

PLANNING COMMISSION AGENDA

REGULAR MEETING

Date: July 12, 2012

Time: 6:30 P.M.

COMMISSION MEMBERS

Chris Elvert, Chair

William A. Muller, Vice Chair

Bill Jensen, Commissioner

Julie Jensen, Commissioner

Eric Schmidt, Commissioner

* - * - * - * - * - * - * - *

Dave Reno, Principal Planner

Jeff M. Malawy, Assistant City Attorney



CITY OF HESPERIA
9700 Seventh Avenue
Council Chambers
Hesperia, CA 92345
City Offices: (760) 947-1000

The Planning Commission, in its deliberation, may recommend actions other than those described in this agenda.

Any person affected by, or concerned regarding these proposals may submit written comments to the Planning Division before the Planning Commission hearing, or appear and be heard in support of, or in opposition to, these proposals at the time of the hearing. Any person interested in the proposal may contact the Planning Division at 9700 Seventh Avenue (City Hall), Hesperia, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday, and 7:30 a.m. to 4:30 p.m. on Fridays) or call (760) 947-1200. The pertinent documents will be available for public inspection at the above address.

If you challenge these proposals, the related Negative Declaration and/or Resolution in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact Dave Reno, Principal Planner (760) 947-1200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.10235.104 ADA Title 11]

Documents produced by the City and distributed less than 72 hours prior to the meeting regarding any item on the Agenda will be made available in the Planning Division, located at 9700 Seventh Avenue during normal business hours or on the City's website.

JULY 12, 2012

**AGENDA
HESPERIA PLANNING COMMISSION**

Prior to action of the Planning Commission, any member of the audience will have the opportunity to address the legislative body on any item listed on the agenda, including those on the Consent Calendar. PLEASE SUBMIT A COMMENT CARD TO THE COMMISSION SECRETARY WITH THE AGENDA ITEM NUMBER NOTED.

CALL TO ORDER 6:30 p.m.

- A. Pledge of Allegiance to the Flag
- B. Invocation
- C. Roll Call:
 - Chair Chris Elvert
 - Vice Chair William Muller
 - Commissioner Bill Jensen
 - Commissioner Julie Jensen
 - Commissioner Eric Schmidt

JOINT PUBLIC COMMENTS

Please complete a "Comment Card" and give it to the Commission Secretary. Comments are limited to three (3) minutes per individual. State your name and address for the record before making your presentation. This request is optional, but very helpful for the follow-up process.

Under the provisions of the Brown Act, the Commission is prohibited from taking action on oral requests. However, Members may respond briefly or refer the communication to staff. The Commission may also request the Commission Secretary to calendar an item related to your communication at a future meeting.

CONSENT CALENDAR

- D. Approval of Minutes: June 14, 2012 Planning Commission Meeting Draft Minutes.

-1-

PUBLIC HEARINGS

- 1. Consideration of Conditional Use Permit CUP12-10150, to construct a 2,385 square foot Chipotle restaurant and establish the sale of beer and wine on 2.1 acres within the Regional Commercial District of the Main Street and Freeway Corridor Specific Plan. (Applicant: Chipotle; APN: 0405-062-88) (Staff Person: Lisette Sanchez-Mendoza)

1-1

PRINCIPAL PLANNER'S REPORT

The Principal Planner or staff may make announcements or reports concerning items of interest to the Commission and the public.

- E. DRC Comments
- F. Major Project Update

2-1

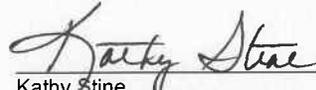
PLANNING COMMISSION BUSINESS OR REPORTS

The Commission Members may make comments of general interest or report on their activities as a representative of the Planning Commission.

ADJOURNMENT

The Chair will close the meeting after all business is conducted.

I, Kathy Stine, Planning Commission Secretary for City of Hesperia, California do hereby certify that I caused to be posted the foregoing agenda on Tuesday, July 3, 2012 at 5:30 p.m. pursuant to California Government Code §54954.2.


Kathy Stine
Planning Commission Secretary

HESPERIA PLANNING COMMISSION MEETING
REGULAR MEETING
June 14, 2012
MINUTES

DRAFT

The Regular Meeting of the Planning Commission was called to order at 6:30 p.m. by Chair Elvert in the Council Chambers, 9700 Seventh Avenue, Hesperia, California.

CALL TO ORDER **6:30 p.m.**

Pledge of Allegiance to the Flag

Invocation

Roll Call:

Chair Chris Elvert

Vice Chair William Muller

Commissioner Bill Jensen

Commissioner Julie Jensen

Commissioner Eric Schmidt

Present: Chris Elvert
William Muller
Bill Jensen
Julie Jensen
Eric Schmidt

JOINT PUBLIC COMMENTS

Chair Elvert opened Public Comments at 6:32 p.m.

No Comments to consider.

Chair Elvert closed Public Comments at 6:34 p.m.

CONSENT CALENDAR

D. Approval of Minutes: May 10, 2012 Planning Commission Meeting Draft Minutes.

Motion by Julie Jensen to approve the minutes of May 10, 2012 Planning Commission Meeting. Seconded by Chris Elvert and passed with the following roll call vote:

AYES: Chris Elvert, William Muller, Bill Jensen, Julie Jensen, and Eric Schmidt
NOES: None

WORKSHOP ITEM

1. Mobile & Temporary Food Services (Hot Food Trucks) Workshop discussion regarding potential changes to the current ordinance. (Area affected: Citywide) (Staff Person: Dan Alcayaga)

Senior Planner Daniel Alcayaga gave a PowerPoint Presentation.

Chris Elvert stated that he thought a business should be charged a one-time annual charge, not per event.

Chair Elvert opened public comments at 7:37 pm.

Mark Pearson, mobile food truck owner, stated that he felt the commission was over complicating the issue.

Eric Schmidt stated three categories should be considered: Mobil, Stationary and Private Event Catering.

Discussion ensued.

Dave Reno stated that County EHS has guidelines that the Mobile Food Trucks must follow and will still have to be licensed through the County.

Chair Elvert closed public comments at 8:15 p.m.

Bill Muller stated that there are areas that need to be fleshed out and an ordinance would do that. He stated concerns about roaming trucks putting a burden on Code Enforcement. He said that perhaps there should be a year agreement that we can change if required. He stated he doesn't want other businesses coming in and taking money from local vendors and restaurants.

Obtaining permission from the property owner was discussed regarding the parking of a food truck on a property.

PRINCIPAL PLANNER'S REPORT

E. [DRC Comments](#)

Dave Reno Principal Planner, AICP, updated DRC approvals.

F. [Major Project Update](#)

Dave Reno gave an update on Rancho Road Underpass and Rancho Road Interchange.

[PLANNING COMMISSION BUSINESS OR REPORTS](#)

Bill Jensen introduced Grace Winn who has been working with persons overseas that would like to observe the City's rail facility.

[ADJOURNMENT](#)

Chair Elvert adjourned the meeting at 8:52 p.m. until July 12, 2012 at 6:30.

Chris Elvert,
Chair

By: Kathy Stine,
Commission Secretary



DATE: July 12, 2012
TO: Planning Commission
FROM: Dave Reno, AICP, Principal Planner
BY: Lisette Sánchez-Mendoza, Assistant Planner
SUBJECT: Conditional Use Permit CUP12-10150; Applicant: Chipotles; APN: 0405-062-88

RECOMMENDED ACTION

It is recommended that the Planning Commission adopt Resolution No. PC-2012-10, approving CUP12-10150.

BACKGROUND

Proposal: A Conditional Use Permit to establish a restaurant including the sale of beer and wine.

Location: On the east side Mariposa Road 440 north of Main Street (Attachment 3).

Current General, Plan, Zoning and Land Uses: The site is within the Regional Commercial (RC) District of the Main Street and Freeway Corridor Specific Plan (Specific Plan). The surrounding land is designated and zoned as noted on Attachment 2. The site is vacant and the site is surrounded by vacant property to the north and to the east. To the west is Interstate 15, and properties to the south are commercially developed (Attachment 3).

ISSUES/ANALYSIS:

Land Use: The Specific Plan requires that all uses selling alcohol apply for a conditional use permit. The project proposes a 2,385 restaurant (Attachment 4) including the sale of beer and wine. A Type 41 beer and wine license is required by the Department of Alcoholic Beverage Control (ABC). The Planning Commission has previously expressed concerns over the proliferation of establishments selling alcohol along Main Street. For this reason, staff researched all active ABC licenses for the on-site sale of alcohol in the City and found a total of 51 establishments. Of these 51 establishments, 28 are located along Main Street. Unlike other cities, the City of Hesperia offers commercial services primarily along two major thoroughfares approximately three miles apart, in contrast to other cities which may offer commercial services every mile. This results in a concentration of commercial uses within designated areas of our City, as these services can only be located along Main Street, Bear Valley Road and portions of Hesperia Road. Unlike the majority of Main Street, this particular use is located in a Census Tract with no active ABC licenses. Therefore no overconcentration exists. The closest establishment of a similar use is located within the Target shopping center (Love Oasis Sushi). Beef O Brady's is also located on the north side of Main Street just east of Cataba Rd.

The site is accessible by one driveway on Mariposa. A total of 24 parking spaces are required and 48 have been provided (Attachment 1). The proposed building architecture meets the City's

architectural guidelines, including varying vertical and horizontal building planes as well as material variation as shown on Attachment 5.

Drainage: On-site drainage to the level of a 100 year storm will be retained in an underground retention system.

Water and Sewer: The developer is required to connect to the existing 12" water line along Mariposa Road. The developer is required to provide one new six (6) inch fire hydrant assembly. The developer is required to connect to sewer.

Schools and Parks: The project site is located approximately one mile from Mission Crest Elementary, 2 ¼ miles from Hesperia Community Park.

Environmental: This project is exempt from the California Environmental Quality Act (CEQA), per Section 15332, Infill Development.

Conclusion: Approval of this license is supportive of the land uses intended within the Regional Commercial District. In addition the proposed restaurant provides additional dining opportunities to the surrounding neighborhood and attract pass through visitors.

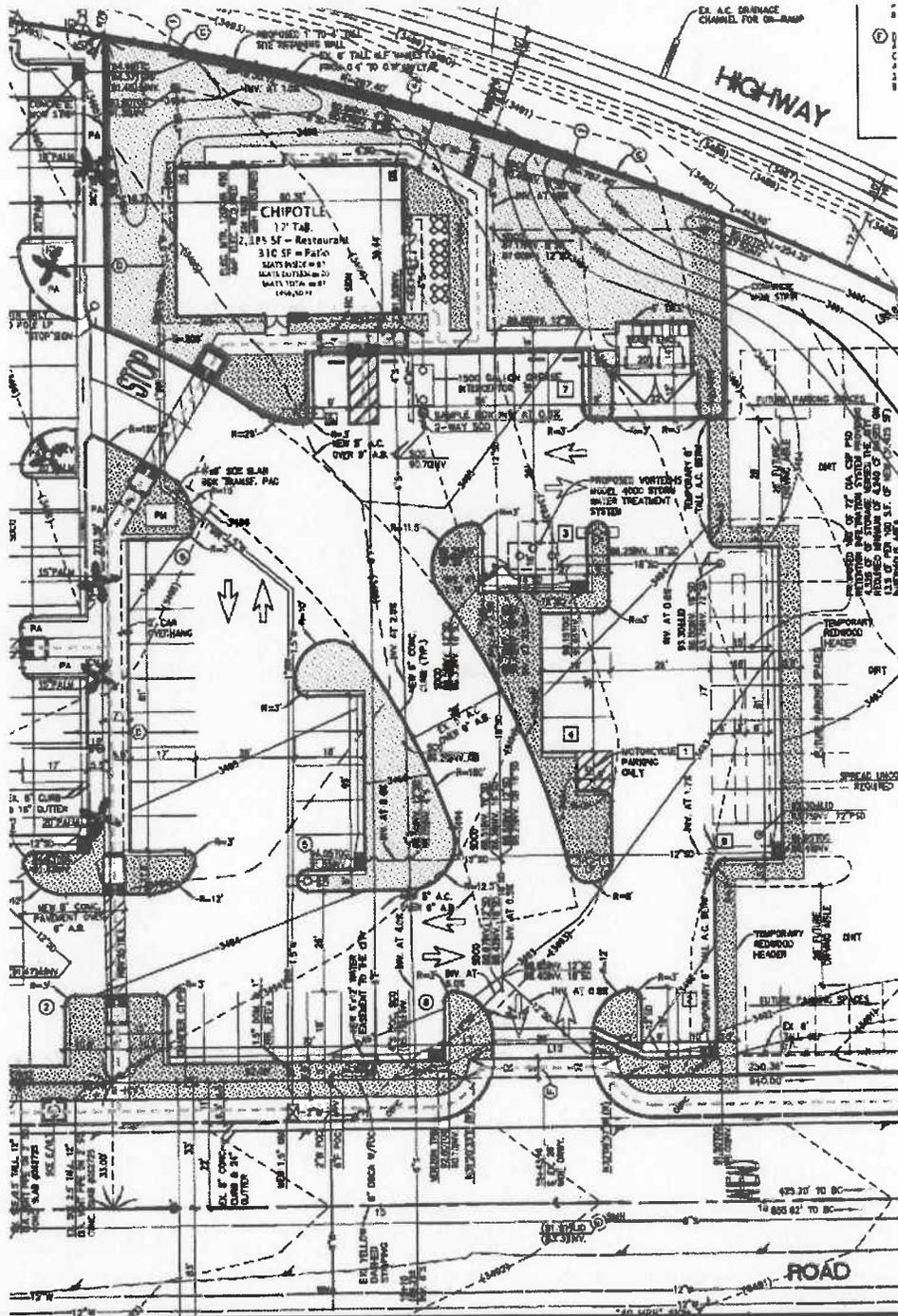
ALTERNATIVE

1. Provide alternative direction to staff.

ATTACHMENTS

1. Site Plan
2. General Plan/Zoning Map
3. Aerial Photo
4. Floor Plan
5. Elevations
6. Resolution No. PC-2012-10, with list of conditions.

ATTACHMENT 1



APPLICANT(S):
CHIPOTLE

FILE NO(S):
CUP12-10150

LOCATION:
9770 MARIPOSA ROAD

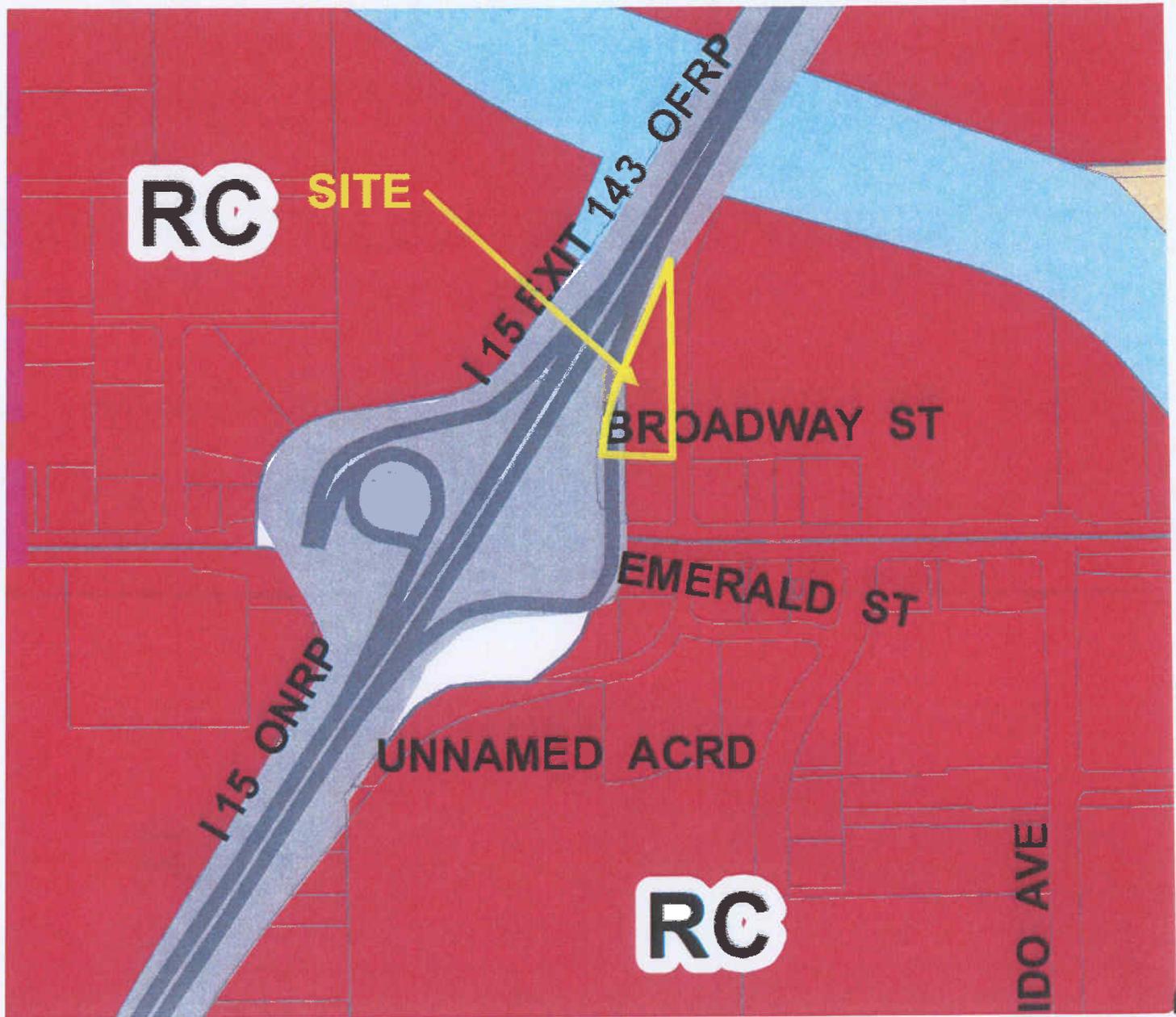
APN(S):
0405-062-88

PROPOSAL:
CONSIDERATION OF A CONDITIONAL USE PERMIT TO CONSTRUCT A RESTAURANT INCLUDING THE SALE OF BEER AND WINE

N
→

SITE PLAN

ATTACHMENT 2



APPLICANT(S):
CHIPOTLE

FILE NO(S):
CUP12-10150

LOCATION:
WEST SIDE OF MARIPOSA ROAD 440 NORTH OF MAIN STREET

APN(S):
0405-062-88

PROPOSAL:
CONSIDERATION OF A CONDITIONAL USE PERMIT TO CONSTRUCT A RESTAURANT INCLUDING THE SALE OF BEER AND WINE



GENERAL PLAN/ZONING

ATTACHMENT 3



APPLICANT(S):
CHIPOTLE

FILE NO(S):
CUP12-10150

LOCATION:
9770 MARIPOSA ROAD

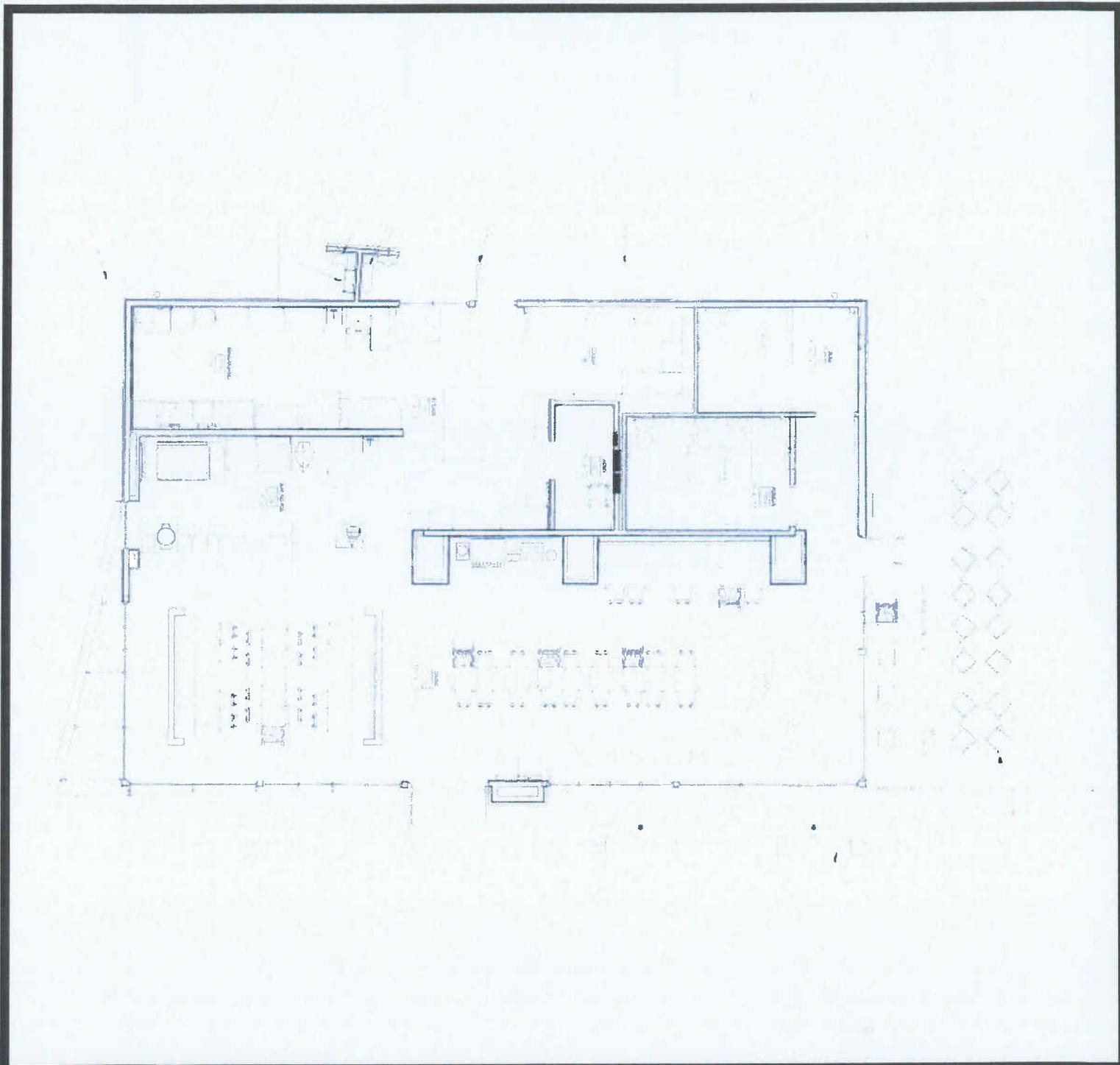
APN(S):
0405-062-88

PROPOSAL:
CONSIDERATION OF A CONDITIONAL USE PERMIT TO CONSTRUCT A RESTAURANT INCLUDING THE SALE OF BEER AND WINE



AERIAL PHOTO

ATTACHMENT 4



APPLICANT(S):
CHIPOTLE

FILE NO(S):
CUP12-10150

LOCATION:
9770 MARIPOSA ROAD

APN(S):
0405-062-88

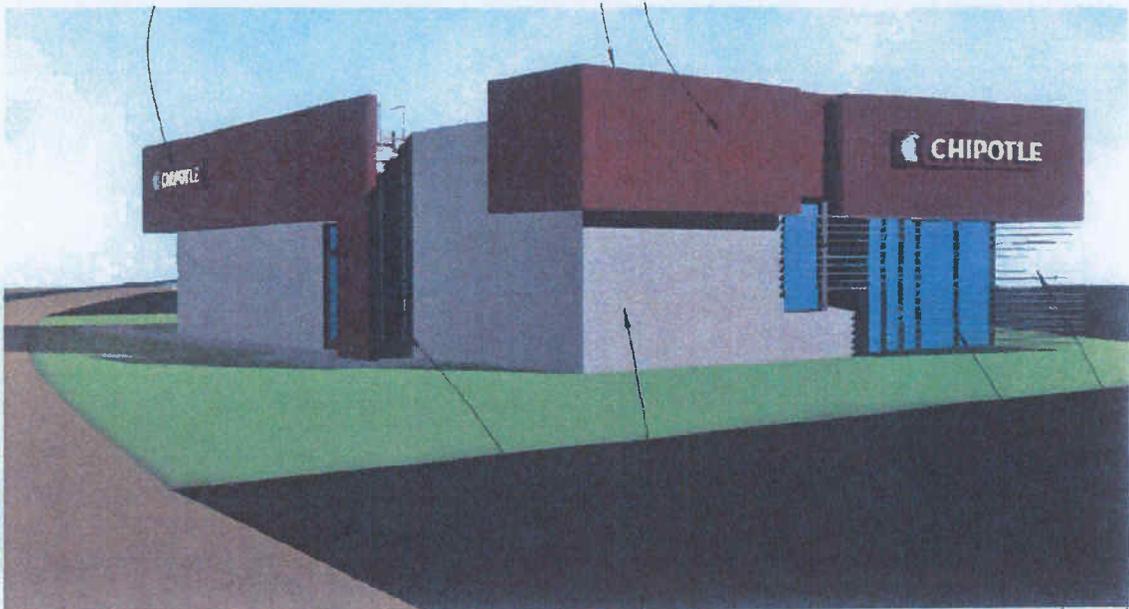
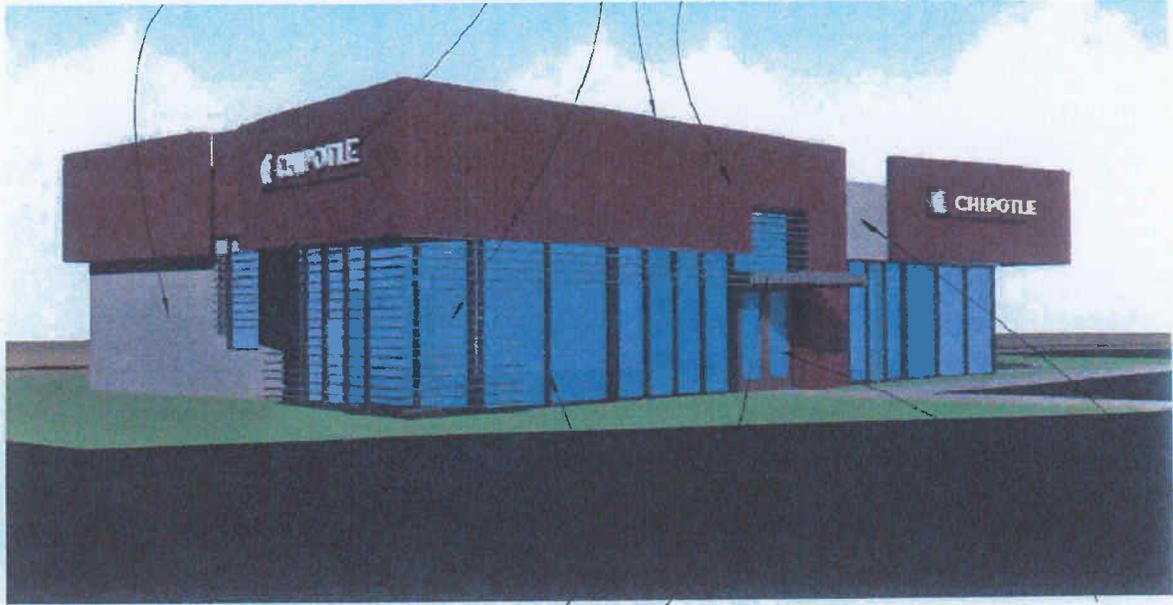
PROPOSAL:
CONSIDERATION OF A CONDITIONAL USE PERMIT TO CONSTRUCT A RESTAURANT
INCLUDING THE SALE OF BEER AND WINE

N

→

FLOOR PLAN

ATTACHMENT 5



APPLICANT(S):
CHIPOTLE

FILE NO(S):
CUP12-10150

LOCATION:
9770 MARIPOSA ROAD

APN(S):
0405-062-88

PROPOSAL:
CONSIDERATION OF A CONDITIONAL USE PERMIT TO CONSTRUCT A RESTAURANT INCLUDING THE SALE OF BEER AND WINE

ELEVATIONS

ATTACHMENT 6

RESOLUTION NO. PC-2012-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HESPERIA, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT A 2,385 SQUARE FOOT RESTAURANT INCLUDING THE SALE OF BEER AND WINE LOCATED ON THE WEST SIDE OF MARIPOSA ROAD 440 FEET NORTH OF MAIN STREET (CUP12-10150)

WHEREAS, Chipotle has filed an application requesting approval of Conditional Use Permit CUP12-10150 described herein (hereinafter referred to as "Application"); and

WHEREAS, the Application applies to a restaurant with beer and wine sales located on the west side of Mariposa Road, 440 feet north of Main Street and consists of Assessor's Parcel Number 0405-062-88; and

WHEREAS, the Application, as contemplated, proposes to construct a 2,385 square foot restaurant with sale of beer and wine; and

WHEREAS, the subject site is currently vacant. The surrounding properties are vacant, except for the property to the south which is developed with a restaurant; and

WHEREAS, the subject property and surrounding properties are currently within the Regional Commercial (RC) District of the Main Street and Freeway Corridor Specific Plan (Specific Plan); and

WHEREAS, the project is categorically exempt from the requirements of the California Environmental Quality Act by Section 15332, Infill Development; and

WHEREAS, on July 12, 2012, the Planning Commission of the City of Hesperia conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HESPERIA PLANNING COMMISSION AS FOLLOWS:

Section 1. The Planning Commission hereby specifically finds that all of the facts set forth in this Resolution are true and correct.

Section 2. Based upon substantial evidence presented to this Commission during the above-referenced July 12, 2012 hearing, including public testimony and written and oral staff reports, this Commission specifically finds as follows:

- (a) The proposed use is conditionally allowed within, and would not impair the integrity and character of, the Regional Commercial District of the Main Street and Freeway Corridor Specific Plan and complies with all applicable provisions of the Development Code as per Section 16.12.120. The site is suitable for the type and intensity of the use that is proposed. The business is restricted to a restaurant with the sale of beer and wine.
- (b) The proposed use would not create significant noise, traffic or other conditions or situations that may be objectionable or detrimental to other allowed uses in the vicinity or adverse to the public convenience, health,

safety or general welfare. The proposed restaurant is serving of beer and wine as part of the dining experience and will not have a detrimental impact on adjacent properties.

- (c) The proposed use is consistent with the objectives, policies, general land uses and programs of the General Plan, Specific Plan and Development Code. The proposed use will take place in a permitted restaurant. The sale of beer and wine is consistent with the allowable uses within the Regional Commercial District.
- (d) There are adequate provisions for sanitation, water and public utilities and services to ensure the public convenience, health, safety and general welfare. The proposed use will occur in a restaurant with adequate infrastructure to operate the business. The existing transportation infrastructure is adequate to support the type and quantity of traffic that will be generated by the proposed use.

Section 3. Based on the findings and conclusions set forth in this Resolution, this Commission hereby approves Conditional Use Permit CUP12-10150, subject to the conditions of approval as shown in Attachment 'A'.

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

ADOPTED AND APPROVED this 12th day of July 2012.

Chris Evert, Chair, Planning Commission

ATTEST:

Kathy Stine, Secretary, Planning Commission

ATTACHMENT 'A'

List of Conditions for Site Plan Review CUP12-10150

Approval Date: July 12, 2012
Effective Date: July 24, 2012
Expiration Date: July 24, 2015

This list of conditions applies to a Conditional Use Permit to construct a 2,385 square foot restaurant including the sale of beer and wine on 2.1 gross acres zoned Regional Commercial (RC), located on the west side of Mariposa Road 440 feet north of Main Street. Any change of use or expansion of area may require approval of a revised site plan review application (Applicant: Chipotle: APN: 0405-062-88).

The use shall not be established until all conditions of this Conditional Use Permit application have been met. This approved Conditional Use Permit shall become null and void if all conditions have not been completed within three (3) years of the effective date. Extensions of time of up to twelve (12) months may be granted upon submittal of the required application and fee prior to the expiration date.

(Note: The "Init" and "Date" spaces are for internal city use only).
Init Date

SUBMITTAL OF PUBLIC IMPROVEMENT PLANS SHALL INCLUDE THE FOLLOWING:

- _____ 1. **Drainage Study.** The Developer shall submit a Final Hydrology / Hydraulic study identifying the method of collection and conveyance of tributary flows from off-site as well as the method of control for increased run-off generated on-site. (E)

- _____ 2. **Geotechnical Report.** The Developer shall provide two copies of the soils report with the grading plan. The soils report shall substantiate with all grading, building, and public improvement plans. In addition, a percolation report shall be performed to substantiate the percolation of the on-site drainage retention areas. Include "R" value testing and pavement recommendations for public streets (E, B)

- _____ 3. **Title Report.** The Developer shall provide a complete title report 90-days or newer from the date of submittal. (E)

- _____ 4. **Erosion Control.** The Developer shall provide an erosion control plan with the improvement plans submittal per City Standards. (E)

- _____ 5. **NPDES.** The Developer shall apply for the required NPDES (National Pollutant Discharge Elimination System) permit with the Regional Water Quality Control Board and pay applicable fees. (E)

- _____ 6. **Plan Check Fees.** Along with improvement plan submittal, the Developer shall pay applicable plan-checking fees. **Improvement Plans and requested studies shall be submitted as a package. (E)**

- _____ 7. **Reapportionment.** The project lies within the AD-2 Assessment District. The developer shall be required to fill out the City's application for reapportionment and pay associated fees. (E, W / S)
- _____ 8. **Building Construction Plans.** Five complete sets of construction plans, prepared and wet stamped by a California licensed Civil or Structural Engineer or Architect, shall be submitted to the Building Division with the required application fees for review. (B)
- _____ 9. **Specialty Plans.** The following additional plans/reports shall be required for businesses with special environmental concerns: (B)
- A. Restaurants and food handling facilities shall submit plans to the San Bernardino County Department of Environmental Health Services. One set of the approved plans shall be submitted to the Building Division with the required application fees.
- _____ 10. **Percolation Test.** The applicant shall submit a percolation test, performed by a California licensed civil or soils engineer, and approved by the San Bernardino County Department of Environmental Health Services for the required private sewage disposal systems. Should the applicant agree in writing to use the most restrictive percolation test for a site in close proximity to the subject property in designing the sewage disposal systems, then a percolation test shall not be required to be performed on-site. The applicability of any percolation test for use in designing the sewage disposal systems shall be subject to review and approval by the Building and Safety Division. In the event a tract map or parcel map has previously been recorded on the project site, the City of Hesperia has a percolation test on file, and no unusual conditions apply, this requirement may be waived by the Building and Safety Division. (B)
- _____ 11. **Indemnification.** As a further condition of approval, the Applicant agrees to and shall indemnify, defend, and hold the City and its officials, officers, employees, agents, servants, and contractors harmless from and against any claim, action or proceeding (whether legal or administrative), arbitration, mediation, or alternative dispute resolution process), order, or judgment and from and against any liability, loss, damage, or costs and expenses (including, but not limited to, attorney's fees, expert fees, and court costs), which arise out of, or are in any way related to, the approval issued by the City (whether by the City Council, the Planning Commission, or other City reviewing authority), and/or any acts and omissions of the Applicant or its employees, agents, and contractors, in utilizing the approval or otherwise carrying out and performing work on Applicant's project. This provision shall not apply to the sole negligence, active negligence, or willful misconduct of the City, or its officials, officers, employees, agents, and contractors. The Applicant shall defend the City with counsel reasonably acceptable to the City. The City's election to defend itself, whether at the cost of the Applicant or at the City's own cost, shall not relieve or release the Applicant from any of its obligations under this Condition. (P)

CONDITIONS REQUIRED PRIOR TO GROUND DISTURBING ACTIVITY:

- _____ 12. **Approval of Improvement Plans.** All required improvement plans shall be prepared by a registered Civil Engineer per City standards and per the City's improvement plan checklist to the satisfaction of the City Engineer. Five sets of improvement plans shall be submitted to the Development Services Department and Engineering Department for plan review with the required plan checking fees. All Public Works plans shall be submitted as a complete set. (E)
- _____ 13. **Grant of Easement for Double Detector Check Valve.** The Developer shall grant to the City an easement for *any* part of a required double-detector check valve that encroaches onto private property. (E)
- _____ 14. **NPDES.** The Developer shall provide a copy of the approved original NPDES (National Pollutant Discharge Elimination System) permit from the Regional Water Quality Control Board and provide a copy of fees paid. The copies shall be provided to the City's Engineering Department. (E)
- _____ 15. **Storm Water Pollution Prevention Plan.** All of the requirements of the Storm Water Pollution Prevention Plan shall be incorporated and be in place prior to issuance of a grading permit. (E)
- _____ 16. **Grading Plan.** The Developer shall design a Grading Plan with existing contours tied to an acceptable City of Hesperia benchmark. The grading plan shall indicate building "footprints" and proposed development of the retention basins, as a minimum. The site grading and building pad preparation shall include the recommendations provided by the Preliminary Soils Investigation. All proposed walls shall be indicated on the grading plans showing top of wall (tw), top of footing (tf), and the finish grade (fg) elevations. (E)
- _____ 17. **On-site Retention.** The Developer shall design / construct on-site retention facilities, which have minimum impact to ground water quality. This shall include maximizing the use of horizontal retention systems and minimizing the application of dry wells / injection wells. All dry wells / injection wells shall be 2-phase systems with debris shields and filter elements. All dry wells / injection wells shall have a minimum depth of 30' with a max depth to be determined by soils engineer at time of boring test. Per Resolution 89-16 the Developer shall provide on-site retention at a rate of 13.5 Cu. Ft per every 100 Sq. Ft. of impervious materials. **Any proposed facilities, other than a City approved facility that is designed for underground storage for on-site retention will need to be reviewed by the City Engineer. The proposed design shall meet City Standards and design criteria established by the City Engineer. A soils percolation test will be required for alternate underground storage retention systems.** (E)
- _____ 18. **Utility Plan.** The Developer shall design a Utility Plan for service connections and / or private hydrant and sewer connections. **Any existing water, sewer, or storm drain infrastructures that are**

affected by the proposed development shall be removed / replaced or relocated and shall be constructed per City standards at the Developer's expense. (E)

- A. A remote read automatic meter reader shall be added on all meter connections as approved by the City Engineer.
- B. The Developer shall design a Utility Plan for service connections and / or private water and sewer connections. Domestic and fire connections shall be made from the existing 12" PVC water line in Mariposa Road per City Standards.
- C. It is the Developer's responsibility to connect to sewer and pay the appropriate fees. The Developer will be required to connect to the existing size 8" PVC sewer main in Mariposa Road per City standards.
- D. Complete V.V.W.R.A.'s "Wastewater Questionnaire for Commercial / Industrial Establishments" and submit to the Engineering Department. Complete the "Certification Statement for Photographic and X-ray Processing Facilities" as required.

_____ 19. **Fire Protection.** Plans for fire protection requirements shall be submitted to the Building Division as follows: (F)

- A. Applicant shall annex the site into Community Facilities District CFD 94-01 and insure the reapportionment of all existing obligations affecting the property.

_____ 20. **Cultural Resources.** If cultural resources are found during grading, then grading activities shall cease and the applicant shall contract with a City approved archaeologist or paleontologist to monitor grading prior to resuming grading. All cultural resources discovered shall be handled in accordance with state and federal law. A report of all resources discovered as well as the actions taken shall be provided to the City prior to issuance of a Certificate of Occupancy. (P)

_____ 21. **Pre-construction Survey.** A pre-construction survey for the burrowing owl shall be conducted by a City approved and licensed biologist, no more than 30 days prior to ground disturbance. (P)

_____ 22. **Protected Plants.** Three copies of a protected plant plan shall be submitted to the Planning Division showing the present location and proposed treatment of species in the Dalea and Spinosa (smoketree); Agavaceae (century plants, nolinias, and yuccas, including Joshua Trees); Prosopis (mesquites); Larrea (Creosote rings ten feet or greater in diameter); and all plants protected by the State Desert Native Plants Act, which shall be handled in accordance with the provisions of the Development Code and State law. The grading plan shall be consistent with the approved protected plant plan. Ground disturbing activities shall not commence until the protected plant plan is approved and the site is inspected and approved for clearing. (P)

- _____ 23. **Pre-construction Meetings.** Pre-construction meetings shall be held between the City, the Developer, grading contractors, and special inspectors to discuss permit requirements, monitoring and other applicable environmental mitigation measures required prior to ground disturbance and prior to development of improvements within the public right-of-way. (B, P)
- _____ 24. **Design for Required Improvements.** Improvement plans for off-site and on-site improvements shall be consistent with the plans approved as part of this site plan review application with the following revisions made to the improvement plans: (E, P)
- A. The trash enclosure shall be relocated to provide adequate sanitation access. The location of the trash enclosure shall be subject to approval by Planning staff;
 - B. A four-foot wide handicapped accessible route of travel shall be provided as approved by Planning staff;
 - C. A minimum four-foot wide landscaped area and a one-foot sidewalk in addition to the six-inch concrete curb shall be installed at the end of all parking space rows as approved by Planning staff;
- _____ 25. **Jurisdiction.** Prior to any construction occurring on any parcel, the applicant shall contact the San Bernardino County Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department. (F)
- _____ 26. **Water System.** 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. The required fire flow shall be determined by using California Fire Code. **The Fire Flow for this project shall be: 1500 GPM for a 2 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 2385 sq.ft. structure.** (F)
- _____ 27. **Water System Commercial.** A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. The applicant is required to provide a minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet. All fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than one hundred fifty (150) feet from any portion of a structure. (F)

CONDITIONS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE:

- _____ 28. **Landscape Plans.** The Developer shall submit three sets of landscape and irrigation plans including water budget calculations, required application fees, and completed landscape packet to the Building Division. Plans shall utilize xeriscape landscaping techniques in conformance with the Landscaping Ordinance. The number, size, type

and configuration of plants approved by the City shall be maintained in accordance with the Development Code. (P)

- _____ 29. **Light and Landscape District Annexation.** Developer shall annex property into the lighting and landscape district administered by the Hesperia Recreation and Parks District. The required forms are available from the Building Division and once completed, shall be submitted to the Building Division. (RPD)
- _____ 30. **Hood And Duct Suppression.** An automatic hood and duct fire extinguishing system is required. A Fire Department approved designer/installer shall submit three (3) sets of detailed plans (minimum 1/8" scale) with manufactures' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. (F)

CONDITIONS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY:

- _____ 31. **As-Built Plans.** The Developer shall provide as-built plans. (E)
- _____ 32. **Public Improvements.** All public improvements shall be completed by the Developer and approved by the Engineering Department. Existing public improvements determined to be unsuitable by the City Engineer shall be removed and replaced. (E)
- _____ 33. **Construction Waste.** The developer or builder shall contract with the City's franchised solid waste hauler to provide bins and haul waste from the proposed development. At any time during construction, should services be discontinued, the franchise will notify the City and all building permits will be suspended until service is reestablished. The construction site shall be maintained and all trash and debris contained in a method consistent with the requirements specified in Hesperia Municipal Code Chapter 15.12. All construction debris, including green waste, shall be recycled at Advance Disposal and receipts for solid waste disposal shall be provided prior to final approval of any permit. (B)
- _____ 34. **Development Fees.** The Developer shall pay required development fees as follows:
- A. Park Fees. (Not applicable to commercial and industrial developments) (B)
 - B. Development Impact Fees (B)
 - C. Utility Fees (P)
- _____ 35. **Utility Clearance(s)/Certificate of Occupancy.** The Building Division will provide utility clearances on individual buildings after required permits and inspections and after the issuance of a Certificate of Occupancy on each building. Utility meters shall be permanently labeled. Uses in existing buildings currently served by utilities shall require issuance of a Certificate of Occupancy prior to establishment of the use. (B)

- _____ 36. **On-Site Improvements.** All on-site improvements as recorded in these conditions, and as shown on the approved site plan shall be completed in accordance with all applicable Title 16 requirements. The building shall be designed consistent with the design shown upon the approved materials board and color exterior building elevations identified as Exhibit "A." Any exceptions shall be approved by the Director of Development Services. (P)
- _____ 37. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road. (F)
- _____ 38. **Fire Extinguishers.** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. (F)

ONGOING CONDITIONS:

- _____ 39. **Valid License.** At all times during the conduct of the use allowed by this permit, the use shall obey all laws and shall maintain and keep in effect valid licensing from appropriate local, state and/or federal agencies as required by law. Should such required licensing be denied, expire or lapse at any time in the future, this permit shall become null and void. (P)
- _____ 40. **Permit Revocation.** In the event the use hereby permitted under this permit is: (a) found to be in violation of the terms and conditions of this permit; (b) found to have been obtained by fraud or perjured testimony; or (c) found to be detrimental to the public health, safety or general welfare, or a public nuisance; this permit shall become null and void. (P)
- _____ 41. **Alcohol Consumption.** No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee. This includes all sidewalks and the parking lot. (P)
- _____ 42. **Employee Age.** All employees of the applicant serving alcohol must be at least 21 years of age. (P)
- _____ 43. **ABC Requirements.** The use must comply with the permit process and requirements set forth by the State of California, Alcoholic Beverage Control. (P)
- _____ 44. **ABC License.** The subject alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premises. (P)

IF YOU NEED ADDITIONAL INFORMATION OR ASSISTANCE REGARDING THESE CONDITIONS, PLEASE CALL THE APPROPRIATE DIVISION LISTED BELOW:

| | | |
|--------------|--|-----------------|
| (P) | Planning Division | 947-1200 |
| (B) | Building Division | 947-1300 |
| (E) | Engineering Division | 947-1414 |
| (F) | Fire Prevention Division | 947-1012 |
| (RPD) | Hesperia Recreation and Park District | 244-5488 |



**CITY OF HESPERIA
DEVELOPMENT REVIEW COMMITTEE**

**City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
WEDNESDAY, JUNE 20, 2012**

A. PROPOSALS:

1. SOVEREIGN WAY CHRISTIAN CHURCH (SPR12-10143)

Proposal: A revised Site Plan Review to establish a church within an existing building.

Location: 16490 Walnut Street, Building A (APN: 0413-072-16)

Planner: Daniel Alcayaga

Action: Administrative Approval



CITY OF HESPERIA DEVELOPMENT REVIEW COMMITTEE

City Hall Joshua Room
9700 Seventh Avenue
Hesperia, CA 92345
BEGINNING AT 10:00 A.M.
TUESDAY, JULY 3, 2012

A. PROPOSALS:

1. CHIPOTLE (CUP12-10150)

Proposal: A Conditional Use Permit to construct a 2,385 square foot Chipotle restaurant and establish the sale of beer and wine on 2.1 acres within the Regional Commercial District of the Main Street and Freeway Corridor Specific Plan.

Location: Approx. 375 feet north of Main Street on the west side of Mariposa Road (APN: 0405-062-88)

Planner: Lisette Sanchez-Mendoza

Action: Forwarded to July 12, 2012 Planning Commission Meeting

2. DAVID PITCHER (SPR12-10116)

Proposal: Consideration of a site plan review to allow a solar farm on 15 gross acres within the Regional Commercial (RC) District of Main Street and Freeway Corridor Specific Plan.

Location: Terminus of Oak Hill Road and west of Caliente Road (APN: 0357-063-45)

Planner: Lisette Sanchez-Mendoza

Action: Forwarded to August 9, 2012 Planning Commission Meeting

3. JOSE CAMPOS PADILLA (SPR12-10129)

Proposal: A site plan review to convert an existing single-family residence to a commercial dog grooming facility on 0.5 acres within the Neighborhood Commercial (NC) District of the Main Street and Freeway Corridor Specific Plan.

Location: 13890 Main Street (APN: 0405-194-36)

Planner: Daniel Alcayaga

Action: Administrative Approval

4. SAN BERNARDINO DEV PARTNERS, LLC (CUP12-10145)

Proposal: Consideration of an extension for approved Conditional Use Permit CUP09-10125, to establish an 8,200 square foot facility for the production of drinking water and wastewater purification products zoned general industrial.

Location: Southeast corner of G Avenue and Hercules Street (APN: 0410-072-01)

Planner: Daniel Alcayaga

Action: Administrative Approval

5. HESPERIA OUTDOOR POWER EQUIPMENT (SPR12-10146)

Proposal: A modification to approved revised site plan review SPR11-10190, to add a second floor to an approved 1,000 square foot workshop building.

Location: 17494 Main Street (APN: 0411-291-50)

Planner: Daniel Alcayaga

Action: Administrative Approval