

REQUIRED FINDINGS

Special Use Permit Findings

As required under Development Code Section 9.16.090.A, prior to approval of a Special Use Permit, the following Findings must be made:

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

Evidence: The proposed truck repair/maintenance facility and storage yard, as conditioned, is in compliance with the General Plan designation of Specific Plan, the Specific Plan Zoning district, and the NAVISP I-SP Industrial Specific Plan land use designation, which allows new construction with issuance of a Site Plan Review permit, allows truck repair and maintenance facilities, subject to issuance of a Special Use Permit, and allows outdoor vehicle storage as permitted by-right.

2. *That the proposed location, size, design and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, nor be materially injurious to properties or improvements in the vicinity, adjacent uses, residents, buildings, structures or natural resources;*

Evidence: The proposed truck repair and maintenance facility, as conditioned, will not be detrimental to the public health, safety or welfare or to properties or improvements in the vicinity or adjacent uses, residents, buildings, structures or natural resources and is permitted in and compatible with, the NAVISP with issuance of the required permits. The trucking facility and associated conditions under which it will be operated and maintained would be compatible with surrounding land uses, which are expected to include mainly commercial and light industrial use types. Appropriate utilities and municipal improvements are either available to serve the project site, or conditions of approval have been provided to ensure the public health, safety, welfare and the well-being of the project area and greater community. Such conditions include project utility and stormwater drainage and detention design features as well as security fencing and lighting. Further, the project is subject to compliance with all standards and requirements of the Fire District, including installation of fire hydrants, fire truck site access, and installation of fire suppression lines and infrastructure.

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

Evidence: Appropriate utilities and municipal improvements are either available to serve the site, or conditions have been added to ensure the public health, safety, welfare and the well-being of the project area and greater community. Such conditions include project utility and stormwater drainage and detention design features as well as security fencing and lighting. The proposed uses are permitted in and compatible with, the NAVISP with issuance of the required permits.

4. *That the generation of traffic will not adversely impact the capacity and physical character of surrounding streets and that the traffic improvements and/or mitigation measures are provided in a manner consistent with the Circulation Element of the General Plan;*

Evidence: The proposed use is not anticipated to generate significant traffic to the cumulative area traffic trip pattern or volume. A maximum of six employees would be present onsite at any given time, and the facility would only be in operation during typical weekday business hours and not open to the general public or customers. The physical character of surrounding streets is expected to be greatly enhanced with construction of the project, as it has been conditioned to provide right-of-way dedication and roadway improvements in accordance with Town Engineering standards and the General Plan Circulation Element for Major Roadways and Local Industrial Collector Streets.

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

Evidence: Facility operations would not result in significant harmful effects to environmental quality or natural resources. Vehicle repair and maintenance operations are required to comply with a bevy of rigorous Federal, State and Local rules and regulations to ensure that any potential adverse impacts to water, air and/or natural resources are addressed and mitigated. These include preparation of a Storm Water Pollution Prevention Plan and Notice of Intent, in accordance with the National Pollutant Discharge Elimination System requirements. In addition, the applicant is required to prepare a detailed Water Quality Management Plan for review and approval by the Town, and to deploy all available Best Management Practices during construction activities. Further, the project is subject to strict compliance with standards and conditions of the Mojave Desert Air Quality Management District, which have been added as project Conditions of Approval.

6. *That Use Permits requiring new construction also meet the Required Findings set forth within Chapter 9.17 "Development Permits".*

The additional (5) Development Permit Findings listed under Dev. Code Section 9.17.080 and supporting evidence are as follows:

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

Evidence: Provided in conjunction with SUP Finding 1 above (Findings are identical)

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 and does not unnecessarily block public views from other buildings or from public ways, or visually dominate its surroundings;*

Evidence: The site is relatively flat and level and contains no significant environmental features of note. On-site vegetation consists mainly of moderate amounts of desert brush, annual weeds and grasses. Likewise, all surrounding areas exhibit the same characteristics, and do not exhibit evidence of significant natural landforms or resources. The surrounding area is largely rural and does not yet support urban development; however, the area is expected to be developed with commercial and industrial uses in accordance with the NAVISP land use map. Properties to the south are outside of the NAVISP and are expected to support low-density residential suburbanization. The proposed facility and building will not visually dominate the surrounding lands nor significantly or unusually block public views from other buildings or rights-of-way.

3. *That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures and that quality in architectural design is maintained in order to enhance the visual environment of the Town;*

Evidence: The building's materials, textures, details and overall architecture exhibit a quality that will enhance the visual environment of the surrounding area and meets the intent of the NAVISP, the Town's General Plan, and are compatible with adjacent and neighboring structures.

4. *That the amount, location, and design of open space and landscaping conforms to the requirements of this Code, enhances the visual appeal and is compatible with the design and function of the structure(s), site and surrounding area;*

Evidence: Extensive landscaping is proposed along Comanche and Waalew Roads, consisting of native, drought-resistant plant materials selected from the NAVISP approved plant lists, along with a variety of decorative boulders and gravel. A low-water irrigation system consisting of auto-controlled drip emitters would be installed. The project plans indicate that approximately 40 percent of the site will be covered with landscaping.

5. *That excessive and unsightly grading of hillsides does not occur, and the character of natural landforms such as knolls and the Mojave River and that existing vegetation and Joshua Trees are adequately protected and preserved where feasible as required by this Code.*

Evidence: No hillside grading is proposed as the site is relatively flat and there are no natural defining features such as rock outcroppings, tributaries of the Mojave River or blue line waterways across the site. There are also no Joshua Trees present on site.

Site Plan Review Findings

As required under NAVISP Section III (G)(3), prior to Site Plan Review approval, the Community Development Director must make required Findings, supported by substantial evidence in the record, as presented below:

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.*

Evidence: The NAVISP allows new development subject to approval of a Site Plan Review permit. The site's NAVISP designation is Industrial Specific Plan (I-SP). As proposed, the project complies with all applicable design and development standards identified in the Town General Plan Land Use and NAVISP document.

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.*

Evidence: There are no significant natural landmarks on the project site or within the surrounding setting. The character of the surrounding area has been established by the densities, intensities and uses as identified in the NAVISP as well as prior construction of several large industrial warehouse developments north of the site. 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 the Town's 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.*

Evidence: The project consists of a truck maintenance shop and truck trailer storage yard. The proposed building design deploys a variety of architectural strategies to create a contemporary, high-quality building. The elevations

depict varying roof lines and numerous vertical and horizontal elements that serve to break up the overall sense of massing. Varying building materials, robust wall articulation, multiple roof planes and lines and other architectural elements and embellishments are depicted. The building will feature a complementary and neutral color palette consistent and compatible with the Town's high desert setting, long-term vision and traditional values. Therefore, the proposed project will not result in negative impacts to the surrounding natural environment or the adjacent built environment.

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.*

Evidence: The building design displays a contemporary, high-quality vehicle maintenance facility. It has varying building materials, robust wall articulation, multiple roof planes and lines and other architectural elements and embellishments. Elevations facing public rights-of-way feature scored accent concrete units. The building will feature a complementary and neutral color palette consistent and compatible with the Town's high desert setting, long-term vision and traditional values. Therefore, the proposed project will not result in negative impacts to the surrounding natural environment or adjacent built environment and is expected to enhance the visual environment, promote quality architecture and protect the economic value of existing structures in the NAVISP.

5. *That there are public facilities, services and utilities available at appropriate levels or that these shall be installed at the appropriate time to serve the project.*

Evidence: Water, sanitary sewer, stormwater infrastructure, communications, electrical and gas utilities and services are either available at the site, present nearby, or are planned to be sized and installed at a capacity that supports the proposed development, accommodates facility volumes and future similar development in the immediate area. The project meets Apple Valley Fire District standards. 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. The Town Engineer has conditioned the project to dedicate and construct the required half-street-widths of adjacent Comanche and Waalew Road. The Town has adopted a comprehensive Traffic Impact Fee program to fund construction of area circulation system improvements to ensure transportation circulation level of service standards are met.

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

Evidence: The site plan depicts two access points demonstrating safe and adequate access to and from the proposed facility. Site design illustrates, and the proposed conditions of approval require improvements to provide adequate

legal and physical access to the site pursuant to the Americans with Disabilities Act (ADA) including striping of one ADA-compliant parking space with a four-foot-wide path of travel between abutting streets and the building entrance.

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).*

Evidence: 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 project proposes construction of a 4,960 square foot truck repair and maintenance shop on the southwest part of the site and a 1.6-acre asphalt-covered commercial trailer storage yard on the north half of the site. NAVISP Use Table III-1, Allowable Uses, Section G.1, allows “Vehicle fleet storage” as a permitted use in the I-SP designation. The proposed outdoor trailer storage yard is covered under this use, which is not specific to indoor or outdoor, and does not have any footnotes or additional conditions. Subsections H.2.c and d of the Use Table specify a Special Use Permit is required for “Major repairs, including engine work, painting, body work, and upholstery (indoor only with no storage)” and also for “Minor repairs, including smog check, tune-ups, tires, brakes, batteries, mufflers (indoor only with no storage)”.