



Town Council Agenda Report

Date: February 25, 2020 Item No. 4

To: Honorable Mayor and Town Council

Subject: ACCEPT THE FINAL MAP FOR PARCEL MAP NO. 19705
APPLICANT: CJC HOLDINGS, LLC AND EL ROI , LLC

From: Douglas Robertson, Town Manager

Submitted by: Brad Miller, Town Engineer

Budgeted Item: N/A

RECOMMENDED ACTION

Move to accept the final map Parcel Map No. 19705

BACKGROUND

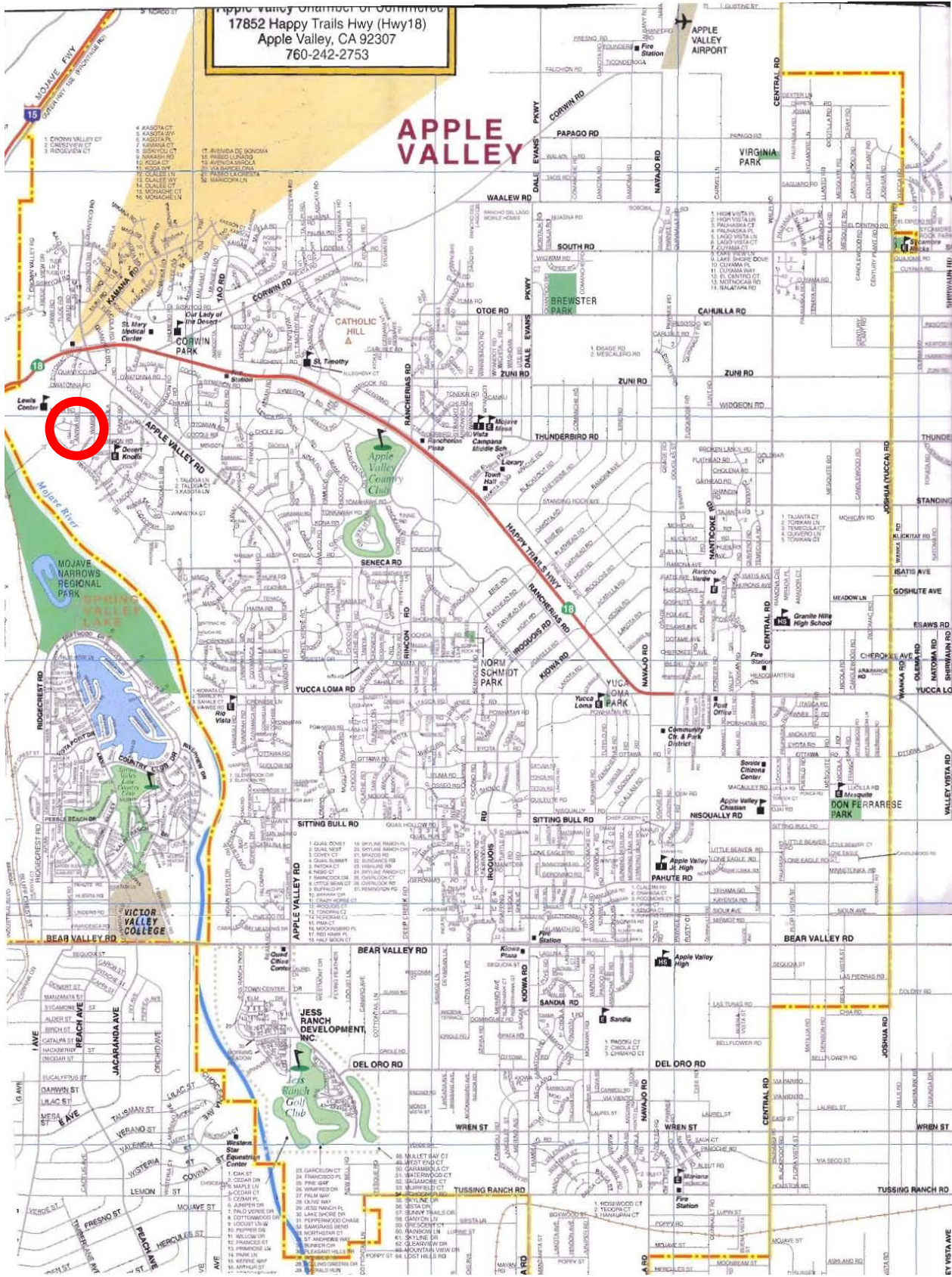
The applicant has complied with all conditions of approval placed on Tentative Parcel Map No. 19705. This subdivision creates 4 residential lots and a remainder lot. The site is located at the south side of Mana Road and at the east terminous of Branding Iron Road. The Planning Commission reviewed and approved the Tentative Tract Map on November 16, 2016.

The applicant has not completed all required improvements but, as allowed by the Conditions of Approval, has signed Agreements for Construction of Improvements and provided bonds to guarantee completion of the remainder of these improvements. The Town staff has reviewed and approved the Agreement and bond packages. The bond amounts provided are indicated below:

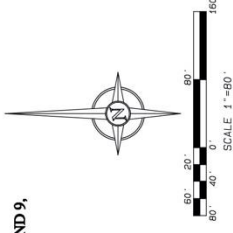
<u>Improvements</u>	<u>Performance</u>	<u>Labor and Materials</u>
Grading Improvements,	\$30,814	
	\$15,407	
Street Improvements,	\$85,434	\$42,717
Sewer Improvements,	\$32,509	\$16,254
Water Improvements	\$29,689	\$14,844

ATTACHMENTS

- A. Location Map
- B. Parcel Map 19705
- C. Planning Commission's Conditions of Approval



IN THE TOWN OF APPLE VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
PARCEL MAP NO. 19705
 BEING A SUBDIVISION OF PARCEL 4 AND A PORTION OF PARCEL 2 OF PARCEL MAP NO. 11292, PER MAP RECORDED IN BOOK 135 OF PARCEL MAPS, PAGES 8 AND 9,
 RECORDS OF THE COUNTY OF SAN BERNARDINO.
 MAY, 2019
 CUBTI ENGINEERING, INC



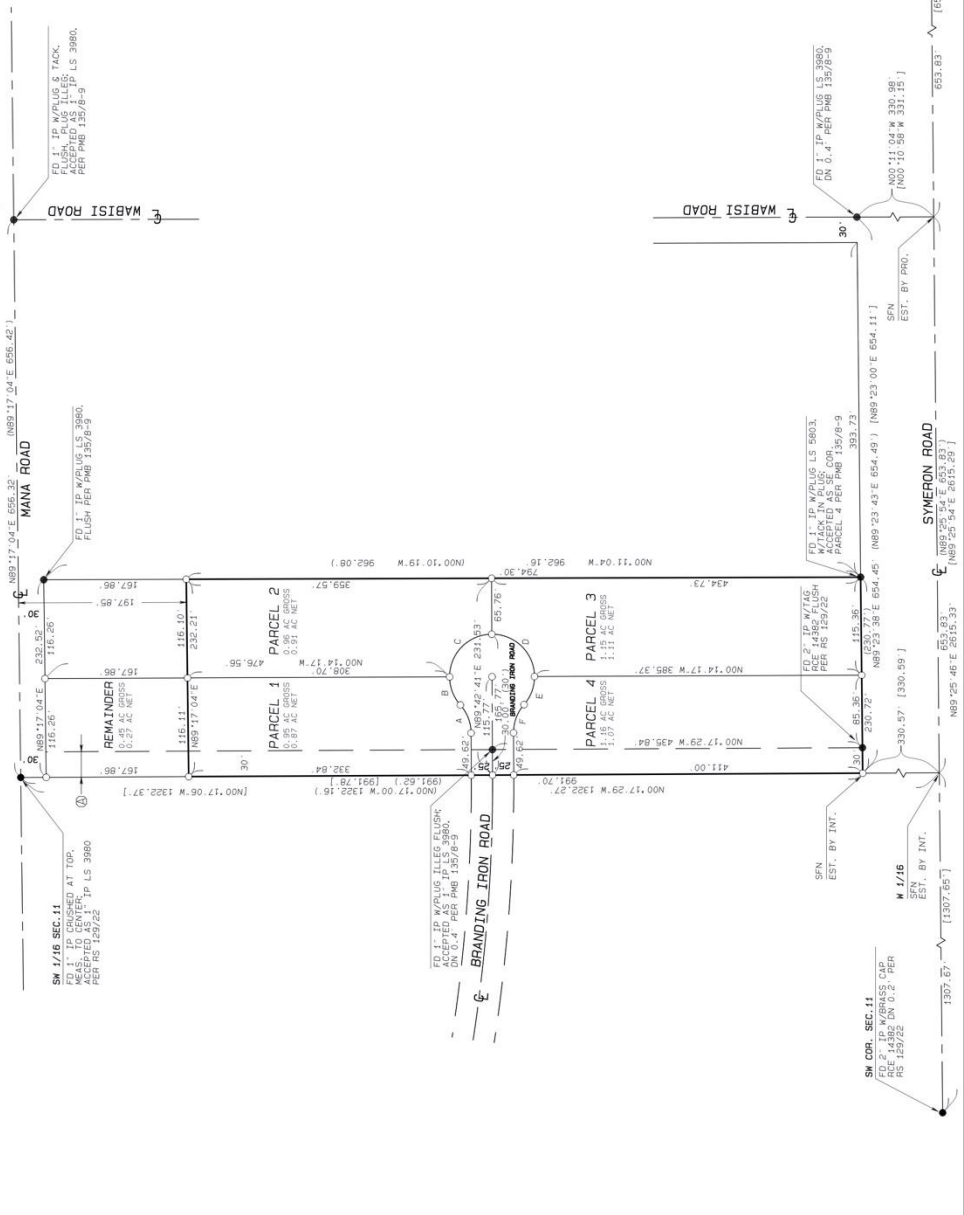
MAP NOTES

- BASIS OF BEARINGS: PER CITY RECORDS OF MAIN ROAD, BEING N89°17'04"E
- INDICATES FOUND MONUMENT AS NOTED PER SPN
 - INDICATES SEARCHED, FOUND NOTHING
 - INDICATES SEARCHED, FOUND NOTHING
 - { } INDICATES RECORD DATA PER RS 135/222

EASEMENTS

- ⊕ ANY OF A CITY, PUBLIC UTILITY OR SPECIAL DISTRICT, PURSUANT TO SECTION 8145.1 ET SEQ. PRESERVE A PUBLIC UTILITY EASEMENT IN AN IMA ROAD AS SHOWN ON INSTRUMENT NO. 2016-05-0009957 OF OFFICIAL RECORDS OF SAN BERNARDINO COUNTY.

CURVE LENGTH	RADIUS	DELTA
10.00	30.00	41.42°
20.00	60.00	82.84°
30.00	90.00	124.26°
40.00	120.00	165.68°
50.00	150.00	207.10°
60.00	180.00	248.52°
70.00	210.00	289.94°
80.00	240.00	331.36°
90.00	270.00	372.78°
100.00	300.00	414.20°





Town of Apple Valley
Community Development

A Better Way of Life

November 17, 2016

Ms. Karen Sundgren
Cubit Engineering
16490 Walnut Street, Suite B3
Hesperia, CA 92395

Subject: Tentative Parcel Map No. 19705

Dear Ms. Sundgren:

At the November 16, 2016 Planning Commission meeting, the Commission reviewed and approved the above referenced project, which is a 4.67 acre subdivision consisting of four (4) parcels and one (1) remaining lot. In accordance with the required Findings, Tentative Parcel Map No. 19705 has been approved subject to the attached Conditions of Approval.

This action of the Town of Apple Valley shall not be final for a period of ten (10) days from the date of Planning Commission action to allow for the filing of any appeal pursuant to the Town's Development Code, Section 9.12.250, with the Town Clerk of the Town of Apple Valley.

This approval shall expire three (3) years from the date of action on **November 16, 2019**, unless the map is recorded or extended in accordance with the provision in the Development Code addressing time extensions. Any application for a time extension, and the appropriate fees, must be submitted to the Town of Apple Valley a minimum of thirty (30) days prior to the expiration date.

Enclosed you will find the Conditions of Approval as approved by the Planning Commission and as accepted by the applicant at the public hearing. If you have any questions on this matter, please contact Ms. Pam Cupp at the Town's Planning Division at (760) 240-7000 Ext. 7203. Town offices are open Monday through Thursday between 7:30 a.m. and 5:30 p.m., and alternating Fridays between 7:30 a.m. and 4:30 p.m. (**closed the subsequent Fridays**).

Sincerely,

Carol Miller
Principal Planner

c: Chris Connors

Town of Apple Valley

FINAL CONDITIONS OF APPROVAL Tentative Parcel Map No. 19705

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. The Tentative Parcel Map becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- 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 Utilities
 - c. Apple Valley Public Works Division
 - d. Apple Valley Engineering Division
 - e. Apple Valley Planning Division
- P3. The filing of a Notice of Exemption requires the County Clerk to collect a documentary handling fee of fifty dollars (\$50.00). The fee must be paid in a timely manner in accordance with Town procedures. All checks shall be made payable to the Clerk of the Board of Supervisors.
- P4. Tentative Parcel Map No. 19705 shall adhere to all requirements of the Development Code.
- P5. The applicant shall 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.

- P6. Approval of the Tentative Parcel Map No. 19705 by the Planning Commission is understood as acknowledgement 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.
- P7. Prior to recordation the applicant shall provide the Planning Division with a copy of the subdivision in an electronic format compatible with the Town's current technology.
- P8. Any protected desert plants or Joshua trees impacted by development are subject to the regulations specified in Section 9.76.020 (Plant Protection and Management) of the Development Code. Prior to the issuance of a Grading Permit, a study by a qualified Native Plant Expert shall be prepared to determine if the identified trees will be saved, located or removed, in compliance with the Town's Native Plant Protection Ordinance.
- P9. All lots shall have a minimum area of 18,000 square feet, except corner lots, which shall have a minimum area of 20,000 square feet. All lots shall have a minimum depth of 150 feet and a minimum width of 100 feet, except corner lots which shall have a minimum depth of 150 feet and a minimum width of 115 feet. In addition, each lot on a cul-de-sac or on a curved street, where the side lot lines thereof are diverging from the front to rear of the lot, shall have a front lot width of not less than sixty (60) feet and a lot width of not less than 100 feet at the minimum building setback line of thirty (30) feet.
- P10. The project shall conform to the Single-Family Residential (R-SF), development standards for front, side and rear yard-building setbacks.
- P11. Subdivision walls shall be constructed of slump stone, split face or masonry material, along the perimeter of the property lines. Prior to recordation of the Final Map, the Developer/applicant shall submit detailed plans showing all proposed walls for this subdivision subject to approval by the Director of Community Development (or designee).
- P12. If the tract/parcel map is adjacent to existing development, a fence/wall plan shall be submitted with the grading and landscape/irrigation plans to identify how new fencing or walls will relate to any existing fences or walls located around the perimeter of the tract/parcel map. The developer shall be required to connect to the existing fencing/walls or collaborate with the adjacent property owners to provide new fencing/walls and remove the existing fence/wall, both options at the developer's expense. Double fencing shall be avoided and review and approval of the fencing/wall plan is required prior to issuance of grading permits.
- P13. Residential structures developed on each of the four (4) parcels and one (1) remainder lot shall have a distinct variation to one another consistent with the "Single Family Infill Plotting Criteria" and the "Planning Commission Design Criteria Policy" subject to the review and approved by the Planning Division.
- P14. Landscape and irrigation plans shall be submitted prior to the issuance of Building Permits in accordance with Chapter 9.31 "Residential Design Standards" and Chapter 9.75 "Water Conservation/Landscape Regulations" of the Development Code and installed prior to issuance of occupancy permits subject to approval by the Planning Division.

Park District Conditions of Approval

- PR1. This project is subject to applicable Quimby Fees as determined by the Town. Quimby Fees shall be collected at time of issuance of building permit and shall be the fee adopted by the Town Council at the time of permit issuance.

Building and Safety Division 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 (phased construction)
- BC11. Construction must comply with the applicable California Building Codes and green Building Code.
- BC12. Best Management Practices (BMP's) are required for the site during construction.
- BC13. Provide Water Quality Management Plan (WQMP) or Alternative Compliance Plan.

Engineering Division Conditions of Approval

- EC1. A final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect

adjacent or downstream properties. This plan shall consider reducing the post-development site-developed flow to ninety (90) percent of the pre-development flow for a 100 year design storm.

- EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.
- EC3. All 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.
- EC4. Branding Iron Road adjacent to the property shall be improved to the Town's full-width Local Street (Cul-de-sac) standards.
- EC5. Mana Road adjacent to the property shall be improved to the Town's half-width Local Street standards.
- EC6. During the grading of the streets, soils testing of the street subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural street section. Minimum asphalt concrete thickness for all streets shall be 0.33 ft.
- EC7. All required improvements shall be constructed and approved or bonded in accordance with Town Development Code.
- EC8. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC9. 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.
- EC10. The developer shall present evidence to the Town Engineer that he has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
- EC11. Utility lines shall be placed underground in accordance with the requirements of the Town. (Municipal Code Section 14.28)
- EC12. The developer shall make a good faith effort to acquire the required off-site property interests. If the developer fails to acquire those interests the developer shall, at least 120 days prior to submittal of the final map for approval, enter into an agreement to complete the improvements pursuant to Government Code Section 66462 at such time as the Town acquires the property interests required for the improvements. Such agreement shall provide for payment by the developer of all costs incurred by Town to acquire the off-site property interests required in connection with the subdivision. Security for a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the developer, at the developer's cost. The appraiser shall have been approved by the Town prior to commencement of the appraisal. Additional security may be required as recommended by the Town Engineer and Town Attorney.
- EC13. Traffic impact fees adopted by the Town shall be paid by the developer.
- EC14. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.

- EC15. 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.
- EC16. 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

Prior to Map Recordation:

- 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. Sewer connection fees required.
- PW4. Buy-in fees required.
- PW5. Sewer development impact fees required.
- PW6. 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.

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. Prior to combustible construction, the development and each phase thereof, shall have two points of 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.
- FD3. Fire lanes shall be provided with a minimum width of twenty-six (26) feet, and maintained.
Apple Valley Fire Protection District Ordinance 52
- FD4. 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. 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 (12) percent unless approved by the Chief.

FD5. An approved fire sprinkler system shall be installed throughout any new construction for a single family residence.

Apple Valley Fire Protection District, Ordinance 52

FD6. The developer shall submit a map showing complete street names within the development, to be approved by the Fire District prior to final map.

FD7. The developer/builder shall install street markers at intersections, where applicable, within the newly developed project prior to any construction on site. The marker placement and assembly shall comply with the San Bernardino County Road Department current standards.

END OF CONDITIONS