

# ATTACHMENT 9

## RESOLUTION NO. PC-2020-09

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A SITE PLAN REVIEW TO CONSTRUCT A 123,132 SQUARE FOOT MANUFACTURING BUILDING, A 19,600 SQUARE FOOT STORAGE BUILDING, AND A 8,865 SQUARE FOOT OFFICE BUILDING ON APPROXIMATELY 9.5 GROSS ACRES WITHIN THE COMMERCIAL/INDUSTRIAL BUSINESS PARK ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN (SPR19-00015)**

**WHEREAS**, 395 LLC has filed an application requesting approval of SPR19-00015 described herein (hereinafter referred to as "Application"); and

**WHEREAS**, the Application applies to approximately 9.4 gross acres located on the southeast corner of Highway 395 and Poplar Street and consists of Assessor's Parcel Number 3064-591-01 & 03; and

**WHEREAS**, the Application proposes to construct a 123,132 square foot manufacturing building, a 19,600 square foot storage building, and an 8,865 square foot administrative office building; and

**WHEREAS**, the applicant has also filed an application requesting approval of a Variance (VAR20-00001), to exceed the 0.35 maximum floor area ratio (FAR) requirement; and

**WHEREAS**, the 9.6 acre site is vacant, existing light industrial uses are adjacent to the east and to the south, vacant land is located to the north and west of the site; 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**, an environmental Initial Study for the proposed project was circulated to the State Clearinghouse, responsible agencies, and other interested parties for a 30-day public review period from February 10, 2020 through March 11, 2020 and was re-circulated for another 30-day public review period from May 12, 2020 through June 11, 2020;

**WHEREAS**, the environmental Initial Study for the proposed project determined that no significant adverse environmental impacts to either the man-made or physical environmental setting would occur with the inclusion of mitigation measures. Mitigated Negative Declaration ND19-00006 was subsequently prepared; and

**WHEREAS**, during the 30-day public review period from February 10, 2020 through March 11, 2020 comment letters were received from two State agencies (the Department of Water Resources and the Department of Fish and Wildlife), and the San Manuel Band of Mission Indians; and

**WHEREAS**, during the subsequent 30-day public review from May 12, 2020 through June 11, 2020 one comment letter was received from Lozeau Drury, LLP on behalf of "Supporters Alliance for Environmental Responsibility"; and

**WHEREAS**, the Planning Commission has considered Negative Declaration ND19-00006 together with the comments that were received during the public review process and finds on the basis of the whole record before it, that there is no substantial evidence that the proposed project will have a significant effect on the environment, and that Negative Declaration ND19-00006 reflects the independent judgement and analysis of the lead agency (i.e. the City); and

**WHEREAS**, on August 13, 2020, 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 August 13, 2020 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The proposed use of a manufacturing facility under 200,000 square feet is a permitted use within the CIBP Zone of the Specific Plan and complies with all applicable provisions of the Specific Plan and Development Code with approval of Variance VAR20-00001. 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 manufacturing uses within the CIBP zone of the Specific Plan. The development is subject to conditions of approval that ensure that the project will comply with the standards for landscaping, driveway aisles, parking stall dimensions, building heights, trash enclosure, loading areas, and all other applicable development standards. In addition, the project is designed with an on-site underground retention/detention to accommodate the required capacity of a 100-year storm. The project also proposes a Variance in order to exceed the maximum floor area ratio of 0.35 that is allowed within the Specific Plan. As proposed, the project proposes a total building area of 151,597 square feet and a floor ratio of 0.37. The reviewing authority believes that approval of the Variance will not have an adverse effect on abutting properties because the proposal to allow for a 2% increase in the maximum floor area ratio and an additional 8,821 square feet of gross floor area would not generate excessive amounts of traffic or result in any additional environmental impacts.
- (d) The site for the proposed use will have adequate access based upon its frontage along Poplar Street 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 123,132 square foot manufacturing building, 19,600 square foot storage building, and 8,865 square foot administrative office building are allowable uses with approval of a Site Plan Review.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Site Plan Review SPR19-00015, 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 13<sup>th</sup> day of August 2020.

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Cody Leis, Chair, Planning Commission

ATTEST:

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Erin Baum, Secretary, Planning Commission