

REGULAR MEETING OF THE ZONING ADMINISTRATOR  
OF THE CITY OF VICTORVILLE

OCTOBER 2, 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

NONE SCHEDULED

CONTINUED PUBLIC HEARINGS

1. MINOR CONDITIONAL USE PERMIT - ADMN19-00086 - ROTHBART DEVELOPMENT CORP

ENVIRONMENTAL – CONSIDERATION OF AN ENVIRONMENTAL EXEMPTION

PROJECT – A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR THE ADDITION OF A STAND-ALONE ATM ON A PROPERTY ZONED C-2 GENERAL COMMERCIAL

LOCATION – WITHIN THE CROSSROADS SHOPPING CENTER LOCATED AT THE NORTHEAST CORNER OF PALMDALE ROAD AND HWY 395

PUBLIC COMMENTS

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PUBLIC HEARINGS**

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# ZONING ADMINISTRATOR STAFF REPORT

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**DATE:** OCTOBER 2, 2019 **AGENDA NO. 1**

**CASE:** ADMN19-00086

**SUBJECT:** A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR THE ADDITION OF A STANDALONE DRIVE-THRU AUTOMATED TELLER MACHINE ON A PROPERTY ZONED C-2 GENERAL COMMERCIAL

**APPLICANT:** ROTHBART DEVELOPMENT

**LOCATION:** WITHIN THE CROSSROADS SHOPPING CENTER AT THE NORTHEAST CORNER OF PALMDALE ROAD AND HWY 395

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## **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 15303 – Existing Facilities; and
2. **Minor Conditional Use Permit** – Approve Minor Conditional Use Permit Case No. ADMN19-00086 subject to the recommended Conditions of Approval.

## **II. SUMMARY:**

The applicant is requesting approval of this Minor Conditional Use Permit to allow for the installation of a standalone drive-thru Automated Teller Machine (ATM) on Parcel 7 (see the attached site plan) within the Crossroads Shopping Center. The C-2 General Commercial District requires a Conditional Use Permit for the structure and use. The ATM would be open 24-hours a day and the facility will only offer ATM drive-thru services. Recently, on August 2, 2019, a multi-tenant building was approved on Parcel 7 through a Minor Site Plan. This Minor Conditional Use will run concurrently and be developed with the approved Minor Site Plan.

The applicant continued this item from the September 4<sup>th</sup> and 18<sup>th</sup> Zoning Administrator Hearings to allow time to work with the client, Wells Fargo Bank. The Bank decided to reverse the drive-thru direction so the sun does not directly shine on the ATM panel. Staff concurs with the revision as it will not cause traffic back up issue with vehicle stacking for up to three cars.

### III. STAFF ANALYSIS:

#### 1. Environmental Assessment.

California Environmental Quality Act (CEQA) Section 15303 allows a categorical exemption for the accessory structures. Since the proposed ATM will be accessory to the primary building on the parcel, this exemption is applicable.

#### 2. Minor Conditional Use Permit.

- The standalone drive-thru ATM does not take any parking spaces from the approved site plan, nor does it cause a visibility or traffic issue as conditioned to be placed a minimum of 15-feet in back of the drive aisle.
- The Wells Fargo corporate accent colors are permitted to be used on the ATM, however they must be accent colors and not primary colors. Therefore, the ATM drive-thru structure shall match Building 7 and include materials from Building 7. The ATM must comply with the Crossroads Design guidelines.

#### **Required Findings**

- In order to approve a Conditional Use Permit the Development Code requires that the Zoning Administrator make the following findings:
  - *The proposed location of the conditional use is in accord with the objectives and requirements of the Development Code.*
    - Comment: The C-2 General Commercial land use district conditionally permits stand alone ATM's and the service will complement existing uses within the Crossroads Shopping Center. Additionally, the site is along a major thoroughfare and provides a suitable site for a financial institution that is consistent with adjacent uses. Therefore, the proposed location of the use is in accord with the objectives and requirements of the Development Code.
  - *The proposed location of the conditional use and the conditions under which it will be operated is consistent with the General Plan and will not be detrimental to the public health, safety and welfare or materially injurious to uses, properties or improvements in the vicinity.*
    - Comment: The site has a General Plan designation of Commercial with a land use district that conditionally allows for the proposed use. Additionally, Policy 2.1.3 of the Land Use Element of the General Plan is to "Encourage the revitalization of existing commercial areas" which this proposal will promote by providing a complementary service along a major thoroughfare (Hwy 395) that is well suited for the proposed operation. Therefore, Staff finds that the proposal is consistent with the General Plan and will not be detrimental to the public health, safety and welfare or materially injurious to uses, properties or improvements in the vicinity due to it utilizing a site well suited to the proposed use.
  - *The traffic generated by the proposed conditional use will not overload the capacity of the surrounding street system and will not create a hazard to public safety.*

- Comment: Since the site currently contains service/restaurant/retail uses with similar functions as the proposed use with no adverse affects to the circulation in the shopping center, the proposal is not anticipated to overload the surrounding street system or include impacts greater than a permitted use would generate.
- *The proposed conditional use will comply with each of the applicable provisions of the "Zoning and Land Use Requirements" chapter of Title 16.*
  - Comment: The existing site has fully developed infrastructure in accordance with Municipal Code Standards, including sufficient parking on the site. Additionally, financial institutions are listed as a permitted use within the C-2 land use district, and the proposal is similar to and has similar impacts of a permitted professional service or retail use. Therefore, the proposal will comply with each of the applicable provisions of the "Zoning and Land Use Requirements" chapter of Title 16.

**IV. SITE CHARACTERISTICS:**

	<b>Existing Land Use</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Specific Plan District</b>
Site	Vacant (Multi-Tenant Building approved)	Commercial	C-2	N/A
North	Dollar Tree	Commercial	C-2	N/A
South	Chevron	Commercial	C-2	N/A
East	Walmart	Commercial	C-2	N/A
West	Auto Zone	Commercial	C-2	N/A

**NUMBER OF RADIUS LETTERS MAILED: 7**

MJS

Attachments:

- Site Plans
- Elevation
- Aerial Image

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

CONDITIONS OF APPROVAL  
ADMN19-00086  
October 2, 2019

**A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW  
FOR THE ADDITION OF A STAND-ALONE ATM ON A PROPERTY ZONED C-2 GENERAL  
COMMERCIAL**

**Planning Conditions:**

1. This approval shall be valid for a standalone drive-thru ATM on Pad 7 within the Crossroads Shopping Center located at the northeast corner of Hwy 395 and Palmdale Road.
2. This Minor Conditional Use Permit shall run concurrent and be developed with Minor Site Plan ADMN19-00068.
3. The proposed improvements and use shall comply with all applicable development standards of Title 16.
4. The applicant/developer shall provide security cameras on the structure, subject to Zoning Administrator review and approval.
5. The applicant/developer shall ensure adequate site lighting is maintained during night hours, subject to Zoning Administrator review and approval.
6. The proposed improvements and use shall be in substantial conformity with the revised plans submitted as part of this application, unless modification is required to comply with the applicable development standards of Title 16, the Crossroads Shopping Center, and/or conditions of approval.
7. Any expansion of the proposed use beyond the scope of this Conditional Use Permit shall require submission and approval of a Conditional Use Permit Modification or a new Conditional Use Permit based upon the extent of the expansion.
8. Any change in use or implementation of a new use at the structure, which causes a traffic issue shall cause that use to be subject to Zoning Administrator and/or Planning Commission review and approval.
9. The ATM structure shall be set back a minimum of 15-feet from the drive aisle to allow for visibility upon exiting the drive-thru.
10. The Wells Fargo corporate colors must be accent colors and not primary colors. The ATM drive-thru structure shall match Building 7 and include colors and materials from Building 7, subject to Planning Division review and approval. The ATM structure shall comply with the Crossroads Design Guidelines.
11. All signage located on the ATM structure shall comply with title 16 and the Crossroads sign program. All panel backgrounds shall be opaque.
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

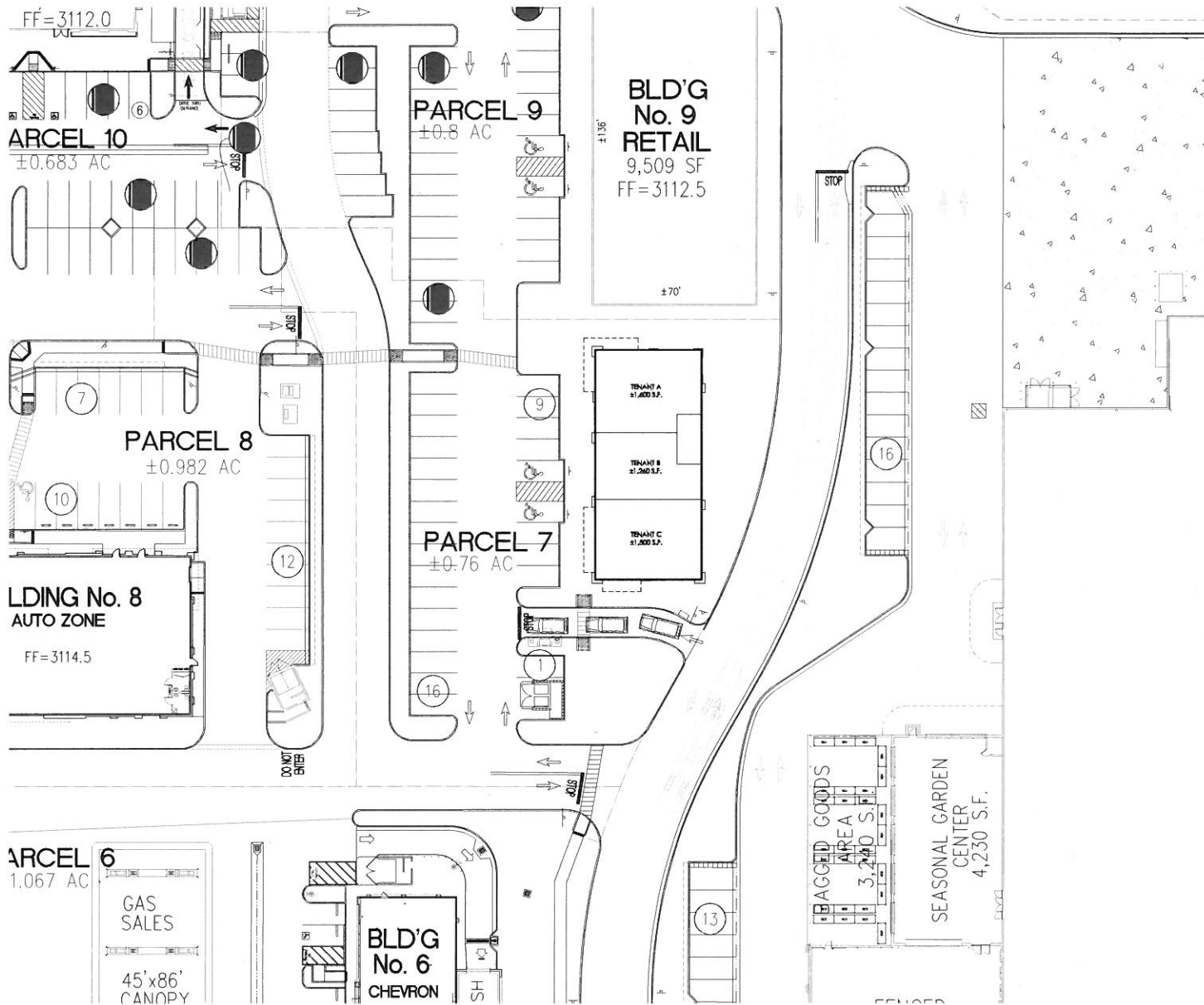


and off-site signs are prohibited and all signs shall be subject to Planning Staff review and approval prior to obtaining a sign permit.

13. All proposed temporary signage shall comply with Title 16 and the Civic Center Community Sustainability Plan. 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 and fire codes in effect at the time of plan submittal.
17. The scope of work indicated will require accessibility to be included in accordance with Chapter 11B 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.



Enlarged Site Plan :: A-1

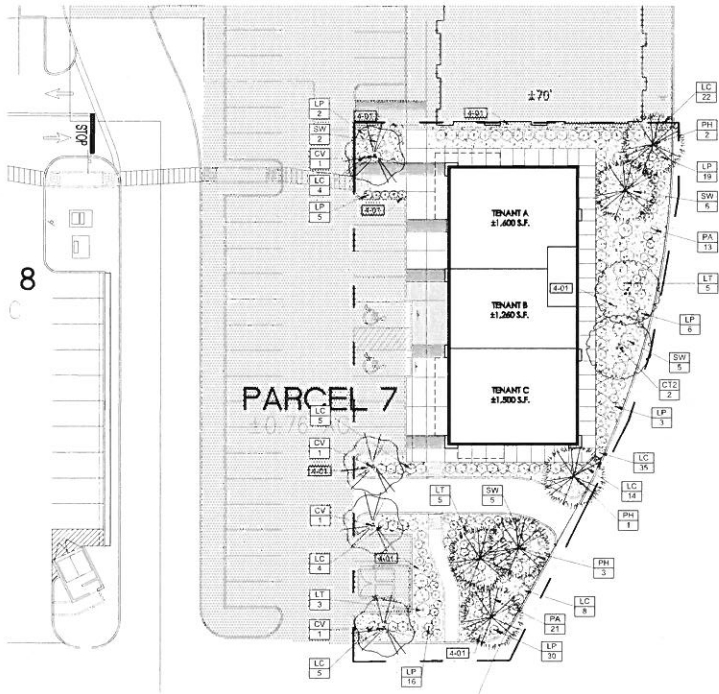
**The Crossroads at 395**  
VICTORVILLE, CA

**ROTHBART DEVELOPMENT**  
1801 Ave of the Stars, Suite 920  
Los Angeles, CA 90067

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NOTE: THIS INFORMATION IS CONCEPTUAL IN NATURE AND IS SUBJECT TO ADJUSTMENT'S PENDING FURTHER VERIFICATION AND CLIENT, TENANT AND GOVERNMENTAL AGENCY APPROVALS. NO WARRANTIES OR GUARANTEES OF ANY KIND ARE GIVEN OR IMPLIED BY THE ARCHITECT.  
SEPTEMBER 16, 2019 75-13732-01

700 S. Flower St.  
22nd Floor  
Los Angeles, CA  
90017  
T: 213.800.9400





PLANT SCHEDULE

TREES	CODE	BOTANICAL NAME	COMMON NAME	CONT. SIZE	CAL.	SIZE	WUCOLS	Q
	CT2	x Chiloba lachkenensis		24" Box Multi	2'Cal	Low		2
DECIDUOUS TREES	CODE	BOTANICAL NAME	COMMON NAME	CONT. SIZE	CAL.	SIZE	WUCOLS	Q
	CV	Cercidium x AZT	AZT Thornless Hybrid Pale Verde	24" Box Multi Trunk	2'Cal	Height 6'-10'	Low	4
EVERGREEN TREES	CODE	BOTANICAL NAME	COMMON NAME	CONT. SIZE	CAL.	SIZE	WUCOLS	Q
	PH	Pinus halepensis	Algeria Pine	24" box	2'Cal	Height 6'-10'	Low	6
SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	CONT. SIZE	SPACING	WUCOLS	PLANT FACTOR	Q
	LP	Lantana montevidensis 'Purple'	Trailing Lantana	5 gal	Low	.3		71
	LT	Leucophyllum frutescens	Texas Ranger	5 gal	Low	.3		11
	LC	Leucophyllum frutescens 'Compacta'	Compact Texas Ranger	15 gal	Low	.3		31
	PA	Pennisetum setaceum 'Atrorubrum'	Red Fountain Grass	5 gal	Low	.3		31
	SW	Senna willowii		5 gal	Low	.3		11

4 Planting

SYMBOL	DESCRIPTION	DETAIL
	3' Layer Paradise 3/4" Minus Pebble Muck from DSE 801 899 1878. Install 1" below hardscape. Install over D/W 3.5 cu. Brown Wood Bark. Quantities are estimates and the installer shall perform their own.	

GENERAL PLANTING NOTES

1. Installer shall be responsible for making himself familiar with all underground utilities, pipes and structures. Installer shall take sole responsibility for any cost incurred due to damage of said utilities.
2. Installer shall not be held responsible for any damage to existing plants or structures that are not shown on the plans and that may not have been known during design.
3. Installer shall have soils tested by a qualified agronomy labatory. Materials and timing of soil amendments, fertilizers, and herbicides for planting job shall be in accordance with recommendations of the soils agronomy report.
4. All plant material shall be approved by the Landscape Architect, Owner or Owner's representative prior to installation.
5. Final location of all plant material shall be subject to the approval of the Construction Manager.
6. See detail for staking method and plant pit dimensions.
7. If conflicts arise between size of areas and plants, installer to contact Construction Manager for resolution. Failure to make such contacts known to the Construction Manager will result in installer's liability to relocate the materials.
8. All ground covers to be held back 4" from edge of new shrubs typical and 2" from back of curbs or edge of walks at line of planting.
9. Ground covers shall be transplanted spaced per detail.
10. Trees shall be located maximum 4' from walls, over-head, walks, heaters and other trees within the project, unless otherwise shown.
11. Place Dig-Rite Root Bar at all trees that are within 5' of curbs or paving unless noted otherwise on the plans. Does Root protect DR 1/4" x 3/8" installation detail.
12. All planting areas shall be irrigated directed with rock or decomposed granite as per plans. 4" jirity min. All areas are 100% top ground cover areas.
13. Separate all ground cover and shrub areas from lawn areas with headers as per the installation details.
14. All slopes greater than 3:1 in shrub areas shall be covered with mesh to prevent soil erosion during plant establishment.
15. Remove stakes and twigs from vines and espaliers and secure to walls, fences and posts as per detail.
16. In all cases "Root Bound" plant material will not be accepted.
17. No trees are to be planted within or above site storm drain pipes, swales or retention basins.
18. The landscape installer shall dig (a) per permit or per local area; four (4) plant pits or 24" bins (b) or larger at four (4) locations minimum within the job site where trees are to be planted. Pits are to be filled with water and monitored for 24 hours. The results of this 24 hour test shall be reported to the Landscape Architect and construction manager 48 hours after installing. The test pits shall be in actual location of trees as shown on the plan. Failure to carry out this test shall make the landscape installer liable for any and all trees that a claim to poor water penetration beyond the general guarantee period. However, if the water drains out of the test pits at a normal rate indicating good percolation as approved by the landscape architect then the tree protection detail and sub-planting detail shall be utilized without the need of the methods specified in the Floor Drainage Detail.
19. Involving the percolation test than the Floor Drainage Detail means and methods shall apply to all trees and shrubs regardless of size.
20. Decomposed Granite (D.G.), Fines/Mix: Install per specs, continuous in all planting areas at three and six inches as indicated. Available through Southland Builder & Flow. (761)751-1111. Before placing compact landscape to 85% and apply a pre-emergent herbicide to soil. After placing D.G. or mulch, rake remaining application of pre-emergent herbicide to top of D.G. or mulch. Rake top of D.G. or mulch 1" below adjacent walks and curbs. Do not allow D.G. or mulch to touch the trunk of any plants. Break after installation of plant material making note of plant height so they are not buried by D.G. or mulch.
21. All landscape areas shall be bordered by a 4" curb. See Civil Engineer's plans.
22. All planting areas shall have a minimum dimension of 5' clear.
23. Precipitators shall be taken on the side fall, winter and early spring to prevent frost or freezing weather conditions from damaging newly installed plant material.

CITY OF VICTORVILLE NOTES

- The landscaping plan shall include the maximum spacing of all plants as follows:
1. Ground cover - eighteen inches on center
  2. One gallon plants - three feet on center
  3. Five gallon plants - five feet on center

In addition, any discrepancy between the maximum spacing criteria and the number of plants shown on the landscape plan shall result in the spacing criteria superseding any information shown on the landscape plan.

All areas landscaped with decorative rock shall include a permanent weed barrier.

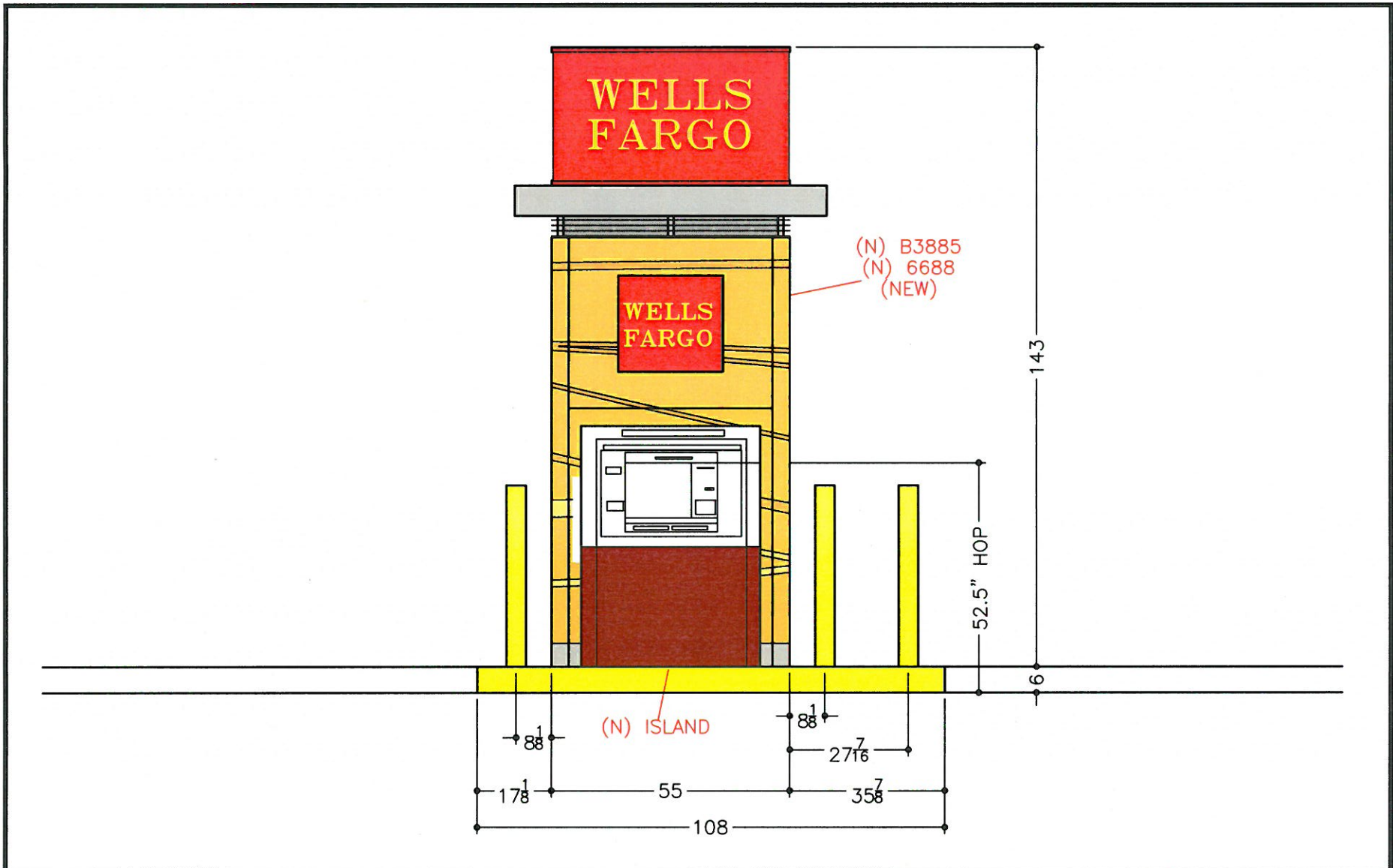
REV. DATE DESCRIPTION

PLANTING PLAN  
CROSSROADS AT 395 - VICTORVILLE RETAIL BLDG. 7

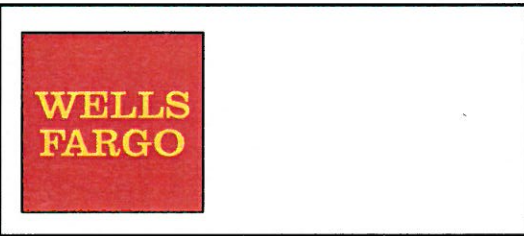
L.I.O  
PROJECT: 17-15-17243  
10/20/17



CUNNINGHAM ASSOCIATES, INC.  
3633 LONG BEACH BOULEVARD, SUITE 300  
LONG BEACH, CALIFORNIA 90807  
CA 3583 A7-30100 FAX 574 CLMHR 319



**CIM**  
GROUP INC  
KNOWLEDGE | QUALITY | EXPERIENCE  
960 E Discovery Lane, Anaheim, CA 92801  
Phone (714) 956-2827 Fax (714) 956-8157



PID-P2426  
TMPATM-T1520  
Proposed Elevation

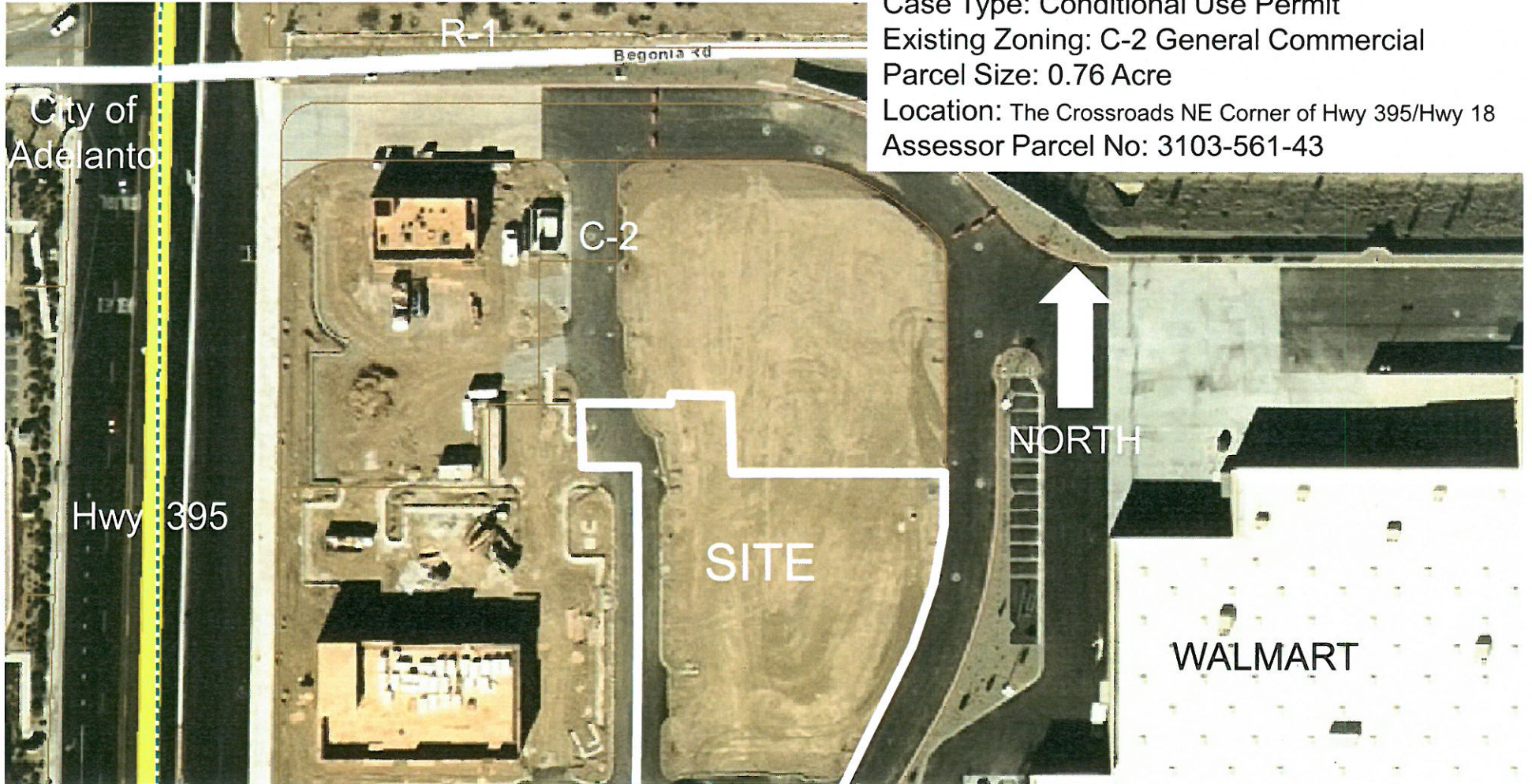
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OPT A  
DU Island

SCALE:  
1/4"=1'-0"  
09/28/17  
Page 4 of 6



# CASE: ADMN19-00086

Case Type: Conditional Use Permit  
Existing Zoning: C-2 General Commercial  
Parcel Size: 0.76 Acre  
Location: The Crossroads NE Corner of Hwy 395/Hwy 18  
Assessor Parcel No: 3103-561-43



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# PUBLIC COMMENTS

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SUBJECT: PUBLIC COMMENTS ON PLANNING MATTERS

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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