologist/Report Writer, CRM TECH, Colton, California.
- 2015 Teaching Assistant, Institute for Field Research, Kephallenia, Greece.
- 2009-2014 Publications Delivery Manager, CH2M HILL, Santa Ana, California.
- 2006-2009 Technical Publishing Specialist, CH2M HILL, Santa Ana, California.

Memberships

Society for California Archaeology; Pacific Coast Archaeological Society.

PROJECT ARCHAEOLOGIST

Salvadore Z. Boites, M.A.

Education

- 2013 M.A., Applied Anthropology, California State University, Long Beach.
- 2003 B.A., Anthropology/Sociology, University of California, Riverside.
- 1996-1998 Archaeological Field School, Fullerton Community College, Fullerton, California.

Professional Experience

- 2014- Project Archaeologist, CRM TECH, Colton, California.
- 2010-2011 Adjunct Instructor, Anthropology, Everest College, Anaheim, California.
- 2003-2008 Project Archaeologist, CRM TECH, Riverside/Colton, California.
- 2001-2002 Teaching Assistant, Moreno Elementary School, Moreno Valley, California.
- 1999-2003 Research Assistant, Anthropology Department, University of California, Riverside.

Research Interests

Cultural Resource Management, Applied Archaeology/Anthropology, Indigenous Cultural Identity, Poly-culturalism.

APPENDIX 2

**LETTER FROM MARCELLA TAYLOR
APPLE VALLEY LEGACY MUSEUM**

4/2/18
Apple Valley Legacy Museum
19900 Hwy 18
Apple Valley, Ca. 92307

Terri Jacquemain
CRM Tech
1016 E. Cooley Dr. Ste A/B
Colton, Ca. 92324

Dear Terri:

I am responding to your email of March 29 re. the building at 18195 Hwy 18, which I believe is connected to 18165 Hwy 18, both occupied units. I am devastated to learn that anyone would even think of tearing down another Bennington and Smith Apple Valley Ranchos era structure, sound and made with local river rock.

Bennington and Smith were well respected builders as noted in the 1960 Progress edition of the Desert Valley News-Herald (copy attached.) They worked with Apple Valley founders Newt Bass and Bud Westlund to construct commercial buildings and up-scale homes all over Apple Valley, starting with its 1947 beginning. This particular building housed their own offices as well as Rancho Material. The 1955 PowWow Program (copy attached) states that "the points of interest on these tours were recommended by the architects and realtors who serve the valley." Tour #1 includes the B & S office, Rancho Materials Co., and just east of that Hollywood Savings and Loan, which I'm not sure was in the same complex. The building looks exactly the same today, with a busy cleaners on the east end and the FITT Club on the west end. Tour #2 includes the personal 5-bedroom homes of Jack Bennington and Hal Smith, which they built on Tigertail, an exclusive street just south of the AV Golf Course.

Long-time AV residents I spoke with remember the building in question housing at different times a real estate agency (not sure the name), a bank, Desert Sun Insurance, and BR Tinsley Construction. I understand you already spoke with Bob Tinsley. Other structures built by B and S include St. Mary's Hospital 1955, the Hilltop House late 1950's, the Apple Valley Bank late 1940's, and many homes, one which was built in 1957 is owned by one of my volunteers, Linda Delay. She remembers the secretary at 18165 Hwy 18 in the B & S Office was Dani McDougal.

I am assuming that the person who wants to buy this property (or already has) is not from Apple Valley and has no interest in Apple Valley history. We have had several instances in which unknown investors have come in and knocked down historic buildings. An example is when the beautiful bank building, with an outside vault built of local river rock, was destroyed to build a Starbucks! People were so angry they were threatening the demolition crew. I feel that it was my duty to do this research and respond to your request. I also feel deep inside that it is probably a waste of my time and will only end in another heartbreak.

Sincerely,

Marcella L. Taylor

Marcella L. Taylor, local historian (760) 985-1918

APR 04 2018

BY:

1955

APPLE VALLEY

POW-WOW

SEPTEMBER 3 - 4 - 5 (Labor Day Week-End)

Come For Fun!

COME SEE OUR
HOMES AND MEET
OUR NEIGHBORS

COME TO THE APPLE VALLEY

POW-WOW

SEPTEMBER 3 - 4 - 5

Theme:
Hi-Neighbor!
DRESS
WESTERN

MARKED TOURS OF APPLE VALLEY'S GORGEOUS HOMES

CHUCK WAGON BREAKFASTS - OUTDOOR BARBECUES - CHURCH LUNCHES
GOLF - RIDING - DANCING - GYMKHANA - PHOTO SUBJECTS
OLD TIME CHURCH SERVICE - PAGEANT
HI-NEIGHBOR PARADE
DEDICATION OF NEW BUSINESSES

... AND WHEN YOU COME ...

STOP

AT ANY OF THE 3 ENTRANCES
TO THE VALLEY FOR A GUIDE
TO THE TOURS OF THE VALLEY
.. FREE FROM THE BOY SCOUTS

... AND BUY A

POW-WOW BUTTON

IT'S A SIGN YOU, TOO, ARE A FRIENDLY NEIGHBOR

Item # 2

SCHEDULE OF EVENTS . . . 1955

POW-WOW

APPLE VALLEY, CALIFORNIA

SATURDAY, SEPTEMBER 3rd, 1955

- 10:00 A.M. Dedication of Apple Valley Chamber of Commerce office.
- 8:00 A.M. to 2:00 P.M. . . . Refreshments, sponsored by Women's Guild of the Episcopal Church, at the Apple Valley Golf Course.
- All Day Golf
- All Day Old Desert Neighbor and Apple Valley Sweetheart will be available for photos at Apple Valley Chamber of Commerce office.
- All Day **Marked Tours of beautiful Apple Valley homes.**
- All Day Marked Bridle Trails.
- 12:00 Noon Salad Bar . . . sponsored by Women's Auxiliary at the Church of the Valley.
- 2:30 P.M. Baseball Game (Apple Valley Championship) between Kiwanis Club and Lion's Club. John Charles Thomas, umpire.
- 8:00 P.M. Dancing Under the Stars (Western and Modern) sponsored by the Sage Riders at Cleve Clayton grounds, next to Postoffice. (In event of rain, dance will be held at the Community Center.)

SUNDAY, SEPTEMBER 4th, 1955

- 7:00 A.M. to 11:00 A.M. . . . Chuck Wagon Breakfast, sponsored by the Apple Valley Sheriff's Posse, at Community Center.
- 8:00 A.M. to 2:00 P.M. . . . Refreshments, sponsored by Women's Guild of the Episcopal Church, at Apple Valley Golf Course.
- 9:00 A.M. Church Services with emphasis on all with horses attending on horseback or in carriages (the Church of the Valley will have old time church service, separating the sheep from the goats, or the men from the women.)
- All Day Old Desert Neighbor and Apple Valley Sweetheart will be available for photos at Apple Valley Chamber of Commerce office.
- 12:00 Noon Lunch . . . sponsored by the Apple Valley Woman's Club at Community Center.
- All Day **Marked Tours of beautiful Apple Valley homes.**
- All Day Marked Bridle Trails.
- All Day Golf
- 2:00 P.M. Parade . . . sponsored by Apple Valley Sheriff's Posse. Trophies to winners.
- 4:00 P.M. Second annual "Hi-Neighbor" Barbecue, sponsored by Lion's Club, at Apple Valley Inn Steak Fry Grounds.
- 8:00 P.M. PAGEANT . . . sponsored by the Music Committee of the Apple Valley Chamber of Commerce, Desert Players, John Charles Thomas' "Romanies." To be financed through the sale of Pow-wow Buttons. Concessions allocated to the Sage Riders. Pageant Grounds, Southeast of Apple Valley Inn.

MONDAY (Labor Day) SEPT. 5th, 1955

- 7:00 A.M. to 11:00 A.M. . . . Chuck Wagon Breakfast, sponsored by Apple Valley Sheriff's Posse.
- 8:00 A.M. to 2:00 P.M. . . . Refreshments, sponsored by Women's Guild of the Episcopal Church, at Apple Valley Golf Course.
- 9:00 A.M. Horse Gymkhana staged by Apple Valley Sage Riders.
- All Day Golf
- All Day **Marked Tours of beautiful Apple Valley homes.**
- All Day Marked Bridle Trails.
- Old Desert Neighbor and Apple Valley Sweetheart will be available for photos at Apple Valley Chamber of Commerce office until noon.

Welcome to the Apple Valley

POW-WOW

Theme:
Hi-Neighbor!
DRESS
WESTERN

The officers and directors of the Apple Valley Chamber of Commerce and the officers of the sponsoring organizations listed below hope you will see enough of our lovely Valley so you will want to come back time and time again and say "Hi Neighbor"—which is the theme of our Pow-wow Days.

Have fun — enjoy our sun — and return to live with us.

- | | |
|---|---|
| Apple Valley Chamber of Commerce | Apple Valley Woman's Club |
| Apple Valley Sheriff's Posse | Apple Valley Kiwanis Club |
| Apple Valley Sage Riders | Apple Valley Boy Scouts |
| Apple Valley Lions Club | Apple Valley Girl Scouts |
| Women's Auxiliary of the Church of the Valley | Women's Guild of St. Timothy's Episcopal Church of AV |
| | The Romanies of Apple Valley |

The points of interest indicated on these tours were recommended by the architects and realtors who serve the Valley. We know you will enjoy their recommendations. — APPLE VALLEY CHAMBER OF COMMERCE.

PLEASE NOTE BEFORE STARTING:

The mileage from one point of interest to the next is indicated in the left margin. Follow this, your speedometer and the tour arrows and you'll see the entire self-conducted tour.

NONE OF THE HOUSES ARE OPEN FOR INSPECTION unless so indicated. There is one house open on each of tours one, four and five. Please, no others. Folks have guests for Pow-wow week-end, you know, so please don't ask to be admitted. Respect their privacy, please.

SATURDAY, SEPTEMBER 3rd, 1955

- 10:00 A.M. Dedication of Apple Valley Chamber of Commerce office.
- 8:00 A.M. to 2:00 P.M. Refreshments, sponsored by Women's Guild of the Episcopal Church, at the Apple Valley Golf Course.
- All Day Golf
- All Day Old Desert Neighbor and Apple Valley Sweetheart will be available for photos at Apple Valley Chamber of Commerce office.
- All Day Marked Tours of beautiful Apple Valley homes.
- All Day Marked Bridle Trails.
- 12:00 Noon Salad Bar . . . sponsored by Women's Auxiliary at the Church of the Valley.
- 2:30 P.M. Baseball Game (Apple Valley Championship) between Kiwanis Club and Lion's Club. John Charles Thomas, umpire.
- 8:00 P.M. Dancing Under the Stars (Western and Modern) sponsored by the Sage Riders at Cleve Clayton grounds, next to Postoffice. (In event of rain, dance will be held at the Community Center.)

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- 8:00 P.M. PAGEANT . . . sponsored by the Music Committee of the Apple Valley Chamber of Commerce, Desert Players, John Charles Thomas' "Romanies." To be financed through the sale of Romanies Buttons. Ceremonies planned

Tour No. 1

PROGRESS TOUR

UNLESS RESIDENCES ARE MARKED "OPEN FOR INSPECTION" please respect the privacy of the occupants . . . most of them are entertaining guests.

*Have Swimming Pool.

LENGTH OF TOUR APPROXIMATELY 8.5 MILES

Starting Point at Mobile Gas Station, corner of Highway 18 and Tuscola Road.

On your right—MOBILE GAS STATION—Holding formal opening Labor Day Week-end—STOP HERE!

> Next—BENNINGTON & SMITH—Holding formal opening Labor Day Week-end—STOP HERE!

Next—RANCHO MATERIAL COMPANY—Holding formal opening Labor Day Week-end—STOP HERE!

Next—HOLLYWOOD SAVINGS & LOAN—Holding formal opening Labor Day Week-end—STOP HERE!

(By all means stop in and inspect all of these.)

"GOLDEN LAND SUPER MARKET," under construction, corner of Kasota and Highway 18.

Directly in back of the above, just completed, *WILLENS—14 Unit Apartment House.

2D BELL'S TEXACO STATION, under construction, corner of Olalee Road and Highway 18.

CONNOR BUILDING, housing DR. MCKINSTRY DENTAL CLINIC, APPLE VALLEY STATIONERS and THE SPUR (featuring smart western apparel) all recently opened.

Across the Highway and on your left, ST. MARY'S PAROCHIAL SCHOOL with four new rooms under construction—on the hill, the CONVENT.

On your right—APPLE VALLEY BLUEPRINT AND SUPPLY BUILDING, under construction.

On your right—FINER'S CAFE—Start your speedometer reading here.

.2 mile from Finer's Cafe, on your left, RECTORY and the ST. TIMOTHY'S EPISCOPAL CHURCH OF APPLE VALLEY.

.4 mile on right—OJA'S MOTOR HOTEL, with heated pool, under construction at corner of Piute Road and Highway 18.

*.3 on your left—Residence of B. J. WESTLUND, co-partner of Newton T. Bass, developers of Apple Valley Townsite.

Turn left on Symeron Road.

.2 mile turn left on Serrano Road. Home on the right OPEN FOR INSPECTION, built by John Mefferd, Contractor. Continue on Serrano Road.

.3 mile turn right on Rimrock Road.

.2 mile—APPLE VALLEY STEAK FRY on left—Hi-Neighbor Barbecue will be held here Sunday at 4:00 to 8:00 p.m.

.2 mile on right—Residence of W. L. "WEBB" CLARK, Chairman of Home Identification Committee, Apple Valley Chamber of Commerce. On left—*Residence of ROSS DANA, Chairman of Highway and Street Beautification Committee, Apple Valley Chamber of Commerce. On left—*Residence of WILLA BELLE MCGREGOR.

*.2 mile—SWARZ, 6 apartments on left, built around reflection pool. On left—LIPPMAN, four bachelor apartments.

.1 mile turn left on Serrano, on your left—CLAYTOR apartments.

.1 mile—Turn right on Zuni.

.3 mile turn left on Winnebago.

.1 mile on right—"HOUSE IN THE ORCHARD"—residence of AMOS W. FLEMINGS, President of Apple Valley Chamber of Commerce.

.2 mile—On left, residence of D. E. LUKENS (featured in Los Angeles Examiner early this year). Looking straight ahead you will see Bell Mountain, so named for its resemblance to a bell.

.2 mile—Turn right on Otoe Road.

*.1 mile—turn right on Washone, continue on Washone to corner of Thunderbird where you will see eight new apartments and a pool, built and owned by PEARSON & SONS, Contractors. At Thunderbird, turn left, at this point you see the start of the main Apple Valley AIR STRIP—4600 feet of blacktop.

.7 mile turn right on Cheyenne.

.7 mile turn right on Standing Rock Avenue.

.1 mile on left—residence of CON SILARD—note airplane at end of house.

.3 mile on right—APPLE VALLEY FIRE DEPARTMENT—Turn right and turn right again on Wakita. On right side, CHURCH OF THE VALLEY. Salad Bar will be held here Saturday noon.

.3 mile, circle left, in front of the TERRI LEE DOLL HOUSE, complete circle, return the way you came. NOTE: TERRI LEE DOLL FACTORY is located adjacent to the Branding Iron and included in another tour—TOUR No. 5.

.4 mile—Turn right at Fire Station.

.1 mile on right—ADMINISTRATION BUILDING OF THE APPLE VALLEY BUILDING AND DEVELOPMENT COMPANY, and across the street, THE BANK OF APPLE VALLEY. In front of the bank, note the stonework, which is the vault. This is one of only three banks in the world where the money is kept outside the bank. Here also are the offices of BALL, HUNT & HART, Attorneys; GEORGE MANNING, Accountant, and ROBERT HYLE THOMAS, Architect. To the north of the bank you will see the ground for the new APPLE VALLEY POSTOFFICE, to be built this year.

Tour No. 2

PROMINENT HOMES TOUR

UNLESS RESIDENCES ARE MARKED "OPEN FOR INSPECTION" please respect the privacy of the occupants . . . most of them are entertaining guests.

*Have Swimming Pool.

for study

LENGTH OF TOUR APPROXIMATELY 11.6 MILES

Start at BUFFALO TRADING POST, on Highway 18. The Buffalo Trading Post is a new shop, specializing in hand made Indian and Western Arts and Crafts. It is owned by Zeke and Frances Cornia. Zeke is a Past President and present Director of the Apple Valley Chamber of Commerce. Follow Rancherias toward golf course.

.1 mile on the right, you will see the Starter House of the APPLE VALLEY COUNTRY CLUB. Here is the only Golf Course in the world with Joshua trees on it—apple trees, too.

*.3 mile, on the left, residence of LLOYD MANGRUM, internationally famous golfer. Turn right on Tomahawk Road. On left you will see the second section of the APPLE VALLEY GOLF COURSE, opened at the Wild Flower Tournament, May, 1955.

.1 mile turn left on Tiger Tail Road—looking to the right you will see the residence of DR. R. McKinstry.

.3 mile on left, residence of MERVYN HOPE, President of Hollywood Savings and Loan. Continue around circle.

.2 mile, residence of BERT JACKSON, Pontiac Dealer, Victorville. Next door, under construction, two 5-bedroom homes for JACK BENNINGTON and HAL SMITH of the Bennington & Smith Contractors, Apple Valley. Continue to circle Tiger Tail Road to Tomahawk Road, turn right. Look to the right, you will see the yellow house which is the residence of JACK BASS, Vice-President of the Apple Valley Building and Development Company. Turn right on Rancherias Road.

.2 mile on left, residence of PAUL KIRKPATRICK, Buick and International Harvester Dealer in Victorville. Turn right on Rincon Drive.

.1 mile turn left on Chickasaw Drive. On the right, residence of LUTHER VAUGHN. Note the Desert Garden.

*.1 mile straight ahead, the stakes outlining the residence of JOHN CHARLES THOMAS. Plans are now on the drafting board. Turn right on Rancherias Road.

.5 mile—on left, residence of NEWTON T. BASS, co-founder of the Apple Valley Townsite.

.2 mile on right, residence of WILLIAM SAWYER, Vice-President Apple Valley Building and Development Company. This was the first FHA-approved house in Apple Valley. It was illustrated in the Los Angeles papers last spring.

.1 mile—The redwood house at your left is the home of STEWART MENZIES (Catalina Swim Suits). Turn right on Erie.

.4 mile turn left on Tonawanda. On left, residence of GLEN TROSPER, Vice-President of Apple Valley Building and Development Company. Turn left on Flathead Road. On right, residence of FRANK CAFFRAY, Vice-President of Apple Valley Building and Development Company. Note: Desert Flora, with exception of foundation planting, an apple tree and a palm tree, landscaping is desert, attained by watering. This house has been widely illustrated in national magazines and home sections of Los Angeles newspapers.

.2 mile on right, residence of NEIL BRODERICK, Victorville attorney.

Turn right on Rancherias.

1 mile on left, residence of CLARENCE HARLING, Manager of California Interstate Telephone Company, Victorville.

On left, THE BARRY PATCH, residence of JOHN BARRY, publisher of the Victor Press, Victorville.

At corner of Rancherias and Yucca Loma Road, on right, APPLE VALLEY SCHOOL. The Apple Valley School District was organized in 1913 and the first school house was erected on Bear Valley Cut-off. In 1948 three new classrooms were erected on Yucca Loma Road and the old school building was moved to the new site. In 1953, three classrooms, kindergarten, administration offices and kitchen were added. In 1956, nine additional classrooms, another kindergarten, a multipurpose room and additions to the administrative offices will be completed. The completed unit will house 600 children.

.2 mile on left, residence of VIC WALLACE, Apple Valley, plumbing.

.2 mile turn left on Ottawa Road to Navajo Road, at this point and looking straight ahead the *L & M Trailer Park is seen.

Turn right—Now you will see western style apartment houses in Apple Valley.

.4 mile on right, residence of H. W. BALK. Turn right on Nisqually Road.

.1 mile on right, WINER APARTMENTS, owned by Larry Winer, Vice-President of the Apple Valley Chamber of Commerce.

.1 mile, turn right on Callam Road.

.4 mile, turn left on Navajo.

.3 mile on right, APPLE VALLEY COMMUNITY CENTER—where the Apple Valley Sheriff's Posse will hold Chuck Wagon breakfasts Sunday and Monday mornings during Pow-wow week-end.

.3 mile on right, new CALIFORNIA INTERSTATE TELEPHONE COMPANY office. NOTE: This is part of a half million dollar expenditure of the Telephone Company in Apple Valley in 1955.

At the corner of Navajo and Highway 18, turn left on Highway 18 by the APPLE VALLEY LIVERY STABLE.

.3 mile on left, chartreuse house, residence of WALTER E. CRAMER, Vice-President Apple Valley Building and Development Company. Next door, pink house, residence of JOHN CHARLES THOMAS, nationally famous baritone and manager of APPLE VALLEY RADIO STATION—KAVR.

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APPLE VALLEY CONTRACTORS. Bennington and Smith and Rancho Material are both located in this modern building on Highway 18, in the Desert Knolls shopping section of Apple Valley. Many of

Apple Valley's fine business buildings and home have been constructed by this firm that has been growing with the Valley since 1947. The hill-top home of Mr. Newton T. Bass is one of their outstanding jobs.