

# PLANNING COMMISSION

## ATTACHMENT B

Site Plan Resolution No P-23-026

RESOLUTION NO. P-23-026

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VICTORVILLE RECOMENDING TO THE CITY COUNCIL THE APPROVAL OF THE SITE PLAN PORTION OF CASE NO. PLAN22-00027, A SITE PLAN WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR THE DEVELOPMENT OF A NEW WHOLESALE ESTABLISHMENT AND A ZONE CHANGE FROM C-2 GENERAL COMMERCIAL TO IPD INDUSTRIAL PARK DISTRICT ON APPROXIMATELY 1.6 ACRES OF UNDEVELOPED PROPERTY LOCATED AT THE NORTHWEST CORNER OF DOS PALMAS ROAD & PARK AVENUE

WHEREAS, an application has been received from Steeno Design Studio, Inc., regarding property situated in the City of Victorville, County of San Bernardino, State of California, as described as follows:

ALL OF LOT 37, LOT 38, AND LOT 39 OF TRACT NO. 8197, AS PER MAP RECORDED IN BOOK 106, PAGES 59 AND 60 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; and

WHEREAS, a public hearing was held on the 8th day of November 2023, pursuant to Title 7, Division I, Chapter 4, of the Government Code, State of California, to hear arguments for and against the issue; and

WHEREAS, the Planning Commission finds the project to be categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15332 (a-e), based upon the following conditions:

- a) The project will result in compliance with the General Plan designation, all applicable General Plan policies and zoning standards.
- b) The 1.6 acre project site is substantially surrounded by urban uses and has access to developed streets.
- c) The project site is disturbed and has little to no value as wildlife habitat.

- d) The wholesale facility will not have significant effects on traffic, noise, air quality or water quality given the urban setting which already provides adequate infrastructure for this development, compatible uses in the area and the requirement of the development to comply with all applicable local, State and Federal agency standards and the orientation of the building and on-site uses which would bring any environmental impact to a level of less than significant.
- e) The project site has access to all public utilities and services.

WHEREAS, the Planning Commission finds that all materials that constitute the record of proceedings upon which its decision is based, shall be located with the City of Victorville Clerk, located at 14343 Civic Drive, Victorville, CA; and

WHEREAS, the Planning Commission finds that the site is adequate in size to accommodate the proposed use along with adequate development standards to ensure land use compatibility due to the project's conformance with applicable standards of Title 16 of the Victorville Municipal Code including building size and placement, conformance with industrial design standards, sufficient parking and access and off-site connections; and

WHEREAS, the Planning Commission finds that the proposed Site Plan will have no adverse effect on abutting property; and

WHEREAS, the Planning Commission finds that the proposed use does not meet the suspension allowances provided by Planning Commission Policy PCP-09-001 or Section 16-5.12.190 of the Victorville Municipal Code for any unfinished right-of-way improvements and that the suspension of any unfinished improvements may adversely affect the public's health, safety and welfare; and therefore requires the construction of

any unfinished right-of-way improvements as required by the Victorville Municipal Code;  
and

WHEREAS, the Planning Commission finds that the proposed site plan satisfies the Site Plan Review criteria, pursuant to Section 16-3.01.030 of the Victorville Municipal Code because: the development is in general compliance with the development standards, regulations and requirements of Title 16 of the Victorville Municipal Code, including the applicable standards of the Industrial Design Guidelines; the proposal provides sufficient landscaping that meet Title 16 standards; the development will complement and improve upon the quality of existing development in the vicinity and minimize any adverse impacts to surrounding properties through building location and orientation, the use of various wall planes and building materials, as well as multiple vehicular access points utilizing and improving upon the existing right-of-way; and because the conditions of approval contained within the resolution will ensure minimum disruption to surrounding uses and decrease any potential impacts to the environment by providing enhanced landscaping and providing fugitive dust mitigation; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission, pursuant to Section 16-3.01.060 of the Victorville Municipal Code, that it recommends to the City Council that the Site Plan portion of Case No. PLAN22-00027 to allow for a wholesale facility with an environmental exemption on property located within the IPD Industrial Park District, on the hereinabove described property, be granted the applicant subject to the following conditions of approval:

PLANNING CONDITIONS:

1. This approval is to allow for the development of an approximately 26,850 sq. ft., wholesale facility and associated site improvements including but not limited to

- landscaping, driveway improvements, parking lot improvements, and the installation of a trash enclosure.
2. The proposed development shall comply with all applicable development standards of Title 16 and shall be in general compliance with the Industrial Design Guidelines.
  3. The proposed development shall be in substantial conformity with the plans submitted as part of this application, unless modification is required to comply with the applicable development standards of Title 16 and/or conditions of approval.
  4. Any change in use or implementation of a new use within the facility, which will require additional parking spaces resulting in noncompliance with the parking standards of Title 16, shall cause that use to be subject to Planning Commission review and approval.
  5. The number and location of all handicapped parking spaces and low emission vehicle spaces shall be subject to Development Department review and approval.
  6. All off-street parking spaces and access thereto required by Title 16 shall be provided in accordance with the specifications for standard parking spaces outlined in Title 16. Parking spaces provided in excess of required parking may be designed in accordance with the specifications for compact parking spaces outlined in Title 16.
  7. All proposed signs shall comply with Title 16. The applicant shall be required to submit a sign package for review and must gain approval by the Planning Commission prior to approval of any signage proposed which is inconsistent with Title 16. All signs shall be subject to Planning Staff review and approval prior to obtaining a building permit.
  8. All proposed temporary signage shall comply with Title 16. All temporary signs (grand openings, special sales, etc.) shall only be affixed to the building/suite they serve in accordance with an approved Temporary Sign Permit. Flags or other off-site signage is prohibited.
  9. Stamped color concrete shall be installed at driveway entrances and the ADA path of travel in a color and design consistent with architectural theme of the structures on-site, subject to review and approval by the Zoning Administrator prior to the issuance of a building permit. The stamped color concrete shall also be noted on the approved construction plans accordingly.
  10. All rooftop and/or ground mounted equipment visible from public rights-of-way shall be screened from view and architecturally integrated into the building. The screening of the rooftop equipment shown on the roof plan shall match the appropriate parapet design and color, subject to the review and approval of the Zoning Administrator.
  11. Any wall mounted utility equipment (i.e. meters, panels, boxes, conduit etc.) shall not be visually exposed on the building. This type of equipment shall be internally

located, screened with landscaping or covered in a manner that is architecturally integrated into the design of the building, subject to the review and approval of the Zoning Administrator.

12. Roof drains (i.e. scuppers and down spouts) shall not be visually exposed on the building(s). Roof drains shall be internally located, subject to the review and approval of the Zoning Administrator.
13. The applicant shall install a trash enclosure in conformance with Section 16-3.24.110 of the Victorville Municipal Code. The enclosure shall have solid block walls with non-transparent metal gates, a solid roof/cover that is architecturally compatible with the primary building onsite and serves to protect the refuse area from inclement weather, as well as wrought iron that fully encloses the trash enclosure between the block wall/metal gates and the roof to prevent unauthorized entry. Additionally, all trash enclosures shall include “walk-in” rear or side access for pedestrian use. The location, design and quantity of said enclosures shall be subject to Planning Staff review and approval.
14. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
15. Prior to the release of any utilities for the use, all Title 16 improvements for the project shall be installed or a bond posted in the amount of one hundred fifty percent (150%) of the value of the uncompleted work shall be submitted to the Development Department, unless otherwise deemed unnecessary by the Zoning Administrator. Any modifications to the amount of the bond shall be subject to review and approval by the Zoning Administrator only if the Zoning Administrator finds that there are circumstances unique to the use that is not applicable to other uses.
16. A six-inch wide planter curbing, in accordance with Engineering Standard S-09, is required along the perimeter of all landscaped areas, including planters that abut the public right-of-way sidewalk. All planter strips abutting a public right-of-way and planter islands/landscape fingers shall be a minimum interior width of five feet, exclusive of curbing. The grading and site plans shall clearly show all required curbing.
17. The applicant/developer shall provide landscaping/irrigation plans in accordance with Chapter 13.60 and Section 16-3.24.030 of the Victorville Municipal Code, entitled Water Conservation and Landscape Standards. Landscape areas shall not exceed a slope of 3:1 and shall also meet all other Title 16 standards, including the dispersal of landscaping within a parking lot. The landscaping plan shall include 24-inch box trees for every eight parking spaces. In addition,  $\frac{3}{4}$  inch decorative rock shall be installed in all planters rather than mulch, excepting where ground cover is installed. Further, the landscaping plan shall include the maximum spacing of all plants as follows:
  - a. Ground cover – eighteen inches on center

- b. One gallon plants – three feet on center
- c. Five gallon plants – five feet on center

In addition, a note shall be conspicuously placed on the landscape plan indicating the following: Any discrepancy between the maximum spacing criteria and the number of plants shown on the landscape plan shall result in the spacing criteria superseding any other information shown on the landscape plan.

18. All landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This includes proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary and the regular watering of all plants. In addition, all landscaped areas shall be provided with a suitable permanent water system.
19. Prior to issuance of a certificate of occupancy, the Applicant/Owner shall submit documentation that demonstrates the site will be regularly maintained by a commercial landscape company or comparable means, subject to the review and approval of the Zoning Administrator. The Applicant/Owner shall also include current property management contact information when submitting the documentation.
20. All proposed landscaping plant materials shall be listed on the City's approved water-wise plant list and verified during the building permit plan check. Any plant materials not listed on the approved plant shall be subject to review and approval by the Zoning Administrator to confirm the plant's ability to survive in the local climate. Additionally, the site shall include rock groundcover throughout all landscaped areas in accordance with the Municipal Code.
21. All site conditions shall be maintained in a functional and tidy manner, including but not limited to parking lot striping, wheel stops, signage, curbing, trash enclosure gates, parking lot paving and enhanced paving areas.
22. The Applicant/Owner shall agree to defend, indemnify and hold harmless, the City of Victorville, its agents, officers and employees from any claim, action or proceeding against the City of Victorville or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Victorville shall promptly notify the applicant of any such claim, action or proceeding, and the City of Victorville shall cooperate fully in the defense.
23. The light standards (wall and freestanding) shall be approved by the Zoning Administrator prior to building permit issuance and be architecturally compatible with the design of the building. Typical square "shoebox" style lighting is prohibited.
24. Electrical transformers and associated bollards shall be delineated on the site plan, landscape plan and utility plan. This equipment shall be appropriately screened from view, should not be placed adjacent to public areas and shall not encroach into required planters and/or parking stalls. The location of this equipment shall be

subject to the review and approval of the Zoning Administrator and shall correspond with the utility company's approved location.

25. The project shall comply with all Federal, State and local laws and policies, including: the California Government Code (including the Planning, Zoning and Development Laws), Environmental Quality Act (CEQA), Subdivision Map Act, International Building Code, Green Code, Fire Code; and, Victorville General Plan and Municipal Code; unless permitted to deviate through provisions of such, or through adopted mitigation measures, conditions of approval, or the plans themselves.
26. The proposed development is required to mitigate its ongoing economic impacts that require the provision of additional municipal services. To mitigate ongoing economic impacts created by new development, the City is preparing to form a Community Facilities District (CFD) to fund the ongoing costs of City services permitted by the CFD, including such services as public safety, street/sidewalk maintenance, and other eligible service impacts. Once formed, the City CFD will have established a uniform, standardized City-wide rate structure that will apply to new developments. If the City forms said CFD prior to the recordation of a final map or issuance of a building permit for the proposed development, the Developer shall annex the subject site into the CFD or shall establish a funding mechanism to provide an ongoing source of funds for the additional services comparable to the uniform standardized City-wide rate established in the CFD Resolution and associated Financial Impact Analysis report.
27. The handling and disposal of construction and demolition waste for the project shall comply with 6.36.040 of the Victorville Municipal Code. In summary, only the City of Victorville's employees working in their official capacity and the City's waste handling contractor, Victorville Disposal (Burrtec Waste), are authorized to provide solid waste handling services from any and all premises in the City; and no person other than those above specified shall provide solid waste handling services, convey or transport any solid waste material in, along or over any public street, alley or highway in the City, with the exception of solid waste removed from any premises by the waste generator, and which is transported personally by such waste generator (or his/her employees) to a processing or disposal facility in a manner consistent with all applicable laws and regulations, utilizing equipment owned and/or leased by the waste generator.
28. The applicant/developer shall implement Mojave Desert Air Quality Management District (MDAQMD) fugitive dust best management practices including but not limited to District Rule 403 during grading/construction activities on all non-paved transport roads, access points, and parking areas. Additionally, the applicant/developer shall obtain any miscellaneous permits deemed necessary by the MDAQMD, including but not limited to internal combustion engines with a manufacture's maximum continuous rating greater than 50 brake horsepower.



ENGINEERING CONDITIONS:

29. The developer shall install all improvements required by Section 9.32.040 of the Victorville Municipal Code (including curbs, gutters, sidewalks, pavement widening, drive approaches, street lighting, and drainage facilities) along the street frontages of the project, in accordance with the Standard Specifications for Public Improvements of the City of Victorville. The required street improvements include:
- Commercial sidewalk and commercial driveway approaches along the Dos Palmas Road and Park Avenue frontages.
  - Removal and construction of all non-compliant ADA ramps at the Northeast and Southeast corner of property.
  - Removal and reconstruction of all non-compliant ADA sidewalk panels along the Dos Palmas Road and Park Avenue frontages.
  - Installation of streetlights along the frontages of the property, per City Standards.
  - Installation of curb per City Standard No. S-09 along the alley at the northerly property line.
  - Remove and replace deficient cross gutter in alleyway.
30. Street improvement plans for all required curb, gutter, sidewalks, pavement widening, driveway approaches, street lighting, and other improvements within public right-of-way shall be submitted to the Engineering Department for review and approval by the City Engineer.
31. A signing and striping improvement plan shall be submitted to the Engineering Department for review and approval by the City Engineer.
32. The developer shall install streetlights on decorative marbledite standards along the frontages of the project property as required by the City Engineer. A street lighting plan shall be prepared by the developer's engineer and submitted to the Engineering Department for review and approval by the City Engineer.
33. Prior to the issuance of permits, the developer shall enter into an Improvement Agreement for the completion of all improvements as required by Section 9.32.040 of the Victorville Municipal Code. The improvement agreement shall be secured by one of the forms specified by Section 17.64.060 of the Victorville Municipal Code.
34. The site and public walkways shall be designed and constructed for accessibility in compliance with the guidelines of the Americans with Disabilities Act Standards for Accessible Design and the Standard Specifications for Public Improvements of the City of Victorville.
35. A permit issued from the City's Engineering Department is required prior to commencement of any work performed within public right-of-way and the City's inspection process followed for the connection to and construction of any facilities that are to be dedicated to, owned, and maintained by the City.

36. In accordance with State Water Quality Resources Board requirements, the developer shall implement measures for site design, source control, run-off reduction, storm water treatment and baseline hydro modification as defined by the Phase II Small MS4 Permit. This includes measures installed such that post-development peak storm water runoff discharge rates do not exceed the estimated pre-development rate, and on-site post-construction BMPs for treatment of storm water run-off.
37. The developer shall prepare a water quality management plan for the on-site post-construction BMPs for treatment of storm water run-off. The project property owner shall enter into a maintenance agreement with the City for the water quality management plan.
38. A grading plan/site improvement plan and erosion control plan shall be submitted to the Engineering Department for review and approval. The grading plan shall address all on-site and off-site drainage issues, including nuisance water and flows entering and exiting the site. A final drainage study shall be submitted with the grading plan. The developer shall provide hydrology and hydraulic calculations to size any drainage structure included in the grading plan design.
39. A geotechnical report shall be submitted with and incorporated into the grading plan.
40. Grading operations and construction shall be conducted in a manner and/or measures taken to prevent sand, dust, and debris to blow onto other properties. An adequate dust palliative shall be used at all times. After completion of grading the developer shall maintain the site such that sand, dust and debris do not blow onto other properties.
41. Temporary fencing shall be erected as required by City staff during construction to prevent windblown debris from leaving the project site and to ensure public safety.
42. A water and sewer plan showing proposed connection to existing public facilities and onsite layout is required with the next submittal. The layout may be shown on the site plane in lieu of a separate plan.
- a. The City operates a 12" AC water main on Dos Palmas Road and an 8" AC water main on Park Avenue fronting the parcel. All new domestic, irrigation, and/or fire service(s) shall be per the approved will-serve letter.
  - b. The City operates an 8" VCP sewer on the alley north of the site. Please see Improvement Plan No. SP-00094 for the sewer main plan and profile. Per the plan there are two existing sewer laterals to the proposed project.
43. If landscaped areas equal or exceeds 1,000 square feet than a separate irrigation with an RP devise shall be required. A reduced pressure backflow device per City standard W-39 must be installed behind the domestic water meter serving the site.

A Fire Service Reduced Pressure Detector Assembly per City standard W-28 shall be installed on the fire protection service if on-site protection is required. The developer shall submit plans for water service connections and valves to the Engineering Department for review and approval by the City Engineer. A current water service will-serve letter from Victorville Water District is required with the plan submittal. Water service shall be subject to the conditions within the will serve letter.

44. This project requires a connection to the City's sewage collection system. All improvements shall be installed by the developer in accordance with the Standard Specifications for Public Improvements of the City of Victorville. Sewer improvement plans shall be submitted to the Engineering Department for review and approval by the City Engineer.
45. A permit issued from the City's Engineering Department is required for the connection to the City's sewer and water systems.
46. All public utility distribution lines, including service lines to the site, shall be installed by the developer.
47. The method of installation (trenching or boring) for connections to existing utilities (sewer, water, storm drain, etc.) within paved streets shall be subject to approval by the City Engineer.
48. The developer shall be responsible for all costs (including application, design, and construction fees) incurred due to the relocation of existing utility facilities where such facilities conflict with the improvements associated with this project.
49. Landscaping within the traffic sighting distance triangle at intersections and driveway connections to public streets shall be limited to ground cover only and shall not include shrubs and trees.
50. The developer shall pay any and all fees and charges that may become effective prior to the issuance of a building permit or utility connection and shall pay such fees as a condition of obtaining a building permit.
51. Prior to construction of any improvements or any land disturbance, the developer shall construct temporary drainage facilities and provide erosion control measures as necessary to minimize storm water run-off, erosion, and silt deposition. The developer shall provide an erosion control plan of the Best Management Practices to be implemented during construction. The National Pollutant Discharge Elimination System (NPDES) stormwater permit program requires operators of construction sites one acre or larger (including smaller sites that are part of a larger common plan of development) to obtain an NPDES permit and prepare a Storm Water Pollution Prevention Plan (SWPPP). A copy of the SWPPP, and an erosion control plan shall be submitted to the Engineering Department. All NPDES guidelines must be adhered to, and best management practices followed at all times during construction.

52. A boundary survey must be performed, and property corners verified prior to construction to facilitate the placement of improvements per plan direction. The developer's engineer shall provide a horizontal control plan to the City for review or provide adequate control/dimensioning on the site/grading plan.
53. On-site drainage to streets shall be conveyed through parkway drains or as approved by the City Engineer.
54. An application for plan review and an engineer's construction cost estimate for civil improvements shall be required at the time of initial improvement plan submittal. Payment of plan and map check fees as per the City's Engineering Department Engineering Plan Check Fee Schedule based on the engineer's cost estimate shall be required with the plan submittal.

#### FIRE CONDITIONS:

55. Shall comply with all 2022 California Building and Fire Code requirements based on occupancy classification; and all applicable City of Victorville Fire Prevention Standards.
56. Automatic Fire Sprinkler System(s) are required for the proposed building(s). System shall be monitored. Plans shall be submitted and approved prior to construction and comply with City of Victorville Fire Prevention Standard F-1.
57. Fire Sprinkler Monitoring System(s) is required for the proposed building(s). Plans shall be submitted prior to construction and comply with City of Victorville Fire Prevention Standard F-5.
58. An approved On-Site Private Underground Fire Service Line(s), in accordance with City of Victorville Fire Prevention Standard W-2/F-4 and City of Victorville Water Standard W-28, shall be in-service prior to any combustible materials being located on-site.
59. Required Fire Flow for this project is estimated to be 2,250gpm @20psi for a 4-hour duration at furthest remote hydrant. Contact City of Victorville Cross-Connection Department to assure availability of required fire flow.
60. Knox Box/Key Box is required and shall be provided and installed in accordance with City of Victorville Fire Prevention Standard A-4.
61. Access gates shall be provided with an 'Opticom' receiver capable of opening gates via decoding of the 'Opticom' strobe signal transmitted by Fire, police, and Ambulance units. All access gates shall require mechanical means for opening in event of power failure, shall not impinge on required clear width when fully open, and shall be equipped with Knox Box lock actuation devices. City of Victorville Fire

Prevention Standard A-3. (If applicable)

BUILDING CONDITIONS:

- 62. The project shall comply with all building codes in effect at the time of plan submittal.
- 63. The scope of work indicated will require accessibility upgrades to be included in accordance with Section 11B-202 of the California Building Code.
- 64. Plan check fees for this project will be due, and shall be paid in full, upon submittal of plans to the Building Division. The Building Division may be contacted at (760) 955-5100 for an estimation of these fees. Tools for estimating total permit fees are available on the City's website. Actual amounts owed will be determined upon submittal of the plans via the City's online permit center.