

ATTACHMENT 5

RESOLUTION NO. PC-2021-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW A SEMI-TRUCK REPAIR AND MAINTENANCE FACILITY AND THE CONSTRUCTION OF A 12,800 SQUARE FOOT TRUCK SERVICE GARAGE ON APPROXIMATELY 5 GROSS ACRES WITHIN THE COMMERCIAL INDUSTRIAL BUSINESS PARK (CIBP) ZONE OF THE MAIN STREET AND FREEWAY CORRIDOR SPECIFIC PLAN LOCATED ON THE NORTH SIDE OF MUSCATEL STREET, APPROXIMATELY 300 FEET EAST OF CALIENTE ROAD (CUP21-00001)

WHEREAS, Loyal Brothers has filed an application requesting approval of CUP21-00001 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to approximately 5 gross acres located on the north side of Muscatel Street, approximately 300 feet east of Caliente Road also referenced Assessor's Parcel Number 3064-561-15; and

WHEREAS, the Application proposes the construction and operation of a semi-truck repair and maintenance facility and a 12,800 square foot truck service garage, which requires approval of a conditional use permit; and

WHEREAS, the 5-acre site is vacant; light industrial and warehouse facilities exist to the south and the properties to the east and west are vacant. The property to the north is vacant but it is improved with a drive approach that serves as the entrance to the former Competitive Edge Motocross Park; 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, the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) by Section 15332, In-fill Development Projects. This exemption applies to developments on sites no larger than five acres, which are consistent with the General Plan and are substantially surrounded by urban uses; and

WHEREAS, on April 8, 2021, 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 April 8, 2021 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The proposed use of a semi-truck repair and maintenance facility is a conditionally permitted use within the CIBP Zone of the Specific Plan

and complies with all applicable provisions of the Specific Plan and Development Code. 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 vehicle repair (major) uses within the CIBP zone of the Specific Plan. The development is subject to conditions of approval and complies with the standards for landscaping, driveway aisles, parking stall dimensions, building heights, trash enclosure, loading areas, and all other applicable development standards. The project also complies with the Americans with Disabilities Act (ADA), as the required accessible parking spaces and paths of travel will meet the standards within the ADA as well as state and federal handicapped accessible regulations. The development will be constructed pursuant to the California Building and Fire Codes and subsequent adopted amendments.
- (d) The site for the proposed use will have adequate access based upon its frontage along Muscatel Street and Aspen Road 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 semi-truck repair and maintenance facility are allowable uses 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 CUP21-00001, 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 8th day of April 2021.

Cody Leis, Chair, Planning Commission

ATTEST:

Maricruz Montes, Secretary, Planning Commission