

City of Hesperia STAFF REPORT



ATTACHMENT 7

DATE: July 11, 2019
TO: Planning Commission
FROM: Chris Borchert, Principal Planner
SUBJECT: Planned Development PPD18-00001, Conditional Use Permit CUP18-00007 (Americana-Hesperia Retirement Project, LLC; APN: 0405-062-56 & 70)

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2019-11, recommending that the City Council introduce and place on first reading an ordinance approving PPD18-00001 and adopt Resolution No. PC-2019-12, recommending approval of CUP18-00007 for the entire development including assisted living facility and alcohol sales.

BACKGROUND

Proposal: The project consists of Planned Development PPD18-00001 and Conditional Use Permit CUP18-00007, to construct a two-story, 160 unit 55+ senior apartment development; a two-story, 192 unit assisted living facility; a 13,462 square foot and 14,820 square foot commercial retail buildings in six phases on 21.55 acres.

Tentative Parcel Map TPMN18-00002 (PM-19940) will create four parcels within the 21 acre site, allowing separate ownership of the senior apartments, the assisted living facility and the two separate retail buildings. An easement will be recorded as part of the parcel map to provide reciprocal access across all parcels within the project. The parcel map was unable to be completed in time to include it with the approvals, it will go through the Development Review Committee process in the near future.

This project is unique in that it will attempt to provide an independent adult senior living community (only persons 55 years or older qualify), where residents have access to many needed services without leaving the development. The project is designed to provide meals, exercise and recreational facilities, medical care, and hair care for those residing within the apartments and assisted living facilities and those seniors visiting. After gaining approval of the western portion of the project in 2015, the City sold the neighboring 10 acres to the applicant for the expansion of the Planned Development. The project required/requires approval of a Planned Development, as the Main Street and Freeway Corridor Specific Plan (Specific Plan) does not allow the proposed intensity of residential development nor the proposed reductions in development standards.

Location: On the north side of Main Street, approximately 250 feet east of the California Aqueduct. (Attachment 1)

Current General Plan, Zoning and Land Uses: The western portion of the property is currently zoned PPD15-00001, and the northern/eastern portion is Medium Density Residential within the Specific Plan. The surrounding land is designated as noted on Attachment 2. The project site, as well as the properties to the north and east are currently vacant. A restaurant and a multi-tenant retail building exist to the south and a commercial mini-storage exists to the west.

ISSUES/ANALYSIS

Planned Development

A Planned Development is similar to a Specific Plan, but on a smaller scale. It allows a submittal based on the following purpose:

The planned development review procedure shall be used for large scale development projects generally below one thousand (1,000) dwelling units where, because of a mixture of uses or because of site constraints, flexibility in design and cohesive planning of the entire site is deemed necessary. Projects exceeding one thousand (1,000) dwelling units, or commercial, industrial or mixed-use projects of size or impacts should be filed as a specific plan. The planned development process provides an alternative site planning process that encourages creative and imaginative design of large-scale, multi- phased residential, commercial or industrial developments, or a mixture of such uses, within the framework of a single development plan. The procedure permits greater regulatory and design flexibility than conventional zoning, in order to achieve a more economical and efficient use of land and a high quality of design.

The project is proposing commercial where it was previously Neighborhood Commercial, and the assisted living and senior apartments are within the Medium Density Residential zone which is appropriate. As stated above, you are allowed “greater regulatory” flexibility in order to “achieve a more economical and efficient use of land and a high quality of design.”

Senior Apartments

The northern 8.78 acres of the subject property will be for 160 senior apartments restricted to those 55 years and older. 128 units are 1 bedroom utilizing the same floor plan, just reversed or “flipped” throughout the buildings. 32 of the units are two-bedroom. Each 1-bedroom unit is listed as 618 square feet, when the minimum living area for a one bedroom is required to be 650 square feet. The 2-bedroom unit is 967 square feet whereas the minimum required is 950 square feet with 2 bathrooms. The Planned Development justifies the reduced floor area since seniors do not require as much additional space for the belongings of children and young adults. Each second story unit has an 86 square foot patio, 14 square feet below the 100 s.f. minimum. The first story units have 100 s.f. patios.

A central driveway and parking in the original design were removed in order to increase the open space and centralize the pool and clubhouse location. The clubhouse is proposed to be 3,621 s.f. and provides a fitness room, bathrooms, office and a large multi-function room with kitchen. The multi-function room opens onto a trellis covered patio, the pool deck, and a 21' by 41' pool. The large open space areas between the units will have various activity areas such as shuffleboard, bocce ball, putting greens and gazebos with picnic tables.

The municipal code requires 1.5 parking spaces for each one bedroom senior apartment and 1.75 spaces for two bedroom units, which equates to 248 spaces. The proposal includes 226 parking spaces, or 1.41 spaces per unit. Additionally, each unit is supposed to have a covered parking stall with storage area. The proposal has 96 full garages, which is 64 short of the code requirement, however, each unit has a storage room accessed from the patio. A condition of approval requires covered parking over the parking on the north side of the project (La Rosa Street) which is an additional 62 spaces.

The Medium Density Residential district has a maximum density of 15 units per acre, the proposal would allow for 18.2 units per acre. This can also be approved through the Planned Development.

The Specific Plan requires a minimum 15-foot separation between buildings. The Planned Development provides 15-foot separations between habitable buildings, but allows garages and other non-habitable structures to be only 10 feet apart.

The architectural design of the apartment buildings comply with many of the guidelines, the main inconsistencies are relating to the length of the buildings and the lack of roof plane variation.

Assisted Living

The center 8.95 acres of the site will be the two story 192 unit senior assisted living facility which will house residents with some type of disability that prevents them from safely living on their own. The facility offers 120 studio and 72 one bedroom options interspersed throughout the building. The studio units are 565 square feet (550 sf required) and the one bedrooms are 792 square feet (650 sf required) and both offer a full kitchen. Nursing stations are strategically located to provide access to the different wings of the building.

The central portion of the facility, or "Wing D", will consist of 9,342 square feet which will house a restaurant, kitchen and dining area on the first floor, and 9,342 square feet of multi-purpose rooms for various activities on the second floor. This facility will be for both residents in the assisted living as well as the senior apartments. Friends and family of the seniors may also dine within the facility during visiting hours.

The conditional use permit approval would allow beer and wine to be sold for on premise consumption within the restaurant/dining areas of Wing D as part of the Planned Development.

The design of the buildings creates centralized landscaped courtyards and the southeast portion of the site is a very large landscaped area that helps to beautify and buffer the units from the adjacent commercial property and Main Street. The buildings exhibit changes in wall and roof planes which contain decorative tile roofing, complimentary earth tone stucco wall colors with columns, arches, insets with decorative tile, corbels, and other enhancements as shown on Attachments 11 and 12.

Review and approval of the project is required from the City as well as from the Office of Statewide Health Planning and Development (OSHPOD) for the assisted living facility.

Commercial / Retail Buildings

The final buildout of the site will include two retail buildings of 13,462 and 14,820 square feet. These sizes, and the building layouts, are assumptions since no tenants are planned at this time. The original plan involved an adult day care and a potential retail pharmacy such as a CVS or Walgreens type use.

The Main Street entrance onto the site will provide access to the retail buildings as well as the Assisted Living facility and will be installed in Phase 1. Both buildings would require the same parking ratio of 1 space per 200 s.f. of building area, and both exceed the minimum requirement.

The conditional use permit approval would also acknowledge the Planned Development to allow beer, wine and liquor sales in the future in one of the buildings, more than likely the retail

pharmacy tenant. Language in the PUD document does not allow liquor stores or small scale convenience store which sell alcohol.

Alcohol Sales

The applicant will file an application for a Type 41 (On-Sale beer and wine) license with the State Department of Alcoholic Beverage Control (ABC) for the proposed restaurant/dining area within phase III. Approval of the Planned Development will take the place of a CUP for the sale of alcoholic beverages.

Table 1 identifies two existing on-sale alcoholic beverage licenses within Census Tract 100.16 (Attachment 13). ABC authorizes this census tract to have four on-sale licenses. Consequently, this area is not over concentrated and the City is not required to make a finding of public convenience and necessity.

Table 1: Existing On-Sale Licenses in Census Tract 100.16

Status	Business Name	Business Address	Type of License
Active	Chipotle Mexican Grill	9770 Mariposa Road	47-Beer, Wine, and Liquor
Active	Shabang Seafood	14466 Main Street	41-Beer and Wine

The commercial buildings may also have a restaurant with alcohol sales located in them as part of the Planned Development document. Having this in the document now, guarantees this right regardless of future development within the census tract.

The Planned Development would also allow for the off-site sales of alcoholic beverages in one of the front commercial/retail buildings, but not in a "liquor" store fashion. Language stating that the alcohol sales cannot be with a small scale convenience store is provided in the Planned Development document. There are currently 5 off-sale alcohol licenses as shown in Table 2.

Table 2: Existing Off-Sale Licenses in Census Tract 100.16

Status	Business Name	Business Address	Type of License
Active	Shell gas station	13100 Main Street	20-Beer and Wine
Active	Chevron gas station	13188 Main Street	21-Beer, Wine, Liquor
Active	Aldi grocery store	13360 Main Street	20-Beer and Wine
Active	Stater Bros grocery store	14466 Main Street	21-Beer, Wine, Liquor
Active	Mobil gas station (Shop n Go)	14518 Main Street	20-Beer and Wine

ABC authorizes this census tract to have 3 off-sale licenses. By approving an alcohol use through the Planned Development, it will be allowed regardless of future development in the census tract. Due to this reasoning, a condition has been added to require the PUD document to be modified to restrict the commercial buildings to only one off-sale alcohol business.

Project Phasing

The entire project is planned to be built over a period of about 8-10 years, depending on many variables. The project is phased from north to south as shown in Table 3, with the senior

apartments being the first two phases, the assisted living facility being phases three and four, and the commercial buildings being phases five and six.

Table 3: Phasing Information

Phase	Use	Number of Dwelling Units/Rooms	Parking Provided
1	Senior Apartments	80 units	47 garages/35 covered/60 uncovered spaces
2	Senior Apartments	80 units	49 garages/27 covered/25 uncovered spaces
3	Assisted Living Facility Wings A, B & D	104 rooms	76 uncovered spaces
4	Assisted Living Facility Wing C	88 rooms	39 uncovered spaces
5	13,462 S.F. Retail		119 uncovered spaces
6	14,820 S.F. Retail		77 uncovered spaces

Drainage: The project shall retain the drainage created on-site beyond that which has occurred historically within an approved drainage system in accordance with City standards. Further, the proposed development is not allowed to concentrate or redirect stormwater flow. Although the site is approximately 800 feet upstream of a major regional drainage flow, the project site is not impacted. Therefore, the site is not impacted by drainage and will not impact properties downstream.

Water and Sewer: The development will be installing and connecting to an existing 8-inch water line in Main Street. The nearest sewer line is located approximately 1,500 feet to the north in Live Oak Street. Therefore, prior to issuance of a grading permit, improvement plans for this sewer connection shall be submitted.

Traffic Impact: Due to the size and nature of the project, a traffic study was prepared and analyzed by the Engineering Division. The requirements for street widths, turn lanes and the future traffic signal at the intersection of Main Street and Fuente Avenue were all based on the traffic study and Circulation Element requirements.

Schools and Parks: Topaz Elementary is located approximately one-mile to the northeast and Hesperia Community Park (Datura) is located approximately one mile to the north.

Environmental: Approval of this development requires adoption of a mitigated negative declaration pursuant to the California Environmental Quality Act (CEQA). The mitigated negative declaration and initial study (Attachment 10) prepared for the development conclude that there are no significant adverse impacts resulting from the project if adhering to five mitigation measures. After consultation with the San Manuel Band of Mission Indians, the mitigated negative declaration and initial study were routed through the State Clearinghouse as SCH# 2019029096 and the review period closed on March 20, 2019 with no agencies commenting. The mitigation measures address the following: a pre-construction survey for the burrowing owl will be conducted prior to issuance of a grading permit; a protected plant plan was also submitted, which ensures

that all transplantable plants protected by the City's Ordinance will be handled in accordance with the City's Protected Plant Ordinance; and cultural resources, if found during grading, will be handled as requested by the San Manuel Band of Mission Indians.

Conclusion: The project proposes multi-family senior apartments (permitted) and assisted living (CUP) where the zoning is/was Medium Density Residential, and commercial buildings where the zoning was Neighborhood Commercial. As stated in the purpose section, the Planned Development is to allow deviations in the regulations for creative, large scale projects with high quality. While not necessarily creative, Staff focused on quality and improvements over the existing Planned Development (PPD15-00001). Many of the previous nonconformities have been eliminated due to the larger site size and changes to the design. We have also worked with the applicant to add architectural details to the buildings, recreational activity areas, driveway pavers, colored stamped concrete and landscaping across the entire site. Staff finds that the project exceeds what would typically be expected and it justifies the density increase, the decrease in apartment sizes, and lack of parking on the senior apartment site.

FISCAL IMPACT

Development will be subject to payment of all development impact fees adopted by the City.

ALTERNATIVE(S)

1. The Planning Commission may disagree with one or more of the provisions within the Planned Development which provide reduced parking spaces and deficiencies for other development standards that allow for the proposed increased intensity of development. For Staff, the biggest deficiency seemed to be covered parking, therefore, we added a condition of approval requiring 62 spaces along the northern property line to be covered, bringing the project into compliance with that aspect.
2. Provide alternative direction to staff.

ATTACHMENT(S)

1. Aerial photo
2. General Plan & zoning map
3. Site Plan
4. 1 Bedroom Senior Apartment Floor Plan
5. 2 Bedroom Senior Apartment Floor Plan
6. Assisted Living Studio Unit Floor Plan
7. Assisted Living 1BR Unit Floor Plan
8. Elevations for Apartments & Assisted Living
9. Negative Declaration ND18-02 with the Initial Study
10. Resolution No. PC-2019-11 with Exhibit "A" (PPD18-00001)
11. Resolution No. PC-2019-12, with list of conditions (CUP18-00007)