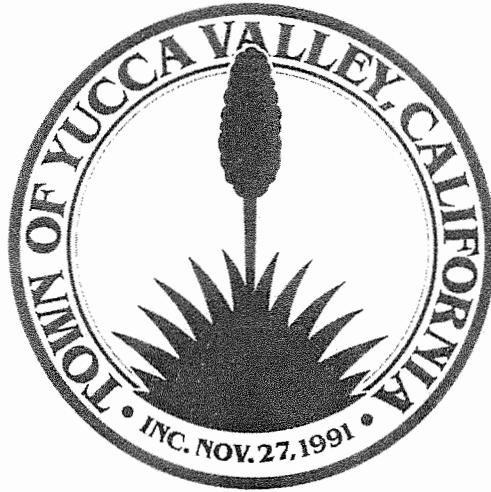


TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING



*The Mission of the Town of Yucca Valley is to
provide a government that is responsive to the needs and
concerns of its diverse citizenry and
ensures a safe and secure environment
while maintaining the highest quality of life*

TUESDAY
FEBRUARY 10, 2015
6:00 p.m.

YUCCA VALLEY COMMUNITY CENTER, YUCCA ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284

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PLANNING COMMISSION MEMBERS

*Vickie Bridenstine, Chair
Steve Whitten, Vice Chair
Jeff Drozd, Commissioner
Jeff Evans, Commissioner
Charles McHenry, Commissioner*

AGENDA

MEETING OF THE TOWN OF YUCCA VALLEY PLANNING COMMISSION 6:00 P.M., TUESDAY, FEBRUARY 10, 2015

The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Town Clerk's office at (760) 369-7209 at least 48 hours prior to the meeting.

If you wish to comment on any subject on the agenda, or any subject not on the agenda during public comments, please fill out a card and give it to the Planning Commission secretary. The Chair will recognize you at the appropriate time. Comment time is limited to 3 minutes.

CALL TO ORDER:

ROLL CALL: Jeff Evans, Commissioner
 Jeff Drozd, Commissioner
 Charles McHenry, Commissioner
 Steve Whitten, Vice Chair
 Vickie Bridenstine, Chair

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Action: Move by _____ 2nd by _____ Roll Call Vote _____

PUBLIC COMMENTS

In order to assist in the orderly and timely conduct of the meeting, the Planning Commission takes this time to consider your comments on items of concern, which are not on the agenda. When you are called to speak, please state your name and community of residence. Please limit your comments to three minutes or less. Inappropriate behavior, which disrupts or otherwise impedes the orderly conduct of the meeting, will result in forfeiture of your public comment privileges. The Planning Commission is prohibited by State law from taking action or discussing items not included on the printed agenda.

DEPARTMENT REPORT:

1. SITE PLAN REVIEW, SPR 02-08 YUCCA PLAZA

A request for a three year extension on an approval for the construction of a 23,056 square foot multi-tenant commercial building on a 1.82 acre lot

RECOMMENDATION: That the Planning Commission approves the request for an extension, expiring on November 18, 2016.

Action: Move by _____ 2nd by _____ Roll Call Vote _____

2. OVERVIEW OF THE GENERAL PLAN AND DEVELOPMENT CODE

RECOMMENDATION: That the Planning Commission receives and files the presentation.

Action: Move by _____ 2nd by _____ Roll Call Vote _____

CONSENT AGENDA:

All items listed on the consent agenda are considered to be routine matters and may be enacted by one motion and a second. There will be no separate discussion of the consent agenda items unless a member of the Planning Commission or Town Staff requests discussion on specific consent calendar items at the beginning of the discussion. Public requests to comment on consent calendar items should be filed with the Planning Commission Secretary before the consent agenda is called.

1. MINUTES

A request that the Planning Commission approves as submitted the minutes of the meetings held on January 13, 2015.

STAFF REPORTS AND COMMENTS:

FUTURE AGENDA ITEMS:

COMMISSIONER REPORTS AND REQUESTS:

Commissioner Evans
Commissioner Drozd
Commissioner McHenry
Vice Chair Whitten
Chair Bridenstine

ANNOUNCEMENTS:

The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, February 24, 2015

ADJOURN

PLANNING COMMISSION STAFF REPORT

To: Honorable Chairman & Commissioners
From: Diane Olsen, Planning Technician
Date: January 06, 2015
For Commission Meeting: February 10, 2015

Subject: Site Plan Review , SPR 02-08 Yucca Plaza
23,056 square foot Multi Tenant Commercial Building on a 1.82 Acre lot
Extension of Time

Prior Commission Review: The Planning Commission reviewed and approved Site Plan Review, SPR 02-08 at the meeting of November 18, 2008.

Recommendation: That the Planning Commission approves the Extension of Time for Site Plan Review, SPR 02-08 for an additional three (3) years, expiring on November 18, 2016

Executive Summary: The Planning Commission approved SPR 02-08 at its meeting of November 18, 2008, expiring on November 18, 2010. The approval was for a 23,056 square foot multi-tenant commercial shopping center with parking, landscaping, and off-site improvements on approximately 1.82 acres, located at the northwest corner of Hanford Avenue and 29 Palms Outer Highway North. The project received an extension of time for three years on July 26, 2011, expiring on November 18, 2013.

Staff is recommending an extension of three (3) years pursuant to Section 9.68.110 of the Development Code

Order of Procedure:

- Request Staff Report
- Request Public Comment
- Commission Discussion/Questions of Staff
- Motion/Second
- Discussion on Motion
- Call the Question (Roll Call Vote)

Discussion: Site Plan Review SPR 02-08 was first approved by the Planning Commission at its meeting of November 18, 2008. One three year extension for the project was granted in 2011, expiring on November 18, 2013.

Because this project expired in 2013, the new expiration date will be November 18, 2016, three years from the previous expiration.

Staff has modified the projects' Conditions of Approval for consistency with current format

for conditions on commercial land development projects, but no additional infrastructure improvements are being required.

Alternatives: None recommended

Fiscal impact: N/A

Attachments:

1. Current Zoning Map and General Plan Map Exhibit
2. Applicant's request
3. Application Materials
4. Staff Report from November 18, 2008
5. Planning Commission Minutes from April 08, 2008, June 03, 2008, November 18, 2008 and July 26, 2011
6. Chapter 9.68, Site Plan and Design Review

**TOWN OF YUCCA VALLEY
CONDITIONS OF APPROVAL
SITE PLAN REVIEW 02-08
YUCCA PLAZA**

This approval is for Site Plan Review, SPR 02-08 Yucca Plaza, to construct an approximately 23,056 square foot multi-tenant commercial building on a 1.82 acre lot. The project is located on the northwest corner of 29 Palms Outer Highway North and Hanford Avenue and is identified as APN 601-411-03.

GENERAL CONDITIONS

- G1. The applicant shall agree to defend, indemnify and hold harmless the Town of Yucca Valley, its agents, officers and employees, at his sole expense, against any action, claim or proceedings brought against the Town or its agents, officers or employees, to attack, set aside, void, or annul this approval or because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with the Town of Yucca Valley Development Code. The applicant shall reimburse the Town, its agents, officers, or employees for any court costs, and attorney's fees which the Town, its agents, officers or employees may be required by a court to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition. The Town shall promptly notify the applicant of any claim, action or proceedings arising from the Town's approval of this project, and the Town shall cooperate in the defense.
- G2. This Site Plan Review shall become null and void if construction has not commenced within three (3) years of the Town of Yucca Valley date of approval. Extensions of time may be granted by the Planning Commission, in conformance with the Town of Yucca Valley Development Code. The applicant is responsible for the initiation of an extension request.

Approval Date: November 18, 2008
Expiration Date: November 18, 2010
1st Extension Expiration: November 18, 2013
2nd Extension Expiration: November 18, 2016

- G3. The applicant shall ascertain and comply with requirements of all State, County, Town and local agencies as are applicable to the project. These include, but are not limited to, County of San Bernardino Environmental Health Services, County of San Bernardino Transportation/Flood Control, County of San Bernardino Fire Department, Yucca Valley Building and Safety, Caltrans, High Desert Water District, Airport Land Use Commission, California Regional Water Quality Control Board, Colorado River Region, the Federal Emergency Management Agency,

MDAQMD-Mojave Desert Air Quality Management District, Community Development, Engineering, and all other Town Departments.

- G4. All conditions are continuing conditions. Failure of the applicant to comply with any or all of said conditions at any time may result in the revocation of any construction permits for the project.
- G5. No on-site or off-site work shall commence without obtaining the appropriate permits for the work required by the Town and the appropriate utilities. The approved permits shall be readily available on the job site for inspection by Town personnel.
- G6. The applicant shall pay all fees charged by the Town as required for application processing, plan checking, construction and/or inspections. The fee amounts shall be those which are applicable and in effect at the time work is undertaken and accomplished. Fees for entitlement prior to construction permits are based on estimated costs for similar projects. Additional fees may be incurred, depending upon the specific project. If additional fees for services are incurred, they must be paid prior to any further processing, consideration, or approval(s).
- G7. All improvements shall be inspected by the Town as appropriate. Any work completed without proper inspection may be subject to removal and replacement under proper inspection.
- G8. All refuse shall be removed from the premises in conformance with Yucca Valley Town Code 33.083.
- G9. During construction, the Applicant shall be responsible to sweep public paved roads adjacent to the project as necessary and as requested by the Town to eliminate any site related dirt and debris within the roadways. During business activities, the applicant shall keep the public right-of-way adjacent to the property in a clean and sanitary condition.
- G10. No staging of construction equipment or parking of worker's vehicles shall be allowed within the public right-of-way of streets or other public improvements that have been accepted into the Town's maintained system
- G11. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB 1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a qualified licensed land surveyor or civil engineer to reset those monuments per Town Standards and file the necessary information with the County Recorder's office as required by law (AB 1414).
- G12. Each phase of the project shall function independently of all other phases. All improvements shall be completed for each phase to ensure that each phase

functions separate from the remainder of the project, and shall include, but not be limited to, street improvements, drainage and retention/detention facilities, water delivery systems, fire suppressions systems, post construction erosion and sediment control systems, all utilities necessary to serve the project, and those improvements deemed necessary by the Town. All phasing plans shall be illustrated on rough and precise grading plans, erosion and sediment control plans, all plan required for obtaining native plant plan approval, and on any other plan as deemed necessary by the Town.

- G13. At least one sign per fronting street shall be posted on the site and must contain the following information: the grading permit number, the project name, map number (if appropriate), the authorized dust controller phone number(s) and the Town phone number. The signs must be obtained and installed by the developer using the sample format to be provided. The signs must be present at the pre-construction meeting or the grading permit will not be issued. The developer must keep the contact name and phone number active and current at all times. Failure of the contact system may be considered grounds for revocation of the permit.
- G14. At the time of permit issuance the applicant shall be responsible for the payment of fees associated with electronic file storage of documents
- G15. The Applicant shall reimburse the Town for the Town's costs incurred in monitoring the developer's compliance with the Conditions of Approval including, but not limited to, inspections and review of developer's operations and activities for compliance with all applicable dust and noise operations. This condition of approval is supplemental and in addition to normal building permit and public improvement permits that may be required pursuant to the Yucca Valley Municipal Code.
- G16. Prior to the issuance of a Certificate of Occupancy for any habitable structure in each phase of the project, all improvements shall be constructed, final inspection performed, punch-list items completed, and all installations approved by the appropriate agency.
- G17. After final plan check by the Town, original mylars (4 mil) shall be submitted to the Town for signature by the Town Engineer. All original mylars submitted for Town Engineer's signature must contain the design engineer's wet signature and stamp and all other required signatures.
- G18. For any import or export of material, the Project proponent shall provide the following for review by the Town Engineer: the route of travel, number of trucks, daily schedule, and length of time required. No hauling of material shall begin without the Town Engineer's approval.

- G19. Prior to any work being performed within the public right-of-way, the Project proponent shall provide the name, address, telephone, facsimile number, and e-mail address of the Contractor to perform the work. A description of the location, purpose, method of construction, and surface and subsurface area of the proposed work shall be supplied. A plat showing the proposed location and dimensions of the excavation and the facilities to be installed, maintained, or repaired in connection with the excavation, shall be provided and such other details as may be required by the Town Engineer.
- G20. The site shall be developed in accordance with the approved plans on file with the Town of Yucca Valley, in accordance with the Conditions of Approval approved for the project, and in accordance with the General Plan and Development Code. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Town.
- G21. Prior to issuances of building permits, all site plans, grading plans, landscape and irrigation plans, drainage/flood control plans, public improvement plans, erosion and sediment control plans, shall be coordinated for consistency with this approval.
- G22. The Town may allow phased construction of the project provided that the improvements necessary to adequately serve or mitigate the impacts of each phase of development are completed prior to the issuance of a Certificate of Occupancy for that phase.
- G23. The applicant or the applicant's successor-in-interest shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust.
- G24. If archaeological, paleontological or historical resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person with appropriate expertise shall be consulted by the applicant regarding mitigation measures to preserve or record the find. Recommendations by the consultant shall be implemented as deemed necessary and feasible by the Town before work commences in the affected area. If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains might be those of a Native American, the California Native American Heritage Commission shall be notified and appropriate measures provided by State law shall be implemented.
- G25. All street dedications shall be irrevocably offered to the public and shall continue in force until the Town accepts or abandons such offers. All dedications shall be free of all encumbrances as approved by the Town Engineer.

- G26. The street design and circulation pattern of this project shall be coordinated with adjoining developments.
- G27. The final conditions of approval issued by the approving authority shall be photographically or electronically placed on bond (blue/black line) paper and included in the Grading and Street Improvement plan sets on 24" x 36" bond (blue/ black line) paper and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field and during construction. Plan check fees shall not be charged for sheets containing the Conditions of Approval.
- G28. Prior to issuance of a certificate of occupancy, the applicant shall submit all improvement plans on compact disks in digital format acceptable to the Town Engineer.
- G29. Violations of any condition or restriction or prohibition set forth in these conditions, including all approved construction plans, public and private, for this project and subject to the Town's overall project approval and these conditions of approval, shall subject the owner, applicant, developer or contractor(s) to the remedies as noted in the Municipal Code. In addition, the Town Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

PLANNING CONDITIONS

- P1. The development of the property shall be in conformance with FEMA and the Town's Floodplain Management Ordinance requirements. Adequate provision shall be made to intercept and conduct the existing tributary drainage flows around or through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to modifying existing facilities or by securing a drainage easement.
- P2. Utility undergrounding shall be in conformance with Ordinance 233, or as amended by Town Council.
- P3. All exterior lighting shall comply with the Ordinance 90, Outdoor Lighting and shall be illustrated on all construction plans.
- P4. A final plan identifying all protected plants as well as a Native Plant Relocation Plan with any area proposed to be disturbed in accordance with the Town's Native Plant Protection Ordinance shall be submitted for approval prior to issuance of any construction permits, including grading and utility installations, for the project. **The applicant shall make every effort to relocate the native plants back onsite. The adoption of native plants shall be consistent with**

the Native Plant Regulations in effect at the time of grading permits. The final native plant plan shall be reviewed and approved by the Planning Commission prior to the issuance of any construction permits for the project site.

- P5. Prior to the issuance of any permits the applicant/owner shall provide three (3) copies of a landscape and irrigation plan showing the size, type and location of all plant and irrigation systems. Said irrigation system shall incorporate a permanent automatic irrigation system, and all landscaping and irrigation systems shall be maintained in good condition at all times. All ground within proposed landscape planter areas shall be provided with approved ground cover. This shall include but not be limited to drought-tolerant plant materials or colored desert rock. The Landscape Plan shall be approved by Hi-Desert Water District. The Landscape and Irrigation review requires a separate application.
- P6. **Parking and on-site circulation requirements shall be provided and maintained as identified on the approved site plan. Areas reserved for access drive and/or fire lanes shall be clearly designated.**
- a) **A minimum of 92 parking spaces shall be provided.**
 - b) **Any occupancy, which requires additional parking that has not been provided for through this Site Plan Review, shall not be approved until a revision is submitted for review and approval showing the additional parking.**
 - c) **All marking to include parking spaces, directional designation, no parking designation and fire lane designations shall be clearly defined and said marking shall be maintained in good condition at all times. The Town Traffic Engineer shall approve all signage and markings for the circulation related signage.**
 - d) **All parking stalls shall be clearly striped and permanently maintained with double or hairpin lines with the two lines being located an equal 9 inches on either side of the stall sidelines. All regular parking stalls be a minimum 9' x 19'.**
- P7. **No signs are approved with this permit. Signs applications shall be made separately for all proposed signage on the property and all signage shall comply with Ordinance 156, or as amended by Town Council.**
- P8. **Construction traffic shall be prohibited from using Diadem Drive.**
- P9. **All roof top mechanical equipment is to be screened from ground and street vistas. This information shall be submitted with plan materials for building permit plan check.**

- P10. The applicant shall provide additional landscape planters to break up the long row of parking on the west side of the building and provide a landscaped planter on the inside of the “L” of the building where the number “11” appears on the site plan.
- P11. The wall along Diadem Drive shall meander to provide adequate landscaping on both sides of the wall.
- P12. A curb, fencing, barrier or a combination shall be provided along the western property line to prevent vehicles from entering the adjacent property.
- P13. The hours of operation shall be limited to 10PM.
- P14. The sale of alcohol is limited to on-site consumption.

ENGINEERING CONDITIONS

- E1. Dedicate and construct full half width improvements (20 feet from centerline) including sidewalk curb, and gutter on Diadem Drive and Hanford Avenue per Town of Yucca Valley Standard Drawing No. 101 and 220.
- E2. Dedicate and construct improvements (55 foot width when measured perpendicularly from the right of way for State Route 62) including sidewalk, curb and gutter on Twentynine Palms Outer Highway
- E3. Install one street light at each of the following locations:
 - The intersection of Diadem Drive and Hanford Avenue per Town of Yucca Valley Standard Drawing 302.
 - The intersection of Hanford and Twentynine Palms Outer Highway per Town Standard 302
- E4. The Applicant’s engineer shall provide a signed and stamped letter certifying that the proposed improvements will not adversely affect the floodway. Pursuant to the Town’s Floodplain Ordinance, not causing an adverse affect means the cumulative effect of the proposed development when combined with all other all other existing and anticipated development will not increase the water surface elevation of the base flood one foot or more. As part of the Floodplain Ordinance the Flood Plain Administrator is required to notify state and federal agencies of development within the floodplain if the Base Flood Elevation is changed due to physical alterations. The Applicants engineer shall be responsible to provide backup information, if requested by such state and federal agencies, supporting his certification.

- E5. Prior to the issuance of a Grading Permit, a Grading Plan prepared by a recognized professional Civil Engineer shall be submitted, and the corresponding fees shall be paid to the Town prior to any grading activity. The rough and precise Grading Plans shall be reviewed and approved by the Town Engineer prior to issuance of grading permits. The applicant/owner is responsible for all fees incurred by the Town. Prior to Certificate of Occupancy, the Engineer-of-Record shall survey and certify that the site grading was completed in substantial conformance with the approved Grading Plans.
- E6. **All manufactured slopes over the height of 3 feet shall be irrigated and landscaped immediately following grading. Prior to issuance of a grading permit for any portion of the site, the applicant/owner shall submit, for review and approval, an irrigation and landscaping plan or other appropriate treatment for all slope areas.**
- E7. The rough grading shall be certified by a civil engineer that it was completed in substantial conformance with the approved rough Grading Plans. Prior to the issuance of any building permits the project Engineer shall certify the finished lot was graded in conformance to approved plans.
- E8. The Engineer-of-Record or other civil engineer shall survey and provide pad certification for the site prior to issuance of building permits.
- E9. Prior to the issuance of Permits, the Applicant shall comply with the recommendations of a site-specific Geotechnical and Soils Report which shall be reviewed and subject to Town approval. The report shall include recommendations for any onsite and offsite grading, foundations, compaction, structures, drainage, and existence of fault zones. It shall include recommendations for retention basins, slope stability and erosion control. The soils engineering report shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, when necessary and opinions and recommendation covering the adequacy of sites for development. The report shall identify if the site contains any areas susceptible to landslide risk, liquefaction potential and/or subsidence potential on the project site. The report shall identify and include the location of major geologic features, topography and drainage, distribution and general nature of rock and soils, a reasonable evaluation and prediction of the performance of any proposed cut or fill in relation to geological conditions, and the capability of soils and substrata to support structures.
- E10. All property corners, lots, easements, street centerlines, and curve radii shall be monumented and horizontally tied to identified control points. A copy of the monumentation survey and centerline tie notes shall be provided to the Town Engineer prior to certificate of occupancy.
- E11. All recommended approved measures identified in the Soils Report shall be incorporated into the project design.

- E12. A retention basin **and/or underground storage system** shall be constructed and functional prior to the issuance of certificate of occupancy for the any structure within the project. The applicant shall provide on-site retention for the incrementally larger flows caused by development of the site, pursuant to a final drainage report, subject to review and approval by the Town Engineer.
- E13. A **final** drainage report, prepared by a registered Civil Engineer, shall be prepared to determine the flows exiting the site under current undeveloped conditions compared to the incrementally larger flows due to the development of the site. The retention basin size will be determined, per County of San Bernardino Flood Control methodology, such that incremental 100 year 24-hour storm volume, plus 10%, is retained on-site.
- E14. In lieu of an engineered drainage report the retention basin and/or underground storage system shall be sized to retain 550 cubic feet of storm water for each 1,000 square feet, and increments thereof, of impervious area proposed (structures, driveways, parking areas, etc.).
- E15. Basin(s) shall be designed to fully dissipate storm waters within a 48 hour period.
- E16. A pre-filtration system shall be installed for all drain lines connected to any underground storage system to collect sediment and hydrocarbon material prior to discharge into the underground system.
- E17 Any grading or drainage onto private off-site or adjacent property shall require a written permission to grade and/or a permission to drain letter from the affected property owner.
- E18. In conjunction with precise grading certification, all retention/detention basins shall be certified by a civil engineer that they have been constructed in substantial conformance with the approved plans, and shall be certified that they have the required capacity and will operate in accordance with the approved drainage reports for the project.
- E19. In conjunction with precise grading certification, all drainage systems, both public and private, shall be certified by a civil engineer that they have been constructed in substantial conformance with the approved plans, and shall be certified that they have the required capacity and will operate in accordance with the approved drainage reports for the project.
- E20. No on-site or off-site work shall commence without obtaining the appropriate permits for the work involved from the Town. The approved permits shall be readily available on the job-site for inspection by the Town personnel.
- E21. All grading activities shall minimize dust through compliance with MDAQMD Rules 402 and 403.
- E22. Prior to issuance of a grading permit, a Fugitive Dust and Erosion and Sediment Control Plan shall be submitted and approved by the Town Engineer. The

Fugitive Dust and Erosion and Sediment Control Plan shall illustrate all proposed phasing for construction of the project.

- E23. Prior to any work being performed in the public right-of-way, fees shall be paid and an encroachment permit shall be obtained from the Town. The Applicant shall apply for an encroachment permit from the Town for utility trenching, utility connection, or any other encroachment onto public right-of-way. The Applicant shall be responsible for the associated costs and arrangements with each public utility.
- E24. The Applicant shall restore any pavement cuts required for installation or extension of utilities for his project within the public right-of-way. In all cases where cuts are allowed, the Applicant is required to patch the cuts to Town standards and the approval of the Town Engineer. The patching shall include a grinding of the pavement to a width 4 feet beyond the edge of the trench on each side, or as determined by the Town Engineer, and replacement with a full-depth asphalt concrete recommended by the Soils Engineer.
- E25. In conjunction with the rough grading plan submittal, street plans prepared by a recognized professional Civil Engineer shall be submitted, and the corresponding fees shall be paid to the Town. The final street plans shall be reviewed and approved by the Town Engineer. The applicant/owner is responsible for all fees incurred by the Town. Prior to Certificate of Occupancy, the Engineer-of-Record shall survey and certify that the site grading was completed in substantial conformance with the approved Grading Plans.
- E26. The Applicant shall accept and properly dispose of all off-site drainage flowing onto or through the site.
- E27. The Applicant shall construct the replacement of any identified damaged curb and gutter, sidewalk, drive approach, asphalt concrete pavement, meter boxes, and other infrastructure that may be required by the Town Engineer or another Agency.
- E28. The Applicant shall install all water and sewer systems required to serve the project. All water and sewer systems shall be completed to the requirements of the Hi Desert Water District.
- E29. The Applicant shall observe the construction of this project to make certain that no damage or potential for damage occurs to adjacent roadway, existing improvements, adjacent property and other infrastructure. The applicant shall be responsible for the repair of any damage occurring to offsite infrastructure and/or property damage as determined by the Town Engineer. The applicant shall repair any such damage prior to certificate of occupancy. If the damage is such that it is not repairable within a reasonable amount of time as determined by the Town Engineer, the applicant may petition the Town Engineer for additional conditions that may allow him the time, amount of surety and other requirements to repair the damage.
- E30. The Applicant shall be responsible for all improvements constructed within the public right-of-way as required by the conditions of approval. The improvements

shall be constructed to the standards and requirements as determined and approved by the Town Engineer. Any improvements not considered to be to the required standards shall be replaced by the Applicant. The Applicant shall be required to maintain and repair those improvements prior to and after acceptance by the Town Council for the length of time required by the applicable conditions, standards and ordinances.

- E31. All improvement plans shall be designed by a Registered Civil Engineer.
- E32. Any area which remains undeveloped for a period of more than 30 days shall be stabilized using either chemical stabilizers or a desert wildflower mix hydroseed on the affected portion of the site.
- E33. Prior to the issuance of any grading permit to disturb, expose or stockpile an aggregate of more than one acre of land, an erosion and sediment control plan for the project shall be submitted to and approved by the Town Engineer.
- E34. The Applicant shall be responsible for inspection, modification, and proper maintenance of the erosion control devices as necessary. If the Applicant fails or refuses to properly maintain the erosion control devices, the Town official may cause emergency maintenance work to be done in order to protect potentially impacted property.
- E35. If construction of erosion control systems outside of the project boundaries is necessary, permission to construct such systems from the owner of such off-site property is required. Plans for the off-site system shall be included with the on-site plans submitted to the Town Engineer. The plans for the off-site erosion control system shall include permission to grade and maintain the erosion control system from all affected property owners and letters of clearance and/or permits from all appropriate governmental entities.
- E36. The Applicant shall submit a post construction erosion and sediment control plan which identifies and illustrates all necessary improvements to prevent the movement and or loss of any soil and sediment materials from the project site, including all individual lots for construction of habitable structures, all slope banks, and all areas of the site capable of resulting in the deposit of soils and sediments with the street or storm drain system. The post construction erosion and sediment improvements shall be certified by a civil engineer that they were constructed in substantial conformance with the approved plans and specifications.
- E37. The septic system shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper. Soil testing for the subsurface disposal system shall meet the requirements of the Department of Environmental Health Services. Applicant shall submit a minimum of three (3) copies of percolation reports for the project site and an appropriate fee to DEHS for review and approval, a copy of the cover sheet with an approval stamp to Building and

Safety Division at the time of building permit application, and two (2) copies of the approved percolation report to the Building and Safety Division at the time of construction plan check. The location of the septic system shall be shown on the project grading plans. **It shall be the developer's responsibility to ensure that the location of the septic system and any proposed underground stormwater collection system meet applicable codes related to separation distances.**

- E38. Prior to the approval of the improvements plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb to curb improvements, and the 100-year storm flow shall be contained within the street right-of-way. When either of these criteria is exceeded, additional drainage facilities shall be installed.
- E39. It is understood that the **Site Plan Review** plans correctly shows all existing easements, traveled ways and drainage courses, and that their omission may require the Site Plan Review plans to be resubmitted for further consideration.
- E40. Private drainage easements for cross-lot drainage shall be dedicated by a separate instrument and delineated on the grading plan.
- E41. A construction area traffic control plan, including temporary and final permanent striping, shall be designed by a registered Civil Engineer or Traffic Engineer for review and approval by the Town Engineer for any street construction, closure, detour or other disruption to traffic circulation.
- E42. All street closures must be approved by Town Council action.
- E43. The following shall information regarding the presence of the Marine Corps Air Ground Combat Center (MGAGCC) shall be recorded on the title of each property contained within the boundaries of the Conditional Use Permit.
- “The Marine Corps Air Ground Combat Center is located in the Morongo Basin. To prepare Marines for future conflicts, the MGAGCC carries out realistic training with military munitions, both day and night. As a result, Military aircraft fly over the area, and military vehicles drive on and off the base every day. This property is located directly under two aircraft flying routes and is located approximately 13 miles from the installation boundary. Consequently, you should expect to hear military training, see low-flying military aircraft, and encounter other experiences associated with the important mission of the MCAGCC”.
- E44. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patters with respect to tributary drainage area and outlet points. Unless otherwise approved by the Town Engineer, lot lines shall be located at the top of slopes.

- E45. Improvement plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the Town Engineer.
- E46. The applicant shall cause to be formed and shall not protest the formation of maintenance district(s) for landscape, lighting, streets, drainage facilities or other infrastructure as required by the Town.
- E47. The applicant shall agree to the terms of and record a non-opposition agreement to the future formation of a public safety assessment district on the property.
- E48. All street improvements shall be constructed with the first phase.

BUILDING AND SAFETY CONDITIONS

- B1. Prior to the delivery of combustible materials, the following items shall be accepted as complete:
 - a. The water system is functional from the source of water past the lots on which permits are being requested (i.e. All services are installed, valves are functional and accessible, etc.); and
 - b. Fire hydrants are accepted by the County Fire Department and the Hi Desert Water District. The fire hydrants associated with each phase shall be functioning prior to issuance of building permits.
- B2. The applicant shall submit three sets of plans to the Building and Safety Dept. for plan check and approval and provide all plans and calculations electronically at the time of plan review.
- B3. At the time of building plan check submittal, the applicant shall provide approval from the San Bernardino County Fire Dept.
- B4. Prior to a Certificate of Occupancy, all required improvements shall be constructed and finalized and accepted by the appropriate agency.
- B5. Obtain California Regional Water Quality Control Board approval for on-site septic/ treatment system if discharge exceeds 2,500 gallons per day.
- B6. Obtain San Bernardino Environmental Health Approval for on-site septic/treatment system.
- B7. Provide required ADA access plan (parking, path of travel, building access, restroom, ADA workspace, etc.).
- B8. All plans to be stamped and wet signed by California Licensed Engineer or Architect.

- B9. All plans shall comply with 2013 California Building Codes including the Green Building Code.

FIRE CONDITIONS

- F1. Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.
- F2. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department.
- F3. The Applicant shall be responsible for all fees required by San Bernardino County Fire Department.
- F4. The Development shall have a minimum of two points of vehicular access. These are for fire/emergency equipment access and evacuation routes.
- F5. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.
- F6. Not less than 2 complete sets of Building Plans shall be submitted to the Fire Department for review and approval.
- F8. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job-site.
- F9. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans (minimum 1/8" scale) shall include hydraulic calculations and manufactures specification sheets. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.

HIGH DESERT WATER DISTRICT CONDITIONS

- H1. Water and sewer improvement plans and plan check fees shall be submitted for review and approval prior to issuance of a building permit
- H2. Landscape plans shall be submitted in accordance with Hi Desert Water District Landscape Ordinance Package if total landscape area exceeds 500 square feet and a separate landscape meter will also be required.
- H3. It is recommended that the developer schedule a meeting with HDWD to discuss project water demand and fire flow requirements in the planning stages. Water pressures in the area may be in excess of 125psi. The installation of pressure regulators on service laterals may be indicated.
- H4. Reduced pressure (RP) backflow devices shall be required for all water connections.
- H5. The fire sprinkler supply service shall be separate from the domestic and landscape services.
- H6. All onsite water mains shall be private.
- H7. The proposed project is within Phase 1 Sewer Area and shall connect to the sewage collection system when constructed.
- H8. An agreement for water service shall be approved by HDWD Board of Directors prior to construction.

I HEREBY CERTIFY THAT THE APPROVED CONDITIONS OF APPROVAL WILL BE SATISFIED PRIOR TO OR AT THE TIMEFRAMES SPECIFIED AS SHOWN ABOVE. I UNDERSTAND THAT FAILURE TO SATISFY ANY ONE OF THESE CONDITIONS WILL PROHIBIT THE ISSUANCE OF ANY PERMIT OR ANY FINAL MAP APPROVAL.

Applicant's Signature _____

Date _____



CURRENT ZONING MAP



CURRENT GENERAL PLAN MAP

NASH MUNES
24091 AZALEA STREET
WILLITS, CA 95490
PHONE: (760) 792-9875
nash.munes@gmail.com

11 7 2014

Town of Yucca Valley
Community Development department
Planning Department
58928 Business Center Drive
Yucca Valley, CA 92284

November 8, 2014

Re: Site Plan Review SPR 02-08
APN 601-411-03.
MIKE AND AIDA ALI

We were granted approval on the Site Plan Review SPR 02-08 in mid 2011. Our intention was to proceed with final engineering and approval to comply with the project conditions of approval and move the project forward to construction.

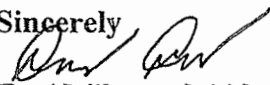
However, with today's economy, we were unable to secure the construction funding necessary to complete the project. It has been difficult time and took us longer time to maintain the sufficient funds to start the construction of the project; this has put the project behind the original schedule.

At this stage, the expiration date for the Conditions of Approval is November 18, 2013 and did not meet the conditions of approval for the project.

Based on the above, we request an extension of a period not to exceed thirty six months to comply with all the conditions of approval.

Your consideration on this matter is highly appreciated. Please do not hesitate to contact me for any questions or concerns.

Sincerely


For/ Mike and Aida Ali
Nash Munès, PE
RCE 67518





Date	23/08	Fee	4,485
Case No.	SPR 02-08	Fee	805
Case No.	GR 01-08	Fee	805
Case No.	HS 01-08	Fee	805
EA No.	12-08	Fee	925

75-01-08 805

- CONDITIONAL USE PERMIT
- SITE PLAN REVIEW
- PLANNED DEVELOPMENT
- TRACT MAP
- PARCEL MAP
- GENERAL PLAN AMENDMENT

(Please Print Legibly)

Applicant MIKE AND AIDA ALI
 Address 405 PACIFIC COST HWY City HUNTINGTON BEACH State CA Zip 92648
 Phone (714) 717-2797 Fax _____ Cell _____
 E-mail Address _____
 Project Name (if any): Yucca Plaza

Contact Person/Representative NASHAT MUWANES / PETRA GROUP, INC
 Address 13840 DOS PALMAS ROAD City VICTORVILLE State CA Zip 92392
 Phone (760) 792-9875 Fax (760) 241-9153 Cell _____
 E-mail Address nash@petraengineering.com

Property Owner SAME AS APPLICANT Phone _____
 Address _____ City _____ State _____ Zip _____
 E-Mail Address _____ Fax _____

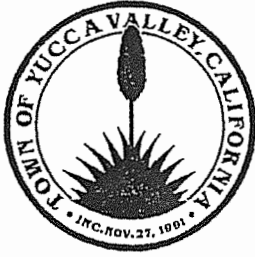
Assessor Parcel Number(s) 0601-411-03 Tract Map # 6572 Lot # pt. 3 & 4
 Property Dimensions 370' x 235 Existing Land Use VACANT
 Structure Square Footage VACANT General Plan Designation/Zoning C-2
 Location: (Example: Address & Street or SW corner of Elk & Onaga or 300 ft N of Paxton on W side of Airway)
NW CORNER 29 PALMS HWY and HANFORD AVE.

Proposed Project Description: Precisely describe the proposed project for which approval is being sought and the application is being submitted. Use additional sheets and attach to application if necessary.
20,707 SF COMMERCIAL DEVELOPMENT

Owner's Signature _____ Date _____

NOTE: THE INFORMATION I HAVE PROVIDED IS TRUE AND OPEN AS PUBLIC INFORMATION. THE PLANNING APPLICATION DOES NOT GUARANTEE APPROVAL OR CONSTITUTE A BUILDING PERMIT APPLICATION. ADDITIONAL FEES MAY BE REQUIRED DEPENDING ON ANY ADDITIONAL ADMINISTRATIVE COSTS.

Applicant's Signature _____ Date _____



Date Received	<u>3-12-08</u>
By	<u>Robert F</u>
Fee	<u>NA</u>
Case #	<u>V-0308</u>

VARIANCE PLANNING APPLICATION

(Print Legibly)

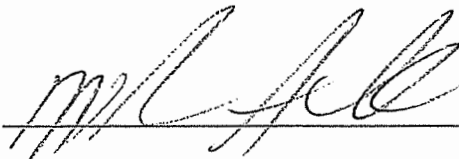
Applicant Mike and Aida Ali Phone _____
Address 405 Pacific Coast RD City Huntington Beach State CA Zip 92648
Contact Person/Representative Nashat Mwanuzi / Petra Gump Phone (714) 792-9875
Address 13840 Dos Palms RD City Victorville State CA Zip 92392
Property Owner Mike and Aida Ali Phone _____
Address Same as above City _____ State _____ Zip _____

Assessor Parcel Number(s) 0601-411-03

Describe Variance Being Requested: Encroachment on side street set back
to be 10' and not 15'

Owner's Signature _____ Date _____

NOTE: THE INFORMATION I HAVE PROVIDED IS TRUE AND OPEN AS PUBLIC INFORMATION. THE PLANNING APPLICATION DOES NOT GUARANTEE APPROVAL OR CONSTITUTE A BUILDING PERMIT APPLICATION. ADDITIONAL FEES MAY BE REQUIRED DEPENDING ON ANY ADDITIONAL ADMINISTRATIVE COSTS.

Applicant's Signature  Date _____

VARIANCE FINDINGS

- 1) Will the granting of this variance be detrimental to other properties or land uses in the area or substantially interfere with the present or future ability to use solar energy systems?

No, there will be no interference to the neighboring properties to use solar energy systems as the building is one-story high and there is a street adjacent to the setback line in which the side street setback variance is requested.

- 2) Are there exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply to other properties in the same district or vicinity?

Yes, this site has a unique design with the parking concealed behind the buildings on the right of way, a pioneer design in the Town of Yucca Valley.

- 3) Will the strict application of the land use district regulations deprive such property of privileges enjoyed by other properties in the vicinity or in the same land use district?

No, the strict application of the land use district regulations will not deprive the property of privileges enjoyed by other properties in the vicinity.

- 4) Is the variance request in conformance with the objectives, policies, and programs specified in the General Plan and any applicable plan?

Yes, the proposed use is within the 40% allowable minor variance in building setback line and is consistent with the goals, objectives and standards of the General Plan and Zoning/Development code.



Date:	_____
By:	_____
Fee:	_____
Case No:	_____
EA No:	_____

CONDITIONAL USE PERMIT

(Please Print Legibly)

Applicant Mike Ali Phone 714 536 0215
 Address 8181 Deauville Dr City H Beach State Ca Zip 92646
 E-mail Address _____ Fax _____
 Project Name (if any): _____

Contact Person/Representative _____ Phone _____
 Address _____ City _____ State _____ Zip _____
 E-mail Address _____ Fax _____

Property Owner Mike Ali Phone _____
 Address 405 P.C.H City H Beach State _____ Zip 92648
 E-Mail Address _____ Fax 714 536 8188

Assessor Parcel Number(s) APN 06141103 Existing Land Use _____
 Property Dimensions _____ General Plan Designation _____
 Structure Square Footage _____ Existing Zoning _____
 Location: (Example: Address & Street or SW corner of Elk & Onaga or 300 ft N of Paxton on W side of Airway)

Proposed Project Description: Precisely describe the proposed project for which approval is being sought and the application is being submitted. Use additional sheets and attach to application if necessary.

Owner's Signature [Signature] Date 12-16-07

NOTE: THE INFORMATION I HAVE PROVIDED IS TRUE AND OPEN AS PUBLIC INFORMATION. THE PLANNING APPLICATION DOES NOT GUARANTEE APPROVAL OR CONSTITUTE A BUILDING PERMIT APPLICATION. ADDITIONAL FEES MAY BE REQUIRED DEPENDING ON ANY ADDITIONAL ADMINISTRATIVE COSTS.

Applicant's Signature [Signature] Date 12-16-07

Town of Yucca Valley
 Community Development/Public Works Department
 58928 Business Center Dr., Yucca Valley, CA 92284
 760 369-6575 Fax 760 228-0084

PROJECT DESCRIPTION

Complete the items below as they pertain to your project. Attach a copy of any plans submitted as part of the project application and any other supplemental information that will assist in the review of the proposed project pursuant to CEQA.

1. Commercial, Industrial, or Institutional Projects:

- A. Specific type of use proposed: GENERAL RETAIL
- B. Gross square footage by each type of use: 20,707 SF
- C. Gross square footage and number of floors of each building: ONE STORY BUILDING
- D. Estimate of employment by shift: + 30
- E. Planned outdoor activities: NONE

2. Percentage of project site covered by:

43.22% Paving, 26.04% Building, 19.61% Landscaping, _____ % Parking AS IN PAVING

3. Maximum height of structures 17 ft. 11 in.
4. Amount and type of off street parking proposed: 95 and 4 DISABLED PARKING
5. How will drainage be accommodated? ONSITE RETENTION
6. Off-site construction (public or private) required to support this project: PAYEMENT, CURB, GUTTER AND SIDEWALKS.
7. Preliminary grading plans estimate 1200 cubic yards of cut and 1600 cubic yards of fill
8. Description of project phasing if applicable: N/A
9. Permits or public agency approvals required for this project: NO
10. Is this project part of a larger project previously reviewed by the Town? If yes, identify the review process and associated project title(s) NO

11. During construction, will the project: (Explain any "yes" or "maybe" responses to questions below – attach extra pages if necessary.)

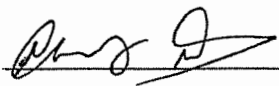
Yes Maybe No

- A. Emit dust, ash, smoke, fumes or odors?
- B. Alter existing drainage patterns?
- C. Create a substantial demand for energy or water?
- D. Discharge water of poor quality?
- E. Increase noise levels on site or for adjoining areas?
- F. Generate abnormally large amounts of solid waste or litter?
- G. Use, produce, store, or dispose of potentially hazardous materials such as toxic or radioactive substances, flammable or explosives?
- H. Require unusually high demands for such services as police, fire, sewer, schools, water, public recreation, etc.
- I. Displace any residential occupants?

Certification

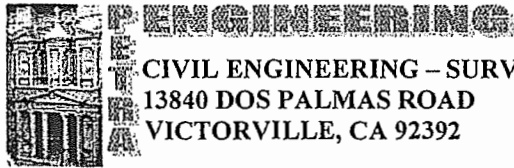
I hereby certify that the information furnished above, and in the attached exhibits, is true and correct to the best of my knowledge and belief.

Signature: _____



Date: _____

01/13/08



CIVIL ENGINEERING – SURVEYING
13840 DOS PALMAS ROAD
VICTORVILLE, CA 92392

PHONE: (760) 792-9875
FAX: (760) 241-9153
www.petraengineering.com

Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284

January 21, 2008

Attn: PLANNING DIVISION

RE: Site Plan Review
Commercial Development- APN 0601-411-03
Mike and Aida Ali

Dear Ladies and Gentlemen,

On behalf of Mike and Aida Ali, and in compliance with the submittal requirements for a Site Plan Review application, I am providing this letter of project description and justification.

This project located on approximately 1.82 acres Northwest corner of Twenty-nine Palms Highway and Hanford Road in the Town of Yucca Valley and is presently vacant. There are no indications that the site has ever been developed.

This proposed project is to seek approval of a Site Plan Review to construct a 20,707 square foot commercial development. The site plan design is focused on the main structure to be viewed from Twenty-nine Palms and Hanford Road with the parking in the back. This was our understanding for the design character the Town wishes to portray.

There will be 99 parking spaces provided and 4 disabled parking spaces. Landscape will be provided along the perimeters of the surrounding streets and within the parking lot.

Landscape area along the Twenty Nine Palms Outer Highway is designated as an outside seating area.

The project site is well served by basic utilities; water, power and telephone. The proposed disposal system will be septic tank.

Following are the Findings to justify and support this project:

Finding:

The proposed development, together with the provisions for its design and improvements are consistent with the General Plan, and is consistent with the Official Land Use District, C-2. The proposed development is also consistent with all of the development policies and standards of the Town.

Finding:

The site is sufficient in size, length, and width for the proposed type and development and the location, size and design of the proposed structures and

improvements are compatible with the site's natural landform, surrounding sites, structures, and streetscapes.

Finding:

The proposed development produces compatible transitions in the scale, bulk, coverage, density and character between adjacent land uses and developed highways.

Finding:

The building site and architectural design is accomplished in an energy efficient manner and does not hinder the ability of any neighboring lots from acquiring solar energy in the future.

Finding:

The materials, textures and details of the proposed construction are compatible with adjacent and neighboring structures because the colors used are neutral pastel colors.

Finding:

The single story development does not unnecessarily block views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use because the building is single story and within the proper setback lines.

Finding:

The amount, location, and design of open space and landscaping conforms to the requirements of the Code, enhances the visual appeal and is compatible with the design and functions of the structure, site and surrounding area because the landscaping is visible from all sides of the building and is also used to enhance the outside dining area.

Finding:

The quality of the architectural design is maintained in order to enhance the visual environment of the Town and to protect the economic value of existing structures. The architecture is designed in a way to enhance the visual appeal from all sides of the lot without having a negative effect on the economic value of existing structures.

Finding:

There are sufficient public facilities, services, and utilities available at the appropriate levels and this development will not have a large effect on their continued availability.

Finding:

Access to the site and circulation on and off-site is safe and convenient for pedestrian, bicyclists, equestrians, and motorists as access to site is sufficient distance from intersections and access on-site is accessible for disabled pedestrians.

Finding:

The proposed development traffic generation will not adversely impact the capacity and physical character of surrounding streets. A traffic study has been prepared and is attached with this submittal.

Finding:

The traffic improvements and/or mitigation measures are provided in a manner adequate to maintain a Level of Service C or better on arterial roads, where applicable, and are consistent with the Circulation Element of the Town General Plan. . A traffic study has been prepared and is attached with this submittal.

Finding:

The proposed development is not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat because no substantial environmental concerns were found during the initial study. A biology study has been prepared and is attached with this submittal.

Finding:

There are no other relevant potentially negative impacts of the proposed development that cannot be mitigated.

Finding:

The impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under it would be operated or maintained will not be detrimental to the public health, safety, and welfare of the community or be materially injurious to properties or improvements in the vicinity or be contrary to the adopted General Plan. All facilities proposed will be maintained in a manner that will not be detrimental to public health, safety or welfare of the community and will be in accordance with the adopted General Plan.

Finding:

The proposed development is consistent with all of the applicable provisions of the Development Code and all applicable Town policies, except approved variances of the Town.

Finding:

The site is sufficient in size, length, and width for the proposed type and development and the location, size and shape of the proposed use and all yards, open spaces, setbacks, walls, fences, parking areas, loading areas, landscaping and other features and are in compliance with zoning and development code requirements of the Town.

Finding:

The site has adequate access and the driveway is wide enough to accommodate traffic entering and exiting the property.

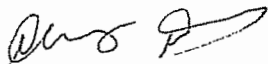
Finding:

The proposed use will not have a substantially adverse effect on abutting properties. The development does not encroach on adjacent properties, increase hydraulic flows onto adjacent properties or otherwise have an adverse effect on abutting properties.

Finding:

The proposed use is consistent with the goals, objectives and standards of the General Plan and Zoning/Development code.

Prepared By:



NASHAT MUWANES, RCE 67518





Date: _____
 By: _____
 Fee: _____
 EA No: _____
 Project No: _____

ENVIRONMENTAL ASSESSMENT APPLICATION

Pursuant to the California Environmental Quality Act (CEQA), the project applicant is to complete this application for review by the Town. Formal processing of the project application will not begin until this Environmental Application is accepted as complete. Please call the Community Development Department at (760) 369-6575 if you have any questions.

(Please Print Legibly)

Applicant Mike Ali Phone 714-717-2797
 Address 8181 Deauville Dr City H Beach State _____ Zip 92646
 E-mail Address _____ Fax 714 536 8188
 Project Name (if any): _____

Contact Person/Representative _____ Phone _____
 Address _____ City _____ State _____ Zip _____
 E-mail Address _____ Fax _____

Property Owner Mike Ali Phone _____
 Address 405 P.O.H City H Beach State Ca Zip 92648
 E-Mail Address _____ Fax 714 536 8188

Assessor Parcel Number(s) APN 060141103 Existing Land Use _____
 Property Dimensions _____ General Plan Designation _____
 Structure Square Footage _____ Existing Zoning _____
 Location: (Example: Address & Street or SW corner of Elk & Onaga or 300 ft N of Faxton on W side of Airway)

Proposed Project Description: Precisely describe the proposed project for which approval is being sought and the application is being submitted. Use additional sheets and attach to application if necessary

Owner's Signature [Signature] Date 12 16 07

NOTE: THE INFORMATION I HAVE PROVIDED IS TRUE AND OPEN AS PUBLIC INFORMATION. THE PLANNING APPLICATION DOES NOT GUARANTEE APPROVAL OR CONSTITUTE A BUILDING PERMIT APPLICATION. ADDITIONAL FEES MAY BE REQUIRED DEPENDING ON ANY ADDITIONAL ADMINISTRATIVE COSTS.

Applicant's Signature [Signature] Date 12 16 07

Town of Yucca Valley
 Community Development/Public Works Department
 56928 Business Center Dr
 Yucca Valley, CA 92284
 760 369-6575 Fax 760 228-0084

ENVIRONMENTAL SETTING

1. Property boundaries, dimensions and area (also attach an 8 1/2" x 11" site plan):
320' x 255', SEE ATTACHED
2. Existing site zoning: C-2
3. Existing General Plan designation: COMMERCIAL
4. Precisely describe the existing use and condition of the site:
VACANT
5. Zoning of adjacent parcel:
 North RS South C-2 East C-2 West C-2
6. Existing General Plan designation of adjacent parcels:
 North RESIDENTIAL South COMMERCIAL East COMMERCIAL West COMMERCIAL
7. Precisely describe existing uses adjacent to the site:
N = SFR, S, W, E — VACANT
8. Describe the plant cover found on the site, including the number and type of all protected plants:
12 JOSHUA TREES, DESERT BUSHES

Note: Explain any "yes" or "maybe" responses to questions below. If the information and responses are insufficient or not complete, the application may be determined incomplete and returned to the applicant.

Yes Maybe No

- | | | | |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Is the Site on filled or slopes of 10% or more or in a canyon? (A geological and/or soils Investigation report is required with this application.) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 10. Has the site been surveyed for historical, paleontological or archaeological resources? (If yes, a copy of the survey report is to accompany this application.) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Is the site within a resource area as identified on the archaeological and historical resource General Plan map? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 12. Does the site contain any unique natural, ecological, or scenic resources? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 13. Do any drainage swales or channels border or cross the site? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 14. Has a traffic study been prepared? (If yes, a copy of the study is to accompany this application.) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 15. Is the site in a flood plain? (See appropriate Federal Insurance Rate Map) |

Planning Commission: November 18, 2008
TOWN OF YUCCA VALLEY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION
STAFF REPORT

Case: SITE PLAN REVIEW, SPR 02-08 YUCCA PLAZA
EXEMPT FROM CEQA, UNDER SECTION 15332, CLASS 32, INFILL
DEVELOPMENT

Request: THE APPLICANT REQUESTS TO CONSTRUCT A 23,056 SQUARE FOOT
MULTI-TENANT COMMERCIAL SHOPPING CENTER WITH PARKING,
LANDSCAPING, AND OFF-SITE IMPROVEMENTS ON APPROXIMATELY
1.82 ACRES AT THE NORTHWEST CORNER OF HANFORD AVENUE
AND 29 PALMS OUTER HIGHWAY NORTH. THE APPLICANT HAS
ELIMINATED THE VARIANCE REQUEST AND FUTURE RESTURANT
PAD FROM PRIOR SITE PLAN PROPOSALS.

Applicant: MIKE AND AIDA ALI
405 PACIFIC COAST HIGHWAY
HUNTINGTON BEACH, CA 92648

Property Owner:
SAME AS ABOVE

Representative:
NASHAT MUWANES
13840 DOS PALMAS ROAD
VICTORVILLE, CA 92392

Location: THE PROJECT IS LOCATED AT NORTH WEST CORNER OF HANFORD
AVENUE AND 29 PALMS OUTER HIGHWAY NORTH AND IS
IDENTIFIED AS APN 601-411-03.

Surrounding Land Use:
NORTH: SINGLE FAMILY RESIDENTIAL
SOUTH: OUTER HIGHWAY/SR 62
WEST: VACANT LAND AND YUCCA BOWL BOWLING ALLEY
EAST: VACANT LAND AND A MINI SELF-STORAGE FACILITY

Existing Land Use:
THE SITE IS CURRENTLY VACANT WITH SCATTERED JOSHUA TREES
AND SCATTERED BRUSH.

Division Approvals:
Engineering _____ Building & Safety _____ Public Works _____

Surrounding General Plan Land Use Designations:

NORTH: RESIDENTIAL SINGLE FAMILY (RS-2)
SOUTH: GENERAL COMMERCIAL (CG)
WEST: GENERAL COMMERCIAL (CG)
EAST: GENERAL COMMERCIAL (CG)

Existing General Land Use Designations:

THE SITE IS CURRENTLY DESIGNATED GENERAL COMMERCIAL (CG).

Surrounding Zoning Designations:

NORTH: RESIDENTIAL SINGLE FAMILY (RS-2)
SOUTH: GENERAL COMMERCIAL (CG)
WEST: GENERAL COMMERCIAL (CG)
EAST: GENERAL COMMERCIAL (CG)

Existing Zoning Designations:

THE PROPERTY IS CURRENTLY ZONED GENERAL COMMERCIAL (CG).

Public Notification:

PURSUANT TO SECTION 83.010330, LEGAL NOTICE IS REQUIRED TO BE GIVEN TO ALL PROPERTY OWNERS WITHIN A THREE (300) HUNDRED FOOT RADIUS OF THE EXTERIOR BOUNDARIES OF THE SUBJECT SITE. AS REQUIRED, THIS PROJECT NOTICE WAS MAILED TO ALL PROPERTY OWNERS WITHIN A 300 FOOT RADIUS OF THE PROJECT SITE ON **OCTOBER 30, 2008 AND PUBLISHED NOVEMBER 5, 2008**. PROPERTY OWNERS WITHIN 300 FEET WERE NOTIFIED. THERE HAS BEEN NO WRITTEN RESPONSE TO THE PUBLIC NOTICE FROM THE PROPERTY OWNERS AT THE WRITING OF THIS STAFF REPORT.

RECOMMENDATIONS:

SITE PLAN REVIEW, SPR 02-08 YUCCA PLAZA: STAFF RECOMMENDS THAT THE PLANNING COMMISSION APPROVE SPR 02-08 BASED UPON THE FINDINGS CONTAINED WITHIN THE STAFF REPORT AND THE RECOMMENDED CONDITIONS OF APPROVAL.

PROJECT MANAGER: Robert Kirschmann, Associate Planner

REVIEWED BY: Shane Stueckle, Deputy Town Manager

Appeal Information:

Actions by the Planning Commission, including any finding that a negative declaration be adopted, may be appealed to the Town Council within 10 calendar days. Appeal filing and processing information may be obtained from the Planning Section of the Community Development Department. Town Staff cannot modify Planning Commission Actions except for substantial conformance determinations.

PROJECT DESCRIPTION: The Applicant proposes to construct a multi-tenant commercial shopping center development totaling 23,056 square feet, with parking and landscaping on approximately 1.82 acres. The total gross leasable area of the retail component consists of a 19,794 square foot single-story, multi-tenant commercial building. The remaining square footage within the retail component is a lobby for gathering, resting, and common use. The previous 1,317 square foot pad site for a future sit down restaurant has been eliminated from the plan. In addition, the Applicant has eliminated the variance request along Hanford Ave based upon redesign of the project.

LOCATION: The project is located at northwest corner of Hanford Avenue and 29 Palms Outer Highway North, and is identified as APN 601-411-03.

PROJECT SYNOPSIS:

SITE COVERAGE

PROJECT AREA
BUILDING
FLOOD ZONE
ALQUIST PRIOLO ZONE
OFF-SITE IMPROVEMENTS REQ.

1.82 acres
23,056 square feet total building area
Map 8120, zone X
No
Yes. Full half-width street improvements along the 29 Palms Outer Highway North, Hanford Avenue, and Diadem Drive. Street lighting is required at the intersections of Hanford Avenue and the Outer Highway, and Hanford Avenue and Diadem Drive.
Yes, 5' 29 Palms Outer Highway
Horizontal Surface area

RIGHT-OF-WAY DEDICATION REQ.
AIRPORT INFLUENCE AREA

II. PROJECT ANALYSIS

GENERAL PLAN CONSIDERATION: The proposed development is consistent with the General Plan insofar as it meets Goal 1 contained within the General Land Use Section, which states that "A balanced mix of functionally integrated land uses which meet social and economic

needs of the community through compatible and harmonious land use and zoning designations.” This facility will provide uses permitted within the General Commercial Land Use Designation, including retail, office and food service uses.

The proposed project is consistent with the General Plan Designation of General Commercial, insofar as the project proposes those uses including retail, office and food service uses consistent with this designation. The project complies with Development Code standards and guidelines, and is consistent and compatible with development occurring in the general area, subject to addressing compatibility with the residential uses to the north of the project site

ENVIRONMENTAL CONSIDERATIONS: The project is exempt from the California Environmental Quality Act under Section 15332, class 32, Infill Development.

ADJACENT LAND USES: The project site is located within a general area that consists of medical offices, mini storage, retail, entertainment, single-family residential uses, and vacant land.

SITE CHARACTERISTICS: The site is currently undeveloped, flat land with scattered Joshua Trees and desert brush.

ACCESS AND PARKING: The project will have access from a shared driveway on 29 Palms Outer Highway and a driveway on Hanford Avenue. The shared driveway will be located on 29 Palms Outer Highway, approximately 200 west of Hanford Avenue adjacent to this site. The proposed shared access point will lessen potential traffic conflicts as the vacant lands fronting on the Outer Highway develop. As requested by the Planning Commission, the applicant has eliminated the driveway from Diadem Drive and relocated the entrance to Hanford Avenue.

The site includes a total of 100 parking stalls. The commercial building total leasable square footage is 19,794 square feet. Under the definitions provided in the Development Code this building is considered a shopping center, which requires a parking ratio of 1 space per 250 square feet. These results in 79 spaces required. The applicant revised the site plan to include 16 compact parking stalls. This is 16% of the total parking area. The development code allows for up to 25% of parking stalls to be compact.

Since the site is over parked by 21 stalls staff has included a condition of approval requiring some additional landscape planters. One planter is on the western row of parking along the main entrance. By providing an additional planter in the center of that row it will help break up the large row of parking. The other planter conditioned is on the inside of the buildings "L" shape. On the site plan there is an "11" indicated on this parking stall. The condition of approval recommends that this stall become a planter. This will provide additional landscaping and ensure that there is adequate room for vehicles to pull out of the stalls.

BUILDING ELEVATIONS: The building is proposed to have attractive architecture. The style incorporates southwest, mission, and contemporary styling. At the request of Staff the structure has been moved closer to the north west corner of Hanford Ave and 29 Palms Highway North to provide a "street edge" that promotes a more pedestrian-oriented and transit friendly urban design. In addition, this allows the parking to be hidden behind the building allowing for a more attractive streetscape along Highway 62 and Hanford Avenue.

The single-story ceiling height is roughly thirteen feet. Adding a parapet as shown will extend the overall height to nearly eighteen feet. In addition, a visual tower element is proposed that will raise this particular element to a height of approximately 33'. The proposed architecture, urban design, and color palette is tastefully conceived, and is consistent with the Town's Commercial Design Guidelines.

OFF-SITE IMPROVEMENTS: The project has been conditioned to provide full half width improvements on 29 Palms Outer Highway North, Hanford Avenue, and Diadem Drive, which includes additional pavement, curb, gutter and sidewalk along all street frontages. Conditions of Approval also include the placement of street lighting at the corners of the Outer Highway and Hanford Avenue, and Hanford Avenue and Diadem Drive.

MAINTENANCE ASSESSMENT DISTRICTS: The approval of the project includes the requirement to form maintenance assessment district(s) for the purpose of maintaining such public improvements as pavement, drainage facilities, curb and gutter, sidewalk, landscaping, lighting, and other public improvements. In the case of this project, the maintenance district(s) would include the following: 29 Palms Outer Highway, Hanford Avenue, and Diadem including sidewalk, curb and gutter, drainage, street lighting, and other public improvements. In addition the project has been conditioned to agree to terms and record a non-opposition agreement for the future formation of a public safety assessment district.

DISCUSSION: The Applicant proposes to construct a multi-tenant commercial shopping center development totaling 23,056 square feet, with parking and landscaping on approximately 1.82 acres. The total gross leasable area of the retail component consists of a 19,794 square foot single-story, multi-tenant commercial building. The remaining square footage within the retail component is a lobby for gathering, resting, and common use. The 1,317 square foot pad site for a future sit down restaurant has been eliminated.

The Planning Commission has reviewed this project on April 8, 2008 and June 3, 2008. The applicant has taken the Planning Commission and citizen comments and has diligently worked with Staff to present a project that meets the requirements of the Development Code, General Plan and direction of the Commission. The project has been through several revisions and modifications. These include:

1. elimination of a variance request for setbacks

2. relocating the driveway from Diadem to Hanford(resulting in relocation of building)
3. addition of a 4' wall and 2' landscape berm to buffer parking from the residential neighborhood
4. relocation of the trash enclosure
5. providing 2 loading stalls
6. A straight driveway where a large truck could temporarily stop if necessary
7. enlarging the width of the perimeter sidewalk
8. reducing the size of the sidewalk around Diadem to increase landscaping

In response to the concerns from the Commission and a citizen the applicant has reduced the sidewalk along Diadem from 10' to 6' which will allow for a 4' planter in the right-of-way and a 15' planter on the applicants property. This will provide a total landscaping area of 19' along Diadem. The landscape area will include an approximately 2' high landscaped berm with a 4' high split face wall installed on top. A condition has been added to have the wall meander to ensure adequate landscaping on both sides of the wall. The proposed treatments comply with and exceed requirements contained within Ordinance 111, the Parking Code.

At the April and June meetings the Planning Commission had concerns regarding the loading and unloading of delivery vehicles. The applicant has provided two loading stalls at opposite ends of the center, adjacent to the building. The parking code only requires one. The stalls are proposed at 10' by 20' which will meet the requirements contained within the parking code. In addition, the applicant has provided a long straight driveway on the west side of the property where a large truck may temporarily unload material. This was at the request of the Commission and similar to the Motorsport dealer south of SR 62.

The Applicant has eliminated the variance from the project. The relocation of the building has provided adequate setbacks from all property lines including a minimum 15' landscape area on all street frontages. The applicant has been in discussions with the San Bernardino County Fire

Department and has indicated that the Fire Department will accept the 24' drive lanes, provided that 26' is provided adjacent to the building. The applicant will continue to work with the Fire Department to ensure the current layout will meet their requirements. As a note the revised plans were distributed to outside agencies On September 24, 2008, including the San Bernardino County Fire Department and no comments were received. These changes, in addition to the elimination of the restaurant have resulted in a slight increase of the building square footage from 20,910 to 23,056 square feet.

At the Planning Commission meeting of April 8, 2008 there was some confusion regarding the main entrance on 29 Palms Outer Highway. The Applicant is proposing a shared driveway with the property owner to the west at Staffs request. The applicant it proposing to provide a minimum of a 26' wide driveway contained entirely on their property should the adjacent property owner object to the reciprocal access agreement. Once the applicant gets approval from the adjoining property owner a sidewalk could then be installed along the western portion of the building, connecting the front and rear sidewalk.

Planning Staff consulted with Building and Safety in regards to the width of the sidewalk. The applicant has widened the outside sidewalk to 6' free and clear. This exceeds the California Building Code which requires a minimum 4' sidewalk with approved turnouts. The project is conditioned to comply with all accessibility standards and the applicant has no objections to complying.

Another concern raised at the April Planning Commission meeting was in regards to the location of the trash enclosure. There was concern as to the high visibility at the primary entrance and to SR 62. The applicant has moved the trash enclosure to the interior of the project, thereby eliminating this concern. In addition the new location is more central to the site and is more convenient to the businesses.

The final issue that was raised was the outdoor lighting. As the Planning Commission is aware the Town has Ordinance 90, which regulates outdoor lighting. This ordinance prohibits light trespass beyond the property line and requires the lighting to not project above a horizontal plane. The applicant is aware of the ordinance and has provided a photometric plan with the resubmitted materials. The photometric shows that there will be no light trespass beyond the property lines.

The Applicant has continued to pay particular attention to site planning and design, and has oriented the parking to the interior of the project and the structure toward the street to define an architectural edge for the project, including operable doors and storefront windows. The architecture may be described as southwestern/mission with contemporary undertones, articulations, and textural variations. The development as a whole provides a plaza-type setting. Sidewalk and pedestrian connections from the primary sidewalk are project components.

Other project components include full half-width street improvements including sidewalk, curb, and gutter along the 29 Palms Outer Highway, Hanford Avenue, and Diadem Drive, street lighting at the intersection of the Outer Highway and Hanford Avenue, and at the intersection of Hanford Avenue and Diadem Drive.. Utility under grounding is also required as a Condition of Approval. There is an existing easement and utility lines running the length of the property parallel to 29 Palms Outer Highway. These lines will be required to be placed underground and the easement relocated to allow for the construction of the building. The project will also be required to pay fair share costs for signal improvements at Balsa Avenue and SR 62. Storm water detention is designed to be located below the parking lot surface. The basin will be appropriately sized based upon the submittal of a final hydrology study which will be reviewed and approved by the Town Engineer.

FINDINGS SPR 02-08:

1. The location, size, design, density and intensity of the proposed development is consistent with the General Plan, the purpose of the zoning district in which the site is located, and the development policies and standards of the Town;
2. That the location, size, design of the proposed structures and improvements are compatible with the site's natural landform, surrounding sites, structures and streetscapes;
3. That the proposed development produces compatible transitions in the scale, bulk, coverage, density and character of the development between adjacent land uses;
4. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures;
5. That the development proposal does not unnecessarily block views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the uses;
6. That the location and design of open space and landscaping enhances the visual appeal and is compatible with the design and functions of the structure(s), site, and surrounding area;
7. That traffic generated from the proposed site has been sufficiently addressed and mitigated and will not adversely impact the capacity and physical character of surrounding streets;
8. That there are no other relevant or anticipated negative impacts of the proposed use that cannot be mitigated and reduced to a level of non-significance in conformance with CEQA, the California Environmental Quality Act.
9. The impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained are not considered to be detrimental to the public health, safety and welfare of the community or be materially injurious to properties and/or improvements within the immediate vicinity or be contrary to the General Plan.

Attachments:

1. Revised site plan and elevations
2. Application materials
3. Photometric plan
4. Ordinance 111, Parking Code
5. Planning Commission minutes from April 8, 2008
6. Planning Commission minutes from June 3, 2008

The following Special Studies are available for public review at the Community Development Department offices and will be available at the Public Hearing:

1. Preliminary Drainage Study
2. Traffic Study
3. Geotechnical Report
4. Biological Survey

**CONDITIONS OF APPROVAL
YUCCA PLAZA
SITE PLAN REVIEW SPR 02-08₍₁₁₋₁₈₋₀₈₎**

I. GENERAL CONDITIONS

1. This Site Plan Review SPR 02-08 is a proposal to construct a multi-tenant commercial shopping center development totaling 23,056 square feet, with parking and landscaping on approximately 1.82 acres. The property is located on the northwest corner of 29 Palms Outer Highway and Hanford Ave and is identified as assessor's parcel number 601-411-03.
2. The Applicant/owner shall agree to defend at his sole expense any action brought against the Town, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with the Town of Yucca Valley Development Code. The Applicant shall reimburse the Town, its agents, officers, or employees for any court costs, and attorney's fees which the Town, its agents, officers or employees may be required by a court to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve Applicant of his obligations under this condition.
3. This approval shall become null and void if the occupancy or use of the land has not taken place within two (2) years of the Town of Yucca Valley date of approval. Extensions of time may be granted *as authorized by state or local authority, and approved by the Town*. The Applicant is responsible for the initiation of an extension request.

Approval Date: November 18, 2008

Expiration Date: November 18, 2010

4. Any occupancy which requires additional parking that has not been provided for through this Site Plan Review shall not be approved until a revision is submitted for review and approval showing the additional parking.
5. The Applicant/owner shall ascertain and comply with requirements of all State, Federal, County, Town and local agencies as are applicable to the project.
6. All conditions of this Site Plan Review are continuing conditions. Failure of the Applicant and/or operator to comply with any or all of said conditions at any time shall result in the revocation of the permit granted to use the property.
7. All exterior lighting shall comply with the Town's Outdoor Lighting Ordinance. Compliance with all amended, supplemented or superseded lighting ordinance(s) shall be attained within a period not to exceed one (1) year of the effective date of the amended, supplemented, or superseded ordinance.

8. The Applicant shall pay all fees charged by the Town as required for application processing, plan checking, construction and/or electrical inspection. The fee amounts shall be those which are applicable and in effect at the time work is undertaken and accomplished. Fees for entitlement prior to construction permits are based on estimated costs for similar projects. Additional fees may be incurred, depending upon the specific project. If additional fees for services are incurred, they must be paid prior to any further processing, consideration, or approval(s).
9. All improvements shall be inspected by the Town's Building and Safety Division, as appropriate. Any work completed without proper inspection may be subject to removal and replacement under proper inspection.
10. Parking and on-site circulation requirements shall be provided and maintained as identified on the approved site plan. Areas reserved for access drive and/or fire lanes shall be clearly designated.
 - a) Any occupancy, which requires additional parking that has not been provided for through this Site Plan Review, shall not be approved until a revision is submitted for review and approval showing the additional parking.
 - b) All marking to include parking spaces, directional designation, no parking designation and fire lane designations shall be clearly defined and said marking shall be maintained in good condition at all times. The Town Traffic Engineer shall approve all signage and markings for the circulation related signage.
 - c) All parking stalls shall be clearly striped and permanently maintained with double or hairpin lines with the two lines being located an equal 9 inches on either side of the stall sidelines. All regular parking stalls be a minimum 9' x 19'.
 - d) A minimum of 79 parking spaces shall be provided.
11. Any and all graffiti shall be removed within twenty-four (24) hours of discovery or notification by the Town.
12. All refuse shall be removed from the premises in conformance with Yucca Valley Town Code 33.083.
13. Handicapped site access improvements shall be in conformance with the requirement of Title 24 of the California Building Code.
14. Utility under-grounding shall be required to comply with Ordinance #169 relating to utility under-grounding for all new Service and Distribution lines that provide direct service to the property being developed; existing Service and Distribution lines that provide direct service to the property being developed; existing Service and Distribution lines between the street frontage property line and the centerline of the adjacent streets of the property being developed; existing Service and Distribution lines located along or

- within 10 feet of the lot lines of the property being developed; or existing Service and Distribution lines being relocated as a result of a project.
15. During construction, the Contractor shall be responsible to sweep public paved roads adjacent to the project as necessary and as requested by the Town staff to eliminate any site related dirt and debris within the roadways. During his business activities, the Applicant shall keep the public right-of-way adjacent to his property in a clean and sanitary condition.
 16. No staging of construction equipment or parking of worker's vehicles shall be allowed within the public right-of-way.
 17. Any grading or drainage onto private off-site or adjacent property shall require a written permission to grade and/or a permission to drain letter from the affected property owner.
 18. No signs are approved with this Permit. Sign application(s) shall be made separately for all signage on the property, and all signage, shall comply with Ordinance No. 156.
 19. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB 1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the Applicant/ Applicant shall retain a qualified licensed land surveyor or civil Engineer to reset those monuments per Town Standards and file the necessary information with the County Recorder's office as required by law (AB 1414).
 20. Prior to the delivery of combustible materials, the following items shall be accepted as complete:
 - a) The water system is functional from the source of water past the lots on which permits are being requested (i.e. All services are installed, valves are functional and accessible, etc.); and
 - b) Fire hydrants are accepted by the Fire Marshal and the Department of Public Works.

PRIOR TO ISSUANCE OF GRADING PERMIT

21. Prior to the issuance of any permits the applicant/owner shall provide three (3) copies of a landscape and irrigation plan showing the size, type and location of all plant and irrigation systems. Said irrigation system shall incorporate a permanent automatic irrigation system, and all landscaping and irrigation systems shall be maintained in good condition at all times. All ground within proposed landscape planter areas shall be provided with approved ground cover. This shall include but not be limited to drought-tolerant plant materials or colored desert rock. The Landscape Plan shall be approved by the Planning Department and the Hi-Desert Water District prior to issuance of any permits. The Landscape and Irrigation review requires a separate application and a current fee of \$685.

22. A plan identifying all protected plants under the California Food and Agriculture Code as well as a Joshua Tree Relocation Plan with any area proposed to be disturbed in accordance with the Town's Native Plant Protection Ordinance shall be submitted for approval prior to issuance of grading permits for the project. *The applicant shall make every effort to relocate the native plants back onsite. Should the site be unable to accommodate the native plants in the landscape planters then a minimum 60 day adoption period shall be required.*
23. *The applicant shall submit, in conjunction with the rough grading plan submittal an erosion and sediment control plan for review and approval by the Town.*
24. Dedicate, or show there exists, sufficient right of way for a local road on Diadem Drive and Hanford Avenue.
25. Prior to the issuance of a Grading Permit for the on-site paved areas, a Grading Plan prepared by a recognized professional Civil Engineer shall be submitted, and the corresponding fees shall be paid to the Town prior to any grading activity. The final Grading Plan shall be reviewed and approved by the Engineering Division prior to issuance of grading permits. The Applicant/owner is responsible for all fees incurred by the Town. Prior to Certificate of Occupancy, the Engineer-of-Record shall survey and certify that the site grading was completed in substantial conformance with the approved Grading Plans.
26. Prior to the issuance of Permits, the Applicant shall comply with the recommendations of a site-specific Geotechnical and Soils Report which shall be reviewed and subject to Town approval. The report shall include recommendations for any onsite and offsite grading, foundations, compaction, structures, drainage, and existence of fault zones. It shall include recommendations for retention basins, slope stability and erosion control.
27. All recommended approved measures identified in the Soils Report shall be incorporated into the project design.
28. Applicant shall comply with NPDES requirements as applicable. The Applicant shall install devices on his property to keep erodible material, rocks, and gravel on the site. To eliminate any site related dirt and debris within the roadways, the Applicant shall be responsible to sweep public paved roads adjacent to the project as necessary and as requested by the Town Staff.
29. The development of the property shall be in conformance with FEMA and the Town's Floodplain Management Ordinance requirements. Adequate provision shall be made to intercept and conduct the existing tributary drainage flows around or through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed.
30. A drainage report, prepared by a registered Civil Engineer, shall be prepared to determine the flows exiting the site under current undeveloped conditions compared to the

incrementally larger flows due to the development of the site. The retention basin size will be determined, per County of San Bernardino Flood Control methodology such that the post development 100 year peak flow exiting the site shall be 10% less than the current 25 year peak flow from the site.

31. All grading activities shall minimize dust through compliance with AQMD Rule 403.
32. A Notice of Intent to Comply with Statewide General Construction Stormwater Permit (Water Quality Order 99-08-DWQ as modified December 2, 2002) is required for the proposed development via the California Regional Water Quality Control Board (Phone No. 760-346-7491). A copy of the executed letter issuing a Waste Discharge Identification number shall be provided to the Town prior to issuance of a grading permit.
33. Prior to issuance of a grading permit, a Fugitive Dust and Erosion Control Plan shall be submitted and approved by the Town.

PRIOR TO BUILDING PERMIT ISSUANCE

34. The Applicant shall pay Development Impact Fees in place at the time of issuance of Building Permits. The Applicant shall agree to the terms of and record a non-opposition agreement to the future formation of a public safety assessment district on the property.
35. No on-site or off-site work shall commence without obtaining the appropriate permits for the work involved from the Town. The approved permits shall be readily available on the job-site for inspection by the Town personnel.
36. Prior to any work being performed in the public right-of-way, fees shall be paid and an encroachment permit shall be obtained from the Town. The Applicant shall apply for an encroachment permit from the Town for utility trenching, utility connection, or any other encroachment onto public right-of-way. The Applicant shall be responsible for the associated costs and arrangements with each public utility.
37. All improvement plans, including but not limited to street and grading plans, shall be designed by a Registered Civil Engineer and shall be submitted to the Town for review and approval.
38. The Applicant shall submit written proof to the Building Official that the Applicant has complied with all conditions of approval or comments, as required, from the High Desert Water District, and Colorado Regional Water Quality Control Board. Applicant shall comply with applicable requirements of NPDES (Non-Point Pollution Discharge Elimination System).
39. The septic system shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper. Soil testing for the subsurface disposal system shall meet the requirements of the Department of Environmental Health Services. Applicant shall submit a minimum of three (3) copies of percolation reports for the project site and an appropriate fee to DEHS for review and approval, a copy of the cover

sheet with an approval stamp to Building and Safety Division at the time of building permit application, and two (2) copies of the approved percolation report to the Building and Safety Division at the time of construction plan check.

40. All exterior lighting shall comply with the Outdoor Lighting Ordinance. A photometric plan and details of all exterior lighting fixtures shall be submitted with the building plans. These shall demonstrate that all exterior lighting complies with Ordinance 90.
41. All roof top mechanical equipment is to be screened from ground and street vistas. This information shall be submitted with plan materials for building permit plan check.
42. *The applicant shall provide additional landscape planters to break up the long row of parking on the west side of the building and provide a landscaped planter on the inside of the "L" of the building where the number "11" appears on the site plan.*
43. *The wall along Diadem Drive shall meander to provide adequate landscaping on both sides of the wall.*
44. *A curb, fencing or some other barrier shall be provided along the western property line to prevent vehicles from entering the adjacent property.*

PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY

45. The Applicant shall restore any pavement cuts required for installation or extension of utilities for his project within the public right-of-way. In all cases where cuts are allowed, the Applicant is required to patch the cuts to Town standards and the approval of the Town Engineer. The patching shall include a grinding of the pavement to a width 4 feet beyond the edge of the trench on each side, or as determined by the Town Engineer, and replacement with a full-depth asphalt concrete recommended by the Soils Engineer.
46. A retention basin shall be constructed and functional prior to the issuance of certificate of occupancy for the project. The applicant shall provide on-site retention for the incrementally larger flows caused by development of the site. Two options are available.
 - a. A drainage report, prepared by a registered Civil Engineer, shall be prepared to determine the flows exiting the site under current undeveloped conditions compared to the incrementally larger flows due to the development of the site. The retention basin size will be determined, per County of San Bernardino Flood Control methodology such that the post development 100 year peak flow exiting the site shall be 10% less than the current 25 year peak flow from the site.
 - b. In lieu of an engineered drainage report the retention basin shall be sized to retain 550 cubic feet of storm water for each 1,000 square feet, and increments thereof, of impervious area proposed .

The "Preliminary Drainage Study" prepared by Petra Group Inc. for this site is inadequate and will require revision. This study appears to incorporate a retention

storage volume that has not been approved by the Town, and does not meet either the Town's or San Bernardino County Flood Control District's retention basin sizing criteria.

47. *Construct curb and gutter and sidewalk 20 feet from centerline on Diadem Drive and Hanford Avenue per Town of Yucca Valley Standard Drawing 101 and 220.*
48. *Dedicate sufficient right of way for a fifty-five (55) foot width on the outer highway when measured perpendicularly from the right of way of highway 62*
49. *Install street lights at the intersection of Diadem Drive and Hanford Avenue and the intersection of Hanford Avenue and the Twentynine Palms Outer Highway per Town of Yucca Valley Standard Drawing 302.*
50. The retention basin shall be constructed and functional prior to the issuance of certificate of occupancy for the project.
51. Prior to occupancy of the site the Applicant shall obtain Fire Dept. approval of the site plan. The Applicant shall comply with the conditions and requirements of the San Bernardino County Fire Dept. Prior to any construction occurring on any parcel, the Applicant shall contract the Fire Dept. for verification of current Fire Protection requirements.
52. The Applicant shall construct the replacement of any identified damaged curb and gutter, sidewalk, drive approach, asphalt concrete pavement, meter boxes, and other infrastructure that may be required by the Town Engineer or another Agency.
53. The Applicant shall install all water and sewer systems required to serve the project. The location of the proposed septic system(s) shall be shown on the project grading plan(s).
54. Prior to the issuance of a Certificate of Occupancy all improvements shall be constructed, final inspection performed, punch-list items completed, and all installations approved by the appropriate agency.
55. The Applicant shall observe the construction of this project to make certain that no damage or potential for damage occurs to adjacent roadway, existing improvements, adjacent property and other infrastructure. The Applicant shall be responsible for the repair of any damage occurring to offsite infrastructure and/or property damage as determined by the Town Engineer. The Applicant shall repair any such damage prior to certificate of occupancy. If the damage is such that it is not repairable within a reasonable amount of time as determined by the Town Engineer, the Applicant may petition the Town Engineer for additional conditions that may allow him the time, amount of surety and other requirements to repair the damage.
56. The Applicant shall be responsible for all improvements that he has constructed within the public right-of-way as required by the conditions of approval. The improvements shall be constructed to the standards and requirements as determined and approved by the Town Engineer. Any improvements not considered to be to the required standards shall

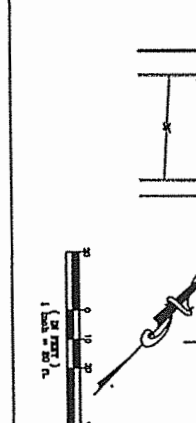
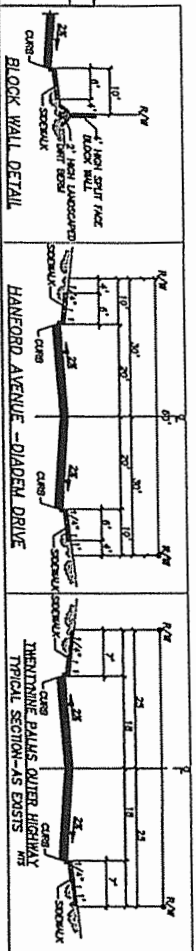
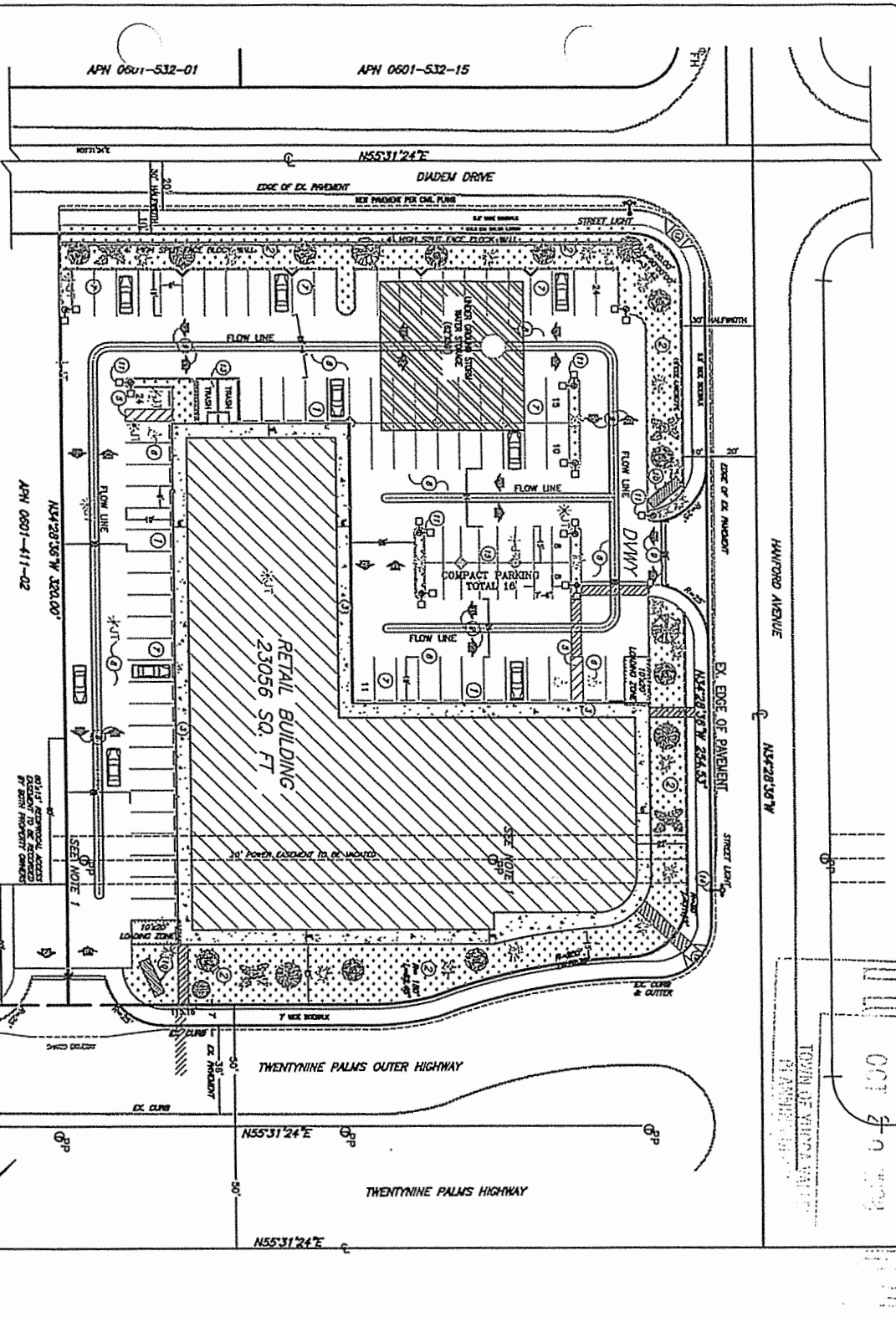
be replaced by the Applicant. The Applicant shall be required to maintain and repair those improvements prior to and after acceptance by the Town Council for the length of time required by the applicable conditions, standards and ordinances.

- 57. The Applicant shall cause to be formed or shall not protest the formation of a maintenance district(s) for landscape, lighting, streets, drainage facilities or other infrastructure as required by the Town.
- 58. The Applicant shall agree to the terms of and record a non-opposition agreement to the future formation of a public safety assessment district on the property.
- 59. The developer shall reimburse the Town for the Town's costs incurred in monitoring the developer's compliance with the conditions of approval including, but not limited to inspections and review of developers operations and activities for compliance with all applicable dust and noise operations. This condition of approval is supplemental and in addition to normal building permit and public improvement permits that may be required pursuant to the Yucca Valley Municipal Code.

I HEREBY CERTIFY THAT THE APPROVED CONDITIONS OF APPROVAL WILL BE SATISFIED PRIOR TO OR AT THE TIMEFRAMES SPECIFIED AS SHOWN ABOVE. I UNDERSTAND THAT FAILURE TO SATISFY ANY ONE OF THESE CONDITIONS WILL PROHIBIT THE ISSUANCE OF ANY PERMIT OR ANY FINAL MAP APPROVAL.

Applicant's Signature _____ Date _____

REGISTERED PROFESSIONAL CIVIL ENGINEER
 NO. 63116
 EXPIRES 12/31/2020
PETRA ENGINEERING
 1340 1030 PLYMOUTH
 BIRMINGHAM, AL 35216
 TEL: (205) 944-1111 FAX: (205) 944-1112
 WWW.PETRA-ENG.COM



LEGAL DESCRIPTION
 APN: 0601-11-03-002
 BALANCE TMS: -06.5707
 COMMENT: 5
 SHEET: 1 OF 2

LEGAL DESCRIPTION
 THE PROJECT IS SITUATED ON THE EAST 1/2 SECTION 10, TOWNSHIP 21N, RANGE 10E, MERIDIAN 8W, COCONINO COUNTY, ARIZONA.

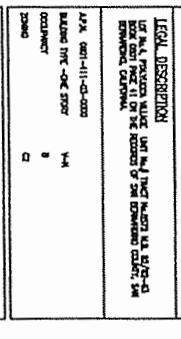
AREA VARIATION

AREA	AREA	TOTAL SQ. FT.
BASELINE AREA	23056 SQ. FT.	
ADDED AREA	0 SQ. FT.	
DELETED AREA	0 SQ. FT.	
TOTAL AREA	23056 SQ. FT.	

EXISTING IMPROVEMENTS

- 1. 10' WIDE SIDEWALK
- 2. 10' WIDE DRIVEWAY
- 3. 10' WIDE DRIVEWAY
- 4. 10' WIDE DRIVEWAY
- 5. 10' WIDE DRIVEWAY
- 6. 10' WIDE DRIVEWAY
- 7. 10' WIDE DRIVEWAY
- 8. 10' WIDE DRIVEWAY
- 9. 10' WIDE DRIVEWAY
- 10. 10' WIDE DRIVEWAY
- 11. 10' WIDE DRIVEWAY
- 12. 10' WIDE DRIVEWAY
- 13. 10' WIDE DRIVEWAY
- 14. 10' WIDE DRIVEWAY
- 15. 10' WIDE DRIVEWAY

- SITE PLAN NOTES:**
1. EXISTING CURB AND SIDEWALK.
 2. APPROVED UNDEVELOPED (UN) USE OF SITE AND
 3. 10' WIDE DRIVEWAY WITH 10' WIDE DRIVEWAY.
 4. EXISTING SIDEWALK WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.
 5. EXISTING DRIVEWAY WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.
 6. EXISTING DRIVEWAY WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.
 7. EXISTING DRIVEWAY WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.
 8. EXISTING DRIVEWAY WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.
 9. EXISTING DRIVEWAY WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.
 10. EXISTING DRIVEWAY WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.
 11. EXISTING DRIVEWAY WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.
 12. EXISTING DRIVEWAY WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.
 13. EXISTING DRIVEWAY WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.
 14. EXISTING DRIVEWAY WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.
 15. EXISTING DRIVEWAY WITH 10' WIDE DRIVEWAY AND 10' WIDE DRIVEWAY.



REVISION

NO.	DATE	DESCRIPTION
1	12/14/2020	ISSUE FOR PERMITS
2	12/14/2020	ISSUE FOR PERMITS
3	12/14/2020	ISSUE FOR PERMITS
4	12/14/2020	ISSUE FOR PERMITS
5	12/14/2020	ISSUE FOR PERMITS
6	12/14/2020	ISSUE FOR PERMITS
7	12/14/2020	ISSUE FOR PERMITS
8	12/14/2020	ISSUE FOR PERMITS
9	12/14/2020	ISSUE FOR PERMITS
10	12/14/2020	ISSUE FOR PERMITS
11	12/14/2020	ISSUE FOR PERMITS
12	12/14/2020	ISSUE FOR PERMITS
13	12/14/2020	ISSUE FOR PERMITS
14	12/14/2020	ISSUE FOR PERMITS
15	12/14/2020	ISSUE FOR PERMITS

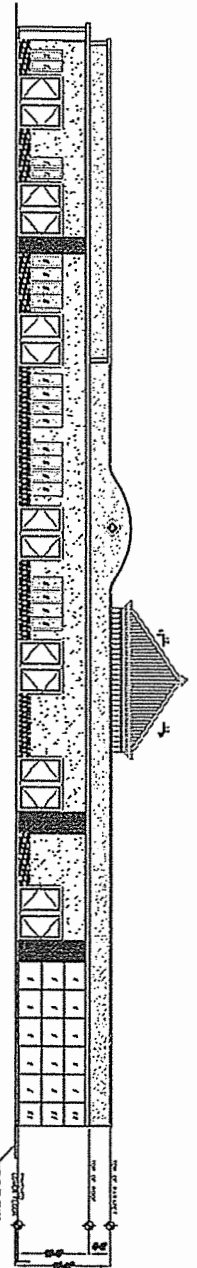
OWNER
 ALLIANCE AND ADA - (714) 717-2797

DESIGNED BY
 PETRA ENGINEERING

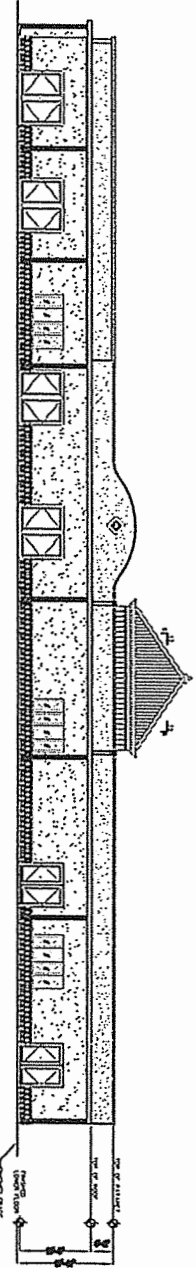
DATE
 12/14/2020

SHEET
 1 OF 2

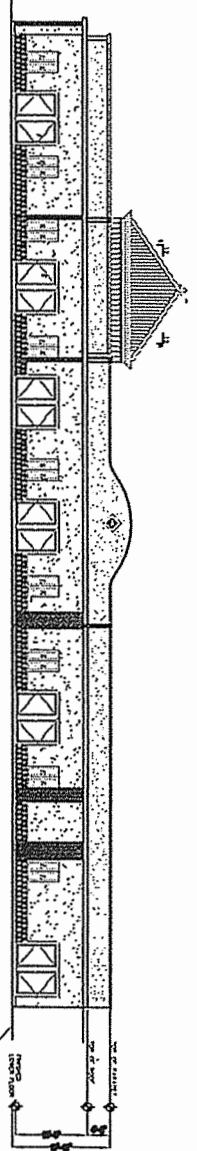
DECEIVE
 001 40 000
 TOWN OF PHOENIX
 PLANNING DEPARTMENT



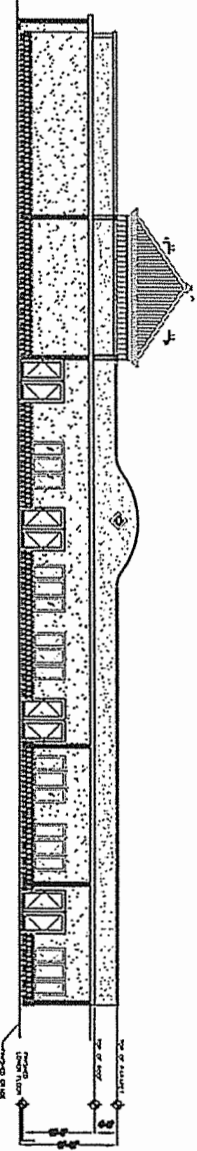
NORTH EAST ELEVATION



SOUTH WEST ELEVATION



NORTH WEST ELEVATION



SOUTH EAST ELEVATION

R E C E I V E
 TOWN OF YUCCA VALLEY
 PLANNING DIVISION
 OCT 2 0 2008



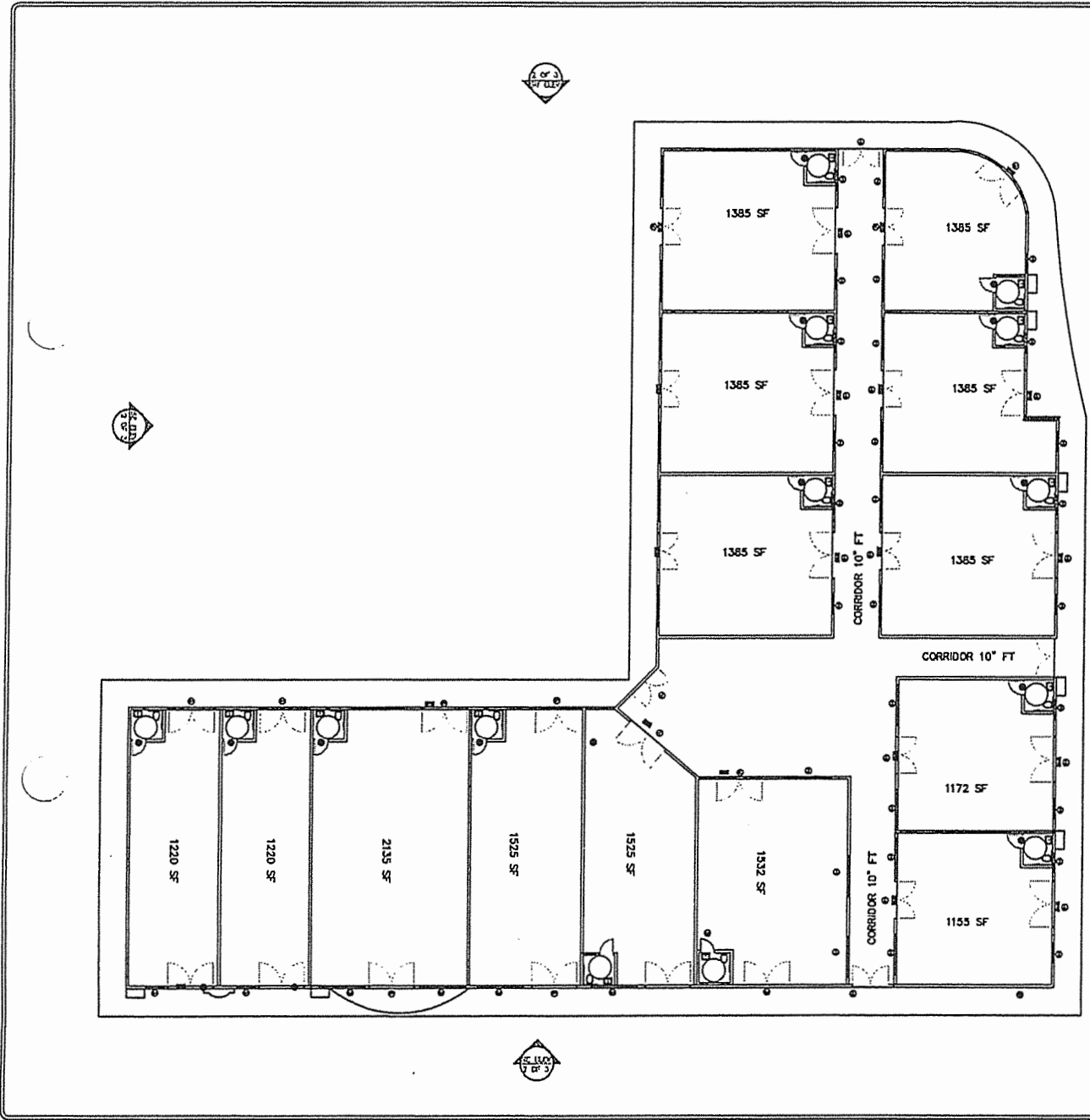
RECEIVED

OCT 20 2008

TOWN OF YUCCA VALLEY
PLANNING DIVISION

PETRA
DESIGNED
ENGINEER

REVISION



AREA :

TOTAL BUILD UP AREA = 23204 SF

LEGEND :

■ ILLUMINATED EXIT SIGN FUTURE
(CEILING/WALL MOUNTED)

DOOR AND FRAME SCHEDULE

NO.	TYPE	FINISH	SW	SL	GL	HT	WT	FR	PR	HT	WT	HT	WT	HT	WT
1
2
3
4
5
6
7
8
9
10

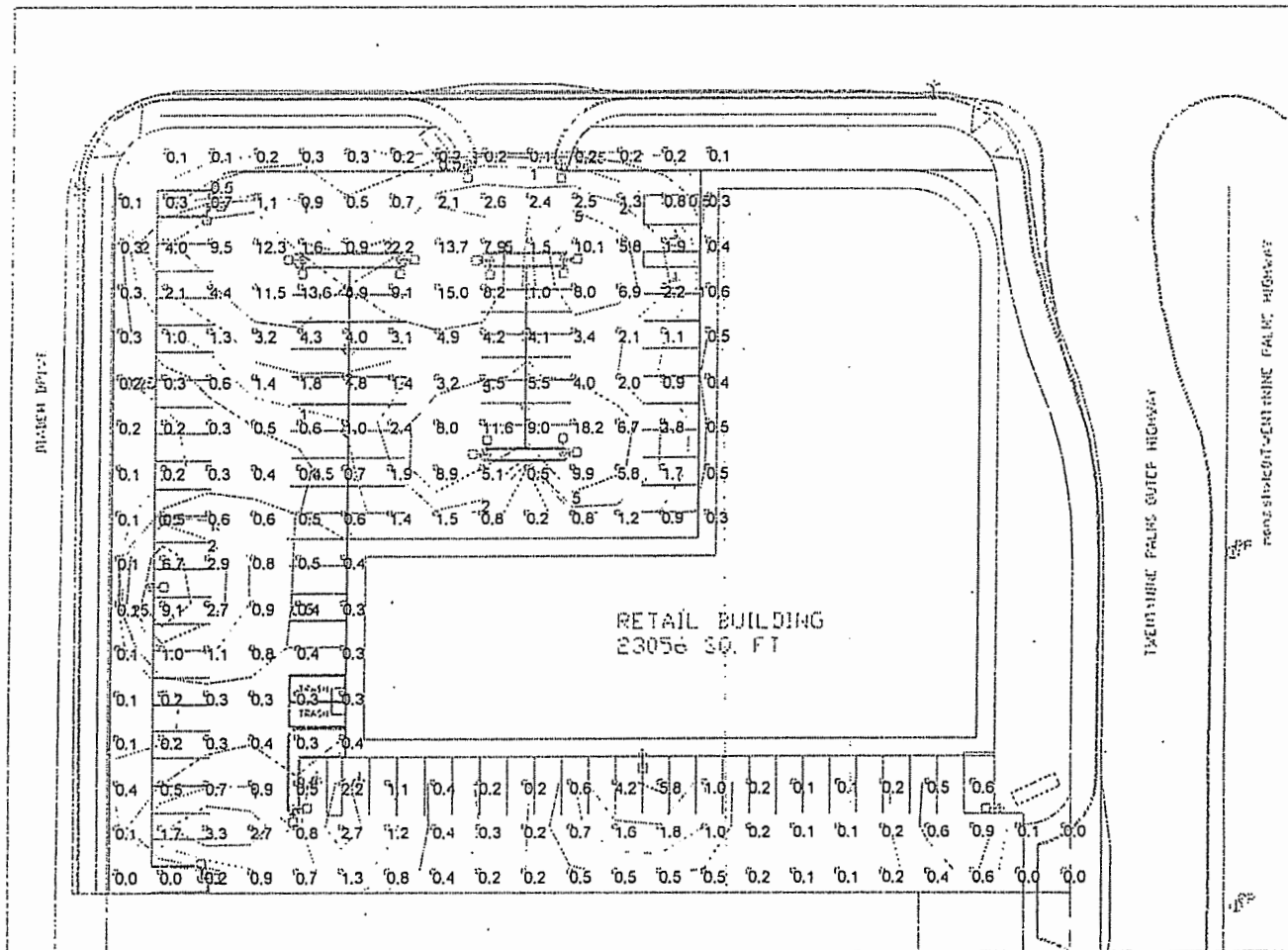
WINDOW SCHEDULE

NO.	TYPE	FINISH	SW	SL	GL	HT	WT	FR	PR	HT	WT	HT	WT	HT	WT
1
2
3
4
5
6

FLOOR P. 55
 JOB NO. 0713-717-2797
 PROJECT: PACE AND JUDA

SCALE: 3/32"=1'
 DATE: 10/15/2008
 DESIGNER: F.A.M.
 CHECKER: K.M.M.
 DRAWN BY: F.A.M.
 REVISION BY: K.M.M.
 JOB No.
 SHEET 1 OF 2





Plan View

NTS

OUTDOOR AREA
LIGHTING REPORT

P.56

Designer

Date
Oct 13 2008

Scale

Drawing No.

1 of 3

LUMINAIRE LOCATIONS

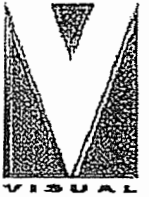
No.	Label	Location			MH	Orientation	Tilt	Aim		
		X	Y	Z				X	Y	Z
1	150	6238.7	-3602.0	10.0	10.0	180.3	65.8	6238.6	-3624.3	0.0
2	150	6126.3	-3615.7	10.0	10.0	119.1	67.6	6147.5	-3627.5	0.0
3	150	6122.0	-3619.8	10.0	10.0	175.0	20.4	6122.3	-3623.5	0.0
4	150	6207.8	-3601.3	10.0	10.0	178.8	67.7	6208.3	-3625.7	0.0
5	150	6149.2	-3633.5	10.0	10.0	-90.0	5.0	6148.3	-3633.5	0.0
6	150	6190.6	-3633.5	10.0	10.0	103.3	43.7	6199.9	-3635.7	0.0
7	150	6186.1	-3638.0	10.0	10.0	180.4	40.7	6186.0	-3646.6	0.0
8	150	6153.9	-3638.1	10.0	10.0	180.0	5.0	6153.9	-3639.0	0.0
9	150	6211.0	-3633.7	10.0	10.0	267.3	5.0	6210.1	-3633.7	0.0
10	150	6215.3	-3638.2	10.0	10.0	185.4	67.3	6213.0	-3662.1	0.0
11	150	6244.2	-3633.4	10.0	10.0	90.0	5.0	6245.1	-3633.4	0.0
12	150	6239.5	-3637.7	10.0	10.0	155.7	69.3	6250.4	-3661.9	0.0
13	150	6214.7	-3693.4	10.0	10.0	-3.7	5.0	6214.6	-3692.5	0.0
14	150	6210.1	-3698.0	10.0	10.0	266.8	5.0	6209.2	-3698.0	0.0
15	150	6239.9	-3692.9	10.0	10.0	-3.4	5.0	6239.8	-3692.0	0.0
16	150	6244.5	-3697.4	10.0	10.0	90.0	5.0	6245.4	-3697.4	0.0
17	150	6156.6	-3815.8	10.0	10.0	86.2	78.3	6204.7	-3812.6	0.0
18	150	6122.1	-3834.8	10.0	10.0	3.5	65.6	6123.4	-3812.8	0.0
19	150	6126.0	-3839.2	10.0	10.0	60.0	71.0	6151.2	-3824.7	0.0
20	150	6103.9	-3741.9	10.0	10.0	90.7	13.9	6106.3	-3741.9	0.0
21	150	6152.1	-3820.2	10.0	10.0	101.8	61.9	6170.5	-3824.0	0.0
22	150	6390.8	-3816.0	10.0	10.0	266.5	74.0	6356.0	-3818.1	0.0
23	150	6267.4	-3798.1	10.0	10.0	180.0	24.2	6267.4	-3802.5	0.0

OUTDOOR AREA
LIGHTING REPORT


P.57

Designer
Petra Engineering

Date
Oct 13 2008



Designer _____
 Date
 Oct 13 2008

LUMINAIRE SCHEDULE									
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	150	23	AS1 150S SR4SC	ARCHITECTURAL ARM-MOUNTED CUTOFF LUMINAIRE WITH SR4SC REFLECTOR. MEETS THE 'NIGHTTIME FRIENDLY' CRITERIA	ONE 150-WATT CLEAR ED-17 HIGH PRESSURE SODIUM, HORIZONTAL POSITION.	AS1_150S_SR4SC.ies	15800	0.80	189

STATISTICS							
Description	Avg	Max	Min	Min/Avg	UG	CV	Max/Avg
Calc Zone #2	2.0 fc	18.2 fc	0.0 fc	0.00	91.4	1.5	9.10

Calculated values include direct and interreflected components.

TOWN OF YUCCA VALLEY

PROJECT NO.: SPR 02-08 Yucca Plaza



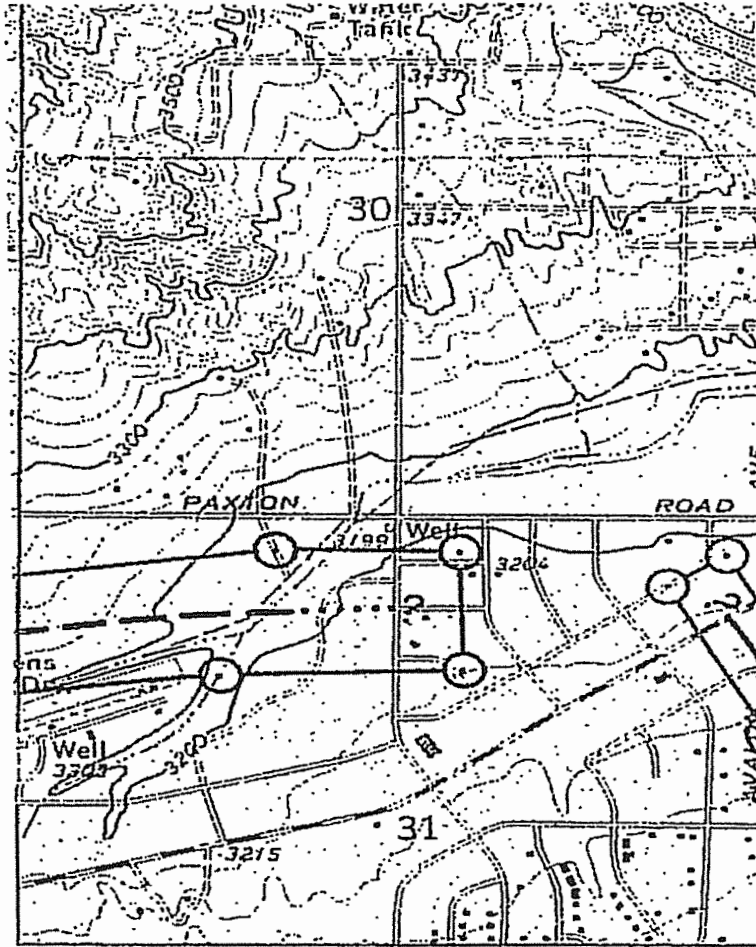
Source: DigitalGlobe 2007 Google



AERIAL

TOWN OF YUCCA VALLEY

PROJECT NO.: SPR 02-08 Yucca Plaza

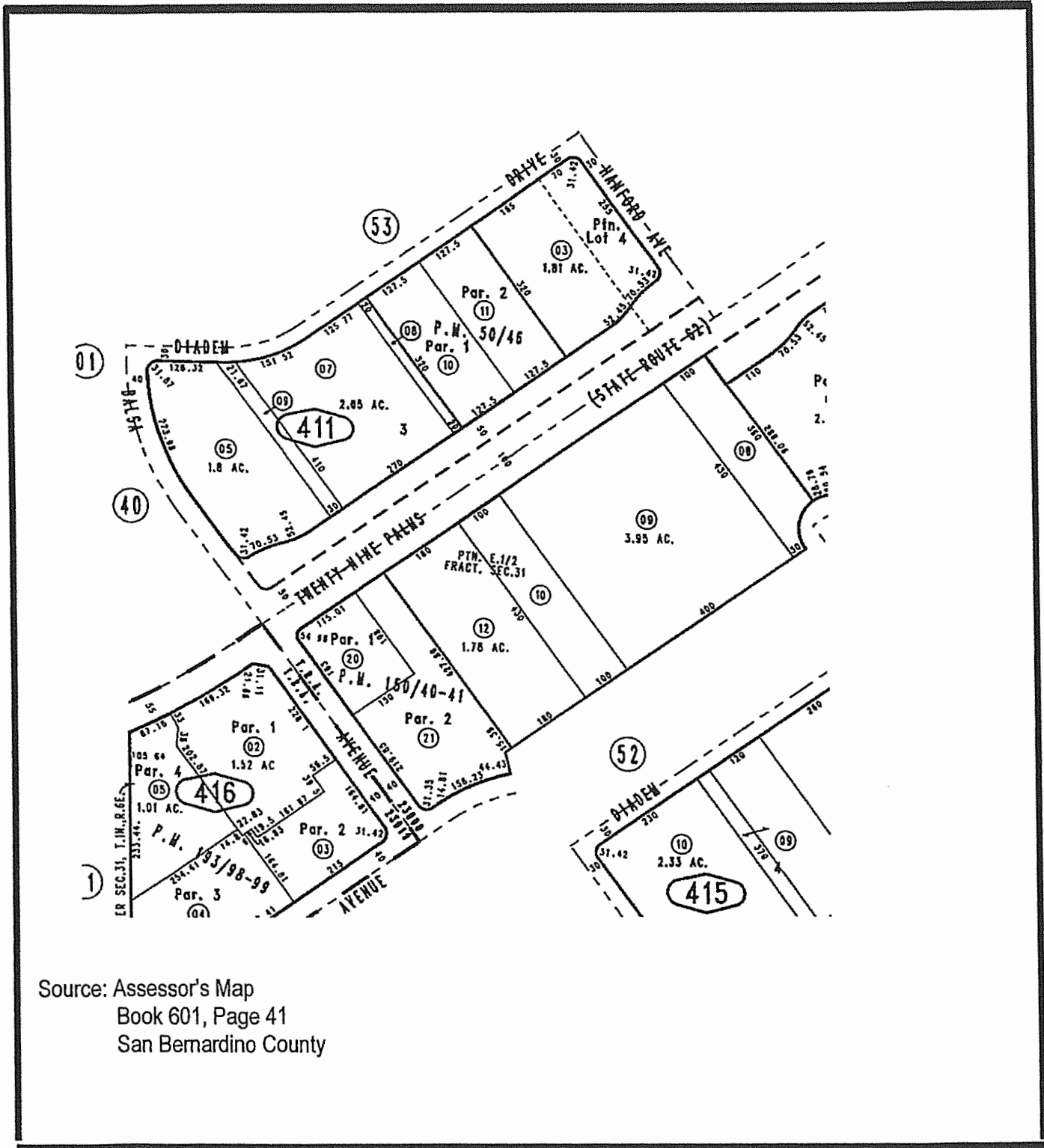


ALQUIST PRIOLO MAP



TOWN OF YUCCA VALLEY

PROJECT NO.: SPR 02-08 Yucca Plaza

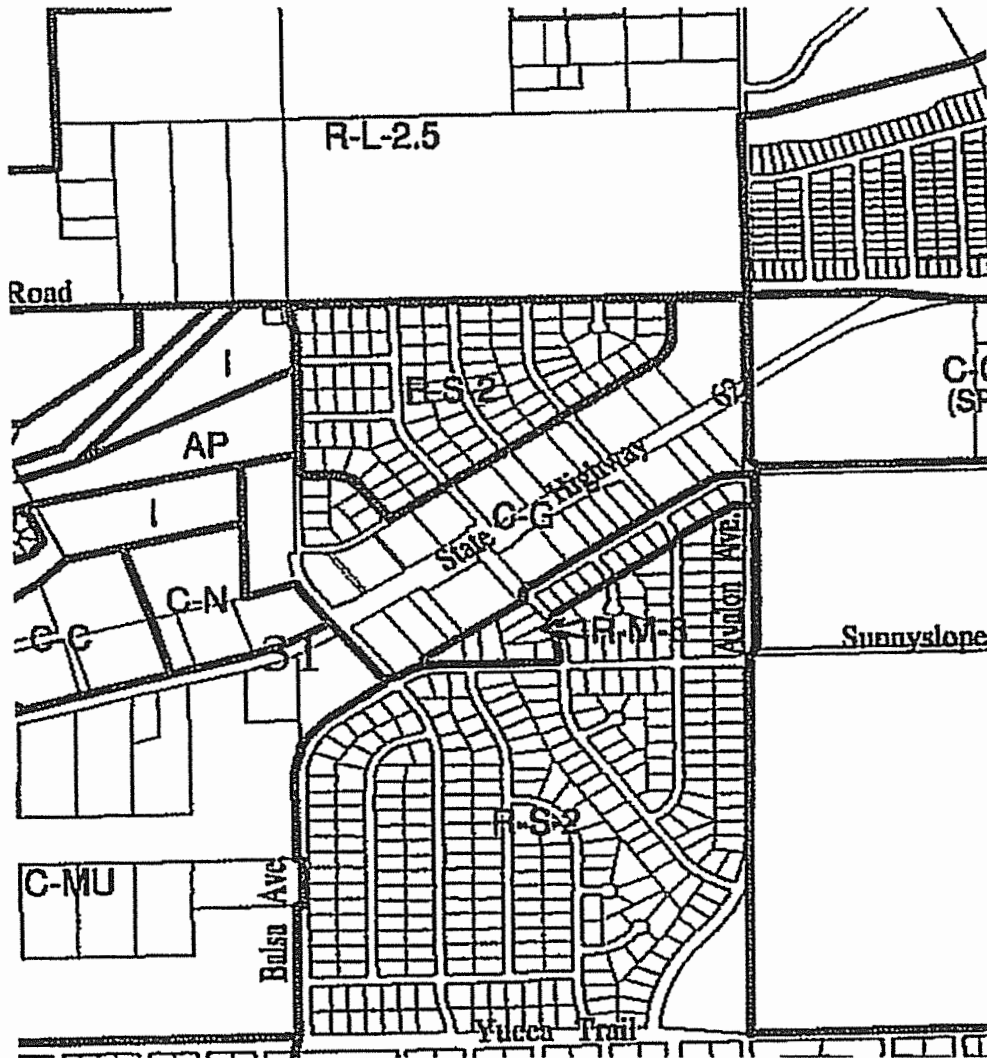


Source: Assessor's Map
Book 601, Page 41
San Bernardino County

ASSESSOR'S PARCEL MAP

TOWN OF YUCCA VALLEY

PROJECT NO.: SPR 02-08 Yucca Plaza



Source: OFFICAL ZONING DISTRICT MAP
Town of Yucca Valley
Adopted by Town Council: March 6, 1997
Revised September 22, 2005 Per Resolution No.



EXISTING ZONING AND GENERAL PLAN LAND USE MAP

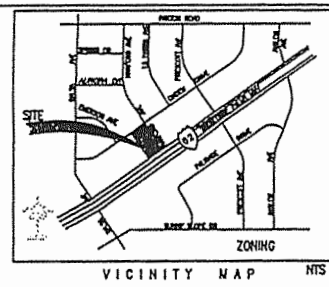
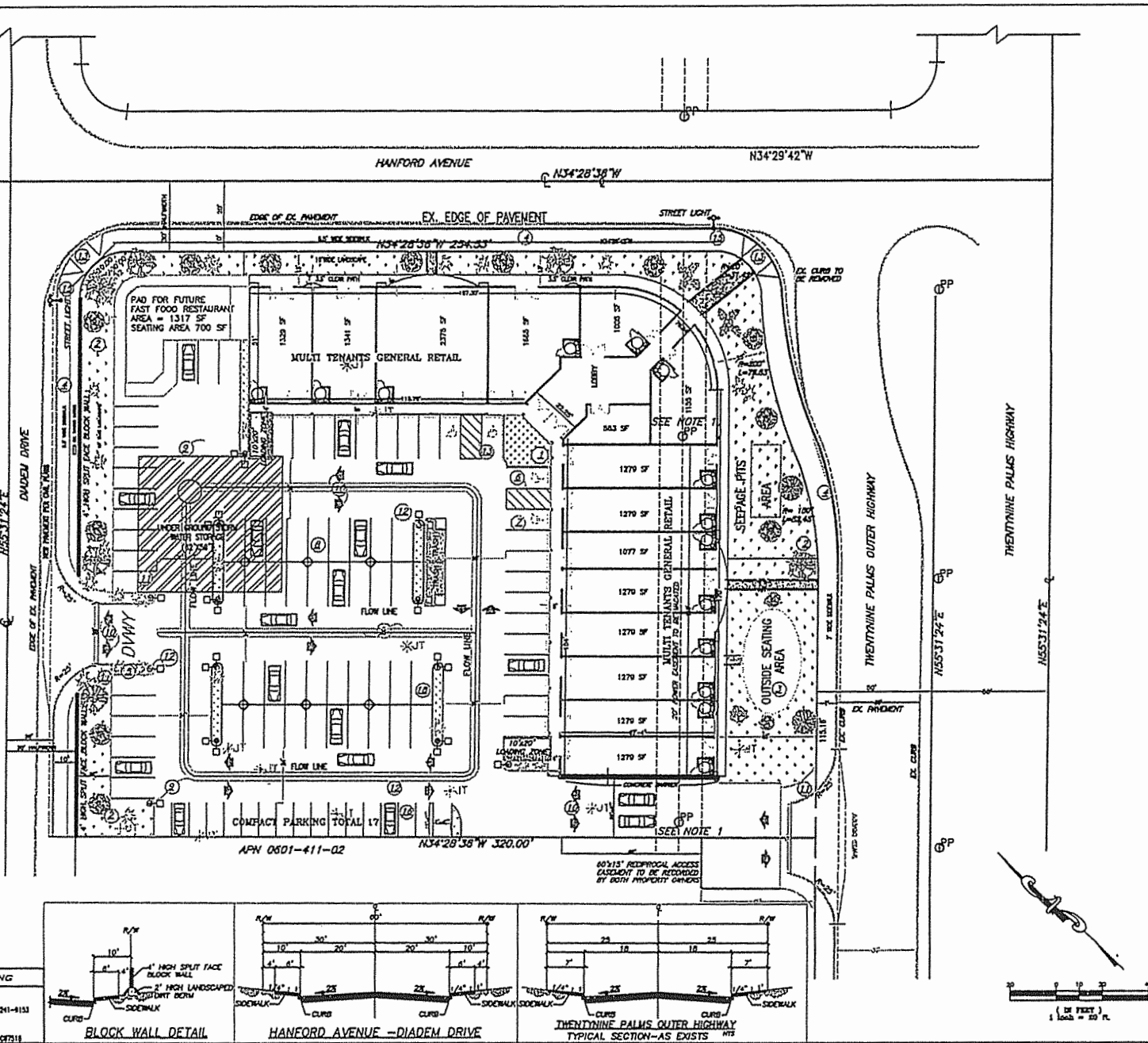
APN 0601-532-15

APN 0601-532-01

P. 63



RA ENGINEERING
25 PRIMA ROAD
LA CA 92026
714-467-9141 FAX (714) 241-4153
RED BY:
LJ/MSK REC NO. 07518



REVISION BY

AREA TABULATION

TOTAL SITE AREA	79211	SQ. FT.
BUILDING AREA	22810	SQ. FT.
BUILDING COVER	28,322	
A.C. PARKING AREA	35340	SQ. FT.
A.C. PARKING PERCENT	45.22%	
LANDSCAPING (UNAPPROVED)	10280	SQ. FT.
LANDSCAPING PERCENT	13.11%	
SOC. WALK AREA	3120	SQ. FT.

PARKING REQUIRED
A- RETAIL SHOPPING CENTER (1000) (24) 30'x70' STALLS = 77 SPACES
B- FUTURE FAST FOOD RESTAURANT (2000) 70'x50' = 14 SPACES
TOTAL SPACES REQUIRED = 91

PARKING PROVIDED
8' x 18' STANDING SPACES = 24 SPACES
7.5' x 15' COMPACT SPACES = 17 SPACES (18%)
DISABLED SPACES = 4 SPACES
TOTAL SPACES PROVIDED FOR BLDG = 45 SPACES

LEGAL DESCRIPTION
PORTION OF LOTS 3 AND 4, TRACT NO. 4072, AS PER PLAT RECORDED IN BOOK 63 OF MAPS, PAGES 62 AND 63, RECORDS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA.

APN: 0601-411-03-000
BUILDING TYPE: ONE STORY
OCCUPANCY: R
ZONING: R2

- SITE PLAN NOTES:-
- 4" CONCRETE CURB AND SLOPE STOP.
 - APPROVED LANDSCAPING (MIN. 10% OF SITE AREA)
 - OUTSIDE SEATING AREA
 - 8'-0" MIN. CONC. WALK PER FORM OF YUCA VALLEY STANDARD
 - DISABLED SITE ENTRY SIGN WITH UNIVERSAL SYMBOL AND TEXT PER ADA.
 - DISABLED PARKING STALL WITH STAFFED ACCESS MAP AND UNIVERSAL SYMBOL.
 - MINIMUM PARKING STALL SIGN W/ UNIVERSAL SYMBOL (TR-1)
 - STALL PARKING SPACES (7X11)
 - 8' x 4" WALK (MIN) STRIPING BETWEEN SPACES
 - 3" A.C. PARKING FOR ONE DESIGN
 - DIRECTIONAL ARROWS FOR FORM OF YUCA VALLEY STD.
 - FUTURE SIGNAGE FOR FORM OF YUCA VALLEY STANDARD
 - PARKING LOT LANDSCAPE PER FORM OF YUCA VALLEY STD.
 - SOCCERBALL MARK
 - TRUCK ENCLOSURE OF 8' DIA PER FORM OF YUCA VALLEY STD.
 - STREET LIGHTS
 - COMPACT PARKING SPACES (7.5X11.5MIN)

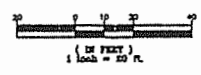
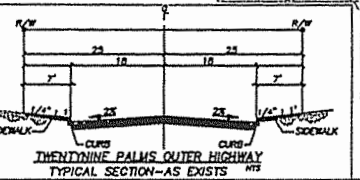
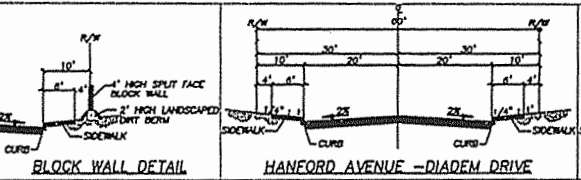
NOTE 1: EXISTING PORTION WITH A 2' EASEMENT TO BE RELOCATED IN AN UNDEVELOPED CORNER WITH THE NEW RELOCATION WILL BE COORDINATED WITH THE POWER COMPANY.
NOTE 2: COST: 205,500.00, TOTAL 12 FEET, TO BE RELOCATED AND REPAIRED ON-SITE. REFER TO FINAL LANDSCAPE PLAN FOR DETAIL.
*UT ADAHA TREE

2797
405 PACIFIC COAST HIGHWAY - HARRINGTON BEACH, CA 92648
APN: 0601-411-03-0000 - HANFORD AVENUE

SITE PLAN

SCALE: 1"=20'
DATE: 05/02/2009
PERFORMED BY: FJAL
CHECKED BY: MSK
DRAWN BY: FJAL
APPROVED BY: MSK

SHEET 1





REVISION	BY

LOCATION: APN 0601-411-03-0000 - HANFORD AVENUE

SITE P. 64

OWNER: ALI, MIKE AND AIDA - (714) 717-2787
405 PACIFIC COAST HIGHWAY - HUNTINGTON BEACH, CA 92648

SCALE: 1" = 20'

DATE: 08/30/2008

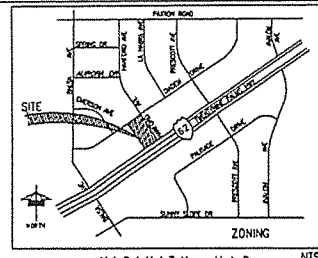
DESIGNER: T.H.M.

ENGINEER: M.E.M.

DRAWN BY: T.H.M.

CHECKED BY: M.E.M.

SITE PLAN SHEET 1 OF 1



GENERAL INFORMATION	
APN	0601-411-03-0000
PROJECT NAME	RETAIL BUILDING
DATE	08/30/2008
DESIGNER	PETRA ENGINEERING
ENGINEER	M.E.M.
DRAWN BY	T.H.M.
CHECKED BY	M.E.M.
SCALE	1" = 20'
DATE	08/30/2008
DESIGNER	T.H.M.
ENGINEER	M.E.M.
DRAWN BY	T.H.M.
CHECKED BY	M.E.M.

LEGAL DESCRIPTION	
APN	0601-411-03-0000
BUILDING TYPE	ONE STORY
OCCUPANCY	B
ZONING	C2

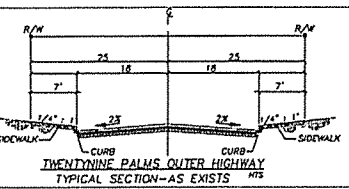
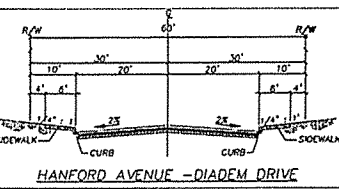
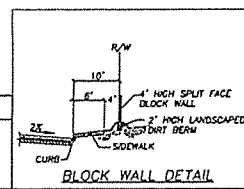
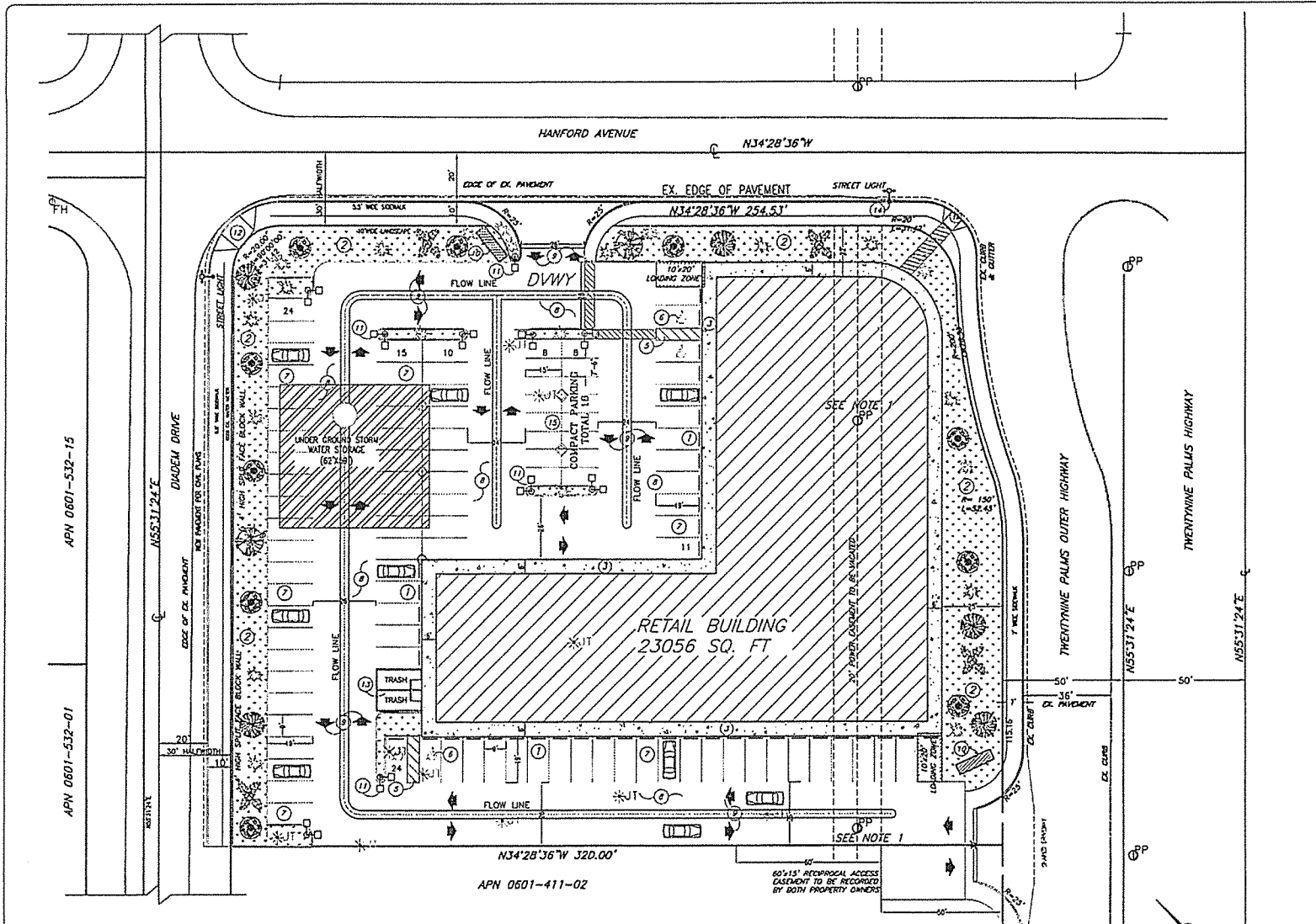
TOTAL SPACES PROVIDED FOR BLDG	
7'-8" x 15' CONTACT SPACES	= 18 SPACES
DISABLED SPACES	= 04 SPACES
TOTAL SPACES PROVIDED FOR BLDG	= 22 SPACES

- SITE PLAN NOTES:-**
- 8" CONCRETE CURB AND WHEEL STOP.
 - APPROVED LANDSCAPING (14% OF SITE AREA)
 - 6" x 6" MIN. CONC. WALK PER TOWN OF YUCCA VALLEY STANDARDS
 - DISABLED SITE ENTRY DOOR WITH UNIVERSAL STAIRS AND TOOT PER A.D.A.
 - DISABLED PARKING SPACES WITH STREPPED ACCESS RAMP AND UNIVERSAL SIGNAGE
 - UNIDIRECTIONAL PARKING SHALL BE W/ UNIVERSAL SIGNAGE (TOP)
 - STD. PARKING SPACES (8'x18') W/ 4" WIDE (MIN) STRIPING BETWEEN SPACES
 - 3" A.C. PAVING FOR CURB DESIGN
 - DIRECTIONAL ARROWS PER TOWN OF YUCCA VALLEY STD.
 - FUTURE SIGNAGE PER TOWN OF YUCCA VALLEY STANDARDS
 - PARKING LIGHT FIXTURES PER TOWN OF YUCCA VALLEY STD.
 - SIDEWALK RAMP
 - TRASH ENCLOSURE OF 8' DIA PER TOWN OF YUCCA VALLEY STD.
 - STREET LIGHTS
 - COMPACT PARKING SPACES (7.5'x15'xV)

NOTE 1: EXISTING POWER WITHIN A 20' EASEMENT TO BE RELOCATED IN AN UNDERGROUND CONDUIT WITHIN THE ROW. RELOCATION WILL BE COORDINATED WITH THE POWER COMPANY.

NOTE 2: EXIST JOSEPH TREES, TOTAL 13 TREES, TO BE RELOCATED AND REPLANTED ON-SITE. REFER TO FINAL LANDSCAPE PLAN FOR DETAIL.

※JT JOSEPH TREES

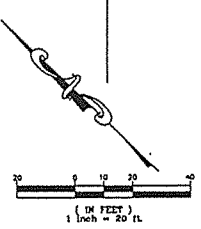


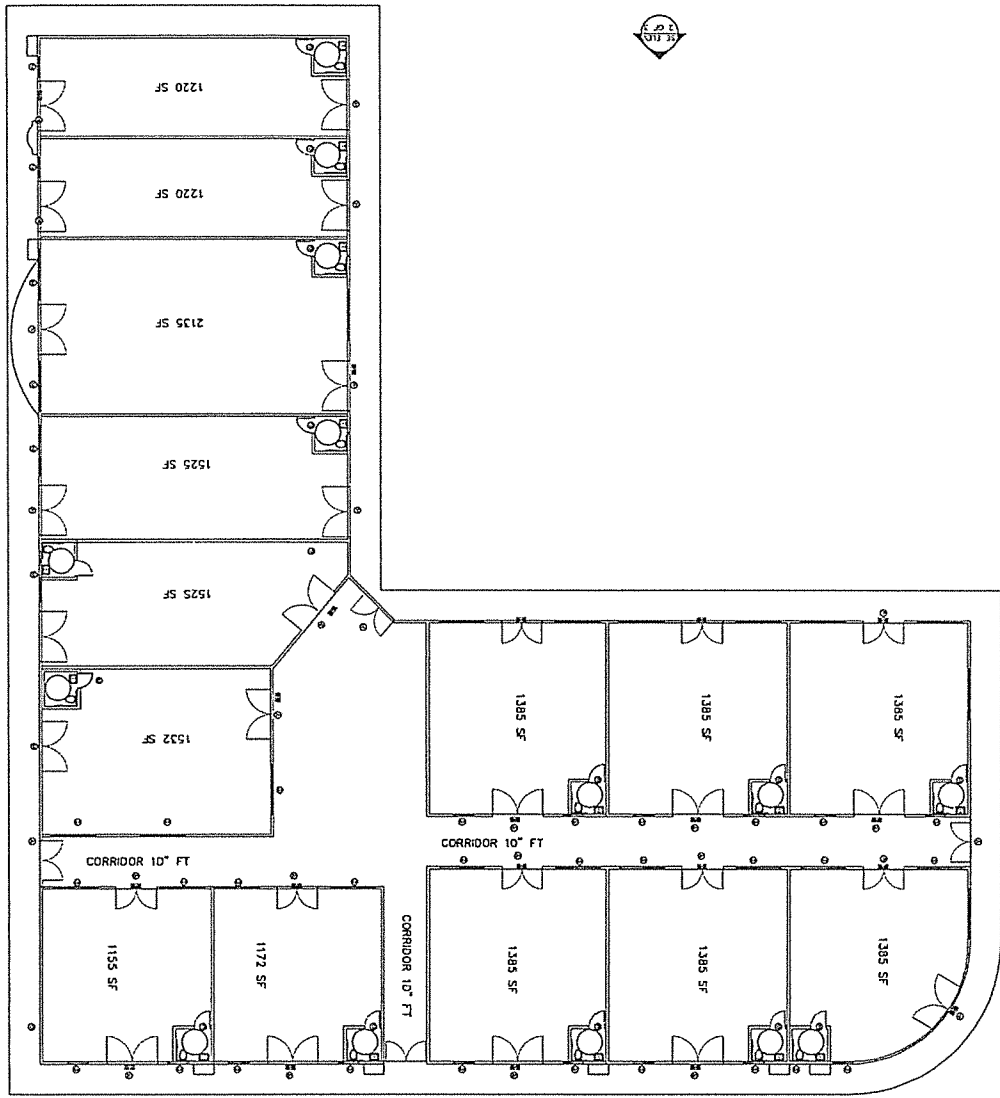
PETRA ENGINEERING

13840 205 PALMS ROAD
HUNTINGTON BEACH, CA 92648
TEL: (714) 717-2787 • FAX: (714) 241-8153

PREPARED BY: M.E.M.

PROJECT NO. 0601-411-03-0000





WINDOW SCHEDULE

NO.	TYPE	SIZE	FINISH	GLASS	OPERATION	MARKING
1	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	1/2" GLASS	SWING	1/2" GLASS
2	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	1/2" GLASS	SWING	1/2" GLASS
3	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	1/2" GLASS	SWING	1/2" GLASS
4	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	1/2" GLASS	SWING	1/2" GLASS
5	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	1/2" GLASS	SWING	1/2" GLASS
6	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	1/2" GLASS	SWING	1/2" GLASS
7	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	1/2" GLASS	SWING	1/2" GLASS
8	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	1/2" GLASS	SWING	1/2" GLASS
9	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	1/2" GLASS	SWING	1/2" GLASS
10	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	1/2" GLASS	SWING	1/2" GLASS

DOOR AND FRAME SCHEDULE

NO.	TYPE	SIZE	FINISH	OPERATION	MARKING
1	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	SWING	1/2" GLASS
2	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	SWING	1/2" GLASS
3	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	SWING	1/2" GLASS
4	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	SWING	1/2" GLASS
5	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	SWING	1/2" GLASS
6	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	SWING	1/2" GLASS
7	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	SWING	1/2" GLASS
8	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	SWING	1/2" GLASS
9	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	SWING	1/2" GLASS
10	1'-0" x 3'-0"	1'-0" x 3'-0"	1/2" GLASS	SWING	1/2" GLASS

LEGEND :

AS SHOWN ON LOT AND FRONT
(GROUP/PAUL ROOMS)

AREA :

TOTAL BUILD UP AREA - 25000 SF

DATE: 02/28/2002
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: [Number]
 SHEET NO: 1 OF 3

FLOOR PLAN

OWNER: ALI, MIKE AND AIDA - (714) 717-2797
 405 PACIFIC EAST HIGHWAY - HUNTINGTON BEACH, CA 92648

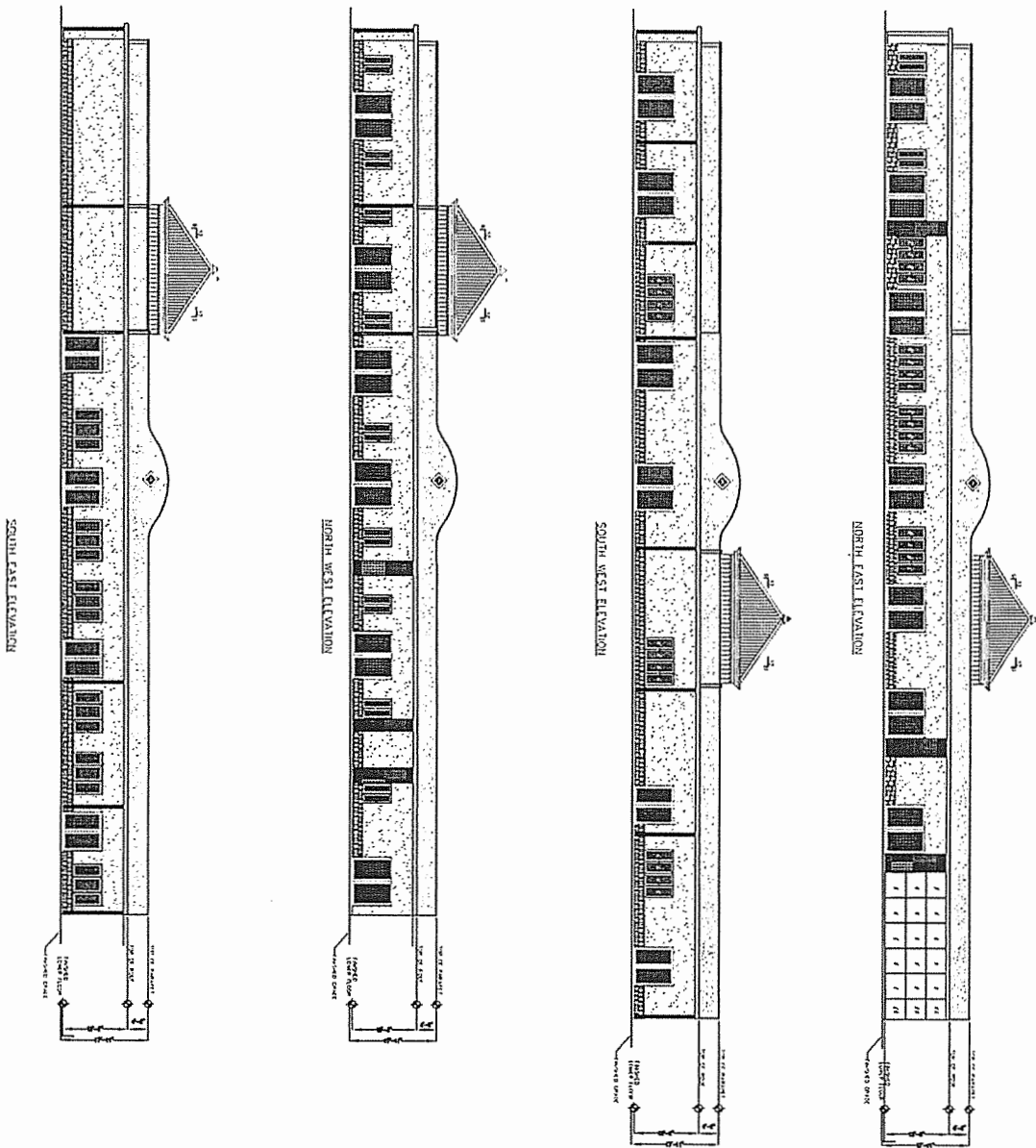
JOB LOCATION: 1601-411-03-0000 - HANFORD AVENUE

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REVISION

NO.	DESCRIPTION





SOUTH EAST ELEVATION

NORTH WEST ELEVATION

SOUTH WEST ELEVATION

NORTH EAST ELEVATION

ELEVATION

OWNER
 ALL, MIKE AND AIDA - (714) 717-2797
 405 PACIFIC COAST HIGHWAY - HUNTINGTON BEACH, CA 92644

JOB LOCATION
 0601-411-03-0000 - HANFORD AVENUE

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REVISION	BY

PETRA DESIGNERS
 10000 S. HANFORD AVENUE
 SUITE 100
 HANFORD, CA 92349
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DATE: 06/20/2008
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: [Number]
 SHEET NO: 2 OF 3

**TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING MINUTES**

APRIL 8, 2008

Chair McKoy called the regular meeting of the Yucca Valley Planning Commission to order at 7:00 p.m.

Commissioners present: Chair Dennis McKoy, Commissioners George Huntington, Steve Willman, Shannon Goodpaster and Robert Lombardo

Chairman McKoy led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Mr. Willman moved that the Agenda be approved, which motion was seconded by Mr. Goodpaster and passed unanimously by voice vote.

PUBLIC COMMENTS:

None

PUBLIC HEARING:

1. SITE PLAN REVIEW SPR 03-08, VARIANCE V 02-08 – FELIX

A request to construct a one-thousand and fifty (1,050) square foot building for a beauty salon and other commercial use including curb and gutter, sidewalk, landscaping, and other ancillary improvements in a Commercial Mixed-Use Land Use Designation located at the northeast corner of Geronimo Trail and Pueblo Trail, otherwise known as Assessors Parcel Number APN 586-133-08.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Director of Community Development Tom Best presented the project discussion to the meeting. Due to incomplete noticing of the Variance, Mr. Best requested that the item be continued to the Commission meeting of May 6, 2008.

Mr. Huntington moved that the item be continued to the Commission meeting of May 6, 2008. The motion was seconded by Mr. Willman and passed unanimously by voice vote.

2. SITE PLAN REVIEW SPR 0-08, VARIANCE 03-08 – ALI

A request to construct a Twenty-thousand seven-hundred and seven (20,707) square foot multi-tenant commercial center with a five foot encroachment into a side-street set-back, including roadway improvements, curb and gutter, sidewalk, street

lighting, landscaping, and other ancillary improvements in a General Commercial (C-G) Land Use Designation located at the northwest corner of 29 Palms Highway at Hanford Avenue, otherwise known as Assessors Parcel Number APN 601-411-03.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Director of Community Development Tom Best presented the project discussion to the meeting.

Mr. Best, utilizing a PowerPoint presentation copies of which are preserved in the meeting and project files, stated the project is a very appealing and attractive project for a single story multi-tenant commercial shopping center which will include landscaping, pedestrian access and outdoor amenities emphasizing urban design and architecture. It also includes a pad site proposed for a sit-down restaurant along with parking and underground detention facilities. The project is exempt from CEQA as in-fill development.

There is a shared access point off of the outer highway which will decrease traffic conflicts along the outer highway. An outdoor seating/gathering area is proposed for use by patrons and employees. The landscaping includes a berm on the north and a strip along Hanford where the 5 foot setback is proposed. There is a perimeter sidewalk around the property and intermittent secondary sidewalks that access the development from the street which lead to operable doors, storefront windows and the plaza.

The total gross leasehold area of the retail component is 18,833 square feet. The remaining square footage is a lobby for common use. A retail pad is proposed for a 13,000 square foot sit-down restaurant to be separate from the retail component. The building facades are oriented to the primary street frontages. The architecture is a southwest mission style with contemporary undertones, articulations and textural variations. Parking is located interior to the project and pedestrian access is emphasized. Landscaping will vary in scale. Vertical elements and parapets break the expanse of the retail building. Staff believes the quality architecture and combined landscaping within the project help to justify the 5 foot encroachment. Staff recommends approval of the Site Plan Review and Variance based upon the findings and conditions of approval contained within the staff report. However, there is an error in condition #20 which should be deleted in its entirety from the COA.

Mr. Lombardo requested and received confirmation that the 5 foot encroachment is just on the area that was going to be the landscape area and will not go into the street or change the roadway.

Mr. Best replied in the affirmative and commented this project is conditioned for full half street improvements which include sidewalk, curb, gutter, pavement and street lighting at the intersection of 29 Palms outer highway and Hanford Ave. and at the intersection of Diadem Dr. and Hanford Ave.

Mr. Huntington commented he is a little confused as to why the variance is required.

Mr. Best replied typically we require the 15 foot setback to be landscaped. The layout of this design as compared to the initial presentation, at the request of staff, required a manipulation of the parking to keep it interior to the property and could only be realized

with that particular encroachment. The applicant had to make changes to maintain the same square footage and perhaps the applicant could address that in a little more detail.

Mr. Huntington asked if delivery trucks will be unloaded on the frontage roads.

Mr. Best replied that would be the preferred access. There are only 2 access points to this property, one off of Diadem Dr. and one off of the outer highway.

Mr. Huntington replied it looks a little tough to get truck parking temporarily to off-load for retail consideration. The only place he can see it could happen is off the outer highway or off of Hanford and then it's fairly limited access. There are one or two walkways going up into it. It's a consideration that should be looked at. The sidewalk on the outer side on the street side is listed as 4 feet and then there are some pop-outs that look like they intrude half way into it. He questioned if that is enough sidewalk for ADA requirements with probably only 30 inches of sidewalk available.

Mr. Best replied those are primarily projections from the façade which comply with the permitted projection into setbacks within our Development Code, so they're not actually part of the ground structure.

Mr. Huntington stated he is not referencing the structure but referring to hardscape, the sidewalks. They're showing a 4 foot sidewalk around the outside of the building and then they've got little pop-outs, articulations on the building that pop out into that 4 foot sidewalk. Have they allowed enough space for an adequate sidewalk to accommodate ADA requirements? It's something to look at in the final plan. He asked how Highway right-of-way is affected on this project. The highway right-of-way is 57 feet on each side of center line. The site plan shows 50 feet. He asked if the extra 7 feet comes out of the outer highway and how that does not affect this project.

Mr. Best replied it does not affect this project. It will present some long term challenges that CalTrans will need to look at. However, it has no impact that our engineers can see in terms of the function of this particular parcel and the development as proposed.

Mr. Huntington requested and received confirmation that the outer highway is now Town maintained. He asked if we need to put a condition in from the Hi-Desert Water District to hook to the sewer on Phase 1 completion.

Mr. Best replied that would be the choice of the Planning Commission. That will be an item that spreads much farther than this particular project and all developments within Phase 1 will be required through some type of instrument to connect to the sewers.

Mr. Huntington questioned if the water district, in its application process for them to serve that property, requires them to have a condition that they hook up to the sewers and is that part of their jurisdiction.

Mr. Best replied that is his understanding.

Mr. Huntington stated there is a residential area right across the street on Diadem and asked if the buffer zone will basically consist of just a landscape berm.

Mr. Best replied that is his understanding at this time.

Mr. Huntington asked if we consider that adequate for noise attenuation. This is one of the few areas where we have a residential area backing onto a commercial area instead of office/commercial or something to buffer it to some extent. With restaurant potential here perhaps we should look at the buffer zone more closely to make sure it's adequate for sound attenuation and visual impact.

Mr. Goodpaster asked, with reference to what Commissioner Mr. Huntington was stating about Hi-Desert Water, what the mitigation would be if this project were to complete Phase 1 before the sewer system was functional. Seepage pits are on the plan but they are apparently not planning for a septic system or anything like that based on the sewer system being operational.

Mr. Best replied that all comes down to timing and probably relates to market conditions, but what is presently indicated is that the property will be served by an approved water treatment system. In this case what's indicated is a seepage pit area.

Mr. Goodpaster commented, with reference to the storm water detention or retention, staff stated that the hydrology study is not in depth enough. He asked if that is because the underground system is too small to handle the storm water?

Mr. Best replied in the affirmative. What that condition relates to is the method of sizing the system. The actual figure used to calculate the storm water flows is based on the incremental increase anticipated for this project. What is outlined in the conditions are two methods to remedy that; either size it according to the protocol within the Master Plan of Drainage or use the figure selected by the engineer to resize. There is not a real issue whether or not this site can contain the appropriate volume of storm water only regarding the method of sizing it properly.

Mr. Goodpaster asked if it is staff's contention that the current configuration of the storm water retention system is not big enough.

Mr. Best replied in the affirmative.

Mr. Goodpaster asked what the process is when figuring parking requirements for compact size spaces.

Mr. Best replied the parking regulations within the Development Code do a couple of different things. They provide a formula to calculate the required number of parking spaces and they also provide allowances in terms of numbers of percentages for the types of spaces.

Mr. Willman questioned item #11 on stamped page 17 and asked if that is a new condition.

Mr. Best replied that's correct.

Mr. Willman requested and received confirmation that only half of the shared common driveway off of the outer highway will be built at the time of construction.

Mr. Best replied that is correct but what is being proposed is adequate to service this property. The benefits of having a shared access would be in case development may continue to the west and for service to the adjacent lot. Perhaps the applicant or a representative can address that a little further.

Mr. Willman asked if the Fire Dept. is going to have a problem with that access point off of the outer highway only being 15 feet wide.

Mr. Best replied that is 15 feet from the dividing property line so what would be required would be some type of access agreement which provides for the shared access easement. That apparently is something that we will need to work out. The Fire Dept. was part of this review process, however, typically they do require 26 the feet.

Mr. Willman commented that sometime in the near future SR62 is going to be widened to 6 lanes all the way through Town. He questioned the in-lieu fees for fair-share of widening that section for this project.

Mr. Best replied at this point in time this project borders the outer highway and not SR62. We are requiring half-width improvements as opposed to in-lieu fees to cover the costs of the outer highway development and all the surrounding streets. Just being in proximity to SR62 does not trigger that action.

Mr. McKoy asked what would be considered the main entrance to the project.

Mr. Best replied there was a traffic study prepared that showed the anticipated traffic movements at all intersections. Perhaps the applicant's representatives can discuss that in further detail, but to the west of this property the outer highway has a right turn only. There is no left turn as there was a median constructed as of this week on that other access point. So I believe that the traffic would be divided, certainly maybe an existing movement would be to the 29 Palms outer highway to access SR62.

Mr. McKoy questioned the location of the garbage area. It's the first thing you would see at the main access off of the highway. It could be an eyesore. He asked if there are any drainage issues on that property.

Mr. Best replied yes, and this property is not within an area that requires construction of any type of regional improvements or other drainage facilities. As part of development of this site, a grading plan will be required which will tie into the increase in incremental runoff and the underground storage area that was discussed earlier as part of this project.

Mr. McKoy stated he noticed one of the decorative roof lines is white outlined in brown and the others were sort of a lighter brown and asked if that was intentional

Mr. Best replied these are conceptual but I think the applicant was attempting to relay that these are primarily earth tone structures consistent with the Town's commercial guidelines.

Mr. McKoy opened the public hearing.

Applicant Mike Ali stated this type of development will benefit the Town with tax revenue. They will continue to work with staff to make changes or redesign as they have in the past. They will move the garbage area to a space less visible from the highway.

Mr. Huntington asked why the variance was requested.

Mr. Ali replied to reduce the amount of concrete on Hanford Ave., enhance the landscaping and preserve the square footage.

Jill Sorenson of Yucca Valley stated she lives on Diadem Dr. and is opposed to the project. The aerial photo used by staff is at least 10 years old. There are a lot more houses and roofs today. The photos used did not show the houses that will be encroached upon. The proposed rear driveway will line up with her driveway. She has been there 30 years and does not want the lights and trash that will come with this project. The current owners of the property do not maintain the property and the trash from the Wal-Mart center blows down the street and collects there. A neighbor recently filled 16 large bags with trash from that property. The weeds are not cut down and the bushes are not trimmed. You cannot safely see around the corners to make turns onto the streets because of the bushes. This project will encourage kids to congregate at night. Lights will be shining in her front windows when she is trying to sleep. Some of the neighbors did not receive notification of this meeting.

Mr. Ali responded he didn't know trash was a problem on the property and he will hire someone and have them there next week. They want to be good neighbors.

Mr. Mr. McKoy closed the public hearing and asked staff for comments based on what was heard.

Mr. Best stated discussion between staff and the applicant did strongly focus on the buffer between the commercial property and the residential property that is split by Diadem Dr. They came to a consensus that it was very important to provide some type of buffer focusing on a landscape berm with enhanced landscaping. Staff felt that there were opportunities on the site to accommodate trash enclosures at virtually any location but will look at this in a little more detail in selecting those areas. He stated he wished he could answer the traffic questions a little further. Counts were reviewed prior to this meeting. They are for various hours and such. If necessary he could perhaps have someone address that in more detail. Presently there is not a whole lot of traffic that accesses the site. But again, the movements are restricted on the outer highway as one would progress west.

Mr. Lombardo stated a concern was voiced about the street lights lighting up the residential area there and asked if the project site is different from other areas of the Town. Specifically, are they any farther away from or any closer to homes than this case would be with one on Diadem, one on Hanford and another on the corner of Hanford and the outer highway.

Mr. Best replied correct and noted that those are both intersections. Throughout the Town, there are various classifications of streets, whether they're local, collector, arterial, etc. With those designations comes an ultimate right-of-way designation. So, the ultimate width of the streets is typically defined. It is the policy of this department to provide for street lighting particularly at intersections as a safety factor.

Mr. Lombardo asked if this is a safety factor typically found at an intersection of this size road and is this one classified as a feeder or arterial.

Mr. Best replied local. If two roads are proposed for street light placement they would be considered as local roads. And even though we don't see street lighting consistently throughout the Town, this is a new development and street lighting is an improvement that is required as a condition.

Mr. Lombardo asked if these street lights are to be shielded in any manner so that the light is directed down as opposed to lateral.

Mr. Best replied we have Town standards concerning the placement and location of poles. Lighting of course has been an issue and that's something as part of the approval process staff would look at with the street improvement plans.

Mr. Lombardo stated the only other concern for the resident was the positioning of the driveway. It can be moved somewhat but that may not make a whole lot of difference. He asked if it would take considerable redesign to move the driveway and if there is a place that could be more beneficial in light of the concerns that were expressed.

Mr. Best replied he would probably direct that question to the applicant's engineer. However, there is a travel lane that separates the double loaded parking stalls on both sides. If that were relocated, which may or may not be possible, there could be a potential conflict by shifting the driveway either right or left.

Mr. Lombardo stated he understands the problem now.

Mr. Willman commented there are 21 parking lot lamps proposed. He questioned the requirement for the number of parking lamps needed for that size of parking lot.

Mr. Best commented site lighting is not necessarily tied to the number of lamps or poles. We do regulate light trespass off of a property. Town regulations contain the light trespass onto the subject property itself. So, if a lamp pole is perhaps a shorter height or has a lamp with fewer lumens or a different type of lamp in it, all of those factors contribute to the amount of light coming out of any individual fixture.

Mr. Willman commented there are 8 of them that look like they are dual boxes vs. single boxes and 2 will give off more light than 1

Mr. Best commented that could depend upon the type of lamp and the wattage of the lamp.

Mr. Goodpaster asked if staff had discussions with the applicant about using a wall for noise mitigation.

Mr. Best replied staff had discussions about methods in general that can help buffer the impacts from this property upon neighboring properties, and particularly the residential properties to the north. We discussed a number of issues including lighting, visual issues, noise, etc. and elements including a wall, landscape berm, enhanced landscaping and a combination of the three as potential mitigation measures.

Mr. Goodpaster commented the light probably wouldn't be as big an issue with the new amber lights that really light up the area but don't really project out. That would seem to be a pretty easily mitigated circumstance. He questioned how you could institute a wall without changing the architectural design. As Mr. Mr. Huntington said earlier, raising the height of the berm would not drastically change the look of architecture and should be considered.

Mr. Best replied that is something that has been discussed . A gain, it is a goal to respect the residential properties to the north to the grea test extent and the applicant has indicated that is an objective of his as well with this project.

Mr. Goodpaster asked if exploring all options as far as the lights and raising the height of the berm should be put into the conditions of approval.

Mr. Best replied in the affirmative if the Commission feels that's appropriate.

Mr. Huntington stated he agrees with Commissioner Mr. Goodpaster. One of the biggest problems with this project as it stands is the buffer zone between the residential area and the project. It needs to be enhanced. It may not need a 10 foot sidewalk on that side. Removing some of the sidewalk would allow more room to enhance landscaping and an enhanced berm height to provide some relief. The lighting issues will be taken care of by the conditions. He stated he was still having a hard time on the Variance. Going through the findings for the Variance, item #1 was fine. Finding #2 states "there are exceptional or extraordinary circumstances or conditions applicable to this property or to the intended use that do not apply to other properties in the same district or vicinity." He finds that hard to justify. This property is just like the property next door and across the street. Neither of those would justify a variance for extraordinary conditions or circumstances. He requested a definition of extraordinary.

Mr. Best replied he could not say that there is any physical feature on this property such as an outcrop that may require the building be specifically placed or the design be changed. Staff believes being adjacent to a roadway on the edge of pavement and with the types of design we were looking for to portray architecture as opposed to parking areas, that this particular layout was actually more beneficial than having the building reoriented with parking to the edge of the property.

Mr. Huntington replied that although he understood and agreed, he believed there is a legal obligation to justify the findings.

Mr. Lombardo commented he believes they are trying to make these spaces more usable for a tenant. If you take 5 or 6 feet off of that, although it may have the square footage, it's not any usable configuration.

Mr. Huntington replied he understood, but shifting the whole building 5 to the west or removing one unit does away with that. And Finding #3 is the same thing: "the strict application of the land use district would significantly alter the development potential of the property." He did not believe significantly is apropos here. He has a hard time on that. The lack of landscape, any kind of landscape on the west end of the building at the driveway, because it's on the highway side, is aesthetically deficient.Regarding the location of the trash enclosure, he agreed that it's probably not in a great location. The

design as shown on the site plan is probably out of compliance. Also, the site plan that is in the package is not the same as the one on the large scale. There are some parking variations on the small scale one. I think that was an earlier one. This is dated Feb 19th and the one in the package is dated December of 07.

Mr. Best replied he didn't catch that.

Mr. Huntington commented he noticed it when he was looking at the elevations because they are showing parking places out in front of the building and on the entrance area. They are showing parking in the packet on the side which don't exist on this one. I assume the later dated one is the correct one.

Mr. Best replied in the affirmative.

Mr. Huntington stated the reciprocal access agreement has to be in place or some modification has to be done.

Mr. Lombardo commented he was trying to justify the variance. He likes the idea of the parking being inside as opposed to facing the highway. That adds to its appeal. It gives better visibility for the windows and more visibility to the retail area and hides the cars in the parking lot behind that nice architectural structure. The square footage of the units along Hanford would be affected adversely if you were to cut and not approve the variance for the shortening of the landscaping area. It would cut into the square footage of the retail units along Hanford Ave and would make them less usable because of the way they're configured.

Mr. Huntington replied he agreed but asked if that fit into the justification for findings.

Mr. Lombardo replied it depends on how much you value having the parking in the center, which is visually important. But perhaps if they cut off one unit it would have the same effect.

Mr. Best commented as part of the findings, staff did determine that the granting of this variance would not be detrimental to adjacent properties or land uses within the area. The property is bordered on the east by commercial development. That particular strip of land for landscaping would be enhanced and the architectural components would not affect the uses or be a detriment to other properties.

Mr. Huntington commented he agreed and those findings worked.

Mr. Lombardo asked if all of the findings had to be made or just one of them.

Mr. McKoy commented he sees the concern of the resident and thinks that a number of alternatives have been discussed and we should try to hone in on that. That area has been fairly protected for a long time and there are probably residents who have lived there for quite a while. How can we mitigate the light that might go over into that area? There were some suggestions about raising the berm a bit, planting more trees to help block it, requiring lighting that may shield away from that property but still light the shopping area. Those are some things we should consider.

Deputy Town Manager Shane Stueckle commented some significant issues have been raised this evening including the driveway width that does not meet Fire Dept. standards, the question relating to the Findings of the Variance, lighting concerns and separation of the residential from the commercial area. Based on Commission comments staff would not recommend that action be taken on this item but rather that staff and the applicant meet to discuss the issues and design alternatives. The item could be continued to a date certain. The applicant may want to comment on the time a redesign may take.

Mr. McKoy reopened the public hearing.

Project Engineer Nashat Muwanes stated most of the issues raised today were discussed with staff. Regarding access, the map shows 15 feet on the project side but the total will be 30. If they cannot get a reciprocal access agreement with the adjoining property the entire 26 feet of driveway will be on this property. The lights will be shielded and will not illuminate beyond the parking lot. Nothing is better than a commercial strip as a buffer between a highway and residential areas. He suggested a block wall but staff did not favor that. The 4 to 5 foot high landscape berm buffer was the chosen option. There are some concerns about the hydrology study; however, the final design to exactly size the retention basin design usually depends on the percolation report. That report is required for the septic system and retention basins. The size shown on the map is conceptual and will be appropriately revised based upon the percolation test. They request the item return for the Commission meeting on May 20, 2008.

Mr. McKoy closed the public hearing.

Mr. Huntington commented the applicant is requested to define the buffer area, justify the variance, reevaluate the trash location and adjust the driveway for width.

Mr. Goodpaster moved to continue the item to the Commission meeting of May 20, 2008. The motion was seconded by Mr. Willman and passed unanimously by voice vote.

DISCUSSION ITEMS

3. COMPREHENSIVE GENERAL PLAN AMENDMENT HISTORY

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Director of Community Development Tom Best presented the discussion to the meeting. Seven General Plan Amendments initiated by applicants have been approved since incorporation. Two additional General Plan Amendments were initiated by the Town to accommodate Tract Maps filed with the County prior to incorporation.

One of the amendments transferred commercial property to residential reducing the commercial usage by 10 acres. The others were transfers of density between various residential land use designations. Staff believes these transfers have not hampered the goals and objectives within the General Plan. The applicant Amendments have resulted in a net gain of 184 parcels.

**TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING MINUTES**

JUNE 3, 2008

Vice-Chair Goodpaster called the regular meeting of the Yucca Valley Planning Commission to order at 7:00 p.m.

Commissioners present: Vice-Chair Shannon Goodpaster, Commissioners George Huntington, Steve Willman and Robert Lombardo

Chair McKoy was excused from attendance at the meeting for family reasons.

Vice Chair Goodpaster led the P ledge of Allegiance.

APPROVAL OF AGENDA:

Mr. Willman moved approval of the Agenda, which motion was seconded by Mr. Lombardo and passed unanimo usly by voice vote of the Commissioners present.

PUBLIC COMMENTS:

Robert Sturges of Yucca Valley commented he is concerned about water drainage and that no provisions have been made for flood water. He suggested the Commission meet with the Town Engineer about all the new construction in Town and where the water is going to go. He also presented written comments about the issue, copies of which are preserved in the meeting file.

PUBLIC HEARINGS:

1. SITE PLAN REVIEW SPR 02-08 – ALI - Continuation

A request to construct a 20,910 square foot multi-tenant commercial shopping center with a pad for a future restaurant use, parking, landscaping, and off-site improvements on approximately 1.82 acres at the northwest corner of Hanford Avenue and the 29 Palms Outer Highway and identified as APN 601-411-03.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Robert Kirschmann presented the project discussion to the meeting. He stated several issues were raised at the public hearing on April 8, 2008 including on-site loading/unloading, the width of the outside sidewalk, a rear buffer zone along Diadem Dr., site lighting, the entrance from the Outer Highway, the trash area and the necessity of the Variance.

The applicant has revised the plan to accommodate loading/unloading on-site and is providing two 10x20 loading stalls adjacent to the building on opposite ends. The exterior sidewalk is conditioned to meet all accessibility standards. The plan was revised to show a 3.5 ft. sidewalk which needs to be 4 feet wide. The rear sidewalk along Diadem has been reduced to 5.5 feet to allow for an additional 4' of landscaping. The total landscaping area will be 19' wide. A 2' high landscaped berm and a 4' high split face block wall are now proposed in that area. A photometric plan showing no light

trespass beyond the property lines has been submitted. Compliance with the Outdoor Lighting Ordinance is also required. The entrance from the Outer Highway will provide a minimum of 26' onsite to comply with Fire Dept. requirements. A reciprocal access agreement with the adjoining property is being pursued for that driveway. In the event that agreement cannot be reached, the applicant will provide the minimum Fire Dept. requirements on this site. The trash enclosure has been relocated to the interior of the project. The need for the Variance has been eliminated on the revised plan. Staff recommends approval of SPR 02-08 based upon the Findings and Conditions of Approval.

Mr. Willman asked if the drainage study has been updated. Mr. Kirschmann replied that will be submitted with the Grading Plan.

Mr. Goodpaster opened the public hearing.

Applicant representative Nashat Muwanes commented all of the Conditions of Approval ("COA") have been accepted by the owners and he would be happy to answer questions.

Mr. Huntington questioned the proposed tenant mix. Mr. Muwanes replied it will be mixed use, small retail stores and offices of approximately 1,000 to 1,200 square feet. No commitments have been made. A donut or coffee shop may be located in the western part.

Mr. Huntington questioned the parapets and was informed that some are open with wooden rail detailing and some are closed. Mr. Huntington commented all roof mounted mechanical equipment must be concealed from site. Mr. Muwanes stated he will address the detail to conceal all equipment on the final plans.

Mr. Huntington commented that if an agreement cannot be reached with the adjacent property owner for a common drive, he is concerned that there is no sidewalk or landscape area on the western end of the project. There is no way for a pedestrian to safely transit from the sidewalk on the Outer Highway or the southern side of the building without walking in the driveway. Mr. Muwanes stated he sees the point but the intent was not to provide pedestrian access at that location. Pedestrian access is provided in 3 other locations from the streets. Mr. Kirschmann stated the applicant has stated a sidewalk will be installed if they cannot get the agreement. Mr. Huntington stated he would also like to see some kind of landscaping there.

Jill Sorenson of Yucca Valley stated the plot plan shows the project driveway on Diadem exactly across from her driveway. Not all of the homeowners in the area received notice of this meeting. She is also speaking for 3 other neighbors who could not attend tonight. Cramming 14 units and a restaurant on 1.5 acres will not result in a balanced mix of functionally integrated land usage with the surrounding 1 acre residential lots meeting special economic needs of the community through compatible and harmonious land use. There are no other areas in Yucca Valley that have homes in such close proximity to businesses. There is an Avigation easement in this area which the project cannot meet. She cannot add a second story to her home because of that easement. The median strips recently placed on Balsa will force the flow of traffic to use the driveway on Diadem Dr. right in front of her house. The Outer Highway will be one-way only. She opposes this project.

Mr. Muwanes commented a commercial strip is desirable between the highway and residential areas. The applicant presented a list of the property owners in a 300' radius of the project. Notices were sent to all of those owners. Only a corner of the building will be 33 feet high.

Mr. Goodpaster closed the public hearing.

Mr. Kirschmann commented the proposed lot coverage is 26% of the lot. In the RS zone up to 46% is allowed. Twenty seven property owners within the 300' radius were notified. Under the Site Plan Review procedures no notice is required. He confirmed that Ms. Sorenson's driveway is directly across the street from the project access. Typically planners want driveways to meet to avoid creating off-set traffic hazards. A traffic study was prepared and the Town Engineer did not have any comments on the study.

Mr. Huntington commented there is no place to accommodate a semi on the project. Semi trucks will either clutter Hanford or the Outer Highway. Ms. Sorenson had some valid concerns. This is one of the few areas where residential backs onto an office/commercial area in the General Plan. There is some buffering but now we are increasing traffic flow on Diadem which exacerbates noise problems. If this is retail the potential exists for late hours of operation and increases in noise, light and traffic to all hours. This is not proposed as office/commercial but as general commercial.

Mr. Kirschmann stated the Planning Commission can limit the hours of operation as appropriate. The Mojave and Hutchins Motor Sports are both adjacent to residential areas similar to this project. Neither makes a provision for semi delivery parking.

Mr. Willman commented Hutchins has a long straight strip adjacent to the parking area for semi parking. It is a concern if we could have a 48 ft. trailer unloading on Diadem.

Mr. Goodpaster questioned the implications of flipping the entire project.

Mr. Kirschmann stated rather than seeing an attractive building from SR62 you would be looking at parking lots. There could be more deliveries at odd hours on Diadem and it won't solve the problem of the barricades on Balsa forcing traffic onto Diadem.

Mr. Huntington wondered if a better entrance would be from Hanford Ave.

Mr. Goodpaster re-opened the public hearing.

Applicant Mike Ali stated he is a retailer and does not believe there will be that much semi traffic to the project because they will all be small businesses. Mr. Willman commented it will still be a problem because freight companies combine deliveries to small companies and use 18 wheelers all the time.

Mr. Goodpaster closed the public hearing.

Deputy Town Manager Shane Stueckle commented it appears the Commissioners have design concerns regarding the residential neighborhood. The commission can direct the applicant to consider alternatives for entrance to the project. He suggested rather than

address the fine detail of the project that the Commission could approach it on a policy direction level. Staff has heard issues concerning delivery by large vehicles, traffic impacts on the surrounding neighborhood and sidewalks and landscaping on the SW corner if the joint access agreement cannot be acquired.

Mr. Willman stated he would like to see those issues addressed and explored by the applicant for feasibility.

Mr. Goodpaster stated he likes the design but access but might be better from Hanford if the property east of the project is also zoned commercial.

Mr. Huntington and Mr. Willman agreed.

Mr. Goodpaster requested suggestions from staff.

Mr. Stueckle commented the concerns about the Variance and the Night Sky have been eliminated. The Commission appears to want to provide direction to the applicant to minimize impacts in the transition zone to the residential neighborhood north of Diadem. As part of that direction the Commission is asking the applicant to look at the design with primary emphasis being on moving the point of access from Diadem to Hanford. The Commission is asking the applicant's engineer to look at the NW corner in terms of access from sidewalks on the Outer Highway into the project.

Mr. Lombardo moved that as stated by Mr. Stueckle the applicant should provide alternatives to address the issues and concerns discussed. The motion was seconded by Mr. Willman and passed unanimously by voice vote of the Commissioners present.

2. VARIANCE, V 06-08 - CONTRACTORS FINANCIAL

A request to allow an encroachment of five and a half feet into the required twenty-five foot front yard setback of a single family residence located at 54581 29 Palms Hwy, approximately 800 feet west of Pinon Drive and identified APN 586-491-07.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Robert Kirschmann presented the project discussion to the meeting. The property was permitted and a single family residence was constructed in 2006. The building permit was not finalized. The property was purchased by a new owner who surveyed the property and found that the structure was encroaching into the required front yard setback. The new owner is now attempting to bring the property into compliance. The removal of 5.5 feet from the structure would be significant. Additional variances may be required for the driveway. Staff has provided Findings for both approval and denial of the Variance.

Mr. Huntington commented he looked at the property and the 5.5 feet doesn't really make any difference but the drive is going to be a huge issue. He questioned the sequence of the grading permit, the installation of the ground plumbing and the stop work order.

Mr. Kirschmann replied he does not remember the complete sequence but there were two lots side by side, owned by the same person. Individual grading plans were submitted to move approximately 1,500 cubic yards of dirt each. Engineered grading

Staff surveyed seven cities in the low and high deserts. Of the cities surveyed none have the same language or requirement as the Town code regarding the 3' wide landscaped median. Most cities are completely silent on the issue and only deal with the amount of vehicle stacking. The Town of Apple Valley's parking code resembles our requirement most closely stating: "...located in a segregated drive thru lane so as not to interfere with pedestrian or vehicular traffic or parking spaces." This language allows for flexibility in the code while still ensuring the safety of pedestrian and vehicular traffic and has been included as part of the revision.

The Parking Code section on restaurants currently says *"1 space per 50 sf of seating area (including outdoor dining) plus a stacking area to accommodate a minimum of 10 cars for drive-up service independent of any on-site parking, parking maneuvering areas, and traffic ways. The drive-thru lane shall be protected and/or defined by a curbed landscape strip not less than 3 ft. wide."* As proposed, this Development Code Amendment would include the following language: *"...or the driveway shall be segregated so as to not interfere with pedestrian or vehicle traffic and parking as approved by the Planning Commission"*.

Staff recommends that the Planning Commission recommend approval of the Development Code Amendment to the Town Council.

Mr. McKoy opened the public hearing.

Dave Rodriguez of Nolte Associates in Yucca Valley stated for the record and on behalf of their client Jim DePierro, developer of the Sonic project, that they agree with the staff recommendation.

Mr. McKoy closed the public hearing.

Mr. Willman moved that the Planning Commission recommend approval of the Development Code Amendment to the Town Council. The motion was seconded by Mr. Goodpaster and passed unanimously by voice vote of the Commissioners present.

2. SITE PLAN REVIEW, SPR 02-08 YUCCA PLAZA

A request to construct a 23,056 square foot multi-tenant commercial shopping center with parking, landscaping, and off-site improvements on approximately 1.82 acres located at the northwest corner of Hanford Avenue and 29 Palms Outer Highway North and identified as APN 601-411-03. The applicant has eliminated the variance request and future restaurant pad from prior site plan proposals.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Robert Kirschmann presented the project discussion to the meeting. This is the third time this application has come before the Commission.

The Site Plan has been significantly revised. These revisions include:

1. elimination of a variance request for setbacks

2. relocating the driveway from Diadem to Hanford(resulting in relocation of building)
3. addition of a 4' wall and 2' landscape berm to buffer parking from the residential neighborhood
4. relocation of the trash enclosure
5. providing 2 loading stalls
6. a straight driveway where a large truck could temporarily stop if necessary
7. enlarging the width of the perimeter sidewalk
8. reducing the size of the sidewalk around Diadem to increase landscaping

In order to accommodate loading and unloading onsite, the applicant has provided two 10' by 20' loading stalls on opposite ends of the project adjacent to the building. The parking code only requires one. The exterior sidewalk has been conditioned to meet all accessibility standards and widened to 6'. The sidewalk along Diadem has been reduced to 5.5' which will allow for an additional 4' of landscaping. This will bring the total landscaping area to 19' in width. The applicant will also be installing a 2' high landscaped berm and a 4' high split face block wall. The neighborhood will not be looking at a wall with just small shrubs. The applicant has agreed. The project has been conditioned to meander the wall and to provide adequate landscaping on each side. The applicant has provided a photometric plan showing no light trespass beyond his property lines. In addition the applicant is required to comply with ordinance 90. The entrance off 29 Palms Outer Highway will provide a minimum 26' onsite to comply with the Fire Department requirements

The applicant has relocated the trash enclosure to the interior of the project. This will provide a more attractive entrance along 29 Palms Outer Highway and locate the trash enclosure more conveniently to the businesses. The variance portion of the application has been eliminated. The driveway along Diadem Drive has been relocated to Hanford, resulting in the building being relocated. Should deliveries from large trucks be required, the long driveway on the west side of the property could accommodate this.

No written comments have been received, however Staff reviewed the project with a citizen at the counter who presented the following comments: she requested the hours of operation be limited to no later than 8PM, that alcohol not be allowed to be sold/consumed on the property, delivery truck hours be limited and construction deliveries be prohibited on Diadem Drive. During a subsequent discussion the applicant stated he is willing to work with the residents and agreed to a COA requiring business to close no later than 10:00 p.m. The applicant will agree to a COA prohibiting convenience and liquor stores but requests that on-site sale of alcohol at restaurants, etc. be allowed. The applicant has agreed to a COA to prohibit construction vehicles using Diadem Dr.

Staff recommends that the Planning Commission approve SPR 02-08 based upon the findings contained within the staff report and the recommended Conditions of Approval.

Mr. McKoy opened the public hearing.

Applicant Mike Ali stated all the previous concerns of the Commission have been met in the redesign. Access to Diadem has been redesigned to create less noise and light trespass into the neighborhood areas. He agrees with the COA's for off-site sale of

liquor and the 10:00 pm closing time. He is willing to work with everyone to get this project going.

Mr. Willman requested design elements be added to the large blank walls on the southeast elevations. The applicant indicated agreement. Mr. Willman asked if the 11 Joshua Trees currently on site would be reincorporated into the landscaping. The applicant replied that is correct.

Mr. McKoy commented that the resident requested the businesses close at 8:00 pm and the applicant has agreed to 10:00 pm.

Margo Sturges of Yucca Valley thanked Mr. Ali for working with the neighbors and changing the driveway. She is impressed that the 11 Joshua Trees are going to be used. The applicant has done everything the Commission requested. She requested that additional handicapped parking spaces be added if possible.

Jill Sorenson of Yucca Valley stated she lives on Diadem across the street from the project and is still opposed to the project. It is true that the applicant made a lot of changes and rearranged things but that still didn't make it acceptable. She will be the only person in Yucca Valley whose front door is less than 50 feet from a 14 business complex. Too many things have not been addressed. Does he have a shared common driveway with the lot next door? He has had months to contact that owner and hasn't done so. He never contacted her at all and did not have his property cleaned up as promised. There have been a lot of changes to the traffic on Diadem that have not been considered. When he applied for this project the bus stop was not where it is now, the median strip wasn't on Balsa, the foot traffic was not where it is now and the buses didn't drive down Diadem. They do drive down Diadem now. It's a very narrow street. There is no provision and nothing to stop his customers from parking in front of her house. And they will be parking in her front yard because it is a very narrow street. It's a shorter distance to walk from her house to some of those businesses than from some of the parking spaces. Preventing people from parking in the neighborhood has not been addressed.

Mr. Ali questioned why someone would park in her driveway when there are almost 100 parking spaces in the project. He would pay to have signs installed on her property that say customer parking is not allowed. He is willing to meet with her.

Mr. McKoy closed the public hearing.

Mr. Goodpaster stated property rights and development rights are complex issues. It is rare to find an applicant willing to go to the extent this applicant has to try to solve problems. He redesigned the project to accommodate the issues on Diadem. He understands the concerns of the homeowners but this property is zoned for this kind of project. The applicant has the right to build. The applicant has done a great job of working with the community and redesigning the project. He supports the project.

Mr. Willman asked if the underground storm water storage issue has been resolved. Mr. Kirschmann replied it will be addressed in the final hydrology study. Mr. Willman asked if "No Parking" signs would be appropriate along Diadem. Mr. Kirschmann replied that would be a short term solution. That would also prohibit guest parking for the residences. Mr. Willman commented the Fire Dept. has agreed that a 26 foot access

from the Outer Highway is adequate. The applicant is providing 26 feet around the building as well. He agrees with Mr. Goodpaster that the Commission has to find a balance. The builder has been here numerous times and at this time has satisfied everything the Commission was looking for in the project. The main issue was having the drive way in front of the residence. That has been taken care of. He repositioned the entire building, added parking spaces and meets all the Town codes. It fits the General Plan and he supports the project.

Mr. McKoy stated he totally agrees. The applicant has been very cooperative.

Mr. Goodpaster moved that the Planning Commission approve SPR 02-08 based upon the findings contained within the staff report and the recommended Conditions of Approval amended to add the following 3 conditions: Construction traffic shall be prohibited from using Diadem Drive. The hours of operation shall be limited to 10PM. The sale of alcohol is limited to on-site consumption. The motion was seconded by Mr. Willman and passed unanimously by voice vote of the Commissioners present.

3. CONSENT AGENDA: MINUTES

Mr. Goodpaster moved that the Planning Commission approve as submitted the minutes of the Regular Planning Commission held on October 7, 2008. The motion was seconded by Mr. Willman and passed unanimously by voice vote of the Commissioners present.

Mr. Willman moved that the Planning Commission approve as submitted the minutes of the Regular Planning Commission held on October 21, 2008. The motion was seconded by Mr. Goodpaster and passed unanimously by voice vote of the Commissioners present.

STAFF REPORTS AND COMMENTS:

FUTURE AGENDA ITEMS:

Mr. Kirschmann announced the following agenda items for the December 2, 2008 meeting:

SPR 03-08 – Felix – 1,050 sf commercial space at the NE corner of Geronimo at Pueblo.
SPR 03-04 Amend #1 - HI-DESERT ANIMAL HOSPITAL - enlarge parking lot and add 3,000 sf pad for future bldg. - 57053 29 Palms OH 595-371-14

SPR 06-08 – SR247 Carwash – construct a car, dog & motorcycle wash as Phase 1 and a small strip mall as Phases 2 and 3 – south of the current Circle K.

Deputy Town Manager Shane Stueckle commented that a discussion item regarding potential General Plan land use changes in the area of SR247 and Buena Vista is also planned for December 2nd. Changes to the "Second Unit" ordinance and "Density Bonus" ordinance of the Housing Element will be on the agenda after the first of the year. The next joint Town Council/Planning Commission meeting regarding the Native Plant and Grading ordinances will be scheduled after the new Town Council is seated. Land use issues regarding Medical Marijuana Dispensaries will also be coming before the Commission soon.

Vice Chair Humphreville stated he feels that in-lieu fees that have been paid should be returned.

DEPARTMENT REPORTS:

2. SITE PLAN REVIEW, SPR 02-08 YUCCA PLAZA

A request for time extension on approvals to construct 23,056 square feet of retail/commercial space with on-site parking, associated landscaping and underground storm water retention

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Kirschmann presented the project discussion to the meeting. A PowerPoint presentation was projected on the screen during the discussion, a printed copy of which is preserved in the meeting file. He advised that staff did modify the project's Conditions of Approval for consistency with current practices for conditions on commercial land development projects. The amended conditions were given to the applicant who did not have comments or concerns.

Mike Ali, Applicant, commented he hopes to be able to build in the next three years, noting he is trying to bring an IHOP into the proejct.

Commissioner Bridenstine moved to approve the Extension of Time for Site Plan Review, SPR 02-08 for an additional three (3) years, expiring on November 18, 2013. Commissioner Hildebrand seconded. Motion carried 4-0 on a voice vote.

CONSENT AGENDA

3. MINUTES

A request that the Planning Commission approve as submitted the minutes of the regular meetings held on June 28, 2011

Commissioner Alberg moved to approve the minutes as presented. Commissioner Bridenstine seconded. Motion carried 4-0 on a voice vote.

STAFF REPORTS AND COMMENTS

None

COMMISSIONER REPORTS AND REQUESTS

Chapter 9.68 Site Plan and Design Review

Sections:

- 9.68.010 – Purpose and General Plan consistency
- 9.68.020 – Applicability
- 9.68.030 – Authority
- 9.68.040 – Application Submittal Requirements
- 9.68.050 – Application Fee
- 9.68.060 – Investigation and Report
- 9.68.070 – Action by review Authority
- 9.68.080 – Required Findings
- 9.68.090 – Minor Modification of Previously Approved Site Plan and Design Review
- 9.68.100 – Lapse of Permits/Permit Expiration
- 9.68.110 – Extension of Time
- 9.68.120 – Amendment
- 9.68.130 – Revocation
- 9.68.140 – Development of Property Before Final Decision

9.68.010 – Purpose and General Plan consistency

The Site Plan and Design Review procedure allows the Town to evaluate proposed development and determine its consistency with the General Plan, the Development Code and applicable Town ordinances. The Site Plan and Design Review procedure is intended to protect and enhance the visual appeal, environment, economic stability and property values of the Town's residential, commercial, and industrial areas through the application of the provisions of this Code and the General Plan. Review of such uses is necessary and specific conditions of approval may be necessary to ensure that the uses are developed, operated, and located properly with respect to their effects on surrounding properties and so that any and all potentially adverse impacts are mitigated, and to ensure the general health, safety and welfare of the community through implementation of the General Plan through this Chapter.

9.68.020 – Applicability

The provisions of this Article apply to:

- A. All new construction which is listed in the use classification charts for the underlying land use districts that require a Site Plan and Design Review.
- B. Expansions which exceed the thresholds of Table 4.5 and are permitted subject to a Site Plan and Design Review as specified in the use classification charts for the underlying land use district shall require a Site Plan and Design Review.

TABLE 4.5
SITE PLAN AND DESIGN REVIEW
EXPANSION THRESHOLDS

SQUARE FOOTAGE OF EXISTING BUILDING	MAXIMUM SQUARE FOOTAGE	MAXIMUM PERCENTAGE
up to 5,000	1250 sq ft	50%
5,001 – 10,000	2000 sq ft	40%
10,001 +	2500 sq ft	25%

C. Change in use of an existing building

D. Projects which fall within the thresholds of the Site Plan and Design Review shall comply with the General Plan, the Development Code and applicable Town Ordinances and regulations, including but not limited to:

1. Half-width (½) street Improvements (curb, gutter, sidewalk, street lights, and pavement) on all streets fronting the project except as defined by the parameters of the Council policies regarding Street Reconstruction.
2. Onsite water retention of the incremental increase
3. Dedication of easements for drainage facilities, streets, trails, avigation easements as required by this code and any adopted plans.
4. Improvements to drainage facilities except as defined by the parameters of the Council policies regarding drainage facilities.
5. Assessment Districts Formation (including Landscape and Lighting, Street and Drainage Community Facilities District and Public Safety)
6. Utility Undergrounding, pursuant to adopted standards
7. Landscaping and Landscaping Plan regulations (greater than 500 square feet of landscape area require approval by Hi Desert Water District)
8. Commercial Design Guidelines
9. Outdoor Lighting regulations
10. Parking and screening requirements
11. Sign regulations
12. All other Development Code regulations

E. Expansions which fall within the thresholds specified in Table 4.5 shall be processed as a Land Use Compliance Review, pursuant to Chapter 9.66.

9.68.030 – Authority

A. Level of Review:

TABLE 4.6
SITE PLAN AND DESIGN REVIEW
LEVEL OF REVIEW

APPLICABILITY	LEVEL OF REVIEW	NOTICE REQUIREMENTS
New structures, including accessory structures and uses;	Commission	None
Expansion of an existing structure in conformance with Table 4.5;	Director	None
Expansion of an existing structure which exceeds the standards as established in Table 4;	Commission	None
Conversion of an existing structure (i.e. change in use);	Commission	None
Construction or conversion of a structure(s) to allow a mixed-use development.	Commission	None

Where the review for Site Plan and Design Review Permits is not specified, the Director shall determine the appropriate review authority.

B. **Referral to Next Higher Review Authority.** . The Commission may refer an application for a Site Plan and Design Review Permit to the Council based upon the following criteria:

1. Impact upon public services and facilities greater than typical for the type of project proposed;
2. Impact upon surrounding properties greater than typical for the type of project proposed;
3. Floor or site square footage greater than typically found in the type of project;
4. Intensity of use greater than typically found in the type of projects;
5. Operating Characteristics not typical of the type of project proposed.
6. Other factors including but not limited to public opposition to development of the project.
7. The need for Commission and or Council interpretation of the General Plan and/or Development Code as related to the project.

C. **General Authority.** The Commission is authorized to approve, approve with conditions, or deny applications for Site Plan and Design Review Permits in compliance with the procedures established in this Section. In approving an application for a Site Plan and Design Review Permit, the Commission may impose conditions to ensure compliance with this Code. Conditions may include, but shall not be limited to:

1. Requirements for special structure setbacks;

2. Open spaces;
3. Buffers;
4. Fences;
5. Walls and screening;
6. Requirements for the installation and maintenance of landscaping and erosion control measures;
7. Control of street improvements, other public infrastructure and related dedications;
8. Control of vehicular ingress and egress;
9. Control of traffic circulation;
10. Control of signs;
11. Control of hours of operation;
12. Control of potential nuisances;
13. Establishing standards for maintenance of buildings and grounds;
14. Establishment of development schedules and development standards;
15. Control of periodic review;
16. Control of architectural and/or building design
17. Any other conditions as may be deemed necessary to ensure the compatibility with surrounding uses, to preserve the public health, safety and welfare, and to enable the Commission to make the findings required by Section 9.68.080, *Required Findings*.

D. Performance Guarantee. In order to ensure implementation of conditions attached to a Site Plan and Design Review, the applicant may be required to furnish a surety in a form of an instrument of credit, money or surety bond in the amount fixed by the authority granting or modifying the Site Plan and Design Review Permit.

E. Providing Required Improvements. Whenever a Site Plan and Design Review is approved or modified subject to the condition that specified public improvements shall be installed by the applicant to meet Town standards and be accepted by the Town, the applicant may be required to execute an agreement approved by the Town to make such improvements prior to the time/construction events specified in the Site Plan and Design Review Permit.

F. Conditions Declared Void. Whenever any final judgment of a court of competent jurisdiction declares one or more of the conditions of a Site Plan and Design Review to be unconstitutional or

invalid, such decision shall not affect the validity of the approval as a whole, or any portion thereof other than the section so declared.

- G. Violation of Condition.** Whenever a Site Plan and Design Review Permit is approved or modified by the Commission subject to a condition(s), non-compliance with such conditions shall constitute a violation of this Code. Conditions which are not observed or which are violated may be enforced as provided in Chapter 9.82 or said Site Plan and Design Review Permit may be revoked or modified under Chapter 9.83, *Permit Amendments* and Chapter 9.84, *Permit Revocation*.

9.68.040 – Application Submittal Requirements

Applications for Site Plan and Design Review Permits shall be filed on a form prescribed by the Planning Division and shall contain such information and reports as may be required by the application submittal package or by other applicable ordinances or by the Town in order for the Commission to make the required findings.

9.68.050 – Application Fee

The application shall be accompanied by a fee established by resolution of the Council to cover the cost of handling and processing the application as prescribed in this Chapter.

9.68.060 – Investigation and Report

The Director shall cause an analysis of each application for a Site Plan and Design Review to be made. The level of detail of the analysis shall be appropriate to the type of project proposed and the needs of the Commission. The analysis shall examine the application's consistency with the content, intent and purpose of the General Plan, the Development Code, and any other applicable Town standards or policies. To insure effective implementation of General Plan policies and the provisions of this Code, applications may be reviewed by the Development Review Committee prior to consideration by the Commission. As a result of the analysis, the Director shall cause a report to be completed which shall include a listing of proposed conditions necessary to guarantee the public health, safety and welfare, should the proposed project be approved.

9.68.070 – Action by review Authority

Commission Action. Pursuant to Section 9.68.030, *Authority*, the Commission shall review each application for a Site Plan and Design Review. The applicant shall be provided with a copy of the Planning Division's report regarding the application prior to the Commission's consideration. The Commission shall approve, deny, or conditionally approve applications for Site Plan and Design Review. Decisions by the Commission shall be final unless appealed as provided in Chapter 9.81, *Appeals*.

9.68.080 – Required Findings

Before approving a Site Plan and Design Review Permit, the Commission shall find that the circumstances established below apply;

- A. That the location, size, design, density and intensity of the proposed development is consistent with the General Plan, the purpose of the land use district in which the site is located, and the development policies and standards of the Town;
- B. That the location, size, design and architectural design features of the proposed structures and improvements are compatible with the site's natural landform, surrounding sites, structures and streetscapes;
- C. That the proposed development produces compatible transitions in the scale, bulk, coverage, density and character of the development between adjacent land uses;
- D. That the building site and architectural design is accomplished in an energy efficient manner;
- E. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures.
- F. That the development proposal does not unnecessarily block views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;
- G. That the amount, location, and design of open space and landscaping conforms to the requirements of the Development Code, enhances the visual appeal and is compatible with the design and functions of the structure(s), site and surrounding area;
- H. That quality in architectural design is maintained in order to enhance the visual environment of the Town and to protect the economic value of existing structures;
- I. That there are existing public facilities, services, and utilities available at the appropriate levels and/or that new or expanded facilities, services and utilities shall be required to be installed at the appropriate time to serve the project as they are needed;
- J. That access to the site and circulation on and off-site is required to be safe and convenient for pedestrians, bicyclists, equestrians and motorists;
- K. That traffic generated from the proposed project has been sufficiently addressed and mitigated and will not adversely impact the capacity and physical character of surrounding streets;
- L. That traffic improvements and/or mitigation measures have been applied or required in a manner adequate to maintain a Level of Service C or better on arterial roads, where applicable, and are consistent with the Circulation Element of the Town General Plan;
- M. That there will not be significant harmful effects upon environmental quality and natural resources including endangered, threatened, rare species, their habitat, including but not limited to plants, fish, insects, animals, birds or reptiles;
- N. That there are no other relevant or anticipated negative impacts of the proposed use that cannot be mitigated and reduced to a level of non-significance in conformance with CEQA, the California Environmental Quality Act;

- O. That the impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety and welfare of the community or be materially injurious to properties or improvements in the vicinity or be contrary to the adopted General Plan;
- P. That the proposed development will comply with each of the applicable provisions of this code, and applicable Town policies; except approved variances.

9.68.090 – Minor Modification of Previously Approved Site Plan and Design Review

An approved Site Plan and Design Review Permit may be modified upon the request of the property owner, or by the Town. Minor Modifications may be approved by Director if it is determined that the changes would not affect the findings prescribed in Section 9.68.080, *Required Findings*, and that the subject of the proposed changes were not items of public controversy during the review and approval of the original permit; including modifications to phasing schedules for the project.

9.68.100 – Lapse of Permits/Permit Expiration

- A. **Expiration.** A Site Plan and Design Review Permit approval shall expire three (3) years from the date the permit is approved unless it is otherwise conditioned or unless prior to the expiration of the three (3) years the following have occurred:
 - 1. A building permit is issued and substantial construction is diligently pursued towards completion of the project which was the subject of the Site Plan and Design Review Permit application. After construction is commenced, if work is discontinued for a period of two (2) years, the Site Plan and Design Review Permit requires review and reauthorization by the Commission; or
 - 2. A certificate of occupancy is issued for the structure which was the subject of the Site Plan and Design Review Permit application.
- B. **Phased Projects.** Projects may be built in phases if so approved by the Commission or Director pursuant to Section 9.68.090 *Minor Modifications of Previously Approved Site Plan and Design Review*.

9.68.110 – Extension of Time

The Commission may grant extensions not to exceed three (3) years. Applications shall be made on a form to be provided by the Planning Division. Prior to the granting of an extension, the Planning Division shall review the previously approved project to ensure it is consistent with all current General Plan, Development Code and other Town Ordinances and that the findings for approval of a Site Plan and Design Review Permit in compliance with Section 9.68.080, *Required Findings*, can be made. Based upon this review, additional Conditions of Approval may be imposed upon the project by the review authority when the Extension of Time is approved.

The Commission may grant additional extensions of time provided that the project is consistent with the General Plan, Development Code, Master Plans and Specific Plans..

9.68.120 – Amendment

Refer to Article 5, Chapter 9.83 Permit Amendments.

9.68.130 – Revocation

Refer to Article 5, Chapter 9.84 Permit Revocations.

9.68.140 – Development of Property Before Final Decision

A building permit shall not be issued for, and no person shall commence to use, any structure until that structure and its accompanying development has received a Site Plan and Design Review in compliance with the provisions of this Chapter. In addition, no other permits shall be issued for any use or structure requiring a Site Plan and Design Review unless and until the Site Plan and Design Review has been approved.

**TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING MINUTES
January 13, 2015**

Vice Chair Bridenstine called the regular meeting of the Yucca Valley Planning Commission to order at 6:00p.m.

Commissioners present were Drozd, Whitten and Vice Chair Bridenstine.

The Pledge of Allegiance was led by Vice Chair Bridenstine.

Commissioner Whitten moved to approve the agenda, and Commissioner Drozd seconded, and the motion passed unanimously.

Vice Chair Bridenstine opened the floor to public comments.

PUBLIC COMMENTS

None

CLOSE PUBLIC COMMENTS

PUBLIC HEARINGS

**1. STREET VACATION, SV-01-14
CEQA EXEMPTION, SECTION 15301, Class 1**

Project Engineer Alex Qishta provided the staff report. He provided an overview of the project, which was a request for the Town of Yucca Valley to vacate an approximate 10 ft. by 132 ft. easement on the southwest corner of Sage Avenue and Hidden Gold Drive. This item was previously reviewed by the Planning Commission on August 12, 2014 and August 26, 2014. At the meeting of August 26, 2014 the Planning Commission recommended that the Town Council accept the street vacation. The Town Council returned the item to the Planning Commission for further review. Staff's recommendation was that the Planning Commission find that the Street Vacation SV-01-14 was consistent with the General Plan and General Plan Circulation Element, and that the Planning Commission recommend that the Town Council approve the vacation.

Commissioner Whitten expressed concern that the Town retain the ability to put a sidewalk along Sage.

Commissioner Drozd asked Staff to clarify if a 60 ft. right of way would or would not allow for a turn lane or median. Staff said that 40 ft curb to curb would possibly allow for a turn lane, but it would not have much shoulder and might not be completely to standard. Staff said that the

topography of the area was unlikely to allow they type of development which would generate unexpectedly high volumes of traffic in this area.

Vice Chair Bridenstine commented that the traffic study, which would allow for the vacation, didn't take into account the restrictive topography, and so could be considered even more conservative. She said she didn't see any reason not to allow the proposed vacation.

Staff stated that there would still be room for a sidewalk along with west side of Sage with the vacation south of Golden Bee. Commissioner Whitten expressed concern about the segment north of Golden Bee. Staff said that there are so many factors, including undeveloped property and the location of the road within the right of way, that Staff did not feel that they were in a position to make a recommendation about the segment of Sage north of Golden Bee.

Commissioner Drozd said that he retained some concerns about possible future development, but at some point you have to trust the traffic engineer. Vice Chair Bridenstine pointed out that the applicant had previously stated that even if you doubled the counts from the traffic study it would still meet the threshold, and that was a sufficient safety factor.

Vice Chair Bridenstine opened the floor to public comments.

PUBLIC COMMENTS

None

CLOSE PUBLIC COMMENTS

MOTION

Commissioner Drozd moved that the Planning commission find the street vacation SV-01-14 consistent with the General Plan and General Plan Circulation Element, and that they recommend to the Town Council that they grant the vacation. Vice Chair Bridenstine seconded the motion. The motion carried 2 to 1.

- AYES: Commissioner Drozd and Vice Chair Bridenstine
- NOES: Commissioner Whitten
- ABSTAIN: None

DEPARTMENT REPORT

2. PRIVATE LAND DEVELOPMENT REPORT

Planning Technician Diane Olsen and Deputy Town Manager Stueckle provided a report on the current status of private land development projects within the Town of Yucca Valley.

MOTION

Commissioner Whitten moved that the Planning Commission receive and file the report. Commissioner Drozd seconded and the motion passed unanimously.

CONSENT AGENDA

1. MINUTES

A request that the Planning Commission approve as submitted the minutes of the meetings held on December 2, 2014.

PUBLIC COMMENTS

None

END PUBLIC COMMENTS

MOTION

Commissioner Whitten moved that the Commission approve as submitted the minutes of the meetings held on December 2, 2014. Commissioner Drozd seconded the motion and it passed unanimously.

COMMISSIONER REPORTS AND REQUEST:

Commissioner Drozd thanked staff for their hard work

Commissioner Whitten thanked staff, and asked that the appointment of a Chair and Vice Chair be included on the next agenda.

Vice Chairman Bridenstine

ANNOUNCEMENTS:

The next regular meeting of the Planning Commission is scheduled for January 27, 2015 at 6:00pm.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:50.

Respectfully submitted,

Allison Brucker
Secretary

Approved by the Planning Commission on _____, 2015.

DRAFT