

ATTACHMENT 6

RESOLUTION NO. PC-2017-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT A 65,577 SQUARE FOOT CHARTER K-8 SCHOOL ON 15 GROSS ACRES ON THE SOUTHEAST CORNER OF MARIPOSA AVENUE AND EUCALYPTUS STREET (CUP17-00001)

WHEREAS, Pathways to College has filed an application requesting approval of Conditional Use Permit CUP17-00001 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to 15 acres within the Regional Commercial (RC) and Office Professional (OP) Zones of the Main Street and Freeway Corridor Specific Plan, located on the southeast corner of Mariposa Avenue and Eucalyptus Street and consists of Assessor's Parcel Numbers 0405-042-59 & 60; and

WHEREAS, the site is currently undeveloped. The site is surrounded by vacant land to the south, east and west. A single-family neighborhood exists to the north; and

WHEREAS, the land to the south is within the Regional Commercial (RC), General Commercial (C2) and Single-family Residence (R1-18000) Zones. The property to the south is within the Office Professional (OP) Zone. The land to the east is within the Low Density Residential (LDR) Zone. The property to the west is within the RC Zone; and

WHEREAS, an environmental Initial Study for the proposed conditional use permit was completed on June 23, 2017, and no significant adverse impacts were identified. Mitigated Negative Declaration ND-2017-04 was subsequently prepared; and

WHEREAS, on August 10, 2017, the Planning Commission of the City of Hesperia conducted a hearing on the 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 this Commission during the above-referenced August 10, 2017 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The Planning Commission had independently reviewed and analyzed the Mitigated Negative Declaration, and finds that it reflects the independent judgement of the Planning Commission, and that there is no substantial evidence, in light of the whole record, that the project may have a significant effect on the environment.

- (b) The site for the proposed use is adequate in size and shape to accommodate the proposed use because the site can accommodate all proposed improvements in conformance with the development code.
- (c) The proposed use 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 RC and OP Zones of the Main Street and Freeway Corridor Specific Plan.
- (d) 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 of the RC and OP Zones of the Main Street and Freeway Corridor Specific Plan. In addition, the development complies with standards for landscaping, driveway aisles, parking stall dimensions, building heights, fire lanes and turn-around, trash enclosures, and loading areas. The development complies with the Americans with Disabilities Act (ADA) by providing the required accessible parking spaces and path of travel. The development will also be constructed pursuant to the California Building and Fire Codes and adopted amendments.
- (e) The site for the proposed use will have adequate access based upon the site's access from Boxwood Road and Mariposa Avenue, which will be constructed to City standards.
- (f) The proposed project is consistent with the adopted General Plan of the City of Hesperia. The project site is within the RC and OP Zones of the Main Street and Freeway Corridor Specific Plan. A school is an allowable use in the RC and OP Zones 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 CUP17-00001 subject to the conditions of approval as shown in Attachment "A", and Mitigated Negative Declaration ND-2017-04 which is attached to the staff report for this item.

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

ADOPTED AND APPROVED this 10th day of August 2017.

Tom Murphy, Chair, Planning Commission

ATTEST:

Denise Bossard, Secretary, Planning Commission