



Conference Room A  
14343 Civic Drive  
Victorville, CA  
[www.victorvilleca.gov](http://www.victorvilleca.gov)

## Zoning Administrator

**Regular Meeting Agenda  
Wednesday, July 6, 2022**

**10:00 a.m. Regular Meeting**

The Zoning Administrator welcomes and encourages public participation and invites the community to attend in person. If you cannot attend in person, the meeting will also be available via Zoom.

**To join via Computer, Laptop, or Smart Device:**

Meeting ID: 834 4269 0434

\*To provide comment, click the "Raise Hand" button and the Clerk will unmute you.

**To join via Audio only (cell phone or landline):**

Dial: (346) 248-7799

Meeting ID: 834 4269 0434

\*To provide comment dial \*9 to "Raise Hand"

**Public Comments:** Members of the public may submit comments electronically to [planning@victorvilleca.gov](mailto:planning@victorvilleca.gov). All email comments received by 3 p.m. the day before the meeting will be distributed to the Zoning Administrator. Participants are invited to address the Zoning Administrator on agenda and non-agenda topics. Public comments will be no longer than three (3) minutes per community member. Should a speaker conclude their comments prior to the expiration of three (3) minutes, the speaker waives the right to speak for any remaining amount of time.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at (760) 955-5135 no later than 72 hours prior to the meeting.

## Call to Order

### PUBLIC HEARINGS

1. ADMN22-00072 – John Opara

**Environmental** – Environmental Exemption

**Project** – An Interim Use Permit with an Environmental Exemption to allow for a medical training school to occupy an existing suite within a multi-tenant shopping center zoned C-2 (General Commercial).

**Location** – 13622 Bear Valley Road #1

**Attachments** – Attachment A – Site Plan

Attachment B – Project Description and Floor Plan Graphics

Attachment C – Aerial Image

Attachment D – Public Comment Received

## Public Comments

## Adjournment



# ZONING ADMINISTRATOR STAFF REPORT

---

**DATE:** July 6, 2022 **AGENDA NO. 1**

**CASE:** ADMN22-00072

**SUBJECT:** A Minor Interim Use Permit with an Environmental Exemption to allow for a medical training college to occupy an existing suite within a multi-tenant shopping center in the C-2 General Commercial zone district.

**APPLICANT:** John Opara

**LOCATION:** 13622 Bear Valley Road, Unit #1

---

## **I. STAFF RECOMMENDATION:**

Staff recommends that the Zoning Administrator conduct a public hearing, receive testimony regarding the proposed project and take the following actions:

1. **Environmental Assessment** – Find the project categorically exempt per CEQA Section 15301 – Existing Facilities; and
2. **Minor Interim Use Permit** - Approve Case No. ADMN22-00072 subject to the included conditions of approval by finding that the proposal meets the requirements of the City Council Policy for Interim Uses (CP-11-05), including basis of need and required findings as outlined within the Staff Analysis section of the Zoning Administrator Staff Report.

## **II. SUMMARY:**

The applicant, Ezzy Training College, is requesting approval of this Minor Interim Use Permit (IUP) in order to allow for the use of an existing suite within a commercial shopping center as a vocational training center offering Certified Nursing Assistant training programs. The proposed campus will accommodate up to 10 students per day and occupy approximately 1,700 sq. ft. within the multi-tenant shopping center known as Bear Valley Center. Ezzy Training College proposes to offer training Monday thru Friday between the hours of 10 AM to 4 PM with in-person classes taking place only on Wednesdays and Fridays. All other class sessions will be held remotely with students participating online from their homes.

The college is affiliated with Health R Us Urgent Care also located within the same shopping center. The applicant has indicated that students who graduate from Ezzy Training College may have a preferential opportunity for employment with this urgent care facility, though the credentials earned from the program are universal and will allow for employment throughout the state.

While the underlying C-2 General Commercial zone does not allow for professional business schools, Staff finds the proposed IUP appropriate at this location given the prolonged vacancies experienced within this shopping center as well as its proximity to an affiliated medical service clinic.

## **I. STAFF ANALYSIS:**

### **1. Environmental Assessment.**

California Environmental Quality Act (CEQA) Section 15301 allows a categorical exemption for the permitting of private structures that involve negligible or no expansion of use. Since the location was developed as multi-tenant commercial building, the proposal does not include any physical expansion, and the applicant seeks to operate during hours similar to other commercial uses in the area, Staff finds that this exemption is applicable to this proposal.

### **2. Minor Interim Use Permit.**

- The Bear Valley Center is comprised of four buildings on separate parcels located north of Bear Valley Road and west of Amethyst Road, all zoned C-2 General Commercial. The center has been without an anchor tenant since 2013 when an Albertson's grocery store vacated the site. The proposed training institute is located within an inline suite of the largest building which has also been vacant since 2013 when it was last occupied by a dry-cleaning business. Due to these prolonged vacancies, the shopping center has had difficulty attracting new and viable businesses. The proposed training institute will fill a long-vacant suite within the center and the staff and students of the school are likely to frequent the surrounding businesses in the center for food, shopping, and other services. The career college is similar to the existing uses within the center in regard to hours of operation and vehicle trips.
- Vocational schools are not listed as a permitted or conditional use in the underlying zone district; however, the limited class sizes and infrequent in-person sessions are not expected to be detrimental to the surrounding commercial land uses. Additionally, the suite has remained vacant since the previously established dry-cleaning business ceased operation approximately ten years ago.

#### **School Operations**

- The vocational training center will utilize 1,700 sq. ft. of an existing approximately 107,000 sq. ft. building that is divided into multiple suites. Floor plans indicate that the suite will have staff desks, learning stations, computer desks, and a group learning station referred to as a "mini-lab." There will be no walls constructed within the suite, and all class areas will be delineated by non-permanent room dividers. There is an existing restroom within the suite, as well as restroom facilities located just outside of the suite accessible to all within the shopping center. Two class sessions will take place per day, with only 5 students within each session in addition to two staff members.
- Proposed hours and days of operation are as follows:
  - Monday – Friday, 10AM–4PM with in-person sessions taking place only on Wednesdays and Fridays. All other sessions are conducted online.
- The proposed training center will have an open floorplan comprised of 3 learning stations, 2 computer desks, and 2 staff desks. On in-person session days, the facility is expected to have a daily attendance of approximately 10 students between the hours of 10 AM to 4 PM. Courses will be offered in morning and afternoon sessions, with no more than 5 students within the given session. Each program requires 160 hours of instruction as a requirement for completion.

- In order to provide the applicant the ability to adjust services provided to meet demand, Staff has included Condition #1, which includes the noted operations, as well as the ability for the Zoning Administrator to adjust services provided (e.g. frequency and number of attendees) should they remain consistent with City Council Policy for Interim Uses (CP-11-05).
- All courses taught are overseen by the Bureau for Private Postsecondary Education (BPPE) and are further regulated by the California Department of Public Health (CDPH). Staff has included Condition #9, requiring proof of certification and training credentials for their instructors prior to issuance of a Certificate of Occupancy.

### **Parking**

- Sec. 16-3.21.030 of the City of Victorville's Municipal Code requires 1 parking space per classroom for business schools. Based upon the two proposed "classroom" areas (e.g. learning stations and computer stations), as well as an anticipated maximum occupancy of 7 persons at any given time, Staff finds that the parking spaces provided on-site are sufficient to serve the proposal in accordance with Title 16 standards (2 classrooms = 2 spaces required). The overall center shares a parking area comprised of approximately 450 spaces and Staff does not foresee a parking shortage to occur. However, should a parking problem arise in connection with this use, Staff has included Condition #5 requiring the business to address the parking concerns subject to the review and approval of the Zoning Administrator. Additionally, Parcel Map No. 19568 that subdivided the site and surrounding parcels includes notations of reciprocal access and CC&R's that encompass the site, which ensures the adjacent parking field and site access will remain available to the site and its patrons.
- In the event enrolment increases in the future or business hours of other permitted uses on-site change, Staff has included Condition #6, requiring review and approval of an Interim Use Permit Modification and/or revocation should a parking deficiency develop on-site due to the proposed use.
- While a parking conflict is not anticipated due to the large field of parking and vacancy of the largest suite within the center, should a parking issue arise, Staff has included Condition #8 requiring modifications to the operation in order to correct a parking issue.

### **Site Condition**

The site is generally in satisfactory condition with mature and maintained landscaping, and a concrete parking area that has few signs of wear. While a trash enclosure exists in the center to serve this building, it does comply with current code standards in terms of appropriate roof, screening, and security requirements. Consequently, a new or revised trash enclosure shall be provided in connection with the proposed career college. Staff has included Condition #10, requiring that the trash enclosure comply with the current applicable standards of Title 16.

### **Required Findings**

- The C-2 General Commercial zone district does not permit the proposed vocational training center as a permitted or conditional use. However, an interim use within C-2 Zone is permitted if the proposed use meets the requirements of the City Council Policy for Interim Uses (CP-11-05). Staff finds that the proposed career college at this location does meet the requirements of the Council Policy as discussed in the following section.

- Basis of Need:

The subject site as well as the surrounding multi-tenant commercial center has struggled to fill vacancies and the proposed vocational school location has been vacant approximately ten years since the last user (TriCity Dry Cleaners) ceased operations at the subject site in 2013. Economic decline and shifting land use patterns in the area have caused the commercial center to experience vacancies for multiple years. Therefore, based upon the circumstances noted above, Staff finds the site meets the basis of need requirement.
- Required Findings:
  - i) The proposed use is 'similar' to other permitted uses within the zone in regards to:
    - Hours of Operation – Typical daytime business hours that are not uncommon for commercial uses in the area.
    - Parking Needs/Requirements – Adequate parking on-site in accordance with Title 16 standards.
    - Traffic Impacts – Access from abutting roadways of Bear Valley Road and Amethyst Road will be adequate to serve the proposal.
    - Occupancy Patterns – While the C-2 zone does not allow the subject use, the site has been vacant for ten years. Since no other business have been established at the location, the proposed vocational training center is similar to the established occupancy patterns in the vicinity as well as the specific site.
    - Noise – Noise impacts should not be greater than permitted commercial uses or other land uses permitted within the C-2 Zone District.
    - Environmental Impacts – The use should not produce any negative environmental impacts as conditioned.
    - Required Licensing/Permits – Any required permits can be obtained during the Business License/Certificate of Occupancy phase of the entitlement.
    - Required Facilities – The building contains restroom facilities that should be adequate to serve the proposed use as well as handicapped access and parking in the center. There are additional restroom facilities located outside of the suite accessible to all within the shopping center.
  - ii) The proposed use is a 'good fit' in regard to:
    - Existing Structures – The proposal is located within an existing building that was developed for commercial uses.
    - Existing Site Development/Conditions – The site includes existing landscaping, structures, and parking areas in accordance with current Municipal Code standards. Additionally, the new or updated trash enclosure will further improve upon the existing site per current Development Code standards.
    - Compatibility with Adjacent Existing & Permitted Uses – The proposal is located within a multi-tenant commercial center and is compatible with existing uses as the students/staff of the vocational school will likely be patrons of surrounding business such as restaurants and retail establishments. Additionally, the proposed use is affiliated with the existing urgent care facility located within the shopping center.
  - iii) The proposed use presents no negative impacts to any of the following:
    - Public Interest – The use will not have a negative impact on public interest, as the proposal will introduce regular activity to the site that has had issues in the past with trespassing and loitering.

- Public Health, Safety, and Welfare – Staff does not anticipate any negative impacts to the public health, safety and welfare.
- Economic Vitality of the Area – The use will fill a long-term vacancy in an area with a history of difficulty in obtaining suitable tenants. Additionally, the introduction of regular patrons to a commercial development who may visit other business within the center would be beneficial to the area’s economic vitality.
- Neighboring Businesses and Residents – No negative impacts are expected as a result of this business due to proposed daytime operations within a multi-tenant building.
- Overall Integrity of the Center, District or Area – The use will not negatively affect the integrity of the area or center due to the existing mix of commercial, professional, and residential development. Further, any new development will ensure the integrity of the C-2 Zone District is maintained.
- Does Not Contribute to Over-Concentration – N/A

**IV. SITE CHARACTERISTICS:**

	<b>Existing Land Use</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Specific Plan</b>
Site	Multi-tenant Commercial	Commercial	C-2	N/A
North	Multi-tenant Commercial	Commercial	C-2	N/A
South	Multi-tenant Commercial	Commercial	C-2	N/A
East	Multi-tenant Commercial	Commercial	C-2	N/A
West	Multi-tenant Commercial	Commercial	C-2	N/A

**NUMBER OF RADIUS LETTERS MAILED: 42**

DK

Attachments:

- Attachment A – Site Plan
- Attachment B – Project Description & Floor Plan Graphic
- Attachment C – Aerial Image
- Attachment D – Public Comment Received

THE ZONING ADMINISTRATOR’S ACTION WILL BE FINAL UNLESS APPEALED TO THE PLANNING COMMISSION WITHIN TEN DAYS.

CONDITIONS OF APPROVAL  
ADMN22-00072  
July 6, 2022

A MINOR INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR A MEDICAL TRAINING COLLEGE TO OCCUPY AN EXISTING SUITE WITHIN A MULTI-TENANT SHOPPING CENTER LOCATED AT 13622 BEAR VALLEY ROAD #1

**Planning Conditions:**

1. This approval is to allow for a vocational training school at 13622 Bear Valley Road, Unit #1. Training classes are limited to Monday thru Friday between the hours of 10 AM to 4 PM. The Zoning Administrator reserves the right to adjust, modify, or add functions & times upon written request from the applicant and/or property owner/manager, providing any change is in accord with the findings presented in the accompanying Staff Report.
2. The proposed improvements and use shall comply with all applicable development standards of Title 16.
3. The proposed improvements and use shall be in substantial conformity with the plans submitted as part of this application unless modification is required to comply with the applicable development standards of Title 16 and/or conditions of approval.
4. Any expansion of the proposed use beyond the scope of this interim use permit shall require submission and approval of an interim use permit modification or a new interim use permit based upon the extent of the expansion.
5. Any change in use or implementation of a new use within the facility (including the expansion of the classroom seating areas), which will require additional parking spaces resulting in non-compliance of Title 16 shall cause that use to be subject to Zoning Administrator and/or Planning Commission review and approval.
6. Should the City of Victorville receive complaints from patrons or adjacent neighbors of the site indicating a parking deficiency, the Zoning Administrator reserves the right to review the use and modify, revoke, or suspend the interim use in accordance with Title 16 guidelines.
7. School attendance shall not exceed an average daily attendance of 10 students per day unless otherwise approved by the Zoning Administrator.
8. Should a parking deficiency arise or be reported to the Planning Department due to excessive number of students or employees, the applicant/business owner shall modify their classes or schedules to correct the problem, subject to Zoning Administrator review and approval.
9. The applicant shall provide proof of instructor certification and/or training credentials for all instructors subject to Zoning Administrator review and approval.
10. Prior to the issuance of a Business License or Certificate of Occupancy, the permit process must begin to provide a trash enclosure in conformance current code. Construction of said enclosure must be completed within six-months of occupancy. The enclosure shall be architecturally compatible with the building design with matching colors and materials and meet Title 16 standards (e.g. pedestrian access). Additionally, in accordance with the City's Small MS4 Permit, a solid roof/cover that is architecturally compatible with the primary building



onsite and serves to protect the refuse area from inclement weather shall be provided, as well as wrought iron that fully encloses the trash enclosures between the block wall/metal gates and the roof to prevent unauthorized entry. (See Section 16-3.10.060(d)(2) & Sec. 16-3.24.110).

11. All landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This includes proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacements of plants when necessary and the regular watering of all plants. In addition, all landscaped areas shall be provided with a suitable permanent water system.
12. All proposed signs, including any freestanding signage, shall comply with Title 16. The applicant shall be required to submit a sign package for review and must gain approval by the Planning Commission prior to approval of any signage proposed which is inconsistent with Title 16. Painted and off-site signs are prohibited, and all signs shall be subject to Planning Staff review and approval prior to obtaining a sign permit.
13. All proposed temporary signage shall comply with Title 16. All temporary signs (grand openings, special sales, etc.) shall only be affixed to the suite they serve in accordance with an approved Temporary Sign Permit. Flags or other off-site signage is prohibited within multi-tenant developments.
14. The applicant/business owner shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
15. The Applicant/Owner shall agree to defend, indemnify and hold harmless, the City of Victorville, its agents, officers and employees from any claim, action or proceeding against the City of Victorville or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Victorville shall promptly notify the applicant of any such claim, action or proceeding, and the City of Victorville shall cooperate fully in the defense.

**Building Conditions:**

16. The project shall comply with all building codes in effect at the time of plan submittal.
17. The scope of work indicated will require accessibility upgrades to be included in accordance with Section 11B-202 of the California Building Code.
18. Plan check fees for this project will be due, and shall be paid in full, upon submittal of plans to the Building Division. The Building Division may be contacted at (760) 955-5100 for an estimation of these fees. Actual amount owed will be determined upon submittal of the plans at the building counter.

**Fire Conditions:**

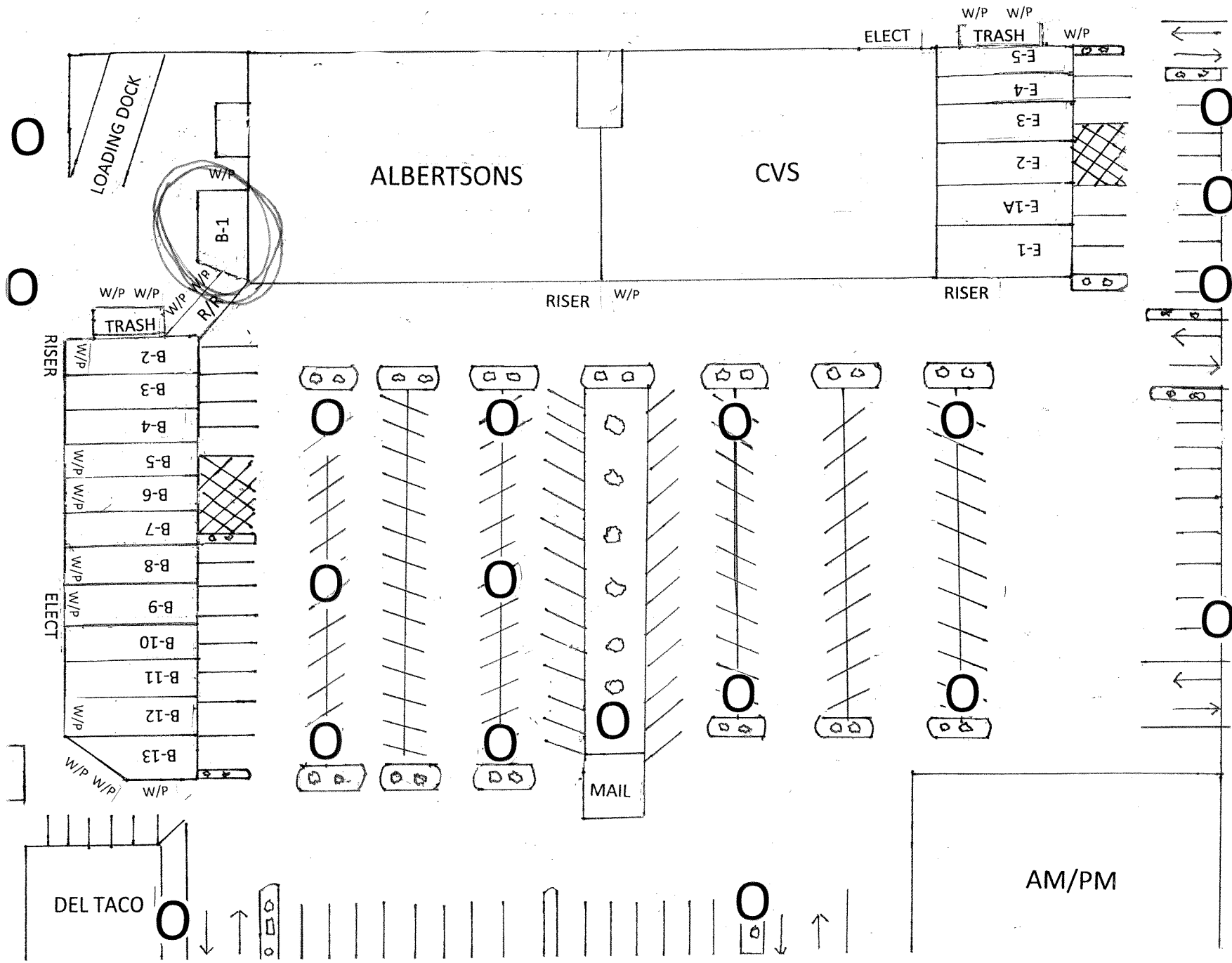
19. All access gates shall require mechanical means for opening in event of power failure, shall not impinge on required clear width when fully open, and shall be equipped with Knox Box lock actuation devices. (Victorville Fire Department Prevention Standard A-3).
20. Fencing shall not obstruct Fire Department access to fire hydrants. (2019 CFC §507.5.5).
21. Required fire flow for this project is 2,500 gpm @ 20 psi for 4 hours at furthest remote hydrant. Contact Water District to assure availability of required fire flow. (2019 CFC §507.3)

22. The applicant shall install fire hydrants and/or on site protection as required by the Fire Chief. (Victorville Fire Department Prevention Standard W-2).
23. Knox Box/Key Box is required, and shall be provided and installed in accordance with Victorville Fire Department Prevention Standard A-4.
24. Shall comply with all current Building and Fire Code requirements based on occupancy classification.
25. Paved access from 2 points shall be required for completion and occupancy. Plans shall be submitted and approved prior to construction commencement.
26. Streets greater than 150' in length shall require cul-de-sacs or approved turnarounds per Victorville Fire Department Prevention Standard A-1. Any street exceeding 500' will require paved secondary access.
27. An approved water supply system, complete with street fire hydrants complying with Victorville Fire Department Prevention Standard W-2, shall be in place prior to any combustible construction. (2019 CFC §3312)
28. Street Addressing for Commercial, Condominiums and Industrial Buildings
  - a. The street address shall be posted with a minimum of twelve (12) inch in height numbers with a one (1) inch stroke, visible from the street of the corresponding address. During the hours of darkness, they shall be electrically illuminated either externally or internally.
  - b. Posted numbers shall contrast with their background and be legible from the street of the corresponding address prior to occupancy.
  - c. Where building setbacks exceed one hundred (100) feet from roadway, additional non-illuminated contrasting numbers twelve (12) inch in height with a one (1) inch stroke, shall be displayed at property access entrance on a permanent monument.
  - d. Commercial/Industrial buildings - Secondary or rear entrance doors shall be marked with unit designators with a minimum of four (4) inch high and 3/8-inch stroke numbers/letters.
  - e. In multifamily complex there shall be positioned at each entrance of the complex, an illuminated diagrammatic representation of the complex showing the location of fire hydrants, egress/ingress, building and unit designators within the complex
  - f. Where interior buildings exist, completely detached from roadway circulation, illuminated or reflector signs shall be posted along walkway entrances from road circulation points, indicating interior buildings that take access from that particular path.
    - i. Each individual unit/building within the complex shall display a prominent identification letter, not less than six (6) inches in height and on-half (1/2) inch stroke, which is easily visible to approaching vehicular and/or pedestrian traffic. During the hours of darkness, these letters shall be internally or externally electrically illuminated.
  - g. Each individual unit shall have a number/letter with the first digit indicating floor level, not less than four (4) inches in height and one-half (1/2) inch stroke.
29. Provide a preliminary on-site fire protection plan which indicates the location of all required fire protection appliances (FDC's, PIV's, RP's, hydrants, etc.) Required appliances shall be unobstructed by fencing, storage containers, parked vehicles, etc.

30. Monitored fire sprinkler system(s) are required for the proposed building(s). Plans shall be submitted prior to construction.
31. Monitored fire alarm system(s) are required for proposed building(s). Plans shall be submitted prior to construction.
32. The applicant shall provide improved secondary access as required by the Fire Chief.

**THIS PAGE LEFT  
BLANK  
INTENTIONALLY**

# ATTACHMENT A



# ATTACHMENT B

**Objective**

This project is a preexisting space of 1,700 sq ft. in a mini mall that has one toilet/restroom inside it and two toilets or restrooms outside. The two toilets outside happen to be at the right front end of the space. Picture attached. This space will be used as an office for an online training college for Medical Assistants (MAs)/ Certified Nursing Assistant (CNAs) in the city of Victorville.

This will address the shortage of training schools for below mid-level medical staff and the increasing demand for skilled medical assistants driven by the skyrocketing population growth in the city and its surrounding areas. This project will positively impact the economic vitality of the area and neighboring businesses in the mini mall where it is located popularly known as the “old Albertson Shopping Center.”

**Hours of Operation:** Mon -Friday; 10 am -4 pm

**Class Session Times:**

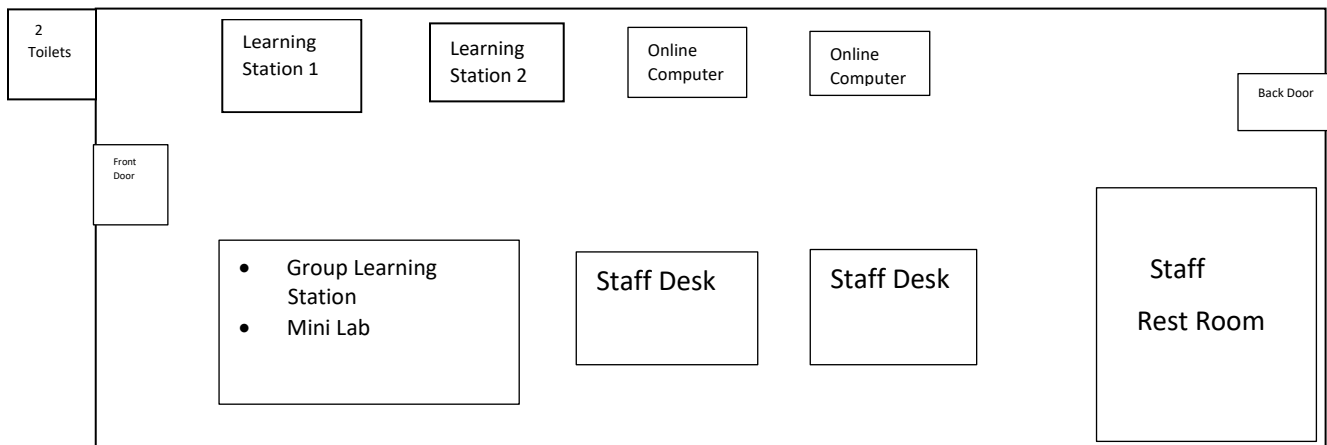
Session	Mon	Tues	Wed	Thursday	Friday	Class Size
Morning (10:30am-1:00pm)	Online	Online	Practical	Online	Free Study	5
Afternoon (1:30pm-4:00pm)	Online	Online	Practical	Online	Free Study	5

**Delivery Mode:** Hybrid- Online (theory/principles) and practical.

**Class Size:** Number of Students in each session will be 5

**Staff Size:** Number of staff on-site at any given time will be 2

**Floor Plan**



**Social Distance Open Space Floor Plan.**

- Each learning station will have a computer
- Each staff station will also have a computer
- All computers will be connected to a network and have a screen sharing capability
- Only simple mobile dividers will be used for the learning spaces and staff spaces as in the picture below.



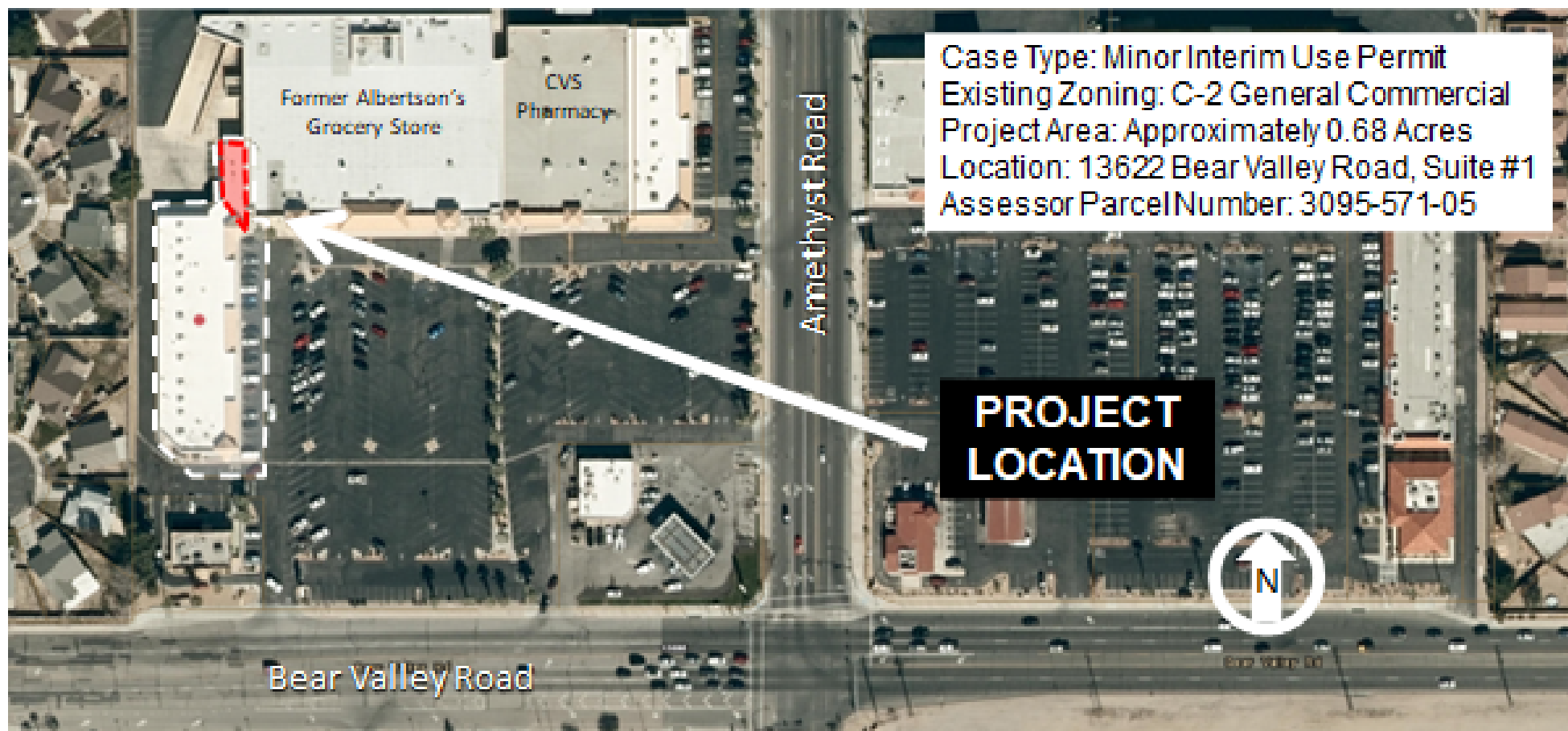
Healthrus Urgent-Care Corp



**THIS PAGE LEFT  
BLANK  
INTENTIONALLY**

# ATTACHMENT C

# CASE: ADMN22-00072



# ATTACHMENT D

## Charlene A. Johnson

---

**From:** Bill W <scalefbk@yahoo.com>  
**Sent:** Wednesday, June 29, 2022 9:38 AM  
**To:** Planning Division  
**Subject:** CASE# ADMN22-00072

[EXTERNAL EMAIL]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I received a notice that in the vacant building located at 13622 Bear Valley Road for a medical training school. I do not believe that a business such as this would be beneficial to the residents in the area. It will not enhance the other business in the business center. We need a business in that location to bring residents in to shop. I'm against the proposed tenant.

Thanks

William Winburn

[Sent from Yahoo Mail on Android](#)



---

SUBJECT: PUBLIC COMMENTS ON PLANNING MATTERS

---

In compliance with the Brown Act, it is necessary for the Zoning Administrator to make available time for members of the public to address the Zoning Administrator on items of interest that fall within the Zoning Administrator's subject matter jurisdiction.

cj