

ATTACHMENT 7

PLANNING DIVISION
9700 Seventh Avenue, Hesperia, California 92345
(760) 947-1224 FAX (760) 947-1221
NEGATIVE DECLARATION ND-2016-10
Preparation Date: March 6, 2017

Name or Title of Project: Variance VAR16-00001 and Site Plan Review SPR15-00012.

Location: On the south side of Olive Street between Third Avenue and Hesperia Road (APNs: 0413-162-09, 10, 35 & 36).

Entity or Person Undertaking Project: Olivetree Apartments, LP.

Description of Project: Variance VAR16-00001, to allow a 15-foot street side yard setback and a minimum 10-foot distance between buildings instead of the 25-foot street side yard setback and 15-foot building separation and Site Plan Review SPR15-00012, to construct a 186-unit multi-family development replacing two single-family residences on 22.8 gross acres within the Medium Density Residential (MDR) Zone of the Main Street and Freeway Corridor Specific Plan.

Statement of Findings: The Planning Commission has reviewed the Initial Study for this proposed project and has found that there are no significant adverse environmental impacts to either the man-made or physical environmental setting with inclusion of the following mitigation measures and does hereby direct staff to file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

Mitigation Measures:

1. A pre-construction survey for the burrowing owl shall be conducted by a City approved, licensed biologist, no more than 30 days prior to commencement of grading.
2. Three copies of a protected plant plan shall be submitted to the Building and Safety Division showing the present location and proposed treatment of all smoke tree, species in the Agavaceae family, mesquite, large creosote bushes, Joshua trees, and other plants protected by the State Desert Native Plant Act. Prior to issuance of a grading permit, the grading plan shall require transplanting of all protected plants as specified in the approved protected plant plan.
3. If cultural resources are found during grading, then grading activities shall cease and the applicant shall contract with a City approved archaeologist or paleontologist to monitor grading prior to resuming grading. All cultural resources discovered shall be handled in accordance with state and federal law. A report of all resources discovered as well as the actions taken shall be provided to the City prior to issuance of a Certificate of Occupancy.
4. An acoustical study shall be submitted, addressing the noise impact from the Burlington Northern & Santa Fe Railroad and traffic on the perimeter streets upon the project. The construction techniques of the acoustical study shall be implemented to ensure that interior noise levels within the buildings do not exceed 45 dB (A).

A copy of the Initial Study and other applicable documents used to support the proposed Mitigated Negative Declaration is available for review at the City of Hesperia Planning Department.

Public Review Period: March 10, 2017 through March 30, 2017.

Adopted by the Planning Commission: April 13, 2017.

Attest:

DAVE RENO, AICP, PRINCIPAL PLANNER