

ATTACHMENT 7

RESOLUTION NO. PC-2024-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AMEND THE OFFICIAL GENERAL PLAN AND ZONING MAP BY RECLASSIFYING CERTAIN REAL PROPERTY HEREIN DESCRIBED WITHIN THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN FROM NEIGHBORHOOD COMMERCIAL (NC) TO COMMERCIAL INDUSTRIAL BUSINESS PARK (CIBP) ON APPROXIMATELY NINE GROSS ACRES LOCATED WEST OF US HIGHWAY 395, APPROXIMATELY 600 FEET NORTH OF PHELAN ROAD (SPLA24-00002)

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

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

WHEREAS, Kiss Logistics Center (Applicant) has filed an application requesting approval of Specific Plan Amendment SPLA24-00002 described herein (hereinafter referred to as Application); and

WHEREAS, approximately 22.1 acres of the site is within the Commercial Industrial Business Park (CIBP) zone of the Specific Plan and approximately nine acres is within the Neighborhood Commercial (NC) zone of the Specific Plan; and

WHEREAS, the project is located west of US Highway 395, approximately 600 feet north of Phelan Road and consists of Assessor's Parcel Number 3064-401-03, 04, and 05; and

WHEREAS, the Application, as contemplated, proposes to change the zoning of approximately nine gross acres (APN 3064-401-05) within the Main Street and Freeway Corridor Specific Plan from Neighborhood Commercial (NC) to Commercial Industrial Business Park (CIBP); and

WHEREAS, the Applicant has also filed an Application requesting approval of CUP22-00017, to construct an approximately 655,468 square foot warehouse building on approximately 31.1 gross acres of vacant land. In conjunction with CUP22-00017 a Specific Plan Amendment has also been filed to change approximately nine acres of the project site from Neighborhood Commercial NC) to Commercial Industrial Business Park (CIBP); and

WHEREAS, the subject site is vacant. Surrounding land uses primarily consist of vacant land; and

WHEREAS, the approximately nine acre parcel (APN 3064-401-05) is currently within the Neighborhood Commercial (NC) zone of the Specific Plan. The land to the north, east and west are within the Commercial Industrial Business Park (CIBP) zone of the Specific Plan. The land to the south is within the Neighborhood Commercial zone of the Specific Plan; and

WHEREAS, on March 28, 2024, the Planning Commission of the City of Hesperia adopted Resolution No. PC-2024-04, recommending that the City Council adopt the environmental findings pursuant to California Environmental Quality Act (CEQA), adopting a Statement of Overriding

Considerations, certifying the Final Environmental Impact Report (SCH #2022110097), and adopting a Mitigation Monitoring and Reporting Plan; and

WHEREAS, on March 28, 2024, the Planning Commission of the City of Hesperia conducted a duly noticed 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 the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to this Commission during the above-referenced March 28, 2024, hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) Based on adoption of Resolution No. PC-2024-04, the Environmental Findings, Statement of Overriding Considerations, Mitigation Monitoring and Reporting have been adopted and the Final Environmental Impact Report (SCH # 2022110097) has been certified pursuant to the California Environmental Quality Act (CEQA) for this project.
- (b) The nine gross acres that are proposed to be changed from Neighborhood Commercial (NC) to Commercial Industrial business Park (CIBP) are suitable for the land uses allowed in the CIBP 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.
- (c) The proposed development will not have a substantial adverse effect on abutting properties, or the permitted use thereof because the proposed project is consistent with the City's General Plan and the Main Street and Freeway Corridor Specific Plan. In addition, each of the uses envisioned under the proposed project is permitted or conditionally permitted in the Commercial Industrial Business Park (CIBP) Zone of the Specific Plan. The project is within an area that is surrounded by properties that are also zoned CIBP and that contain truck-related uses. A Traffic Impact Analysis (TIA) was submitted as part of the land use application, which identifies improvements needed to mitigate the additional traffic from this project. Further, the developer shall participate in the City-wide industrial community facilities district (CFD) to pay for the ongoing maintenance of public infrastructure and services. The developer is also required to pay City Development Impact Fees.

- (d) The proposed project is consistent with the adopted General Plan of the City of Hesperia because an objective in the City's General Plan seeks to "...Promote industrial development within the City which will expand its tax base and provide a range of employment activities, while not adversely impacting the community or environment." The proposed project will expand employment opportunities for City residents and is estimated to provide 549 jobs.
- (e) Based upon substantial evidence presented to the Commission, including written and oral staff reports, the Commission specifically finds that the proposed Resolution is consistent with the goals and objectives of the adopted General Plan. The subject parcel can utilize existing supporting infrastructure and municipal services, as directed by the City's adopted General Plan.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby recommends that the City Council adopt Specific Plan Amendment SPLA24-00002, to change approximately nine gross acres of a 22.1 gross acre site within the Main Street and Freeway Corridor Specific Plan from Neighborhood Commercial (NC) to Commercial Industrial Business Park (CIBP) as shown on in Attachment 2 and 3 of the staff report.

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

ADOPTED AND APPROVED this 28th day of March 2024.

Robert Abreo, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission