

PLANNING COMMISSION

REGULAR MEETING

Date: November 14, 2019

Time: 6:30 P.M.

COMMISSION MEMBERS

Cody Leis, Chair

Rusty Caldwell, Vice Chair

Kerrie Justice, Commissioner

James Blocker, Commissioner

Sophie Steeno, Commissioner

* - * - * - * - * - *

Chris Borchert, Principal Planner

Braden Holly, Assistant City Attorney



CITY OF HESPERIA

9700 Seventh Avenue

Council Chambers

Hesperia, CA 92345

City Offices: (760) 947-1000

The Planning Commission, in its deliberation, may recommend actions other than those described in this agenda.

Any person affected by, or concerned regarding these proposals may submit written comments to the Planning Division before the Planning Commission hearing, or appear and be heard in support of, or in opposition to, these proposals at the time of the hearing. Any person interested in the proposal may contact the Planning Division at 9700 Seventh Avenue (City Hall), Hesperia, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday, and 7:30 a.m. to 4:30 p.m. on Fridays) or call (760) 947-1200. The pertinent documents will be available for public inspection at the above address.

If you challenge these proposals, the related Negative Declaration and/or Resolution in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact Chris Borchert, Principal Planner (760) 947-1200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.10235.104 ADA Title 11]

Documents produced by the City and distributed less than 72 hours prior to the meeting regarding any item on the Agenda will be made available in the Planning Division, located at 9700 Seventh Avenue during normal business hours or on the City's website.

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AGENDA
HESPERIA PLANNING COMMISSION

As a courtesy, please silence your cell phones, pagers, and other electronic devices while the meeting is in session. Thank you.

Prior to action of the Planning Commission, any member of the audience will have the opportunity to address the legislative body on any item listed on the agenda, including those on the Consent Calendar. PLEASE SUBMIT A COMMENT CARD TO THE COMMISSION SECRETARY WITH THE AGENDA ITEM NUMBER NOTED.

CALL TO ORDER - 6:30 PM

- A. Pledge of Allegiance to the Flag**
- B. Invocation**
- C. Roll Call**

*Cody Leis, Chair
Rusty Caldwell, Vice Chair
James Blocker, Commissioner
Kerrie Justice, Commissioner
Sophie Steeno, Commissioner*

JOINT PUBLIC COMMENTS

Please complete a "Comment Card" and give it to the Commission Secretary. Comments are limited to three (3) minutes per individual. State your name for the record before making your presentation. This request is optional, but very helpful for the follow-up process.

Under the provisions of the Brown Act, the Commission is prohibited from taking action on oral requests. However, Members may respond briefly or refer the communication to staff. The Commission may also request the Commission Secretary to calendar an item related to your communication at a future meeting.

CONSENT CALENDAR

- 1. Page 5 Consideration of the September 12, 2019 Planning Commission Draft Meeting

Minutes Recommended Action:

It is recommended that the Planning Commission approve the Draft Minutes from the Regular Meeting held on September 12, 2019.

Staff Person: Office Assistant, Amanda Malone

Attachments: 09-12-19 PC MINUTES

PUBLIC HEARINGS

- 2. Page 9 Consideration of Specific Plan Amendment SPLA19-00005 to change approximately 105 gross acres from Regional Commercial (RC) to Commercial Industrial Business Park (CIBP)

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2019-25

recommending that the City Council introduce and place on first reading an ordinance approving SPLA19-00005

Staff Person: Senior Planner, Ryan Leonard

Attachments: [Staff Report](#)

[Attachment 1-General Plan Map](#)

[Attachment 2-Aerial Photo](#)

[Attachment 3- Exhibit A](#)

[Resolution No. PC-2019-25](#)

3. Page 17

Consideration of Conditional Use Permit CUP19-00006 for Truck Wash, Repair and Long Term Parking

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2019-26, approving CUP19-00006

Staff Person: Principal Planner, Chris Borchert

Attachments: [Staff Report](#)

[Resolution PC-2019-26](#)

[Attachment 1- General Plan / Specific Plan](#)

[Zoning Attachment 2- Aerial Photo](#)

[Attachment 3- Site Plan](#)

[Attachment 4- Floor Plan](#)

[Attachment 5- Building Elevations](#)

PRINCIPAL PLANNER'S REPORT

The Principal Planner or staff may make announcements or reports concerning items of interest to the Commission and the public.

A. DRC Comments

B. Major Project Update

PLANNING COMMISSION BUSINESS OR REPORTS

The Commission Members may make comments of general interest to the City.

ADJOURNMENT

I, Amanda Malone, Planning Commission Secretary of the City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Wednesday, November 6, 2019 at 5:30 p.m. pursuant to California Government Code §54954.2.

A handwritten signature in black ink that reads "Amanda Malone". The signature is written in a cursive, flowing style.

Amanda Malone,
Planning Commission Secretary

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City of Hesperia Meeting Minutes Planning Commission

City Council Chambers
9700 Seventh Ave.
Hesperia CA, 92345

Thursday, September 12, 2019

6:30 PM

Council Chambers

CALL TO ORDER - 6:30 PM

A. Pledge of Allegiance to the Flag

Pledge was led by Chair Leis

B. Invocation

Invocation was led by Commissioner Blocker

C. Roll Call

Present Chair Cody Leis
 Vice Chair Rusty Caldwell
 Commissioner James Blocker
 Commissioner Kerrie Justice

JOINT PUBLIC COMMENTS

Chair Leis opened the Public Comments at 6:33pm.
There were no Public Comments.
Chair Leis closed the Public Comments at 6:33pm.

CONSENT CALENDAR

1. Consideration of the July 11, 2019 Planning Commission Draft Meeting Minutes

Recommended Action:

It is recommended that the Planning Commission approve the Draft Minutes from the Regular Meeting held on July 11, 2019.

Sponsor: Office Assistant Amanda Malone

A motion was made by Caldwell, seconded by Blocker, that this item be approved. The motion carried by the following vote:

Aye: Vice Chair Rusty Caldwell
Commissioner Kerrie Justice
Commissioner James Blocker

Abstain: Chair Cody Leis

PUBLIC HEARINGS

1. Consideration of Conditional Use Permit CUP19-00007, to construct a 4,450 square foot convenience store that includes the sale of beer, wine and liquor for off-site consumption, and a 4,104 square foot fueling station with 7 fuel islands in conjunction with Variance VAR19-00002 to reduce the 20' required rear yard setback to approximately 12'-8" (APN: 0408-134-03 & 25; Applicant: Circle K Stores, Inc).

Recommended Action:

It is recommended that the Planning Commission adopt Resolution Nos. PC-2019-20 and PC-2019-22, recommending that the City Council approve CUP19-00007 and VAR19-00002.

Sponsors: Senior Planner Ryan Leonard

Senior Planner Ryan Leonard gave a presentation on the project.

William Scarborough, applicant, offered to answer Commission questions.

Chair Cody Leis opened the Public Comments at 6:42pm.

There were no Public Comments.

Chair Cody Leis closed the Public Comments at 6:43pm.

A motion was made by Justice, seconded by Caldwell, that this item be approved. The motion failed by the following vote:

Aye: Commissioner Kerrie Justice
Commissioner Rusty Caldwell

Nay: Chair Cody Leis
Commissioner James Blocker

2. Consideration of Variance VAR19-00003, to allow an accessory building (attached guest house and garage) to exceed the maximum height of 16 feet, when located within 30 feet of a side or rear property line. The building is approximately 17.6 feet in height, 5 feet from the side property line and 10 feet from the rear property line located at 8968 Grapefruit Avenue (Applicant: Heracilio Herrera; APN: 0411-271-18).

Recommended Action:

It is recommended that the Planning Commission adopt Resolution No. PC-2019-21, approving VAR19-00003.

Sponsor: Senior Planner Daniel Alcayaga

Senior Planner Daniel Alcayaga gave a presentation on the project.

Chair Leis recused himself from this item, as his company has worked with Mr. Herrera in the past.

Commissioners discussed concerns with staff.

Vice Chair Rusty Caldwell opened Public Comments at 6:57pm.

Applicant Heracilio Herrera spoke in favor of the project through the assistance of a translator.

Neighbor, Patricia Flynn, spoke in objection of the project.

Ellie Miller spoke in objection of the project

Vice Chair Rusty Caldwell closed the Public Comments at 7:03pm.

A motion was made by Justice, seconded by Blocker, that this item be approved. The motion carried by the following vote:

Aye: Vice Chair Rusty Caldwell
Commissioner Kerrie Justice
Commissioner James Blocker

Abstain: Chair Cody Leis

3. Consideration of General Plan Amendment GPA19-00001, from Rural Residential with a minimum lot size of 2½ acres (RR-2½) to Rural Residential with a minimum lot size of one-acre (RR-1) in conjunction with Tentative Parcel Map TPM19-00004 (PM-20019), to create two parcels from 4.8 gross acres located 300 feet south of Mesquite Street, on the east side of Opal Avenue (Applicant: Mas Tierra, Inc.; APN: 0405-371-37).

Recommended Action:

It is recommended that the Planning Commission adopt Resolution Nos. PC-2019-23 and PC-2019-24, recommending that the City Council approve GPA19-00001 and TPM19-00004.

Sponsor: Senior Planner Daniel Alcayaga

Senior Planner Daniel Alcayaga gave a presentation on the project.

Senior Planner Daniel Alcayaga answered Commission questions.

Chair Cody Leis opened Public Comments at 7:11pm.

There were no Public Comments.

Chair Cody Leis closed Public Comments at 7:11pm.

**A motion was made by Leis, seconded by Caldwell, that this item be approved.
The motion carried by the following vote:**

Aye: Chair Cody Leis
Vice Chair Rusty Caldwell
Commissioner Kerrie Justice
Commissioner James Blocker

PRINCIPAL PLANNER'S REPORT

Principal Planner Chris Borchert gave the Commission an update on current projects.

The Principal Planner or staff may make announcements or reports concerning items of interest to the Commission and the public.

D. DRC Comments

There were no comments.

E. Major Project Update

There were no updates.

PLANNING COMMISSION BUSINESS OR REPORTS

Chair Cody Leis asked for information to be provided to Commission regarding the approval process for alcohol licenses under specific circumstances in order to promote discussion with Council about who the ultimate approval should lie with.

The Commission Members may make comments of general interest or report on their activities as a representative of the Planning Commission.

ADJOURNMENT

Meeting was adjourned at 7:19pm until Thursday, October 10, 2019.

Amanda Malone,
Planning Commission Secretary

Cody Leis,
Chair

City of Hesperia

STAFF REPORT



DATE: November 14, 2019
TO: Planning Commission
FROM: Chris Borchert, Principal Planner
BY: Ryan Leonard, Senior Planner
SUBJECT: Specific Plan Amendment SPLA19-00005; Applicant: City of Hesperia; APNs: 3064-581-01 thru 05, 3064-621-01 & 3064-631-01

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2019-25 recommending that the City Council introduce and place on first reading an ordinance approving SPLA19-00005.

BACKGROUND

Proposal: Staff has initiated a Specific Plan Amendment to change approximately 105 gross acres within the Main Street and Freeway Corridor Specific Plan from Regional Commercial (RC) to Commercial Industrial Business Park (CIBP) (Attachment 1). The CIBP zone would permit service commercial, manufacturing, warehousing, and light industrial uses, mainly conducted in enclosed buildings.

Location: Generally located north of Poplar Street, south of Sultana Street, between Highway 395 and Interstate 15; and at the southeast corner of Poplar Street and Mesa Linda Street (APNs: 3064-581-01 thru 05, 3064-621-01 & 3064-631-01)

General Plan and Land Uses: The project consists of seven (7) vacant parcels that total approximately 105 gross acres. The subject parcels are currently zoned Regional Commercial (RC) within the Main Street and Freeway Corridor Specific Plan (Specific Plan). The surrounding land is designated as noted on Attachment 1. The Stepping Stone Industrial Park is located to the south on the opposite side of Poplar Street. The properties to the north are vacant. Highway 395 is to the west and Interstate 15 is to the east.

ISSUES/ANALYSIS

Land Use: Over the past few months several developers have approached the City and expressed interest in developing the subject parcels. The development proposals range from light industrial uses, manufacturing uses and warehouse distribution centers. Because these types of uses are restricted in the Regional Commercial (RC) zone, staff has informed the prospective developers that a change of zone would be required for a development application to proceed.

Although the City originally planned for the subject parcels to be developed with commercial uses, very little interest has ever been expressed from commercial developers. Furthermore, within the past few years the retail industry has undergone a major shift as traditional brick and mortar retail

uses face stiffening competition from online-only stores. Given that the subject parcels are not located in close proximity to a freeway interchange, and retailers are not building as many “brick and mortar” locations as previously, it is unlikely that the subject parcels would ever be developed with regional-serving commercial uses. For these reasons staff supports the proposed Specific Plan Amendment.

Drainage: Any future development will be required to handle the increase in storm water runoff as a result of construction of a project. Future applicants will be required to submit a drainage study when they apply for a site plan review.

Water and Sewer: The subject parcels have the ability to connect to existing water and sewer lines.

Environmental: The project is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3), where it can be seen with certainty that there is no significant effect on the environment. The proposed Specific Plan Amendment is also exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City’s CEQA Guidelines, as Specific Plan Amendments are exempt if they do not propose to increase the density or intensity allowed in the General Plan. Regional Commercial has a higher impact to services than Commercial Industrial Business Park.

Conclusion: The proposed Specific Plan Amendment will allow future applications to move forward with building and site design for this location. The change from Regional Commercial to Commercial Industrial Business Park is appropriate as retail trends are shrinking the amount of needed square footage and close proximity to freeway interchanges is critical. Furthermore, changing the zoning of the area to Commercial Industrial Business Park (CIBP) will further the City’s goal to attract investment and jobs to the City.

FISCAL IMPACT

None.

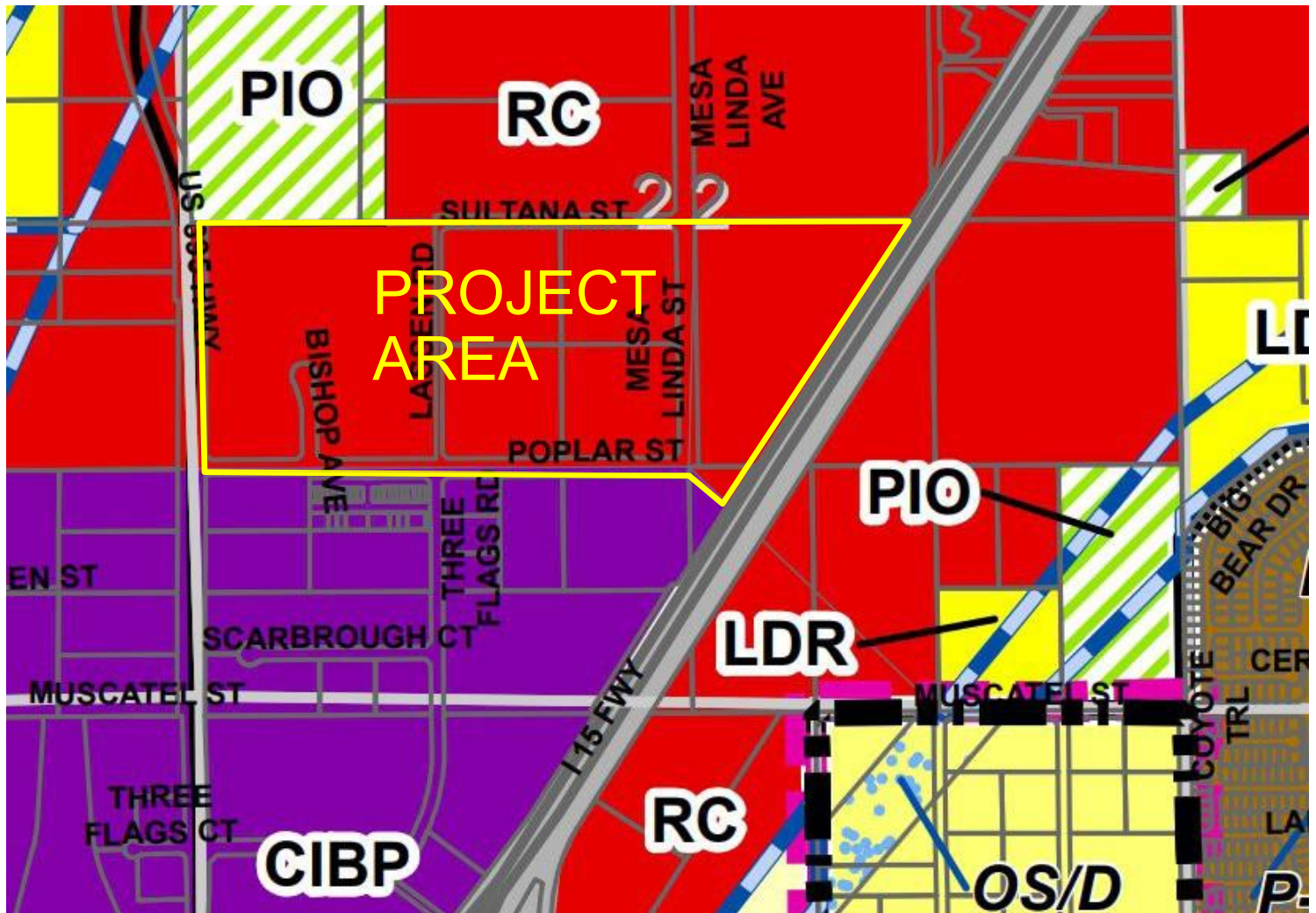
ALTERNATIVE(S)

Provide alternative direction to staff.

ATTACHMENT(S)

1. General Plan Map
2. Aerial Photo
3. Exhibit "A"
4. Resolution No. PC-2019-25

ATTACHMENT 1- General Plan Map



APPLICANT:
CITY OF HESPERIA

FILE NO:
SPLA19-00005

LOCATION:
NORTH OF POPLAR STREET, SOUTH OF SULTANA STREET, BETWEEN
HIGHWAY 395 AND INTERSTATE 15; AND AT THE SOUTHEAST CORNER
OF POPLAR STREET AND MESA LINDA STREET

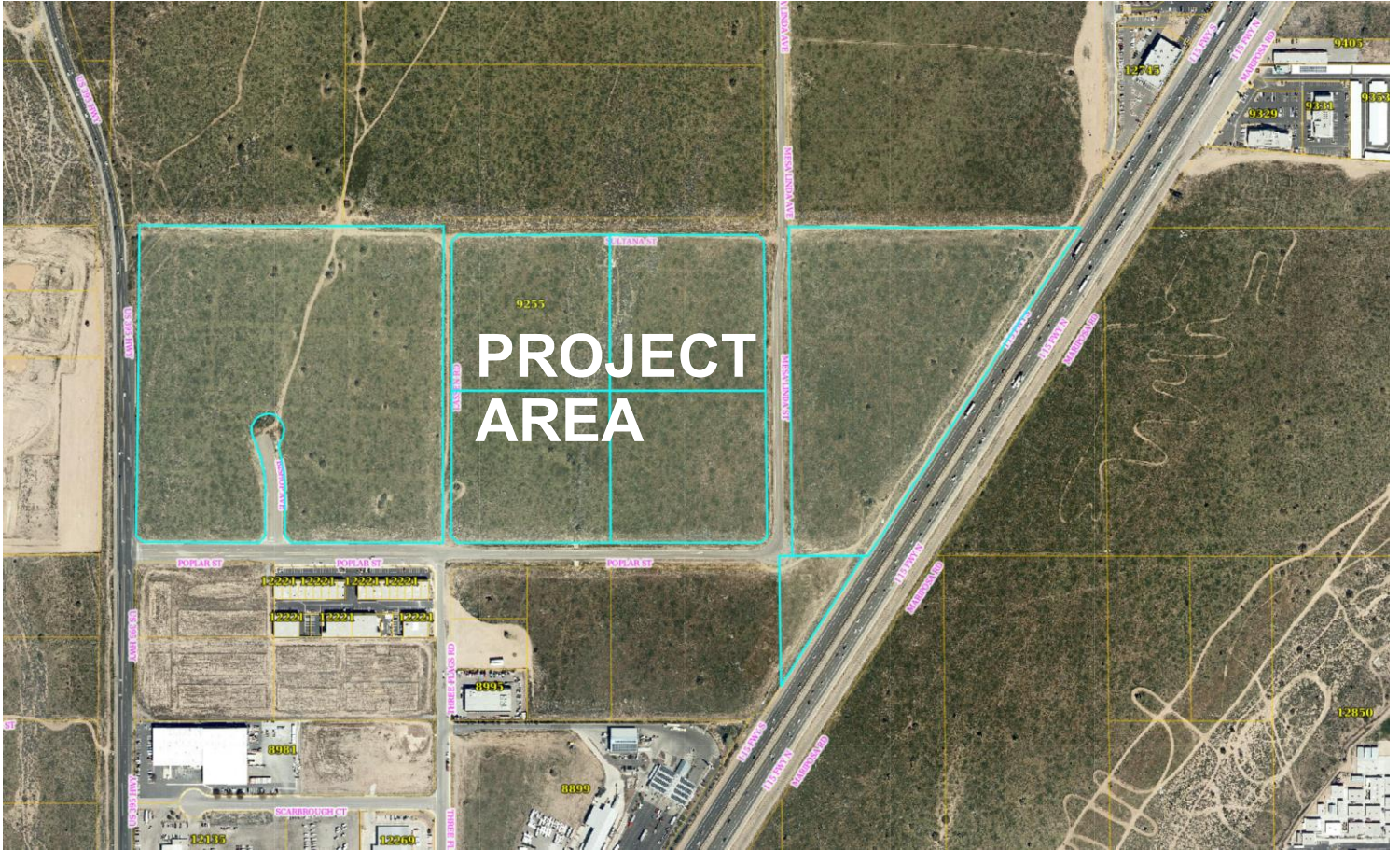
APNs : 3064-581-01 thru 05,
3064-621-01 & 3064-631-01

PROPOSAL:
CHANGE APPROXIMATELY 105 GROSS ACRES FROM REGIONAL COMMERCIAL TO
COMMERCIAL INDUSTRIAL BUSINESS PARK



GENERAL PLAN MAP

ATTACHMENT 2- Aerial Photo



APPLICANT:
CITY OF HESPERIA

FILE NO:
SPLA19-00005

LOCATION:
NORTH OF POPLAR STREET, SOUTH OF SULTANA STREET, BETWEEN
HIGHWAY 395 AND INTERSTATE 15; AND AT THE SOUTHEAST CORNER
OF POPLAR STREET AND MESA LINDA STREET

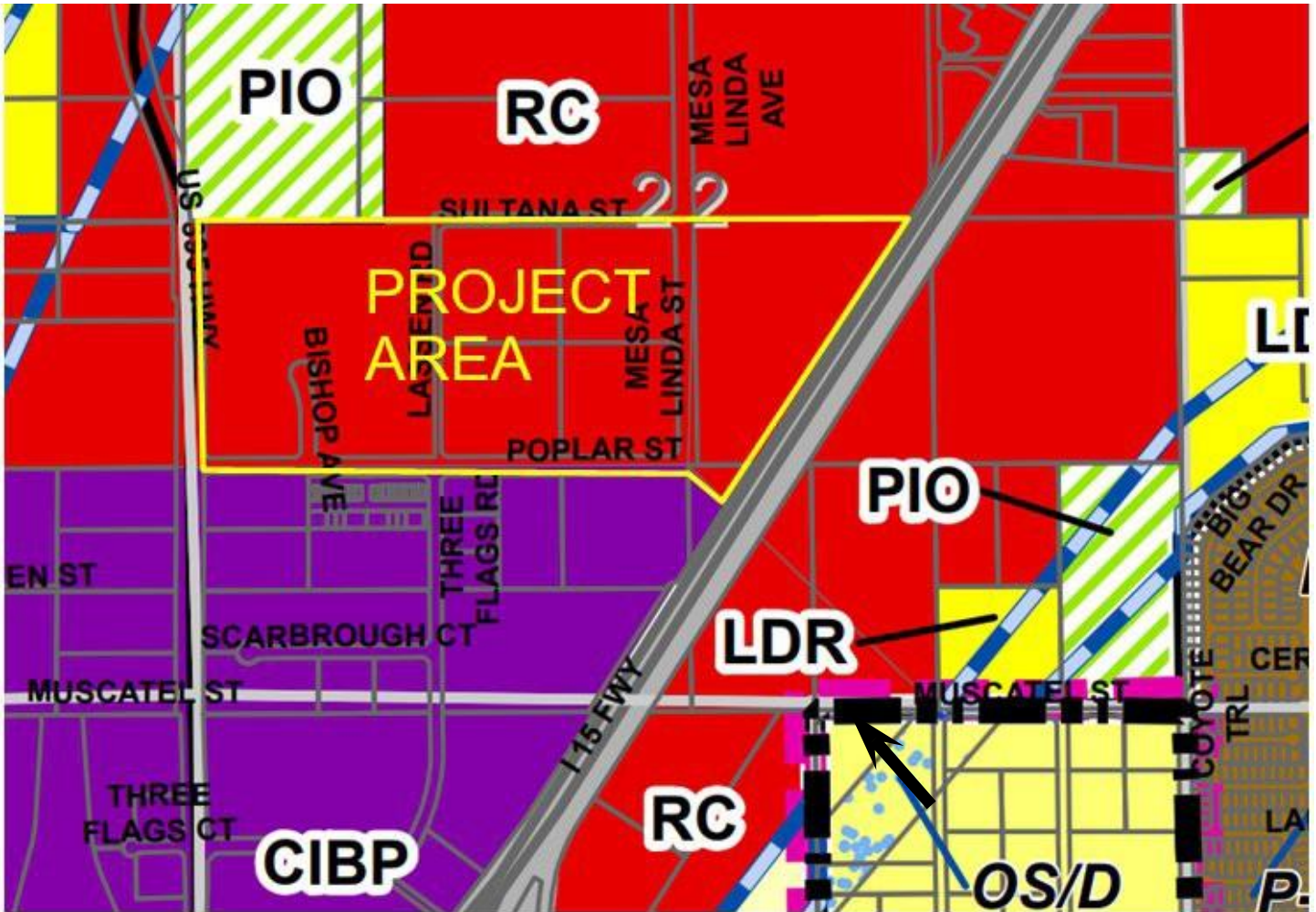
APNs : 3064-581-01 thru 05,
3064-621-01 & 3064-631-01

PROPOSAL:
CHANGE APPROXIMATELY 105 GROSS ACRES FROM REGIONAL COMMERCIAL TO
COMMERCIAL INDUSTRIAL BUSINESS PARK



AERIAL PHOTO

Attachment 3-Exhibit "A"



SPLA19-00005

A SPECIFIC PLAN AMENDMENT to CHANGE APPROXIMATELY 105 GROSS ACRES FROM REGIONAL COMMERCIAL (RC) TO COMMERCIAL INDUSTRIAL BUSINESS PARK (CIBP)

RESOLUTION NO. PC-2019-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT A SPECIFIC PLAN AMENDMENT TO CHANGE APPROXIMATELY 105 GROSS ACRES WITHIN THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN FROM REGIONAL COMMERCIAL (RC) TO COMMERCIAL INDUSTRIAL BUSINESS PARK (CIBP) (SPLA19-00005)

WHEREAS, on January 5, 1998, the City Council of the City of Hesperia adopted Ordinance No. 250, thereby adopting the Hesperia Municipal Code; and

WHEREAS, On September 2, 2008, the City Council of the City of Hesperia adopted Ordinance No. 2008-12, thereby adopting the Main Street and Freeway Corridor Specific Plan; and

WHEREAS, the City of Hesperia has initiated an application for SPLA19-00005 described herein (hereinafter referred to as the "Application") for assessor's parcels 3064-581-01 thru 05, 3064-621-01 & 3064-631-01; and

WHEREAS, the application proposes to change approximately 105 gross acres within the Main Street and Freeway Corridor Specific Plan from Regional Commercial (RC) to Commercial Industrial Business Park (CIBP); and

WHEREAS, there has been very little interest from developers to develop the property with commercial uses due to: 1) a shift in the retail industry as traditional brick and mortar retail uses face stiffening competition from online-only stores, and 2) the subject parcels are not located in close proximity to a freeway interchange; and

WHEREAS, it is unlikely the subject parcels would ever be developed with regional-serving commercial uses and are more likely to be developed with a mix of manufacturing, warehousing and light industrial uses that would otherwise be allowed in the Commercial Industrial Business Park (CIBP) zone; and

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3), where it can be seen with certainty that there is no significant effect on the environment. The proposed Specific Plan Amendment is exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as Specific Plan Amendments are exempt if they do not propose to increase the density or intensity allowed by the General Plan, Regional Commercial uses are more intensive than Commercial Industrial type uses; and

WHEREAS, on November 14, 2019, the Planning Commission of the City of Hesperia conducted a duly noticed public hearing pertaining to the proposed amendment and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA PLANNING COMMISSION AS FOLLOWS:

Section 1. The Planning Commission hereby specifically finds that all of the facts set forth in this Resolution are true and correct.

Section 2. The subject parcels of the proposed Amendment are suitable for the land uses allowed in the Commercial Industrial Business Park zoning classification, and adequate space exists which can meet the standards for setbacks, height, lot coverage, parking and circulation within the proposed Specific Plan designation.

Section 3. The proposed change in zone will not have a significant adverse impact on surrounding properties or the community in general, because the property is north of and adjacent to CIBP to the south, has Highway 395 as a western border and Interstate 15 as an eastern border.

Section 4. Based upon substantial evidence presented to the Commission, including written and oral staff reports, the Commission specifically finds that the proposed Ordinance is consistent with the goals and objectives of the adopted General Plan. The subject parcels are capable of utilizing existing supporting infrastructure and municipal services, as directed by the City's adopted General Plan.

Section 5. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends adoption of Specific Plan Amendment SPLA19-00005, to change approximately 105 gross acres within the Main Street and Freeway Corridor Specific Plan from Regional Commercial (RC) to Commercial Industrial Business Park (CIBP) as shown on Exhibit "A."

Section 6. That the Secretary shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED on this 14th day of November 2019.

Cody Leis, Chair, Planning Commission

ATTEST:

Amanda Malone, Secretary, Planning Commission

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DATE: November 14, 2019
TO: Planning Commission
FROM: Chris Borchert, Principal Planner
SUBJECT: Conditional Use Permit CUP19-00006 for Truck Wash, Repair and Long Term Parking; Applicant: Rajinder Kaur; APN: 3064-591-04

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2019-26, approving CUP19-00006.

BACKGROUND

Proposal: A Conditional Use Permit (CUP) has been filed to construct a 18,462 square foot truck wash and repair facility that includes a 3,100 square foot retail store, 3,100 square feet of office space, 6,000 square feet of truck repair area, and 6,000 square feet of truck wash area along with a 1,200 square foot outdoor wash area and 46 long term truck parking spaces on an approximately 5 gross acre parcel (Attachment 1). The CUP is required for vehicle wash and repair facilities and the overnight parking as ancillary to the primary uses.

Location: On the west side of Three Flags Avenue (Lassen Road) approximately 350 feet south of Poplar Street.

Current General Plan, Zoning and Land Uses: Within the Commercial Industrial Business Park (CIBP) zone of the Main Street and Freeway Corridor Specific Plan. The surrounding land is all designated as Commercial Industrial Business Park as noted on Attachment 2. The site is currently vacant. A light industrial business park is to the immediate north, and various trucking, repair and wash facilities are in the near vicinity. (Attachment 3).

ISSUES/ANALYSIS

Land Use: The building is sited to face Three Flags Avenue with two driveways for access to and around the building (Attachment 4). While this results in the bay doors facing the street, the option of locating the repair and wash bays at the rear created multiple circulation issues around the building. Plus, the location is in a heavy trucking area which has several repair and wash facilities, therefore it is not seen as a negative impact on the area.

Illegal overnight truck parking has been an issue on the west side of the I-15 freeway, this proposal will capitalize on and help alleviate that problem with over 40 spaces dedicated to those truck drivers/owners that do not have a place to park. The driver would leave a personal vehicle in their designated space while using their truck, then swap the vehicles when needed, or be picked up from the property when leaving their truck.

The customer and employee parking area is located to the north, around the office and retail portion of the building. Thirty six spaces are provided based on 6,000 square feet of office and retail and four service bays needing three spaces each.

The main building is proposed to be constructed as concrete tilt-up while the driver's lounge portion will be wood frame construction. The project complies with the architectural requirements of the Specific Plan as the office retail portion is offset from the repair/wash portion providing a wall plane break. The drivers lounge is another break both in wall and roof planes. The concrete tilt-up provides elevated parapet portions, reveals and storefront glass on the retail suite.

The project is currently deficient on landscaping. The minimum required landscape coverage is 5% of the total site and the project provides 6,100 square feet (2.82%) of total landscape coverage. A condition of approval has been included to require additional landscaping to meet the minimum 5% requirement.

Drainage: Runoff created on-site will be conveyed to the retention system bordering the northern and western property lines. The retention system will be sized to handle the additional storm water due to the additional impervious area created by the building and parking lot.

Water and Sewer: The development will connect to an existing 8-inch sewer and an existing 12-inch water line located in Three Flags Avenue.

Environmental: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) by Section 15332, In-fill Development Projects. This exemption applies to developments on sites no larger than five acres, which are consistent with the General Plan and are substantially surrounded by urban uses.

Conclusion: The project conforms to the policies of the City's General Plan as well as the intent of the Specific Plan. In addition, the area is oriented towards trucking with existing repair and wash facilities, fueling, parking and trucking companies.

FISCAL IMPACT

None.

ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENT(S)

1. Resolution No. PC-2019-26
2. General Plan/Specific Plan Zoning
3. Aerial photo
4. Site Plan
5. Floor plan
6. Elevations

RESOLUTION NO. PC-2019-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CUP19- 00006 TO CONSTRUCT AN 18,500 SQUARE FOOT TRUCK SERVICE CENTER THAT INCLUDES A 3,100 SQUARE FOOT RETAIL STORE, 3,100 SQUARE FEET OF OFFICE SPACE, 6,000 SQUARE FEET OF TRUCK REPAIR AREA, AND 6,000 SQUARE FEET OF TRUCK WASH AREA ALONG WITH A 1,200 SQUARE FOOT OUTDOOR WASH AREA AND 66 TRUCK PARKING SPACES ON APPROXIMATELY 5 GROSS ACRES WITHIN THE COMMERCIAL INDUSTRIAL BUSINESS PARK (CIBP) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN

WHEREAS, Rajinder Kaur has filed an application requesting approval of CUP19-00006 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to approximately 5 gross acres located on the west side of Three Flags Avenue approximately 350 feet south of Poplar Street also referenced Assessor's Parcel Number 0357-011-50 & 51; and

WHEREAS, the Application proposes to construct an 18,500 square foot which will include a truck repair and truck washing facilities, both of which require approval of a conditional use permit; and

WHEREAS, the 5 acre site is vacant, an existing light industrial complex is abutting the property to the north, vacant land is located to the south and west, and a truck repair facility is located across Three Flags Avenue to the east; and

WHEREAS, the subject property as well as the surrounding properties are within the Commercial Industrial Business Park (CIBP) Zone of the Main Street and Freeway Corridor Specific Plan (Specific Plan); and

WHEREAS, this project is exempt from the California Environmental Quality Act (CEQA), per Public Resources Code Section 15332, Infill Development Projects, as the site has been previously cleared and rough graded, a traffic analysis was done which found the number of trips did not warrant additional study and is consistent with general plan policies and zoning standards; and

WHEREAS, on November 14, 2019, the Planning Commission of the City of Hesperia conducted a public hearing pertaining to the proposed Application, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA PLANNING COMMISSION AS FOLLOWS:

Section 1. The Planning Commission hereby specifically finds that all of the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to the Planning Commission during the above-referenced November 14, 2019 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The proposed uses of truck repair and wash is a conditionally allowed use within the CIBP Zone of the Specific Plan and complies with all applicable provisions of the Specific Plan and Development Code. The proposed use would not impair the integrity and character of the surrounding neighborhood. The site is suitable for the type and intensity of the use that is proposed.
- (b) The proposed use would not create significant noise, traffic or other conditions or situations that may be objectionable or detrimental to other allowed uses in the vicinity or be adverse to the public convenience, health, safety or general welfare.
- (c) The proposed project is consistent with the goals, policies, standards and maps of the adopted zoning, Specific Plan, Development Code and all applicable codes and ordinances adopted by the City of Hesperia because the project is consistent with the regulations allowing nonresidential uses within the CIBP zone of the Specific Plan. The development is subject to conditions of approval and complies with the standards for landscaping, driveway aisles, parking stall dimensions, building heights, trash enclosure, loading areas, and all other applicable development standards. The project also complies with the Americans with Disabilities Act (ADA), as the required accessible parking spaces and paths of travel will meet the standards within the ADA as well as state and federal handicapped accessible regulations. The development will be constructed pursuant to the California Building and Fire Codes and subsequent adopted amendments.
- (d) The site for the proposed use will have adequate access based upon its frontage along Three Flags Avenue and the driveways which comply with separation and sight distance requirements. There are also general services for sanitation, water and public utilities to ensure the public convenience, health, safety and general welfare. Additionally, the site is currently served with adequate infrastructure to operate without a major extension of infrastructure.
- (e) The proposed project is consistent with the adopted General Plan of the City of Hesperia. The project site is within the CIBP zone of the Main Street and Freeway Corridor Specific Plan. The proposed accessory retail, offices, truck repair and wash are allowable uses with approval of a conditional use permit.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Conditional Use Permit CUP19-00006, subject to the conditions of approval as shown in Attachment "A".

Section 4. That the Secretary shall certify to the adoption of this Resolution.

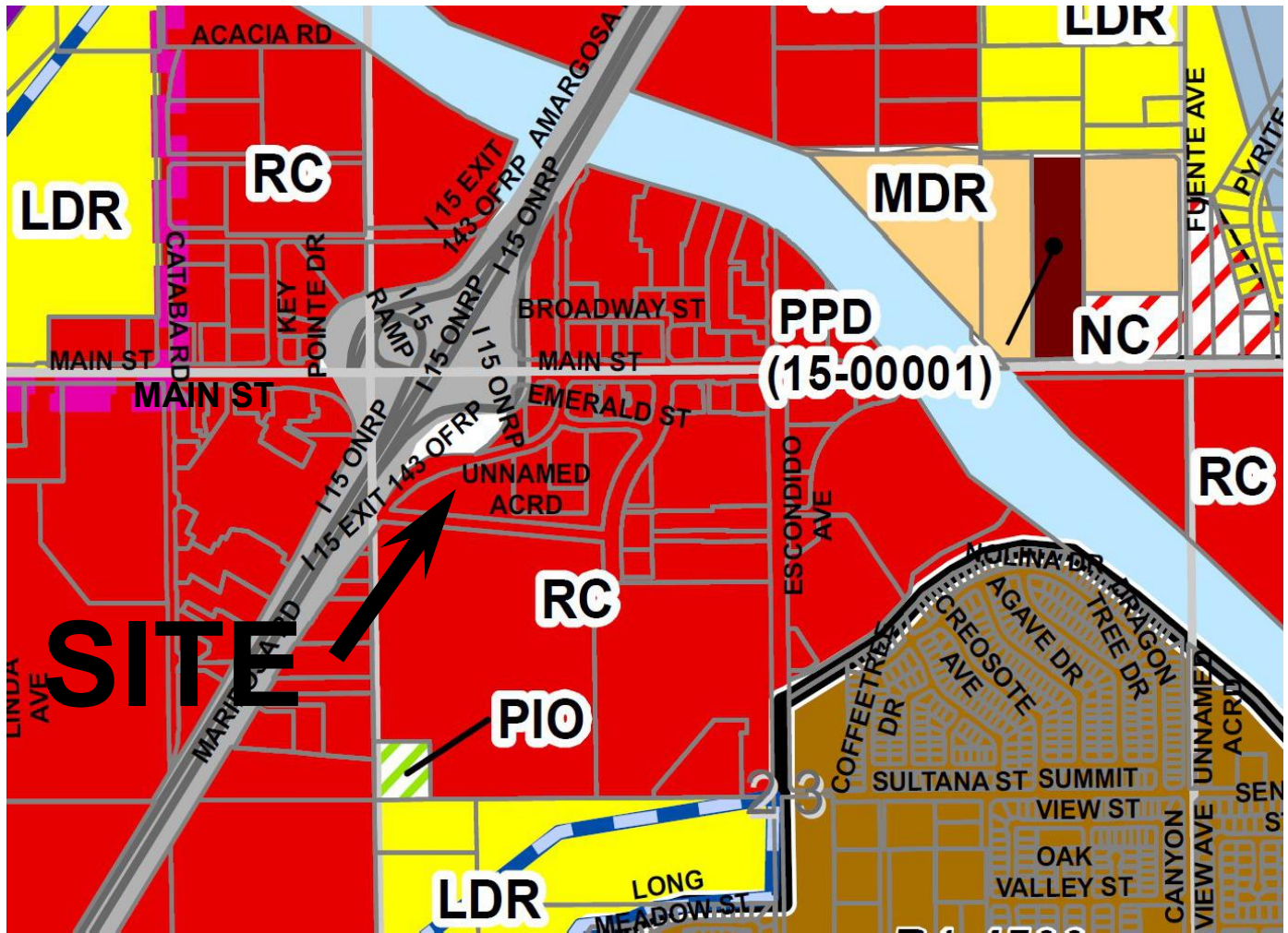
ADOPTED AND APPROVED on this 14th day of November 2019.

Cody Leis, Chair, Planning Commission

ATTEST:

Secretary, Planning Commission

Attachment 1- General Plan Specific Plan Zoning



APPLICANT(S):
PROJECT PASSION RESTAURANT GROUP

FILE NO(S): CUP18-00004

LOCATION:
950 FEET SOUTH OF MAIN STREET ON THE EAST SIDE OF MARIPOSA ROAD

APN(S):
0357-011-50 & 51

PROPOSAL:
A CONDITIONAL USE PERMIT (CUP) TO ALLOW THE SALE OF ALCOHOL IN CONJUNCTION WITH THE PHASE 1 DEVELOPMENT OF AN 8,531 SF TEXAS ROADHOUSE RESTAURANT, AND PHASE 2 DEVELOPMENT OF A 3,000 SF RESTAURANT AND A 100 ROOM HOTEL.



MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN

Attachment 2- Aerial Photo



APPLICANT(S):
RAJINDER KAUR

FILE NO(S): CUP19-00006

LOCATION:

ON THE WEST SIDE OF THREE FLAGS AVENUE APPROXIMATELY 350 FEET SOUTH OF POPLAR STREET

APN(S):

3064-591-04

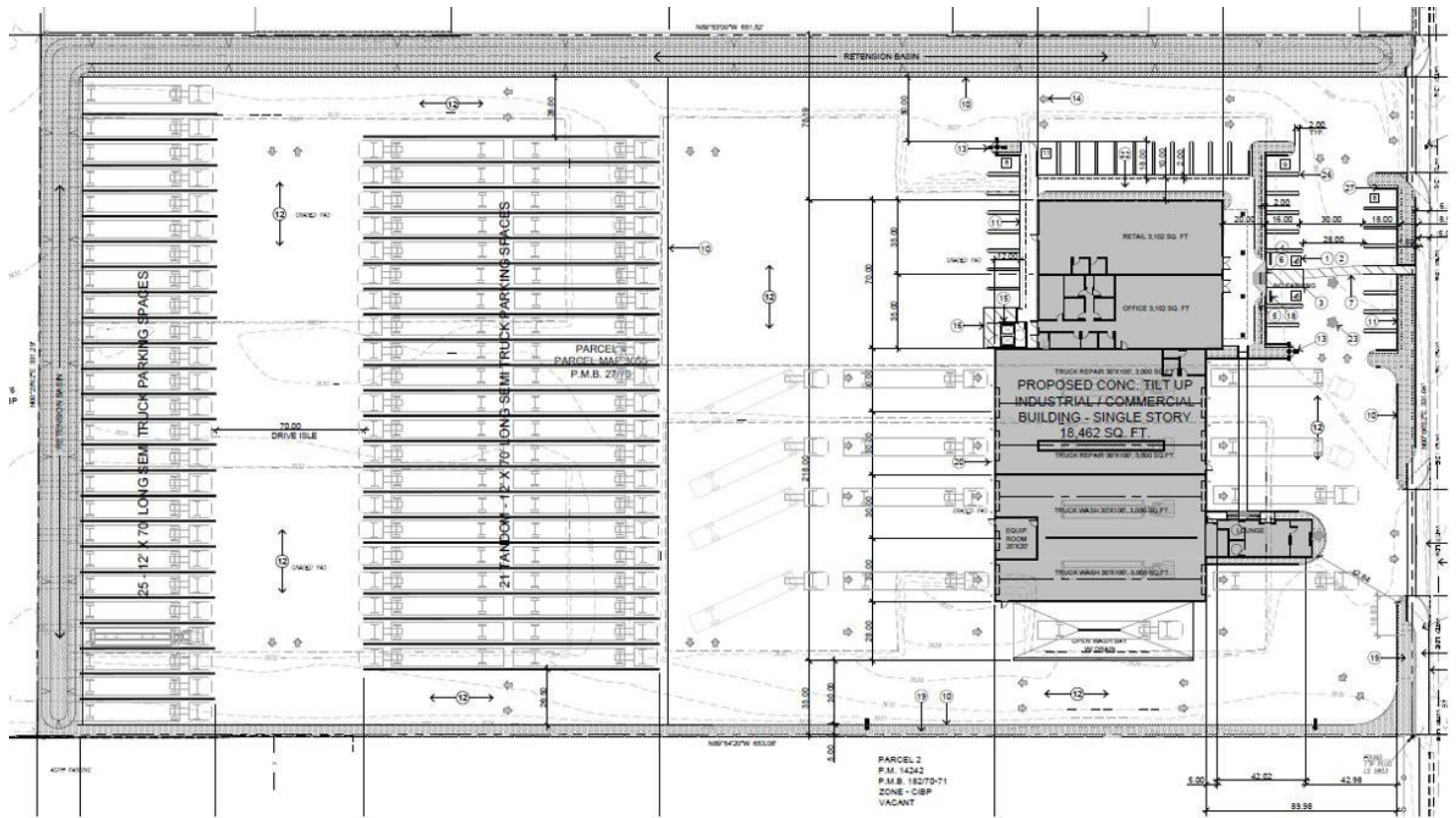
PROPOSAL:

AN 18,500 SQUARE FOOT TRUCK SERVICE CENTER THAT INCLUDES A 3,100 SQUARE FOOT RETAIL STORE, 3,100 SQUARE FEET OF OFFICE SPACE, 6,000 SQUARE FEET OF TRUCK REPAIR AREA, AND 6,000 SQUARE FEET OF TRUCK WASH AREA ALONG WITH A 1,200 SQUARE FOOT OUTDOOR WASH AREA AND 66 TRUCK PARKING SPACES



AERIAL PHOTO

Attachment3- Site Plan



APPLICANT(S):
RAJINDER KAUR

FILE NO(S): CUP19-00006

LOCATION:

ON THE WEST SIDE OF THREE FLAGS AVENUE APPROXIMATELY 350 FEET SOUTH OF POPLAR STREET

APN(S):

3064-591-04

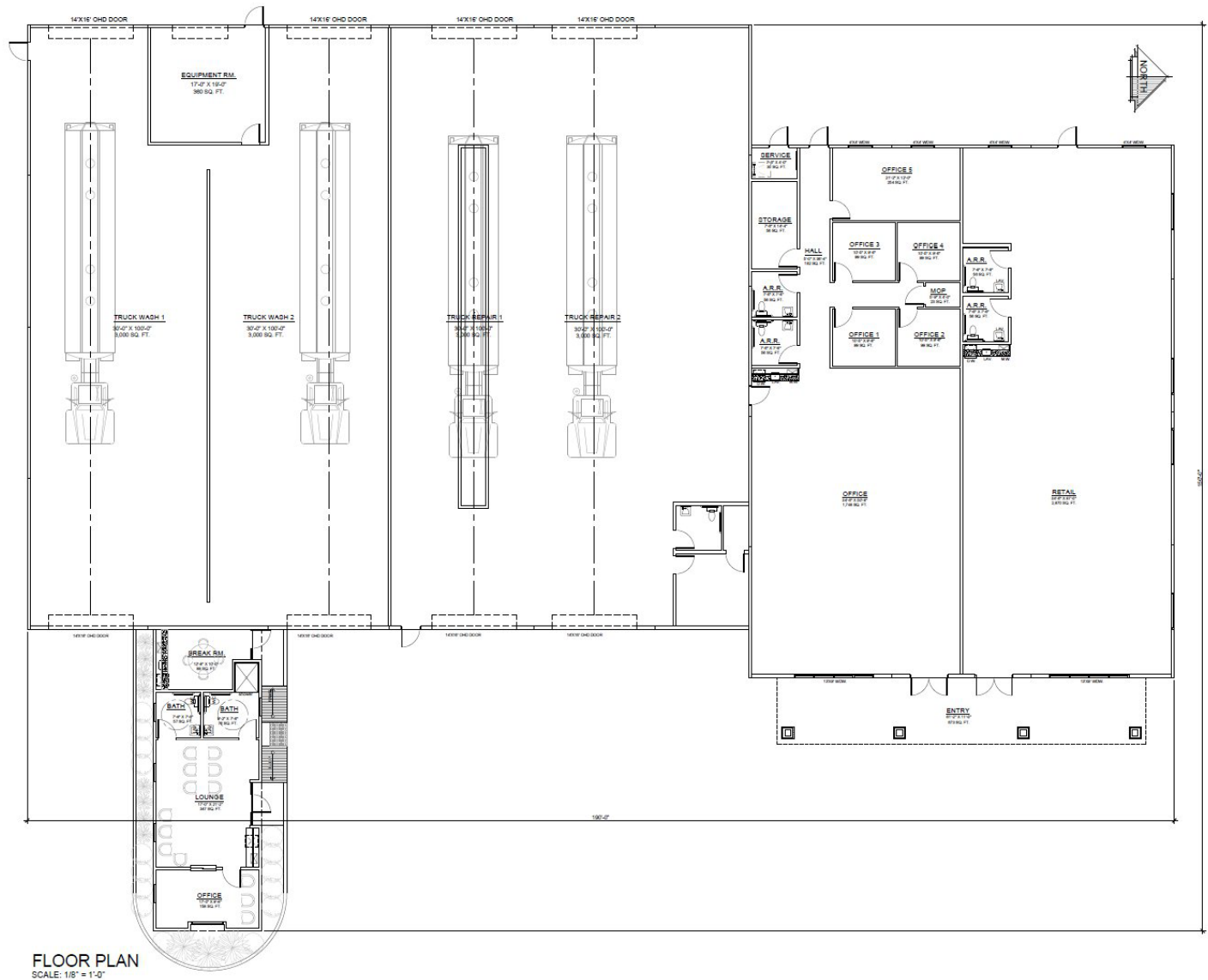
PROPOSAL:

AN 18,500 SQUARE FOOT TRUCK SERVICE CENTER THAT INCLUDES A 3,100 SQUARE FOOT RETAIL STORE, 3,100 SQUARE FEET OF OFFICE SPACE, 6,000 SQUARE FEET OF TRUCK REPAIR AREA, AND 6,000 SQUARE FEET OF TRUCK WASH AREA ALONG WITH A 1,200 SQUARE FOOT OUTDOOR WASH AREA AND 66 TRUCK PARKING SPACES



CUP19-00006 SITE PLAN

Attachment 4- Floor Plan



APPLICANT(S):
RAJINDER KAUR

FILE NO(S): CUP19-00006

LOCATION:

ON THE WEST SIDE OF THREE FLAGS AVENUE APPROXIMATELY 350 FEET SOUTH OF POPLAR STREET

APN(S):

3064-591-04

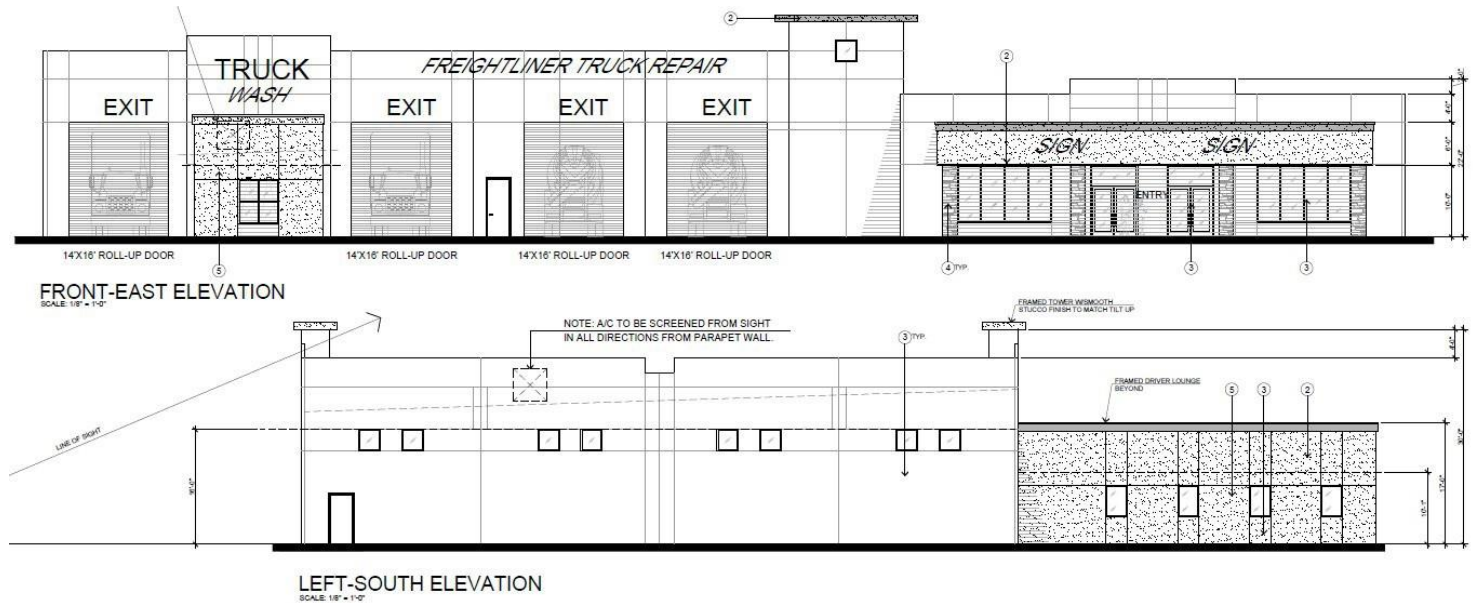
PROPOSAL:

AN 18,500 SQUARE FOOT TRUCK SERVICE CENTER THAT INCLUDES A 3,100 SQUARE FOOT RETAIL STORE, 3,100 SQUARE FEET OF OFFICE SPACE, 6,000 SQUARE FEET OF TRUCK REPAIR AREA, AND 6,000 SQUARE FEET OF TRUCK WASH AREA ALONG WITH A 1,200 SQUARE FOOT OUTDOOR WASH AREA AND 66 TRUCK PARKING SPACES



CUP19-00006 FLOOR PLAN

Attachment 5- Building Elevations



APPLICANT(S):
RAJINDER KAUR

FILE NO(S): CUP19-00006

LOCATION:

ON THE WEST SIDE OF THREE FLAGS AVENUE APPROXIMATELY 350 FEET SOUTH OF POPLAR STREET

APN(S):

3064-591-04

PROPOSAL:

AN 18,500 SQUARE FOOT TRUCK SERVICE CENTER THAT INCLUDES A 3,100 SQUARE FOOT RETAIL STORE, 3,100 SQUARE FEET OF OFFICE SPACE, 6,000 SQUARE FEET OF TRUCK REPAIR AREA, AND 6,000 SQUARE FEET OF TRUCK WASH AREA ALONG WITH A 1,200 SQUARE FOOT OUTDOOR WASH AREA AND 66 TRUCK PARKING SPACES



CUP19-00006 ELEVATIONS