

REGULAR MEETING OF THE ZONING ADMINISTRATOR
OF THE CITY OF VICTORVILLE

JANUARY 15, 2019
10:00 A.M.

CITY HALL CONFERENCE ROOM A
14343 CIVIC DRIVE

ANY INDIVIDUAL WITH A DISABILITY WHO REQUIRES REASONABLE ACCOMMODATIONS TO PARTICIPATE IN A ZONING ADMINISTRATOR'S MEETING MAY REQUEST ASSISTANCE AND/OR RECEIVE THE AGENDA IN AN ALTERNATIVE FORMAT BY CONTACTING THE DEVELOPMENT DEPARTMENT SECRETARY AT (760) 955-5135 NO LATER THAN SEVENTY-TWO HOURS PRIOR TO THE MEETING

CALL TO ORDER

PUBLIC HEARINGS

1. INTERIM USE PERMIT – ADMN19-00132 – JRS TIRES

ENVIRONMENTAL – CONSIDERATION OF AN ENVIRONMENTAL EXEMPTION

PROJECT – AN INTERIM USE PERMIT TO ALLOW FOR A TIRE SHOP (SALES, SERVICE, AND INSTALLATION) WITHIN AN EXISTING BUILDING ZONED C-2 (GENERAL COMMERCIAL)

LOCATION – 12401 HESPERIA ROAD UNIT 1

PUBLIC COMMENTS

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ZONING ADMINISTRATOR STAFF REPORT

DATE: JANUARY 15, 2020 **AGENDA NO. 1**

CASE: ADMN19-00132

SUBJECT: AN INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR TIRE SHOP (SALES, SERVICE AND INSTALLATION) WITHIN AN EXISTING BUILDING ZONED C-2 (GENERAL COMMERCIAL)

APPLICANT: JRS TIRES

LOCATION: 12401 HESPERIA RD UNIT 1

I. STAFF RECOMMENDATION:

Staff recommends that the Zoning Administrator 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 Minor Interim Use Permit Case No. ADMN19-00132 subject to the recommended conditions pursuant to City Council Policy (CP-11-05) and find the use:
 - Similar to other permitted uses within the zone district;
 - Find the use is a good fit;
 - Find there are no negative impacts to the surrounding area.

II. SUMMARY:

The applicant is requesting to establish a tire shop within the Carriage Square Commercial Center. The Center currently has a mix of commercial uses, including office, service, medical, food and a long established car wash. Unit 1, where the proposed use would operate, was previously a window tinting and audio business and contains one bay door at the rear. The unit fronts Hesperia Road as does the car wash on opposite front corner of the Center. The proposed use is not permitted or conditional within the C-2 General Commercial Zone District since it does not meet the Special Requirements for light automotive repair. Though the use does not conform to current zoning, Staff finds that the proposed use at this particular location meets the intent of the Interim Use Permit Policy approved by the City Council.

III. STAFF ANALYSIS:

1. Environment Assessment.

California Environmental Quality Act (CEQA) Section 15301 allows a categorical exemption for the permitting of uses and structures that involve negligible or no expansion of use. Since the proposal will operate within the scope of the previous use, Staff finds that the

proposed tire installation business is similar to permitted and conditional land uses in the District and will constitute a negligible expansion of use at the site.

2. City Council Policy Findings

The General Commercial (C-2) District does not permit light automotive repair unless it is located at a standalone building within a 10-acre or larger shopping center as stipulated within Section 16-3.07.020 entitled 'Special requirements for certain permitted and conditional uses. However, interim uses within the C-2 District are permitted if the use meets the City Council Policy for Interim Uses CP-11-05. Staff finds that the proposed tire installation business at this particular location does meet the Council Policy as discussed below.

1) Basis of Need:

The unit has been vacant and the use will fill an otherwise vacant suite, boosting occupancy in the area. Therefore, Staff finds the site meets the basis of need requirement as the proposed use can effectively occupy the site.

2) Required Findings:

- i) The proposed use is 'similar' to other permitted uses within the zone in regards to:
 - Hours of Operation – The hours will be 8am to 5:30pm daily (closed Sunday), which are typical business hours.
 - Parking Needs/Requirements – There will be no change in the parking demand for this business.
 - Traffic Impacts – Access from Hesperia Road is sufficient to handle traffic demands.
 - Occupancy Patterns – The C-2 District along this stretch of Hesperia Road contains mainly office and other medical and commercial uses. However, the commercial center contains a car wash facility, which is a similar auto orientated use that functions with little negative impact to the surrounding area.
 - Noise – Noise impacts will be nominal and consistent with surrounding uses and offset by the relatively high traffic volumes along Hesperia Road. All work will occur indoors
 - Environmental Impacts – The use should not produce any negative environmental impacts that cannot be mitigated through proper permitting/approval by the Air Quality Management District and State tire laws. Additionally, any impacts will not exceed those already permitted by the surrounding districts.
 - Required Licensing/Permits – Any required permits can be obtained during the Building Permit and Business License phase of the entitlement.
 - Required Facilities – All facilities are in place for the operation of the tire shop and all activities will be conducted inside the building.
- ii) The proposed use is a 'good fit' in regards to:
 - Existing Structures – The building contains a bay door for each unit, which is essential for any type of auto repair.
 - Existing Site Development/Conditions – The commercial center is well kept and needs no improvements.
 - Compatibility with Adjacent Existing & Permitted Uses – Similar commercial activities take place within the commercial for which this operation will be

compatible. Those uses include a car wash along Hesperia Road and a detailing business and silica Drive.

- iii) The proposed use presents no negative impacts to any of the following:
- Public Interest – The use will provide for a service in a vacant unit with a bay door suited for an indoor auto use.
 - Public Health, Safety, and Welfare – The neighboring properties will not be affected by the tire shop as proposed. The bay door faces a vacant lot.
 - Economic Vitality of the Area – The use will bring patrons to the area and surrounding businesses, which will generate tax revenue.
 - Neighboring Businesses and Residents – No negative impacts are expected as the unit previously operated as an auto use and similar uses exist within the commercial center.
 - Overall Integrity of the Center, District or Area – The use will not negatively affect the integrity of the area since the commercial center has other auto uses and all work will be conducted indoors.

3. Minor Interim Use Permit.

Business Operations

- The proposed tire shop will sell new and used tires. Potential customers will park within the front or rear parking lot, enter the front office and once a work agreement has been made, the car will be driven into the bay for service. All work will be performed indoors and all tires will be stored indoors. The storage of the tires has been reviewed by the Fire Department and has been addressed by Condition #14.
- In order to ensure the business operation does not become a nuisance to neighboring businesses, Staff has included Condition #8, requiring all tire installation activities to be performed completely within the unit bay and Condition #9 prohibiting outdoor tire and equipment storage.
- The operation hours are from 8:00am until 5:30pm Monday through Saturday. Because the business will operate during regular business hours, no time restrictions have been included.

Site Condition

- The site is fully developed with street improvements and paved parking areas accessible from Hesperia Road and Silica Drive. Generally, the site is in excellent condition and includes trash enclosures with metal gates screened by landscaping. Only the standard maintenance conditions have been included.

IV. SITE CHARACTERISTICS:

	Existing Land Use	General Plan	Zoning	Specific Plan District
Site	Commercial Center	Commercial	C-2	N/A
North	Commercial Center	Commercial	C-2	N/A
South	Vacant	Commercial	C-M	N/A
East	Commercial Center	Commercial	C-1	N/A
West	Commercial Center	Commercial	C-2	N/A

NUMBER OF RADIUS LETTERS MAILED: 7

MJS

The Zoning Administrator's action will be final unless appealed to the Planning Commission within ten days.

CONDITIONS OF APPROVAL
AN INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR TIRE
SHOP (SALES, SERVICE AND INSTALLATION) WITHIN AN EXISTING BUILDING
ZONED C-2 (GENERAL COMMERCIAL)
ADMN19-00132
January 15, 2020

Planning Conditions:

1. This Interim Use Permit approval is for the operation of a tire shop at an existing unit within a multi-tenant building located at 12401 Hesperia Road Unit 1 subject to the following conditions.
2. This Interim Use Permit shall expire immediately upon a change in the business owner, operator, or subject use of the business; or, a vacancy. If a change in ownership, control or location of any licensed premises occurs, whether pursuant to move, sale, transfer, assignment, or otherwise, the owner or proposed new owner must complete a new application subject to approval of CP-11-05. This Interim Use Permit is not transferable to any other person or premises.
3. The proposed use shall comply with all applicable development standards of Title 16 of the Victorville Municipal Code.
4. The proposed 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.
5. Any expansion of this proposed use beyond the scope of this interim use permit shall require submission and approval of a new interim use permit based upon the extent of the expansion.
6. Any change in use or implementation of a new use within the facility, which will require additional parking spaces resulting in non-compliance of Title 16, shall cause that use to be subject to Zoning Administrator review and approval.
7. All proposed signs, including any existing wall signage, shall comply with Title 16. All signs shall require a building permit and shall be subject to Planning Staff review and approval prior to obtaining the permit.
8. All tire installation and associated work shall be performed completely within the interior bay.
9. All tires and other equipment shall be stored indoors. No outdoor storage permitted.
10. 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.
11. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.

12. 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.

Engineering Conditions:

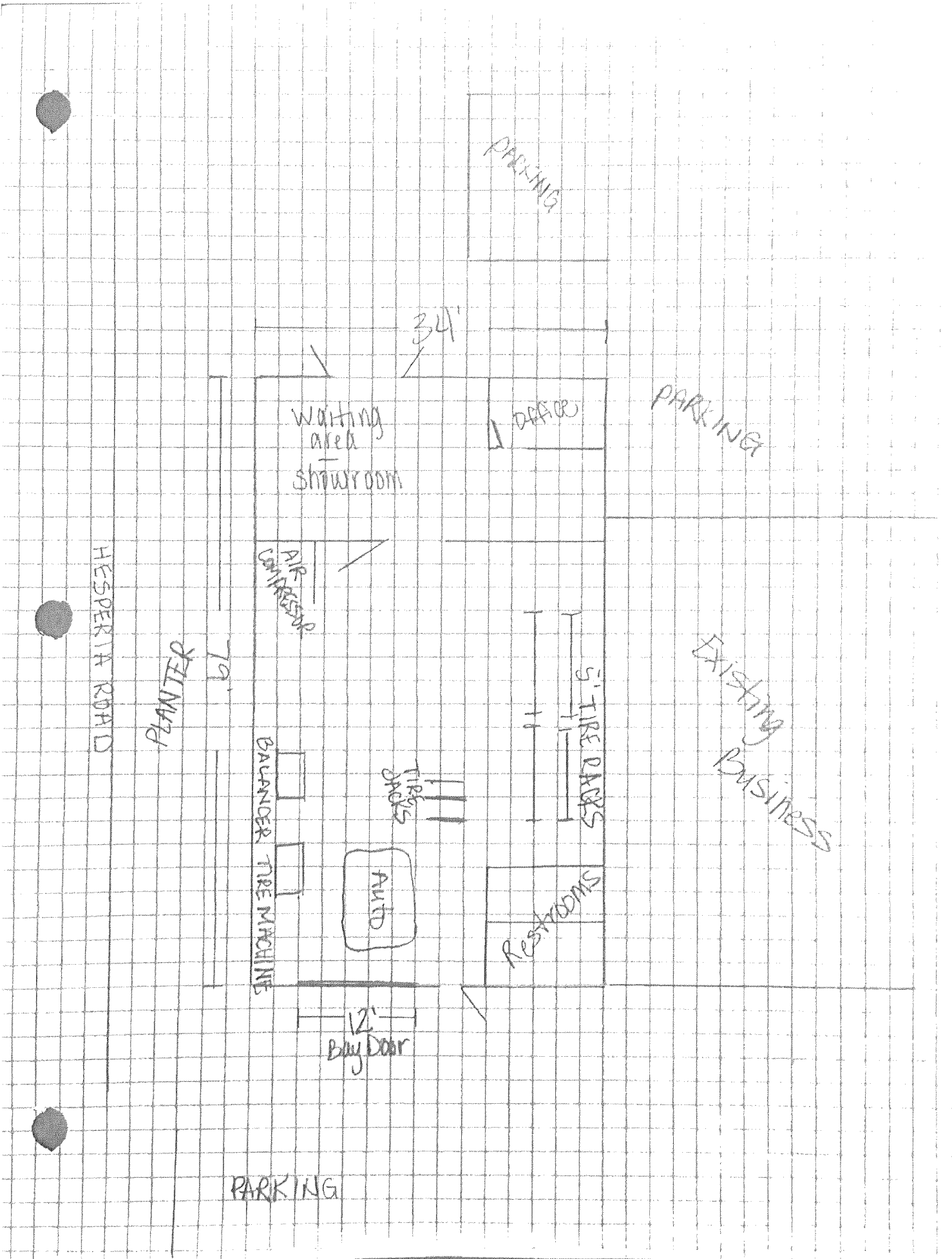
13. If applicable, a reduced pressure backflow device per City standard W-39 must be installed behind the domestic water meter serving the site. Contact Frank Echeverria with the Water District at the Engineering Department counter for details on requirements.

Fire Conditions:

14. Prior to occupancy the applicant shall provide details of how the tires will be stored and the number of tires that will be stored onsite. Should racks exceed 12 feet in height a High Pile Storage Permit shall be required. An upgrade to the Automatic Fire Sprinkler System may be required.

Building & Safety Conditions:

15. Shall comply with all current Building and Fire Code requirements based on occupancy classification.
16. 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.
17. The project shall comply with all building codes in effect at the time of plan submittal.
18. The scope of work indicated may require accessibility upgrades to be included in accordance with Section 11B-202 of the California Building Code.



Project Description

Our proposed intention for the property located at 12401 Hesperia Road Unit 1, is a very simple neat and clean operation.

We offer a wide variety of new and used tires, we perform only tire mounting and balancing services. We do not perform any type of automotive repair. Upon arrival, our customer is greeted and tire services are offered. Once an agreement has been reached as to services needed, auto is driven into bay and service is performed. Customer is then led into the office area where he is charged and given a receipt.

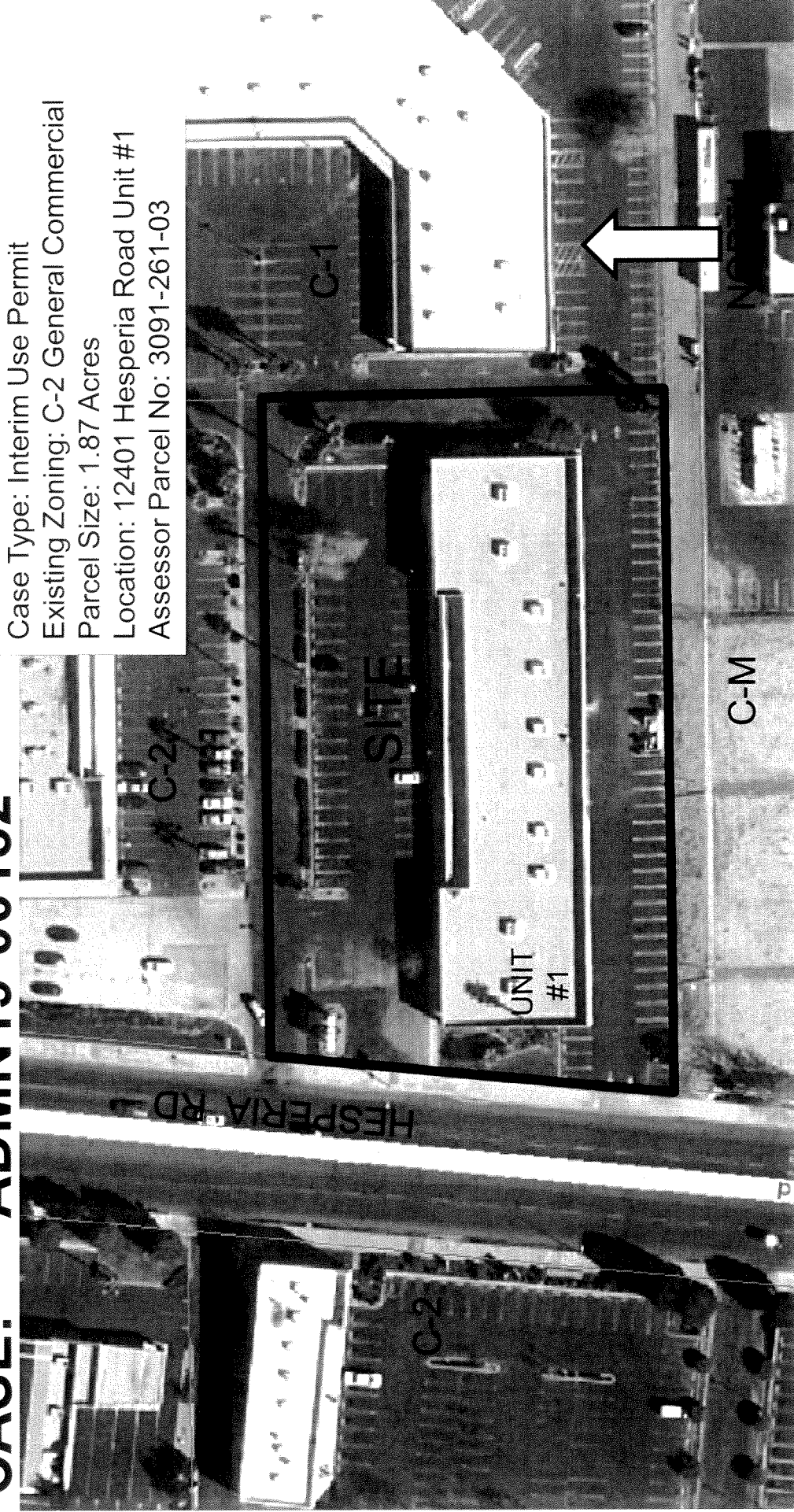
Our hours of operation are eight am to five thirty pm, Monday through Saturday. Parking is ample in the proposed location. We hope and anticipate to serve fifteen to twenty customers per day and there is plenty of parking for customers waiting to be attended to if the need arises.

There is no impact to the environment, waste tires are picked up and disposed of by a licensed waste tire hauler on a regular basis. New and used tires are stored neatly inside in an organized manner, never in open areas to be seen by commuters in the area.

Hesperia Road is a high traffic road with a lot of visibility and the neighboring businesses stand to benefit from the customers that we will bring to the area.

We have served the neighboring communities for twenty years and look forward to expanding our services into the Victorville community.

CASE: ADMN19-00132



Case Type: Interim Use Permit
Existing Zoning: C-2 General Commercial
Parcel Size: 1.87 Acres
Location: 12401 Hesperia Road Unit #1
Assessor Parcel No: 3091-261-03

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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.

SW:ko