



Administrative Report

- DATE:** October 15, 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 merged parcel of land (APN 0463-241-45).
- ENVIRONMENTAL:** An Environmental Impact Report (EIR) (State Clearinghouse No. 2023020285) was prepared in compliance with the California Environmental Quality Act (CEQA) to evaluate 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. A Mitigation Monitoring and Reporting Program has been prepared for which mitigation measures can be applied to avoid or substantially reduce significant environmental effects identified in the EIR. Significant and unavoidable impacts are identified to greenhouse gas emissions and transportation/traffic. Findings of Fact and a Statement of Overriding Considerations have been prepared for impacts for which no feasible mitigation measures would avoid or substantially reduce significant environmental impacts related to greenhouse gas emissions and transportation/traffic.
- CASE PLANNERS:** Rick Hirsch, Contract Planner
- RECOMMENDATION:** Approve with Conditions
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PROJECT SITE DESCRIPTION

A. Site Characteristics:

The project area lies in the northerly portion of the Town of Apple Valley, northeast of Apple Valley Airport (see Attachment 2, Vicinity Map). The project site is approximately 68 acres of vacant undeveloped land. The site is located between Johnson Road to the north, Central Road to the west and Lafayette Street to the south. Regional access to the site is provided via Interstate 15, located approximately 4½ miles to the west. The terrain in the project area is relatively level and flat, sloping gradually downward to the southwest. The property has retained its natural character with natural vegetation and no signs of previous land disturbance up to the present. The site is located within the Town's North Apple Valley Industrial Specific Plan (NAVISP).

B. General Plan Designations:

Project Site: NAVISP

North: NAVISP

East: NAVISP

West: NAVISP

South: RLM - Resource/Land Management (San Bernardino County General Plan designation)

C. Zoning Designations:

Project Site: Industrial Specific Plan (I-SP)

North: Industrial Specific Plan (I-SP)

East: Industrial Specific Plan (I-SP)

West: Industrial Specific Plan (I-SP)

South: AV/RC – Apple Valley Resource Conservation (San Bernardino County Zoning Code)

D. Land Uses:

Project Site: vacant/undeveloped

North: vacant/undeveloped

East: vacant, a single-family residence approximately 650 linear feet east of the site

West: vacant, undeveloped

South: vacant, concrete pads, one derelict abandoned structure

PROJECT ANALYSIS

A. Background and permitting requirements:

In 2006, the Town approved the North Apple Valley Industrial Specific Plan (NAVISP) for 4,937 acres in the north part of the Town. The goals of the Specific Plan are to facilitate development of a broad range of industrial and commercial land uses, to establish a “jobs preserve” and to build a broad, sustainable economic base to

strengthen the Town's economic future. The Specific Plan provided new land use designations, development standards and guidelines to allow this development and is intended to be a long-term document with development anticipated over a 20-year period.

The area is generally bounded by Dale Evans Parkway on the west, Quarry Road on the north, Central Road on the east, and Waalew Road on the south. A program-level Environmental Impact Report (SCH No. 2006031112) was prepared and certified in 2006. The Specific Plan has been amended six times since its original adoption. Amendment No. 1 was approved in 2007 and absorbed 164 acres at the southwesterly corner of the Specific Plan, pursuant to a Mitigated Negative Declaration. Amendment No. 5 was approved in 2012 and absorbed the 1,120-acre 2008 "Northeast Industrial Area" land annexation into the NAVISP area on the east side of Central Road. Impacts related to this annexation and SPA land absorption were addressed as part of the 2009 Comprehensive General Plan for which an Environmental Impact Report was certified in 2009. The other four Specific Plan Amendments were text-only changes. As a result of the two Specific Plan Amendment area absorptions, the NAVISP currently encompasses 6,221 acres. It is estimated that the NAVISP currently has 3.4 million square feet of constructed industrial uses. The Plan envisions buildout of up to 2.6 million square feet of commercial and as much as 49 million square feet of industrial.

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.

Eight-foot concrete screen walls are proposed around the truck courts along both the west and east building elevations, with eight-foot tubular steel bi-parting security gates on both ends of both truck courts. Eight-foot tubular steel fencing is proposed to enclose the east truck court. Four-foot tubular steel fencing is proposed at numerous other site locations including around the detention basins, along Central Road and along the easterly property line.

Construction is expected to last for approximately 22 months. A tenant for the project has not yet been identified.

C. Building Area Calculations

| | |
|--------------------------------|-----------|
| Building Footprint: | 1,080,120 |
| Warehouse space: | 1,045,120 |
| Office space: | 35,000 |
| Mezzanine level: | 15,000 |
| Total building square footage: | 1,095,120 |

D. Site Analysis and Development Standards Compliance:

The project site is zoned Industrial Specific Plan (I-SP) in the North Apple Valley Industrial Specific Plan. The I-SP zone is intended to support development of well-planned industrial, quasi-industrial and commercial uses within the NAVISP area. Uses may include a wide range of activities including manufacturing, warehousing, ancillary offices and retail.

The project requires Site Plan Review approval and CEQA clearance with administrative review and decision to be conducted by the Town’s Community Development Director or their designee. As proposed, the project complies with all applicable Town development standards and regulations as identified in the Town Municipal Code, North Apple Valley Industrial Specific Plan and for the “I-SP” zoning

district, as illustrated in the following table.

| Requirement category | Sub-category | Requirement | Proposed condition |
|----------------------|--------------------------|------------------------|--------------------------------|
| Lot Area | n/a | two acres min. | ~ 68 acres |
| Lot Width | n/a | 100' min. | 2,300' |
| Lot Depth | n/a | 100' min. | 1,197' |
| Building Setbacks | Front (Central) | 50' min. | 343' |
| | Side (Johnson) | 25' min. | 553' |
| | Side (Lafayette) | 75' min. | 240' |
| | Rear | 15' min. | 254'-9" |
| Landscape Setbacks | Front (Central) | 25' min. | 143' |
| | Side (Johnson) | 15' min. | ~ 150" |
| | Side (Lafayette) | 50' min. | 53'-4" |
| | Rear | 0 | 54'-9" |
| Building Height | n/a | 50' max. | 50' |
| 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 | ~85% |

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 2% of overall standard vehicle stalls, per the Americans with Disabilities Act. The calculation is not required to include trailer stalls or dock doors. The project will provide 950 standard auto stalls and thus requires 19 ADA-compliant accessible parking stalls. The project's parking resources are calculated as follows:

| Parking standards | Square footages | Spaces Required | Spaces provided |
|---|--------------------------------------|---|-----------------|
| Parking spaces required: first 10,000 sq ft = 1 per each 500 SF | 10,000 SF | 20 | 20 |
| Parking spaces required: greater than 10,000 sq ft = 1 per each 1000 SF | 1.085m SF | 1,085 | 1,211 |
| Total parking spaces | 1.095m SF | 1,105 | 1,231 |
| Office parking spaces | 50,000 SF (4.6% of gross floor area) | n/a if does not exceed 25% gross floor area | inclusive |
| Accessible required | Per above notes | 19 | 22 |
| Loading/Trailer stalls | | 55 | 224 |

For bicycle parking, the 2016 California Green Building Standards Code states the mandatory bicycle parking requirements for new non-residential construction, which must provide bicycle parking equal to 5 percent of the estimated total number of employees on-site. The applicant assumes approximately 740 employees on site and has therefore provided nine short-term/visitor bike parking spots and 28 long-term bike parking spots for employees.

G. Traffic, Circulation and Site Access:

Regional access to the project site is provided from Interstate 15 via Stoddard Wells Road, Johnson Road and Dale Evans Parkway. In accordance with Town Engineering requirements, the Town's General Plan Circulation Element and the NAVISP plan, the project is required to construct half of the required right-of-way width of each street segment abutting the project site, to include asphalt paving, curb, gutters, sidewalks and striping. Johnson Road and Lafayette Street are designated as local collector streets with 66-foot right-of-way widths and Central Road is designated as a major roadway with a 104-foot right-of-way width. The Town Engineer has conditioned the project to install approximately ten feet more than the typical half-widths, to ensure safe and adequate travel lanes for both directions of traffic.

Street improvements will include the following:

- Construction of Central Road between Johnson Road and Lafayette Street, including curb, gutter and sidewalk.
- Construction of Johnson Road between Central Road and Sycamore Lane, including curb, gutter and sidewalk. A portion of this road would be protected by an approximately 500-foot by 20-foot area of rip rap within the north part of the right-of-way to protect against flooding from the N-02 drainage identified in the Apple Valley Drainage Master Plan.
- Construction of Lafayette Street from Central Road to Sycamore Lane,

including curb, gutter and sidewalk.

A total of 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.

H. Storm 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. The project applicant will submit detailed water and wastewater plans to the Town and Liberty Utilities for review and approval as part of its grading/civil plan review.

K. Other improvements:

The project proposes to connect to several other utilities and services including Southwestern Gas, Southern California Edison, and various communications and telecommunications systems.

L. Impact Fees:

In order to implement the Goals and Objectives of the Town General Plan and to mitigate the impacts caused by new development within the Town, certain public improvement projects must be or were previously required to be constructed. Town Council determined that development impact fees are needed to finance public improvements and to pay for development's fair share of the construction costs of public improvements. The proposed project is therefore subject to the following Development Impact Fees, which must be paid at the time of building permit issuance.

| Development Impact Fee Schedule for industrial uses (per square foot) | |
|--|----------|
| Traffic Impact (High Cube) | \$0.2024 |
| Law Enforcement | \$0.001 |
| Storm Drainage Facilities, Industrial uses | \$0.114 |
| General Government Facilities | \$0.034 |
| Quimby or General Park Fee | \$0.0062 |
| Park Development or Open Space Fee | \$0.0062 |
| Sanitary Sewer Facilities, Industrial Uses | \$0.684 |
| AV Unified School District Fee (pass through) | \$0.54 |
| Fire District, Industrial Uses (pass through) | \$0.09 |

M. Environmental Assessment/CEQA compliance

Based on a series of technical studies, assessments and reports, the Town determined that the proposed action is a "project" subject to review under the California Environmental Quality Act (CEQA). An Environmental Impact Report (EIR) has been prepared to evaluate the project's potential environmental impacts (State Clearinghouse No. 2023020285). The Draft EIR provides detailed information regarding short-term, long-term, direct, indirect, and cumulative environmental effects of the proposed project, and identifies extensive mitigation measures that would minimize or eliminate potentially significant impacts. The EIR determined that most environmental resource impacts associated with the project could be reduced to less

than significant levels with adoption of appropriate mitigation measures. The project mitigation measures are reflected in a Mitigation Monitoring and Reporting Program (MMRP) (See Attachment 10). Project impacts associated with greenhouse gas emissions and transportation/traffic cannot be reduced to less than significant levels with mitigation and are considered significant and unavoidable impacts.

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 Statement of Overriding Considerations has 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 first approved the proposed project on August 13, 2024. In consideration of California Brown Act and CEQA's noticing requirements, the Town is perfecting these requirements by seeking re-approval of the project. The Town posted the FEIR document package to the Town website, placed print copies in the San Bernardino County Library, Town Hall Lobby and Planning Department, and provided the FEIR document package to all parties who had commented on the Draft EIR via email link on October 1, 2024. Should this project be approved, the Town will file a Notice of Determination with the Office of Planning and Research State Clearinghouse and San Bernardino County Clerk's Office within five business days of approval.

N. Town Public Noticing:

A Notice of Pending Land Use Decision was sent by email to all parties requesting notification of the Project on October 1, 2024. The Notice was sent by direct mail to all surrounding property owners within 700 feet of the project site boundaries on September 27, 2024. The Notice of Pending Land Use Decision was posted on the Town Hall Kiosk Bulletin Board on October 1, 2024. The Notice, Administrative Staff Report, Draft Conditions of Approval and the Project's Final Environmental Impact Report and associated documents, were posted to the Town website on October 1, 2024.

O. AB 52 Tribal Notification

State Assembly Bill 52 (AB 52) requires public agencies to consult with California Native American tribes that are traditionally and culturally affiliated with the geographic area of a proposed project that is subject to CEQA (e.g., Notice of Preparation, Notice of Mitigated Negative Declaration, or Notice of Negative Declaration). A Notice of Preparation and EIR were prepared for the project and therefore, Tribal Notification is required. Four such notifications were sent to tribes in accordance with the official list as provided by the Native American Heritage Commission.

P. 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.

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 character of the surrounding area has been established by large nearby warehouse developments, including Walmart and Big Lots distribution centers located west of the subject property. The project’s size, massing form and scale are consistent with the intent of the NAVISP as well as with the existing visual character in the immediate vicinity, and the overall character envisioned in the NAVISP and General Plan. The proposed project will not result in negative impacts to any natural landforms or scenic views.

3. That the materials, textures and details of the proposed construction are compatible with the adjacent and neighboring structures.

Comment: The proposed project design includes use of concrete tilt up walls with roof line variation and windows that break up the visual bulk and massing of the large building. The building will utilize a color scheme of brown-based desert compatible earthtone colors which are consistent with the Town’s desert setting, long-term vision and traditional values. The proposed project will not result in significant negative impact on adjacent and neighboring structures in the area.

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

Comment: The building design uses concrete tilt up walls and architectural metal louvers and canopies, consistent with the intent of the NAVISP and compatible with surrounding land uses. The project's architectural design will therefore, promote quality architecture within the NAVISP and protect the economic value of existing structures.

5. 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.

Comment: Water, sanitary sewer, stormwater detention and drainage, communications, electrical and gas utilities and services are either available at the project site, nearby, or are planned to be installed at required capacities by the project proponent in order to accommodate the facility. The project meets Apple Valley Fire District standards for fire lanes, a minimum of two points of access, fire truck turn-around, fire district connectors/post indicators valves, and fire hydrants. The developer is required to pay all applicable Town Development Impact Fees toward construction of all required off-site improvements and will finance and construct all required on-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 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.

Q. Mitigation Monitoring and Reporting Program (MMRP):

As set forth in the Conditions of Approval, the project is subject to, and shall comply with, all mitigation measures as set forth in the MMRP (Attachment 10).

R. Authority:

Section III(G)(1) of the North Apple Valley Industrial Specific Plan (NAVISP) states, "All uses listed as Permitted in Table III-1, Allowable Uses, shall require the approval of a Site Plan Review (SPR) permit." It further states, "The Director or his designee shall approve, approve with conditions, or deny SPR permits." General warehousing, wholesaling and distribution are listed as Permitted under Table III-1 under the Industrial Specific Plan (I-SP) land use designation. Section II(E)(3) describes the review process, including "provisions for the permitting of projects through an administrative process, called Site Plan Review. Qualifying projects will be reviewed and approved by the Director of Economic and Community Development or his representative."

Approved by:

Orlando Acevedo, MBA
Assistant Town Manager
Acting Economic and Community Development Director
Town of Apple Valley

ATTACHMENTS

1. Draft Conditions of Approval
2. Vicinity Map
3. General Plan Designation
4. Zoning District Designation
5. Site Plan
6. Building Elevations
7. Color and Material Board
8. FEIR (separate PDF document)
9. CEQA Findings of Fact, Statement of Overriding Considerations (separate PDF document)
10. Mitigation Monitoring and Reporting Program (separate PDF document)

This below link navigates to the project's documentation on the Town website:

<https://www.applevalley.org/services/planning-division/environmental>

Attachment 1

PROJECT CONDITIONS OF APPROVAL, SPR 2022-005

Note: Many of the 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.

- P7. Prior to issuance of a building permit, the project proponent shall sign and complete an "Acknowledgment of Conditions" and shall return the executed original to the Planning Division for inclusion in the case record.

NAVISP compliance

- P8. The project shall conform with all development standards as stated in the North Apple Valley Industrial Specific Plan (NAVISP), including those standards applicable within the Industrial Specific Plan (I-SP) zoning designation.

Landscaping and Irrigation

- P9. Final landscape and irrigation plans shall be submitted prior to issuance of a building permit in accordance with Chapter 9.75, "Water Conservation/Landscape Regulations" of the Development Code and in accordance with the North Apple Valley Industrial Specific Plan (NAVISP) Landscape Regulations.
- P10. Landscaping and irrigation shall be installed prior to issuance of occupancy permits subject to approval by the Planning Division. Drought-tolerant xeriscape landscaping techniques are encouraged for use in parkway areas, typically to consist of drought tolerant, native type plants, trees and groundcover.
- P11. All required and installed landscaping shall incorporate and maintain a functioning automatic sprinkler system.
- P12. All landscaping shall be maintained in a neat, orderly, disease and weed-free manner at all times.
- P13. 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 and walkways, shall be fully landscaped and maintained in a disease and weed-free manner at all times.
- P14. Project site detention basins shall be landscaped with native vegetation, subject to review and approval by the Planning Division.
- P15. The landscaping plan shall provide a minimum of one (1) tree of a minimum size of twenty-four (24) inch box per each seven (7) parking spaces, located to visually break up long rows of parking spaces, and may be clustered where appropriate.
- P16. Decorative masonry walls, hedges and/or landscape berms, thirty-six to forty-two (36-42) inches high, measured from finished grade of the parking area, shall be used adjacent to public rights-of-way to screen parking fields. Heights of screening walls, hedges and/or berms may be reduced where the parking field is situated below grade. Horizontal and vertical variation in the design of the screening walls is required where the length of such wall exceeds forty (40) linear feet, subject to Planning Staff approval.
- P17. The project proponent shall annex into a Landscape Assessment Management District to maintain landscaping, lighting, and any retention or detention basins.

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

provided with access ramps and clearly marked in accordance with Title 24 of the California Administrative Code.

Trash enclosures

- P29. Trash enclosures shall be designed and installed consistent with Chapter 9.46.080 of the Development Code and all other applicable Town Standards.
- P30. Trash enclosures shall reflect the architectural design (trellis canopy or other similar feature) of the approved project, subject to review and approval by the Planning Division.

Construction-related

- P31. Construction activities shall not impede traffic flow or required accessible paths of travel.
- P32. The site shall be maintained clean, sanitary, and free of litter and any other undesirable debris or materials and shall be cleaned of loose debris on a daily basis.
- P33. Prior to approval of a building permit for the project, the following agencies shall provide written verification to the Planning Division that all conditions of approval and applicable regulations have been met:
- Apple Valley Fire Protection District
 - Apple Valley Public Works Division
 - Apple Valley Building and Safety Division
 - Apple Valley Engineering Division
 - Apple Valley Planning Division
 - Liberty Utilities
 - Mojave Desert Air Quality Management District

Site Lighting and Photometrics

- P34. Light standard models shall be selected and painted to blend architecturally with buildings, pedestrian areas and other hardscape elements.
- P35. Lighting fixtures shall be located in such a manner that no light or reflected glare is directed off-site and shall provide that no light is directed above a horizontal plane passing through the bottom of the fixture.
- P36. Parking lot lighting shall conform to all requirements of the Town Development Code and Uniform Building Code.
- P37. Construction plans for a building permit application shall include a photometric plan showing the installation of lighting fixtures and lighting levels to be reviewed and approved by the Planning Division. The photometric plan shall include point-by-point lighting levels in foot-candles for the entire plot and ten feet beyond the

project property lines. The point-by-point photometric plan shall provide lighting 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 60-gallon barrels. Contact Burrtec Waste Industries at (760)245-8607 for further information.

- ER4. Development of the project site is subject to the Town's Interim Local Policy and Procedures on the Western Joshua Tree published July 21, 2021 or amendment thereof.

California Environmental Quality Act EIR Addendum Mitigation Measures

- CEQA1. All mitigation measures identified in the project's Final Environmental Impact Report Mitigation Monitoring and Reporting Program are hereby adopted by reference and shall be implemented as Conditions of Approval and made a part of this project.

ENGINEERING DIVISION

- EC1. A final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall consider reducing the post-development site-developed flow to 90 percent of the pre-development flow for a 100-year design storm. (Town Resolution 2000-50; Development Code 9.28.050.C, 9.28.100).
- EC2. A final grading plan shall be approved by the Town Engineer prior to issuance of a grading permit.
- EC3. A 64-ft wide half-width road dedication along Central Road shall be granted to the Town of Apple Valley prior to Issuance of Grading Permit.
- EC4. EC4. A 33-ft (plus 6-ft) wide half-width road dedication along Lafayette Road shall be granted to the Town of Apple Valley prior to Issuance of Grading Permit.
- EC5. EC5. A 33-ft (plus 6-ft) wide half-width road dedication along Johnson Road shall be granted to the Town of Apple Valley prior to Issuance of a Grading Permit.
- EC6. Street improvement plans shall be submitted to the Town Engineer for review and approval.
- EC7. Central Road adjacent to the property shall be improved to the Town's half-width Major Divided Arterial standards. The plans shall show sidewalks, a Class 2 Bike Lane, and ADA access improvements along the frontage of the development.
- EC8. Lafayette Road adjacent to the property shall be improved to the Town's half-width Industrial Road standards.
- EC9. Johnson Road adjacent to the property shall be improved to the Town's half-width Industrial Road standards.
- EC10. Additional Rights of way (minimum 6' width) may be required from offsite properties to construct the half-width industrial half-width street for Lafayette Road and Johnson Road. The minimum half width for two-way traffic is 26' wide with shoulders. The additional right of way may come from adjacent properties or from the project's property.

- 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.

- BC6. A pre-grading meeting is required prior to beginning any land disturbance. This meeting shall include the Building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as Biologist, Paleontologist.
- BC7. Dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction)
- BC8. Page two of the submitted building plans will be the conditions of approval.
- BC9. Construction must comply with 2022 California Building Codes
- BC10. Best Managements Practices (BMP's) are required for the site during construction.
- BC11. Provide Water Quality Management Plan (WQMP) or Alternative Compliance Plan.

FIRE PROTECTION DISTRICT

- FP1. 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 requirement.
- FP2. 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.
- FP3. 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.
- FP4. 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.
- FP5. Fire lanes shall be provided with a minimum width of twenty-six (26) feet, maintained, and identified in the parking areas.
- FP6. Fire lanes shall be provided with a minimum width of thirty-six (36) feet, maintained, and identified in and throughout the facility per Apple Valley Fire Protection District Ordinance 57.
- FP7. 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 21 feet inside and minimum of 41 feet outside turning radius with no parking on street, or 47 feet with parking. Road grades shall not exceed twelve percent (12%) unless approved by the Chief per Apple Valley Fire Protection District Ordinance 57.
- FP8. 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 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

deposits.

- MD4. All perimeter fencing shall be wind fencing or the equivalent, to a minimum of four feet of height or the top of all perimeter fencing. The owner/operator shall maintain the wind fencing as needed to keep it intact and remove windblown dropout. This wind fencing requirement may be superseded by local ordinance, rule or project-specific biological mitigation prohibiting wind fencing.
- MD5. All maintenance and access vehicular roads and parking areas shall be stabilized with chemical, gravel or asphaltic pavement sufficient to eliminate visible fugitive dust from vehicular travel and wind erosion. Take actions to prevent project-related trackout onto paved surfaces and clean any project-related trackout within 24 hours. All other earthen surfaces within the project area shall be stabilized by natural or irrigated vegetation, compaction, chemical or other means sufficient to prohibit visible fugitive dust from wind erosion.
- MD6. Obtain District permits for any miscellaneous process equipment that may not be exempt under District Rule 219 including, but not limited to: Internal Combustion Engines with a manufacture's maximum continuous rating greater than 50 brake horsepower.

SOUTHWEST GAS

- SW1. Review needs to take place to determine approach/time/feasibility/cost. Time required varies by project and can be estimated once the request is made by the customer and review is completed. For projects that require system improvement it can be a year or longer. As soon as possible, please contact the Southwest Gas Energy Solutions department at scaes@swgas.com for more information.
- SW2. Refer to the Southwest Gas Information Required Design letter for initial information that is required from the customer.

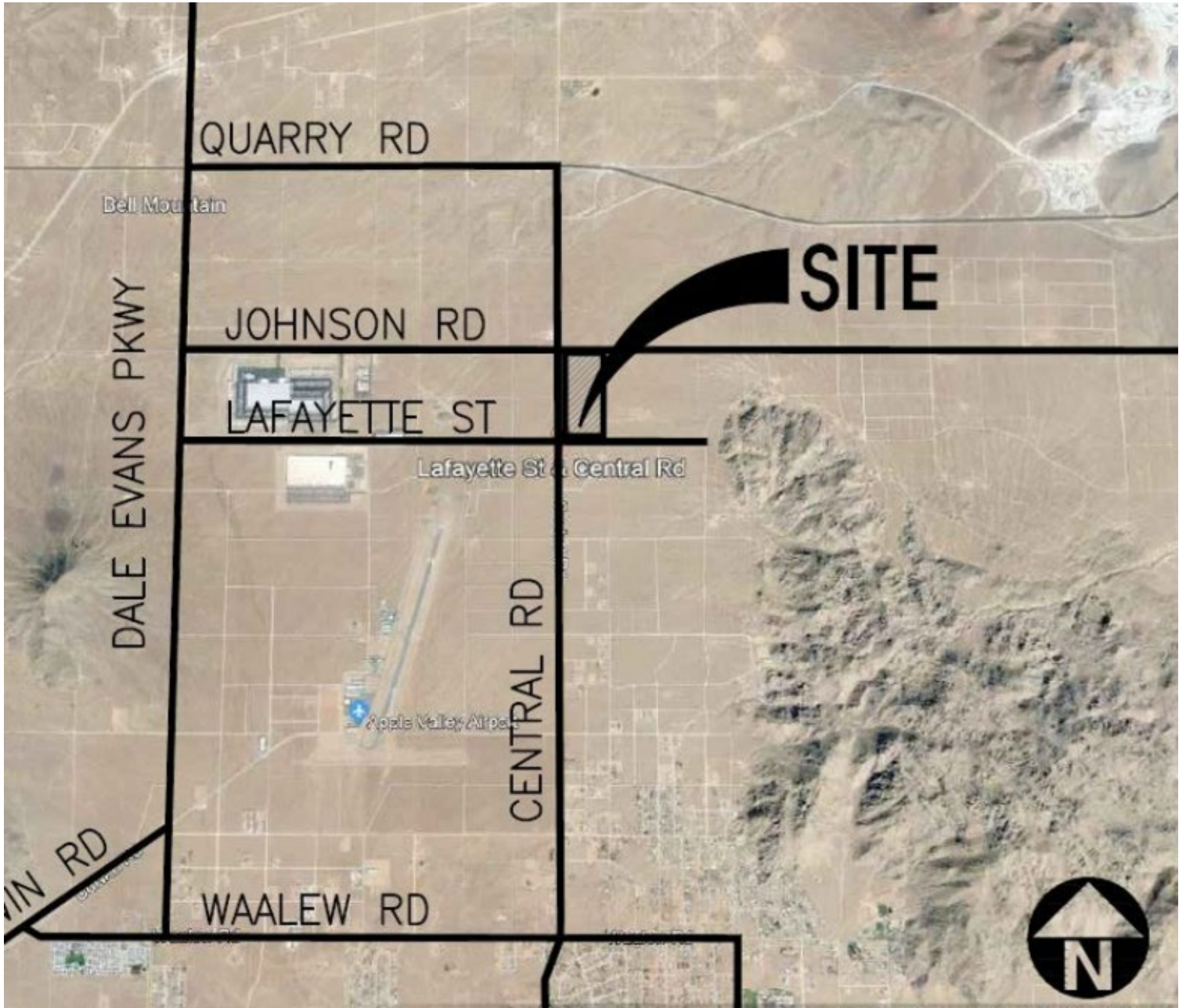
LIBERTY UTILITIES

- LU1. Offsite water mains do not exist on Central Road fronting this development.
- LU2. Water mains must be extended to provide fire protection for this development in accordance with Apple Valley Fire Protection District's conditions.
- LU3. Water main extension contract between the developer and Liberty Apple Valley is required and must comply with Rule 15 of the California Public Utilities Commission. Subject to the terms of the contract, the cost of facilities installed as advances will be reimbursed to the developer at 2.5 percent per year for 40 years with no interest. Extend minimum 16" diameter pipeline approximately 2,700 feet along Central Road and about 2,650 feet along Johnson Road to the west connecting to an existing main at Somis Avenue and Johnson Road.
- LU4. Offsite fire hydrants are required to be located in accordance with Apple Valley Fire Protection District's requirements and installed per Liberty Apple Valley standard drawings.
- LU5. Fire hydrants required onsite will be installed in accordance with Apple Valley Fire Protection District's requirements.

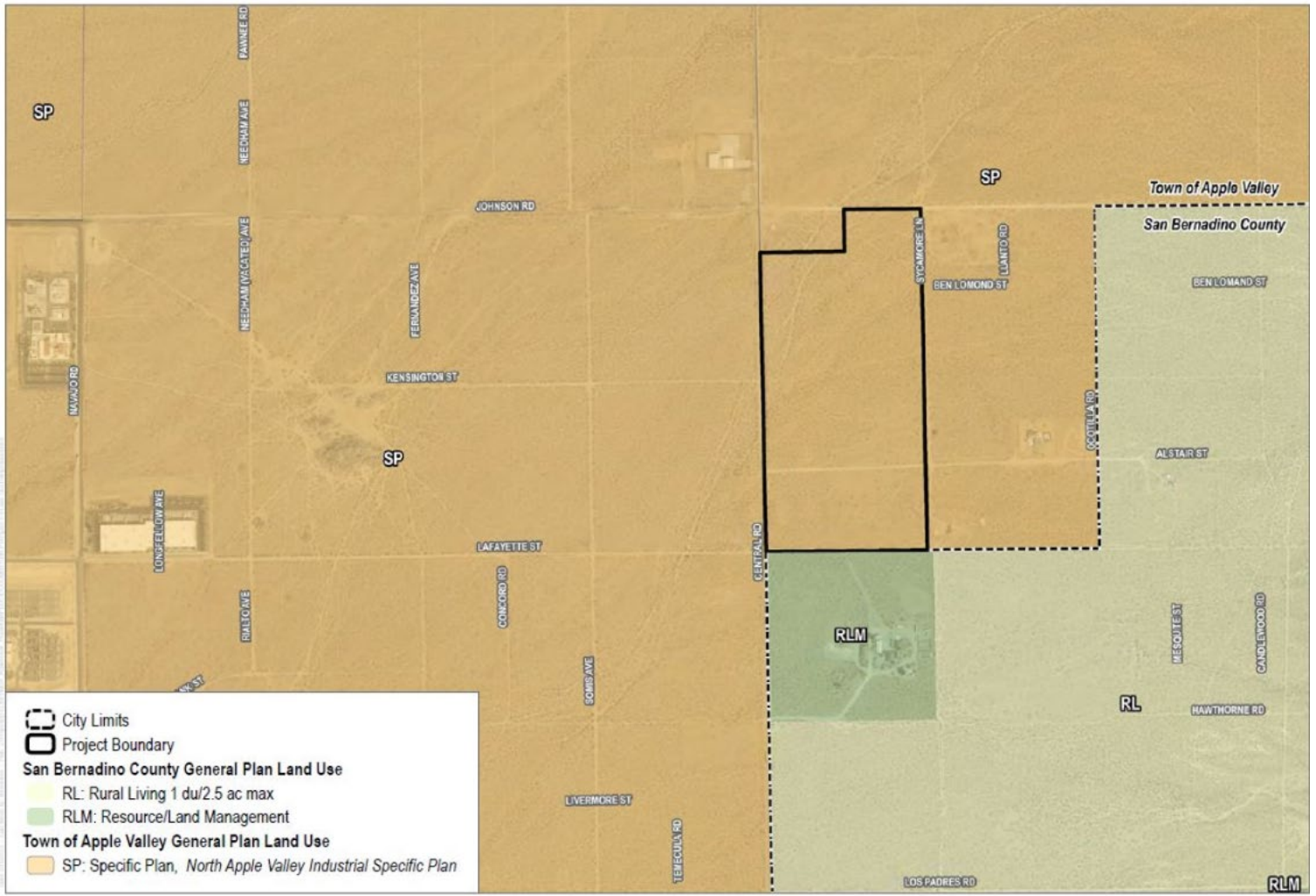
- LU6. Fire service lines are required for this development and will be installed in accordance with Apple Valley Fire Protection District's conditions and must comply with Rule 16 of the California Public Utilities Commission. Approved and tested customer owned backflow protection devices are required.
- 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

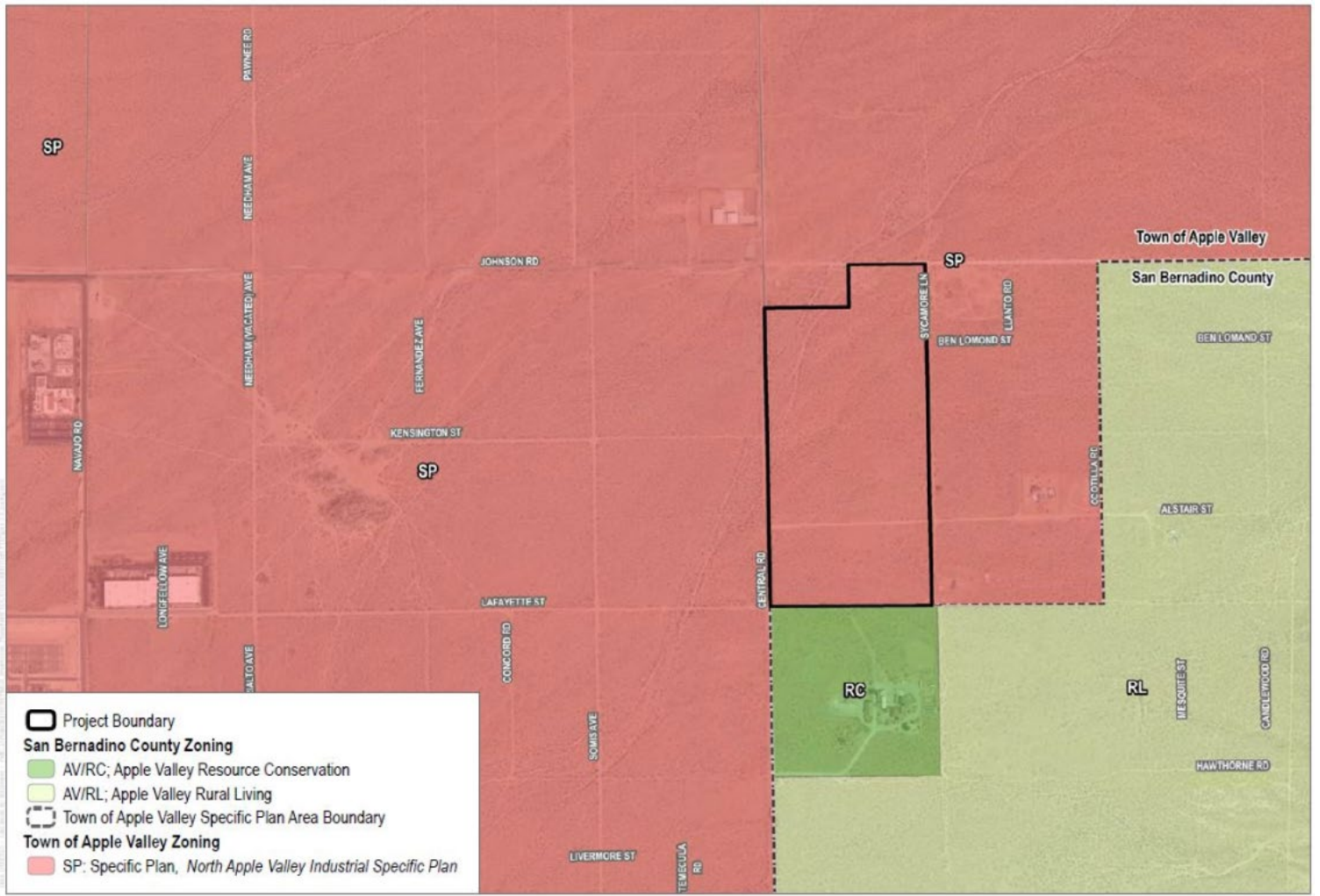
**Attachment 2:
Project Vicinity Map**



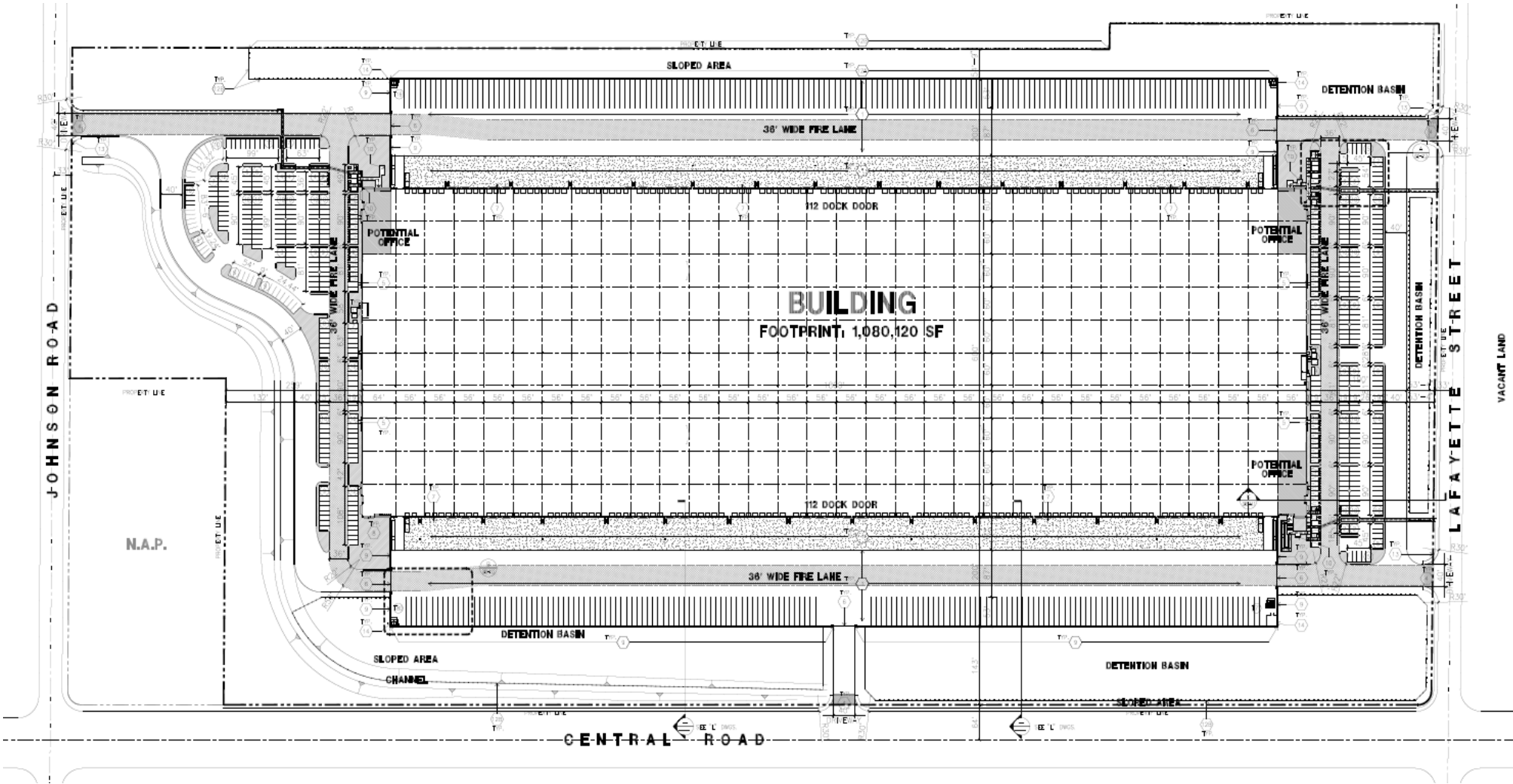
Attachment 3: Project General Plan Land Use Map Designation



Attachment 4: Project Zoning Map Designation



Attachment 5: Site Plan



Attachment 6: Building Elevations



Attachment 7 Color and Materials Board

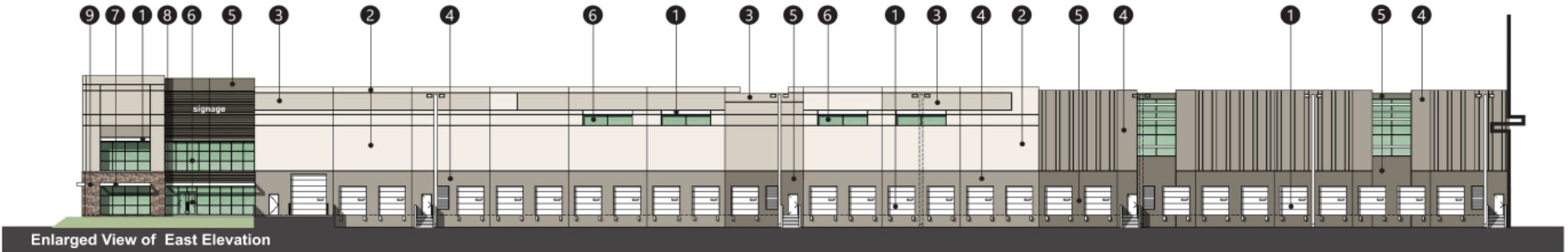


South Elevation



East Elevation

- | | | | | | | | | |
|--|---|--|--|--|---|---|--|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | | | | | | | |
| SHERWIN-WILLIAMS SW 7004 (256-C2) SNOWBOUND | SHERWIN-WILLIAMS SW 7010 (254-C5) WHITE DUCK | SHERWIN-WILLIAMS SW 1015 (283-C3) SKYLINE STEEL | SHERWIN-WILLIAMS SW 7642 (283-C5) PAVESTONE | SHERWIN-WILLIAMS SW 7046 (245-C5) ANONYMOUS | CLEAR REFLECTIVE GLAZING WITH CLEAR ANODIZED ALUMINUM MULLIONS | SHERWIN-WILLIAMS ACRYLIC LATEX SYSTEMS HIGH GLOSS/HIGH PERFORMANCE IN COLOR: SW7004 (256-C2) SNOWBOUND @ METAL CANOPY | FITZGERALD FORMLINERS PATTERN 14A316 FLUTED RIB WITH SHERWIN-WILLIAMS SW 7046 (245-C5) ANONYMOUS | MANUFACTURED STONE TUSCAN VILLA - SEVILLE |



Enlarged View of East Elevation



Conceptual Elevations & Material Board

1M Warehouse

Apple Valley, CA

#22438 | 11.30.2022

