



## Final Administrative Report

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- DATE:** August 14, 2024
- CASE NUMBER:** Site Plan Review SPR 2022-005 – 1M Development Project
- APPLICANT:** AP Investors Group, LLC
- PROPOSAL:** A request for approval of Site Plan Review No. 2022-005 for the 1M Uncommon Developers project to construct a 1.095 million square foot industrial warehousing and distribution center (“project” or “site”) on approximately 68 acres located within the Industrial Specific Plan (I-SP) zoning district of the North Apple Valley Industrial Specific Plan area.
- LOCATION:** The site is bounded by Johnson Road to the north, Central Road to the west and Lafayette Street to the south on one recently consolidated legal parcel (APN 0463-241-45).
- ENVIRONMENTAL:** A project-level Environmental Impact Report (EIR) (State Clearinghouse No. 2023020285) was prepared in compliance with the California Environmental Quality Act (CEQA) and evaluated the project’s potential environmental impacts. The EIR provides information regarding short-term, long-term, direct, indirect, and cumulative environmental effects of the project, and identifies mitigation measure that would minimize or eliminate potentially significant impacts. Significant and unavoidable impacts are identified including to greenhouse gas emissions and transportation/traffic. A Mitigation Monitoring and Reporting Program for which mitigation measures can be applied to avoid or substantially lessen significant environmental effects identified in the EIR has been prepared. Findings of Fact and a Statement of Overriding Considerations have been prepared for impacts for which no feasible mitigation measures would avoid or substantially lessen significant environmental impacts related to these resources.
- CASE PLANNERS:** Orlando Acevedo, Assistant Town Manager  
Rick Hirsch, Contract Planner
- RECOMMENDATION:** Approve with Conditions

pursuant to a Mitigated Negative Declaration. Amendment No. 5 was approved in 2012 and added 1,120 acres with impacts and mitigation measures addressed as part of a General Plan update for which an Environmental Impact Report was certified (SCH No. 2009091077). The other four NAVISP amendments were text-only changes.

The NAVISP currently encompasses 6,221 acres. The total estimate of existing industrial building square footage within the Specific Plan area is approximately 3.4 million square feet. The NAVISP envisions eventual buildout of as much as 2.6 million square feet of commercial uses and 49 million square feet of industrial uses.

The application review process for development within the NAVISP requires either a Conditional Use Permit, a Special Use Permit, or a Site Plan Review Permit. Conditional Use and Special Use Permits are processed pursuant to the standards and requirements of Chapter 9.16 of the Town of Apple Valley Development Code. Site Plan Review Permits are decided upon by the Economic and Community Development Director or their designee. Director decisions are appealable to the Planning Commission, pursuant to Chapter 9.12.250 of the Development Code (NAVISP, p. III-52).

**B. General:**

The project proposes development of the site with a 1.095 million gross square-foot industrial building to be operated as an unrefrigerated warehousing, logistics and/or distribution facility. 224 roll-up truck loading dock doors would be located on the east and west sides of the building. The floor plan depicts an open warehouse layout with 35,000 square feet of office space located at the northeast, southeast and southwest corners of the building as well as 15,000 square feet of mezzanine flex space. Outdoor furniture, including seating and patio areas for employees, are depicted on the site plan.

The site would support a variety of activities associated with industrial warehouse operations, including truck loading and unloading within designated truck courts/loading areas and movement of materials around the site using forklifts, pallet jacks, yard hostlers and similar equipment. The proposed office locations would support general internal administrative functions related to primary warehousing uses. Associated site improvements include truck and vehicle parking areas, landscaping, stormwater drainage improvements including detention basins, trash enclosures, bicycle parking and outdoor eating areas primarily intended to serve on-site employees.

Four site ingress/egress access driveways would be provided, including one from Johnson Road, one from Central Road and two from Lafayette Street along the south perimeter of the project site.

The project would include extensive perimeter landscaping along all three street frontages as well as along its east boundary, including a variety of trees, shrubs, smaller plants, and groundcover. Robust landscaping is also proposed around the building, within the vehicle parking fields and throughout the site generally.

Landscape coverage		10% of site min.	19.87 acres (29.1% of site)
Site Coverage	Bldg. coverage	45% of site max.	36.9%
	Total impervious surface	Not identified in Code	48.65%

E. Architecture Analysis:

The project consists of a single 50-foot-tall high cube concrete tilt-up industrial warehouse building. The building design incorporates a variety of architectural strategies to create a contemporary, high-quality industrial park facility. The elevations depict vertical and horizontal elements that serve to break up the overall sense of massing and feature a complementary and neutral color palette. Varying building materials, robust wall articulation, multiple roof planes and lines, cornice caps, numerous windows, and other architectural elements and embellishments are indicated throughout the design. The building also incorporates metal canopies, large windows, including prominent glass entryways, and intricate stonework at each corner office space. Elevations facing public rights-of-way feature scored accent concrete panels and decorative windows. Rooftop mechanical equipment will be screened by a parapet. The color scheme of the building proposes various earthtone shades of brown, cream and taupe, consistent with the earth tone colors of surrounding lands. (see Attachment 7, Color and Material Board). Overall, Staff finds that the proposed building design meets the Town's architectural design intent as identified in the NAVISP plan.

F. Parking Standards Compliance

The Town Development Code requires a parking ratio of one space per each 500 square feet of gross floor area for the first 10,000 square feet of warehouse use and one space per each 1,000 square feet of gross floor area beyond the first 10,000 square feet.

The minimum number of required accessible parking spaces is determined by the total number of parking spaces provided at the facility, in accordance with the Americans with Disabilities Act. For every 25 spaces in a lot up to 100, one disabled space is required. Between 101 and 200 total spaces, one additional disabled parking spot is required for each 50 spaces. Between 201 to 500 total spaces, one additional disabled parking space is required for each 100 spaces. Between 501 and 1000 spaces, disabled spaces must make up at least two percent of the total number of spaces. Any lot with 1001 or more total spaces must have at least (20) accessible parking spaces. The total number of ADA-compliant accessible parking spaces provided with the project is 22, thus exceeding the requirement. The project's parking resources are calculated in the following table.

#### H. Drainage:

The project has been designed to retain 100 percent of the incremental increase in runoff of a 100-year storm resulting from site development, as required by the Town for all new projects. The developed site will be serviced by four on-site detention basins in conjunction with drainage control structures designed to accommodate impervious area storm water runoff. The site's stormwater drainage would be conveyed toward the detention basins, which would be located along Central Road and Lafayette Street. A drainage channel is proposed to be installed to convey off-site stormwater from Johnson Road in a westerly direction toward Central Road to maintain the historic storm flow path as it leaves the site. The use of on-site detention basins is an accepted practice for the Town to conform with the requirement that all stormwater drainage increases be retained within project sites. The stormwater system would treat flows collected under a two-year design storm and would attenuate flows for a 100-year design storm. For storms above the two-year design storm, during which the proposed basins reach their capacity, excess flows would be routed via an underground storm drain line that would extend and daylight at basins along Lafayette Street.

#### I. Wastewater/Sanitary sewer:

The project is required to connect to the Town's municipal wastewater collection and treatment system. Preliminary sewer design plans have been prepared for the project, and the project is conditioned to provide a Sewer Feasibility Study prior to issuance of grading permits. The following sewer improvements will be constructed as part of the project:

- A 12-inch sewer line within Johnson Road, starting at the intersection of Johnson and Central Roads and extending to the southwest corner of the site at the intersection of Central Road and Lafayette Street
- A 12-inch sewer line within Lafayette Street, starting at the intersection of Navajo Road and Lafayette Street, extending to the southwest corner of the site at the intersection of Central Road and Lafayette Street

#### J. Water Supply:

A Water Supply Assessment was prepared for the project in April 2023. Domestic water service would be provided by Liberty Utilities. As part of the project, new off-site water lines would be installed as follows:

- A 16-inch water line within Johnson Road, starting approximately 1,500 feet west of the intersection of Johnson and Central Roads, extending to the northeast corner of the site at the intersection of Johnson Road and Sycamore Lane.
- A 16-inch water line within Central Road, starting at the intersection of Johnson and Central Roads, extending to the southwest corner of the site at the intersection of Central Road and Lafayette Street.

On-site lateral water lines would be installed to connect to the proposed municipal water mains. To ensure adequate water pressure, an underground booster pump station would be located within the Project site in coordination with Liberty Utilities.

Following the required 45-day public comment period, the Town prepared a Final EIR containing Responses to Comments, Findings of Fact and a Statement of Overriding Considerations. The Findings of Fact and Statement of Overriding Considerations have been prepared for those impacts for which no feasible mitigation measures are identified that would avoid or substantially lessen significant environmental impacts to greenhouse gases and transportation/traffic and provide substantial evidence in support of certification of the EIR. The Findings of Fact and Statement of Overriding Considerations are provided as Attachment 9 herein. The Town posted the FEIR document package to the Town website and placed print copies in the Public Library, Town Hall Lobby and Planning Department, and provided the FEIR document package to parties who had commented on the Draft EIR via email link on July 30, 2024. The Town intends to file a Notice of Determination with the State Clearinghouse and San Bernardino County Clerk's Office.

N. Noticing:

A Notice of Pending Land Use Decision was sent by mail to all surrounding property owners within a 700-foot radius of the project site's boundaries on August 5, 2024. The Notice was also posted on the Town Bulletin Board on August 7, 2024. The Notice, Administrative Report, Draft Project Conditions of Approval and the Project's FEIR and associated documents, were posted to the Town website, on August 7, 2024. The project's final signed Administrative Report, adopted Conditions of Approval, the signed Notice of Determination and Notice of Land Use Approval Decision were posted to the Town website on August 14, 2024.

O. Site Plan Review Findings:

As required under Section III (G)(1) of the North Apple Valley Industrial Specific Plan, prior to approval of a Site Plan Review, the Community Development Director or their designee must make specific required "Findings". The Findings, as well as a comment to address each are presented below. The Findings are supported by substantial evidence in the record.

1. That the location, size, design, density and intensity of the proposed development is consistent with the General Plan, the North Apple Valley Industrial Specific Plan, the Development Code, and the development policies and standards of the Town.

Comment: The NAVISP allows warehouse development subject to approval of a Site Plan Review permit. The project site's zoning designation is Industrial Specific Plan (I-SP) in the North Apple Valley Industrial Specific Plan (NAVISP). As proposed, the project complies with all applicable design and development standards identified in the Town General Plan Land Use and NAVISP. The project will meet parking, driveway aisle, and landscaping requirements and is designed with an on-site stormwater retention system that will accommodate the required capacity of a 100-year storm.

site improvements to meet minimum requirements. As regards required public right-of-way dedications and improvements, the project is required to construct half-width streets segments for Johnson and Central Roads and Lafayette Street along its frontages, with minimum 26-foot wide paving to accommodate two-way truck traffic. Further, the Town has adopted a comprehensive Traffic Impact Fee program to fund construction of area traffic improvements and the developer is required to pay all applicable TIF and Development Impact Fees toward construction of improvements and in order to meet transportation circulation level of service standards.

6. That access to the site and internal circulation are safe.

Comment: The project site plan illustrates adequate access for the proposed facility. Site design and proposed conditions of approval require the site to be improved to provide adequate legal and physical access to the site. The development complies with the American with Disabilities Act (ADA) by meeting the requirement for installation of accessible parking spaces with loading areas and 4-foot-wide paths of travel between abutting streets, parking fields and building entrances.

7. That the project is consistent with the uses described in the North Apple Valley Industrial Specific Plan and analyzed in the North Apple Valley Industrial Specific Plan Environmental Impact Report (SCH No. 2006031112).

Comment: A project-level Environmental Impact Report (EIR) was prepared in compliance with the California Environmental Quality Act (CEQA) and evaluated the project's potential environmental impacts. Significant and unavoidable impacts were found, including greenhouse gases and and transportation/traffic. The EIR provides information regarding short-term, long-term, direct, indirect, and cumulative environmental effects of the project, and identifies mitigation measure that would minimize or eliminate potentially significant impacts. Findings of Fact and a Statement of Overriding Considerations, attached here in as Attachment 9, have been prepared for those impacts for which no feasible mitigation measures could avoid or substantially lessen the above-mentioned significant environmental impacts resulting from greenhouse gases and transportation/traffic. A Mitigation Monitoring and Reporting Program (MMRP) for which mitigation measures can be applied to avoid or substantially lessen the significant environmental effects identified in the EIR is attached as Attachment 10.

P. Mitigation Monitoring and Reporting Program (MMRP):

## Attachment 1

### CONDITIONS OF APPROVAL, SPR 2022-005

#### TOWN OF APPLE VALLEY

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*Note: Many of the recommended 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

##### General

- P1. Approval of Site Plan Review No. SPR 2022-005 by the Community Development Director is understood as acknowledgement of the 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.
- P2. The Site Plan Review Permit shall become effective ten (10) calendar days after the date of the decision unless an appeal is filed in accordance with the provisions of the Town Development Code.
- P3. The project shall comply with the provisions of State law and the Town of Apple Valley Development Code and General Plan. The approval, if not exercised, shall expire three (3) years from the date of action of the Director, unless otherwise extended in accordance with the provisions of the Town Development Code.
- P4. An extension application must be filed, and associated fees paid, at least sixty (60) days prior to the Site Plan Review permit expiration date, should the project proponent wish to seek extension.
- P5. The project proponent shall agree to defend at their 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 Site Plan Review 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 the obligations under this condition.
- P6. 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.

## Screening, Fencing and Walls

- P18. If the project is adjacent to existing development, a fence/wall plan shall be submitted with the civil and landscape/irrigation plans identifying how new fencing or walls will relate to existing fences or walls located around the perimeter of the project site. The project proponent shall be required to collaborate with adjacent property owners to provide new fencing/walls and remove existing fence/walls, at the project proponent's expense. Double fencing shall not be permitted.
- P19. Prior to issuance of a grading permit, the project proponent shall submit detailed plans showing all proposed walls and fencing, subject to approval by the Planning Division.
- P20. Loading dock doors shall be screened from public rights-of-way and any adjacent or nearby residential uses or zoning districts by the use of wing walls, screening walls, landscaping or any combination thereof, as approved by the Planning Division.
- P21. All proposed walls shall be constructed of decorative slump stone, split face, or other decorative material that is compatible with the architecture of the primary building. Such walls shall incorporate appropriate decorative enhancements such as caps or pilasters.
- P22. All proposed fencing adjacent to streets shall be constructed of decorative materials such as wrought iron. Such fencing shall incorporate appropriate decorative enhancements.
- P23. No roof-mounted equipment shall be placed on the building unless screened as an integral part of the architecture and as specifically approved by the Planning Division (except for solar collection panels).
- P24. Access to the building roof shall be provided from the interior of the building or screened from view from any public street or public parking area. If roof access is on the exterior of the building, security shall be provided to prevent unauthorized access.

## Signage

- P25. All identification signs shall be reviewed by the Town as part of a separate sign program and permit and are subject to final approval by the Planning Division.

## Parking

- P26. All parking requirements shall be met and be in compliance with Town standards.
- P27. All parking stalls shall be clearly striped and permanently maintained with double or hairpin lines.
- P28. Required parking spaces shall be provided for handicapped persons in accordance with Title 24 of the California Administrative Code and all applicable Town Development Code standards. Handicapped-accessible parking spaces shall be located as close as practical to facility entrances. Each space must be



levels on a grid not to exceed five feet by five feet across the entire site. Each point shall report the illuminance to the nearest 0.1 foot-candle. Photometric calculations including maximum foot-candles, average foot-candles, minimum foot-candles, average to minimum uniformity, and maximum to minimum uniformity shall be included on the plan. Fixture and standard specifications and details shall be provided on the plan.

### Architectural

- P38. Building renderings as approved by the Director shall be the anticipated and expected appearance of the structure upon completion.
- P39. The Community Development Director or their designee shall have the authority to approve minor architectural changes on items such as window treatments, color combinations, facade 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 Director for consideration under a Site Plan Review Permit Revision.

### Grading, Drainage and Utilities

- P40. A copy of the final grading plan shall be submitted to the Planning Division for review and approval.
- P41. All on-site cut and fill slopes shall be contour-graded to blend with existing natural contours.

### Lot Merger

- P42. Any required lot merger or other parcel line changes shall be processed administratively prior to issuance of a grading permit.

### General Environmental & Regulatory

- ER1. Pursuant to AVMC § 8.19.020(a) et seq., the construction contractor shall complete and submit a Waste Management Plan ("WMP"), on a form approved by the Town for this purpose as part of the application packet for building permit.
- ER2. Pursuant to AVMC § 8.19.050 and the California Green Code, the construction contractor shall submit documentation verifying that the project has met the diversion requirement prior to issuance of any Certificate of Occupancy. The diversion requirement shall be at least sixty five percent (65%) of the total construction debris generated by the project via reuse or recycling.
- ER3. Trash and recycling enclosures shall be constructed to accommodate separated trash, recyclable material, and organic waste containers, appropriately sized to handle the estimated waste to be generated on-site, coupled with appropriate service frequency. Recyclable and organic waste containers are currently minimum

- EC11. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC12. 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.
- EC13. Utility lines shall be placed underground in accordance with the requirements of the Town. (Municipal Code Section 14.28)
- EC14. Traffic impact fees adopted by the Town shall be paid by the developer. See Town Council approved OPA.
- EC15. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.
- EC16. A Storm Water Pollution Prevention Plan (SWPPP) in accordance with the National Pollutant Discharge Elimination System (NPDES) shall be required.
- EC17. Easements, as required for roadway slopes, drainage facilities, utilities, etc., shall be submitted and recorded as directed by the Town Engineer. No structures shall be placed on any part of the easements except those directly related to the purposes of said easements.

## **PUBLIC WORKS**

- PW1. Submit a sewer feasibility study for review to the Town of Apple Valley Public Works Department to demonstrate where you plan to extend the sewer from to provide sewer service to this project.
- PW2. Sewage disposal shall be by connection to the Town of Apple Valley sewer system. Plans must be approved by the Town of Apple Valley Public Works Department.
- PW3. Sewer connection fees are required.
- PW4. 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 as the As-Built plans.

## **BUILDING AND SAFETY**

- BC1. Grading and drainage plans including a soils report must be submitted to and approved by the Building Department and Engineering Department prior to grading permit issuance.
- BC2. Submit plans, engineering and obtain permits for all structures, retaining walls, signs
- BC3. A Notice of Intent (NOI) and a 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.
- BC4. All utilities shall be placed underground in compliance with Town Ordinance No.89.
- BC5. Comply with State of California Disability Access requirements.

approved by the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems per Apple Valley Fire Protection District, Ordinance 57.

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	3,000-4,000 GPM @ 20 psi Residual pressure
Duration	4 hours
Hydrant Spacing	330 feet

Fire Flow is determined by the type of construction.

- FP9. 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 (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, per Apple Valley Fire Protection District, Ordinance 57.
- FP10. 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.
- FP11. Prior to issuance of building permit, the developer shall pay all applicable fees as identified in the Apple Valley Fire Protection District Ordinance.
- FP12. A Knox Box Rapid Entry System shall be required for this project, per Apple Valley Fire Protection District Ordinance 57.

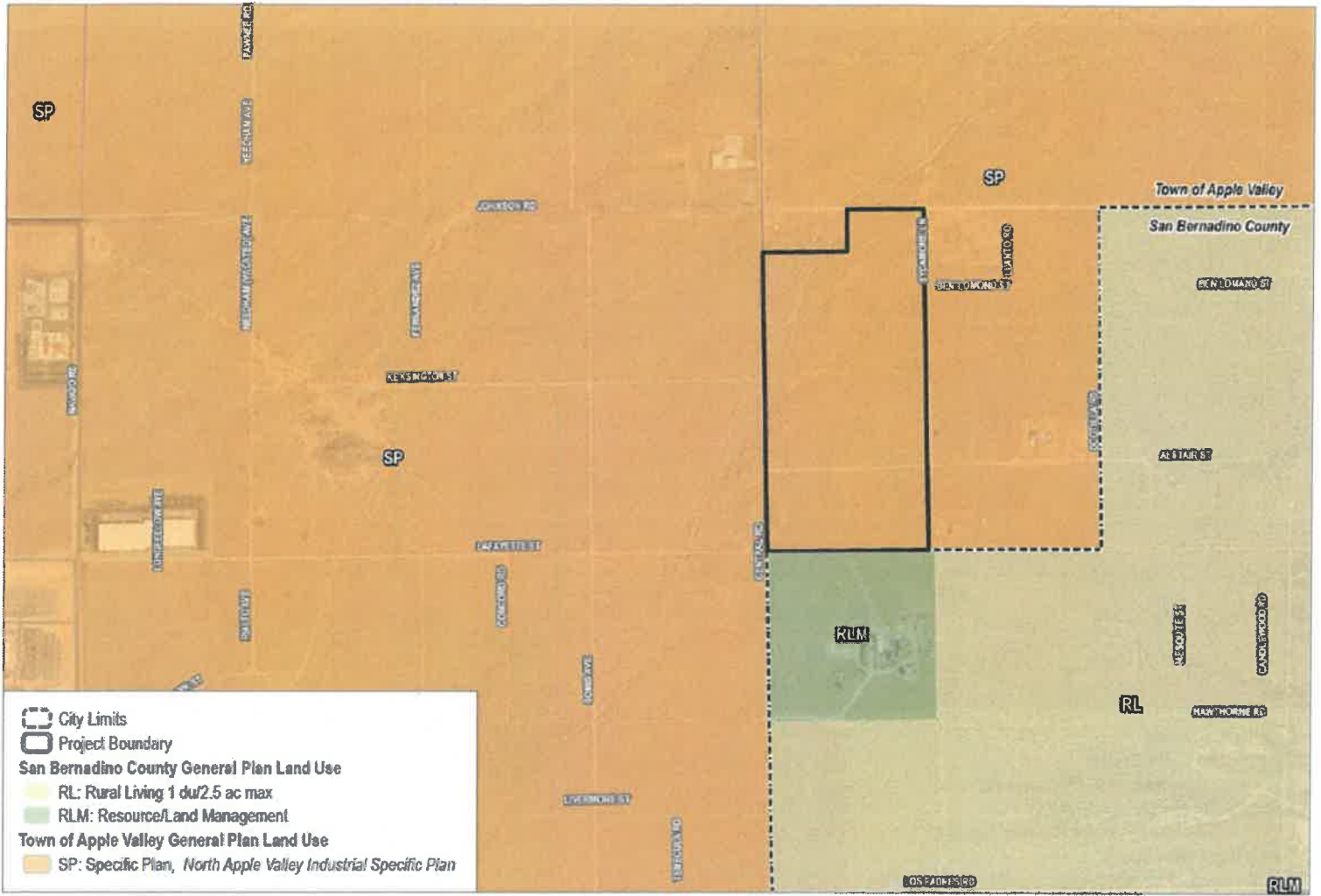
### **MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT**

- MD1. Prepare and submit to the MDAQMD, prior to commencing earth-moving activity, a dust control plan that describes all applicable dust control measures that will be implemented at the project.
- MD2. Signage compliant with Rule 403 Attachment B shall be erected at each project site entrance not later than the commencement of construction.
- MD3. Use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. For projects with exposed sand or fines deposits (and for projects that expose such soils through earthmoving), chemical stabilization or covering with a stabilizing layer of gravel will be required to eliminate visible dust/sand from sand/fines

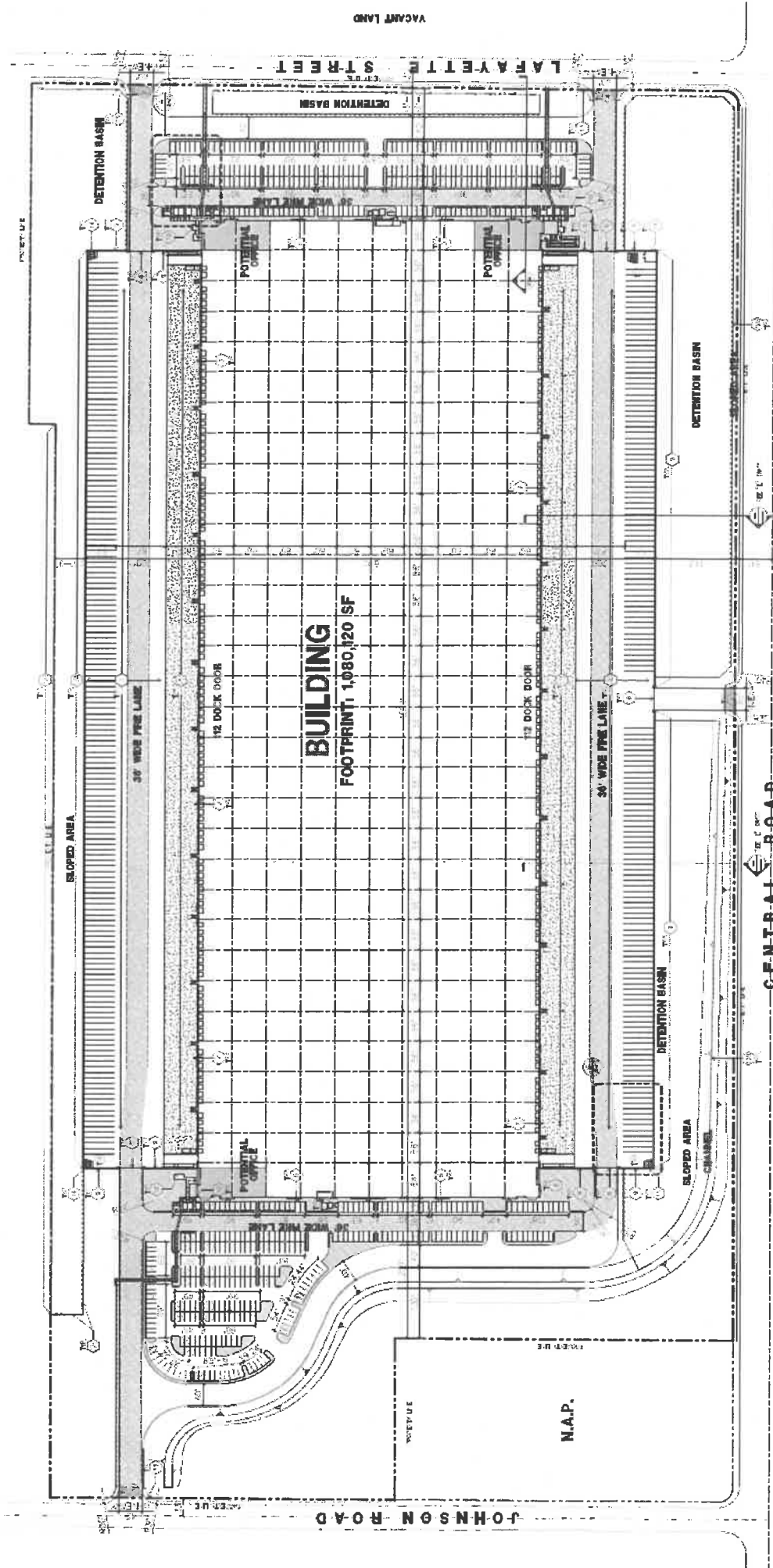
- LU6. Fire service lines are required for this development and will be installed in accordance with Apple Valley Fire Protection District's conditions and must comply with Rule 16 of the California Public Utilities Commission. Approved and tested customer owned backflow protection devices are required.
- LU7. The water lines and appurtenances required are to be installed in accordance with Liberty Apple Valley standards and specifications.
- LU8. Water facilities need to be installed in dedicated public Rights-of-Ways and/or public utility easements and need to be identified and shown on the water improvement plans. These dedications and/or easements are needed to install, maintain, repair, connect, operate and inspect the proposed water facilities with unobstructed vehicular access.
- LU9. Domestic service lines will be installed from the proposed water main to the street right-of-way line that fronts this development. Approved and tested customer owned backflow protection device is required.
- LU10. Supply Facility Fee is required, which will fund development of new wells. This fee will be collected on a per meter basis, which is presently at a rate of \$1,030 per 5/8" equivalent meter.
- LU11. Supplemental Water Acquisition Fee is also required in order for Liberty to have the water rights to provide water to this project. This is a one-time charge that is subject to change, to be determined at the time of construction. Presently, this fee is \$5,665 per residential lot or equivalent average residential water use.

**END OF CONDITIONS**

### Attachment 3: Project General Plan Land Use Map Designation



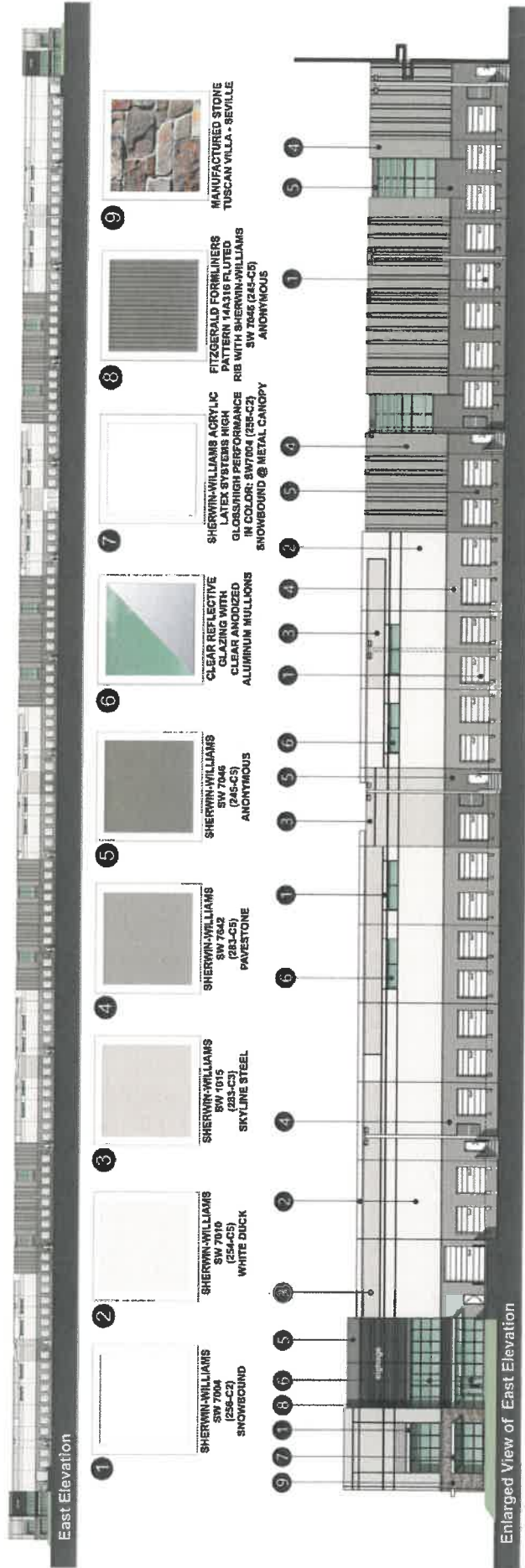
Attachment 5: Site Plan



# Attachment 7 Color and Materials Board



South Elevation



East Elevation

- 1 SHERWIN-WILLIAMS SW 7046 (245-C5) SNOWBOUND
- 2 SHERWIN-WILLIAMS SW 1015 (284-C3) SKYLINE STEEL
- 3 SHERWIN-WILLIAMS SW 7602 (284-C3) PAVESTONE
- 4 SHERWIN-WILLIAMS SW 7046 (245-C5) ANONYMOUS
- 5 SHERWIN-WILLIAMS ACRYLIC LATEX SYSTEMS HIGH GLOSS/HIGH PERFORMANCE IN COLOR: SW7004 (286-C2) SNOWBOUND @ METAL CANOPY
- 6 CLEAR REFLECTIVE GLAZING WITH CLEAR ANODIZED ALUMINUM MULLIONS
- 7 FITZGERALD FORMLINERS PATTERN 14A316 FLUTED RIB WITH SHERWIN-WILLIAMS SW 7046 (245-C5) ANONYMOUS
- 8 MANUFACTURED STONE TUSCAN VILLA - BEVILLE
- 9



Conceptual Elevations & Material Board  
**1M Warehouse**

Agustin Valdez, CA #22008 / 91.25.1002



Enlarged View of East Elevation