

SPECIAL MEETING OF THE ZONING ADMINISTRATOR
OF THE CITY OF VICTORVILLE

SEPTEMBER 21, 2020
10:00AM

ZOOM

MEETING LINK: <https://victorvilleca-gov.zoom.us/j/93578791443>

MEETING ID: 935 7879 1443

CALL IN NUMBER: (669)900-9128

Notice to the Public: This meeting is being held in accordance with the Brown Act that is currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020. To minimize the spread of COVID-19, City Conference Rooms are closed to the public. This meeting will be available via Zoom and can be accessed through the following link <https://victorvilleca-gov.zoom.us/j/93578791443> or by phone (669)900-9128, Meeting ID 94921624862.

To provide public comments during Zoom, click "Raise Hand" and you will be advised to speak and be unmuted. If you would like your comments to be read during the meeting, please email mnelson@victorvilleca.gov no later than September 21 at 9:00 a.m. Include the agenda item number in your subject line; if your comment doesn't pertain to an item, indicate "general public comment" in the subject line.

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 HEARING

1. MINOR INTERIM USE PERMIT - ADMN20-00054 – ANTHONY'S AUTOBODY

ENVIRONMENTAL – CONSIDERATION OF AN ENVIRONMENTAL EXEMPTION

PROJECT – A MINOR INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR AN AUTOBODY SHOP TO OPERATE WITHIN AN EXSISTING BUILDING ON PROPERTY ZONED MIXED-USE SERVICE WITHIN THE OLD TOWN SPECIFIC PLAN

LOCATION – 16647 UNION ST.

ATTACHMENTS – A. SITE PLAN
 B. AERIAL IMAGE

2. MINOR CONDITIONAL USE PERMIT – ADMN20-00057 – LEE AND ASSOCIATES

ENVIRONMENTAL – CONSIDERATION OF AN ENVIRONMENTAL EXEMPTION

PROJECT – A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR A SOCIAL SERVICE ORGANIZATION FOR FOSTER CHILDREN WITHIN AN EXSISTING BUILDING ON PROPERTY ZONED C-1 NEIGHBORHOOD SERVICE COMMERCIAL

LOCATION - 12421 HESPERIA ROAD #11-15

ATTACHMENTS –

3. A MINOR CONDITIONAL USE PERMIT – ADMN20-00061 – SILVER LAKES GYMNASTICS

ENVIRONMENTAL – CONSIDERATION OF AN ENVIRONMENTAL EXEMPTION

PROJECT – A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR A GYMNASTICS STUDIO TO OCCUPY SUITES #1B AND 2 OF AN EXSISTING BUILDING ZONED BUSINESS PARK DISTRICT WITHIN THE SCLA SPECIFIC PLAN

LOCATION – 18499 PHANTOM WEST SUITES #1B AND #2

ATTACHMENTS - A. SITE PLAN
B. AERIAL IMAGE

PUBLIC COMMENTS

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ZONING ADMINISTRATOR STAFF REPORT

DATE: SEPTEMBER 21, 2020

AGENDA NO. 1

CASE: ADMN20-00054

SUBJECT: A MINOR INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR AN AUTOBODY SHOP TO OPERATE WITHIN AN EXISTING BUILDING ON PROPERTY ZONED MIXED-USE SERVICE WITHIN THE OLD TOWN SPECIFIC PLAN

APPLICANT: ANTHONY'S AUTOBODY

LOCATION: 16647 UNION STREET

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 ADMN20-00054, subject to the recommended Conditions of Approval and pursuant to City Council Policy (CP-11-05) find the use:
 - i. Similar to other permitted uses within the zone district; and
 - ii. Find the use is a good fit; and
 - iii. Find there are no negative impacts to the surrounding area.

II. SUMMARY:

The applicant is requesting approval of this Interim Use Permit to allow for an autobody shop within an existing vacant building. The subject site is within the expanded Old Town Specific Plan boundary with a Mixed-Use Service designation. While this designation does not allow for auto body or other auto repair uses, Staff believes the use is an acceptable interim use since the lot has been vacant for approximately eight of the last ten years and contains a roll up door facing the street, which is typical for buildings with auto repair type uses.

III. STAFF ANALYSIS:

1. Environmental Assessment.

CEQA Section 15301 allows a categorical exemption from CEQA requirements for the operation, repair, maintenance, permitting, leasing or licensing of public or private structures involving negligible or no expansion of use. The use of the site for used autobody repair will not constitute an expansion of use as no major construction activities or expansions/modifications to the buildings are proposed. Additionally, interior alterations (i.e. tenant improvements) are permissible pursuant to the noted CEQA Section.

2. Minor Interim Use Permit.

Site Condition

- The site is non-conforming, the front is completely paved and has no landscaping, the site lacks a trash enclosure and contains a non-conforming pole sign. The paved front is similar to the two sites to the east. Staff is proposing no improvements at this time, however general maintenance such as painting, handicapped signage, parking arrows and trash bin screening will be required. Additionally, the existing wrought iron fence in the front will be required to be removed as it provides no security, blocks secondary access and blocks a parking stall at the base of the building.

Parking

- The number of parking spaces required by the Specific Plan is 10 (1 space per 500 sq. ft. of floor area) whereas the site contains seven with an additional space when the fence is removed for a total of eight. However, the use will include indoor parking for vehicles, therefore Staff believes there will be no parking issues for the proposed use. Inoperative vehicles will be required to be stored within the building and no work will be permitted within the parking area.

Old Town Specific Plan

- As mentioned, the use is not permitted within the new Mixed-Use Service designation of the Old Town Specific Plan. However, according to business license records, the site has been vacant for approximately eight of the last ten years and was previously used as a window bar business from 2016 until 2018 (ADMN16-00094). Although the Specific Plan does not speak to interim uses, it does speak to vacancies and the goal of re-occupying vacant buildings. Therefore, Staff sees no issues with the Interim Use Permit within this District of the Old Town Specific Plan located mid-block on a local street.

3. City Council Policy Findings

- An interim use 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 use at this location does meet the requirements of the Council Policy as discussed in the following section.
 - Basis of Need:

The proposal is located on property that has been vacant for eight of the last ten years, with a window bar business last occupying the building from 2016 to 2018. Old Town in general has had an occupancy issue, including near the southerly end of Old Town. Therefore, based upon the circumstances noted above, Staff finds the site meets the basis of need requirement as the proposed users can effectively occupy the site and provide services to the area.
 - Required Findings:
 - i) The proposed use is 'similar' to other permitted uses within the zone in regards to:
 - Hours of Operation – Typical daytime and early evening business hours that are not uncommon for commercial uses in the area.
 - Parking Needs/Requirements – Adequate parking exists for the particular use on-site, including indoor parking for repair vehicles.
 - Traffic Impacts – There will be no change to the traffic patterns, therefore there will be no impacts.

- Occupancy Patterns – The previous use prior to the vacancy was a low volume use as well.
 - Noise – Because the autobody repair will be performed indoors, the noise level will be similar to other commercial uses.
 - Environmental Impacts – The use should not produce any negative environmental impacts.
 - Required Licensing/Permits – Any required permits (MDAQMD for the paint booth) can be obtained during the plan check phase of the entitlement.
- ii) The proposed use is a ‘good fit’ in regards to:
- Existing Structures – There is an existing roll up door in the front which is typical for auto repair uses such as this. The existing building is compatible with the surrounding buildings.
 - Existing Site Development/Conditions – The site is generally non-conforming and in need of regular maintenance.
 - Compatibility with Adjacent Existing & Permitted Uses – The proposal is located in close proximity to other similar uses such as the adjacent glass business and is not located on a major or visible street.
- 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 site is currently a vacant building which can attract the unsheltered population.
 - Public Health, Safety, and Welfare – No negative impacts as conditioned.
 - Economic Vitality of the Area – Allowing the business to operate through an IUP will keep occupancy within the Old Town area.
 - Neighboring Businesses and Residents – No negative impacts are expected as a result of this business because neighboring businesses are non-retail commercial. Additionally, the mobile home park located adjacent to the use has been historically located adjacent to businesses.
 - Overall Integrity of the Center, District or Area – The use will not negatively affect the integrity of the area and as Old Town redevelops, the use may relocate due to commercial demand.
 - Does not Contribute to Over-Concentration – N/A

IV. SITE CHARACTERISTICS:

	Existing Land Use	General Plan	Zoning	Specific Plan District
Site	Vacant building	Specific Plan*	Specific Plan*	Mixed-Use Commercial
North	Mobile Home Park	Specific Plan*	Specific Plan*	Mixed-Use Commercial
South	Vacant	Specific Plan*	Specific Plan*	Mixed-Use Commercial
East	Medical Transport	Specific Plan*	Specific Plan*	Mixed-Use Commercial
West	Hair Salon	Specific Plan*	Specific Plan*	Mixed-Use Commercial

* Old Town Specific Plan

NUMBER OF RADIUS LETTERS MAILED: 18

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Attachments:

Attachment A – Site Plan

Attachment B – Aerial Image

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

CONDITIONS OF APPROVAL

A MINOR INTERIM USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR AN AUTOBODY SHOP TO OPERATE WITHIN AN EXISTING BUILDING ON PROPERTY ZONED MIXED-USE SERVICE WITHIN THE OLD TOWN SPECIFIC PLAN LOCATED AT 16647 UNION STREET

September 21, 2020

Planning Conditions:

1. This approval is to allow for an Interim Use Permit autobody repair shop within the Old Town Specific Plan located at 16647 Union Street.
2. The proposed development shall comply with all applicable development standards of Title 16 and the Old Town Specific Plan excepting for the existing non-conforming conditions.
3. The proposed development 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, the Old Town Specific Plan, and/or conditions of approval.
4. Any change in use or implementation of a new use within the facility, which will require additional parking spaces resulting in noncompliance with the parking standards of Title 16 or the Old Town Specific Plan, shall cause that use to be subject to Planning Commission review and approval.
5. The applicant/owner remove the existing front wrought iron fence and repair any holes within the parking area.
6. The applicant/owner shall stripe for an additional parking stall and add ingress/egress arrows at the opened driveway.
7. The applicant/owner shall install required handicapped signage.
8. All work shall be conducted indoors.
9. Inoperative vehicles, damaged vehicles and parts shall be stored indoors.
10. The applicant/owner shall repaint any areas on the building, including the rear of the building, as needed.
11. The applicant shall contact and work with Burrtec Waste Company to obtain trash bins or cans located at the rear of the site adjacent to the alley. This area shall be screened by an approved screening method, and no outdoor storage shall occur within the area.
12. All proposed signs, including any freestanding signage, shall comply with Title 16 and the the Old Town Specific Plan. 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 and the Old Town Specific Plan. All signs shall be subject to Planning Staff review and approval prior to obtaining a building permit.

13. The applicant shall repaint the sign frame and replace the sign face with an opaque background. No painted signs shall be allowed on the building.
14. All proposed temporary signage shall comply with Title 16 and the Old Town Specific Plan. All temporary signs (grand openings, special sales, etc.) shall only be affixed to the building in accordance with an approved Temporary Sign Permit.
15. All parking 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, replacement 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.
16. All site conditions shall be maintained in a functional and tidy manner, including but not limited to parking lot striping, wheel stops, signage, curbing, fencing, trash enclosure gates, parking lot paving and handicapped signage and striping.
17. The applicant/developer shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
18. 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.
19. The project shall comply with all Federal, State and local laws and policies, including: the California Government Code (including the Planning, Zoning and Development Laws), Environmental Quality Act (CEQA), Subdivision Map Act, International Building Code, Green Code, Fire Code; and, Victorville General Plan and Municipal Code; unless permitted to deviate through provisions of such, or through adopted mitigation measures, conditions of approval, or the plans themselves.

Engineering Conditions:

20. A reduced pressure backflow device per City standard W-39 must be installed behind the domestic water meter serving the site.
21. The existing driveway approaches to the property must be removed and replaced with City Standard approaches including an ADA compliant wheelchair by-pass route behind the approach per City Standard S-03. The width of the driveways must not exceed the city standard.
22. City standard sidewalk must be constructed along the property frontage of Union Street per City Standard S-04.

Building Conditions:

23. The project shall comply with all building codes in effect at the time of plan submittal.
24. The scope of work indicated will require accessibility upgrades to be included in accordance with Section 11B-202 of the California Building Code.

25. 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:

26. Shall comply with all current Building and Fire Code requirements based on occupancy classification.

27. Knox Box/Key Box is required and shall be provided and installed in accordance with Fire Department Standards.

28. If a paint booth is installed it will require a Fire Suppression System.

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ZONING ADMINISTRATOR STAFF REPORT

DATE: SEPTEMBER 21, 2020

AGENDA NO. 2

CASE: ADMN20-00057

SUBJECT: A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR A SOCIAL SERVICE ORGANIZATION FOR FOSTER CHILDREN WITHIN AN EXISTING BUILDING ON PROPERTY ZONED C-1 NEIGHBORHOOD SERVICE COMMERCIAL

APPLICANT: LEE AND ASSOCIATES – ARK HOMES FOSTER FAMILY AGENCY

LOCATION: 12421 HESPERIA ROAD #11-15

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 Conditional Use Permit** – Approve the Minor Conditional Use Permit Case No. ADMN20-00057 subject to the recommended Conditions of Approval.

II. SUMMARY:

The applicant, Ark Homes Foster Family Agency, is requesting approval of this Minor Conditional Use Permit to allow for the establishment of an administrative office and evaluation center for children in foster child programs throughout the region. The facility will serve as an administrative support site for these programs and offer daily group and individual evaluations during typical daytime hours. The underlying C-1 (Neighborhood Commercial) zone allows for schools and assembly uses, for which this use is similar too, with the approval of a Conditional Use Permit. The proposed evaluation center will serve up to a maximum 36 students per day with a staff of 24 specialist and occupy approximately 13,000 sq. ft. within the 77,000 sq. ft. multi-tenant Carriage Square Development, within a portion of the site that has historically housed assembly uses such as schools, churches and college uses. The evaluation center proposes to offer services to children Monday thru Friday between the hours of 8 am to 4 pm with facility hours of 7:30 am to 5 pm.

III. STAFF ANALYSIS:

1. Environmental Assessment.

California Environmental Quality Act (CEQA) Section 15301 allows a categorical exemption for the permitting, licensing, and minor alteration of existing structures involving negligible or no expansion of use. Since the proposed evaluation center will utilize an existing site with no building expansion, and because the site historically has been utilized by office and/or assembly uses, which the proposal will not intensify, Staff finds that this exemption is applicable and will not constitute an expansion of use.

2. Conditional Use Permit. The following points summarize the key elements of this proposal:

- The Carriage Square Center is comprised of three buildings on separate parcels with the two buildings nearest Hesperia Road zoned C-2 (General Commercial) and the third building zoned C-1 (Neighborhood Commercial). The proposed evaluation center is located within the C-1 zoned building which has historically been occupied by uses such as churches, charter schools, career colleges and offices. This occupancy pattern has been based upon limited visibility and the immediate area developing predominantly with service related uses. The proposed evaluation center is in line with previous entitlements within the center and compatible with adjacent uses in regards to hours of operation and vehicle trips.

Proposed Operation

- The proposed administrative office and evaluation center will be comprised of 3 classrooms accommodating a maximum of 12 students per room, administrative offices, conference rooms, children's lunchroom as well as children's recreation areas. A maximum 36 children and a staff of 24 professional social workers and child specialists will eventually utilize the space over a three-year phased plan. Of the 24 staff, only 12 full-time employees will be on-site daily with an additional 12 needed on an occasional/rotating basis.
- The facility will offer programs for children ages 5 to 17 years of age. Those requiring evaluation assessments will attend group meetings and participate in professionally administered programs with children of all ages, backgrounds, genders, etc. and undergo assessments to determine level of basic needs and knowledge. Evaluation assessments will tentatively be 15 hours per week from 8 am to 12pm daily, 5 days a week. Upon completion of the daily evaluation's, children are provided lunch, catered by an outside business, and time to partake in recreational activities. After which the children will receive individual counseling and evaluations with social service specialist from 1pm 4pm. Each child will attend the program for approximately 30 days prior to being released to biological parents or foster sponsors.
- No outdoor recreational area is proposed as part of this proposal nor does the site appear to have additional space for such improvements. Consequently, Staff has included Conditions #8 & #9 limiting all activities to within the building and prohibiting loitering outside.

Parking

- The proposed operation based on a parking summary provided, will require approximately 24 parking spaces at capacity (22 employee's and 2 transport vans), where approximately 140 parking spaces are available on the subject site and an additional 135 spaces within the shared parking field within the Center. The facility is not indicative of a typical office use, given that client's (foster children) are dropped off at the center or rely on professional transportation provided by the facility. If occupied as professional office space as permitted by the C-1 zone, the suites in which the use is proposed would require 65 parking spaces (13,000 sq. ft. / 200 sq. ft.). While ample parking exists and a parking conflict is not anticipated, should a parking issue arise, Staff has included Condition #10 requiring modifications to the operation to correct the parking issue subject to Zoning Administrator review and approval. Additionally, Staff has included Condition #11 requiring the transportation vans to be parked at the rear of the building outside the main field of parking.

Site Condition

- The site is generally in good condition with well-maintained landscaping, building surfaces (i.e. walls, windows, etc.), and parking areas. Although generally in good condition, the existing trash enclosure is not constructed to current standards and is missing the required roof structure. The applicant has acknowledged this improvement is required but has requested six months to complete the upgrades due to the expense of the improvement. Staff supports the extension of time; consequently, Condition #12 has been included requiring the upgrade within six months from date of issuance of Certificate of Occupancy.

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 existing C-1 zoning of the property conditionally permits schools and/or assembly uses similar to this proposal and the center previously contained an educational use. The site also includes sufficient parking to serve the use as well as other non-retail/office type uses. Therefore, 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 Zone District that conditionally allows for the proposed evaluation center. The Land Use Element of the General Plan indicates that institutional uses such as the proposed center "...provide important educational, civic and infrastructure services within the community." 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.
- *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 proposed use will utilize typical weekday hours of operation, which are similar to existing office uses on-site that operate without overloading the capacity of the roadways, the proposal is not anticipated to overload the surrounding street system or include impacts greater than those the existing uses would generate during peak hours. Additionally, the site abuts and is accessed via Hesperia Road, a Super Arterial Roadway and Silica Road, a Collector Roadway which should have the ability to serve the limit traffic created by the uses in the future.
- *The proposed conditional use will comply with each of the applicable provisions of the "Zoning and Land Use Requirements" chapter of Title 16.*

- The existing site is fully developed in accordance with Municipal Code Standards active at the time of development, including sufficient parking to provide for the proposed use. Additionally, schools and assembly uses, for which this use is considered similar too, are listed conditional uses within the C-1 Zone District. 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:

	Existing Land Use	General Plan	Zoning	Specific Plan
Site	Multi-Tenant Building	Commercial	C-1T	N/A
North	Commercial Offices	Commercial	C-2T	N/A
South	SCE Facility	Commercial	C-MT	N/A
East	Vacant Commercial Building	Commercial	C-2T	N/A
West	Multi-Tenant Building	Commercial	C-2T	N/A

NUMBER OF RADIUS LETTERS MAILED: 12

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Attachments:

Attachment 'A' – Site Plan Graphics

Attachment 'B' – Parking Summary

Attachment 'C' – Aerial Image

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

CONDITIONS OF APPROVAL
ADMN20-00057
September 21, 2020

A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR A SOCIAL SERVICE ORGANIZATION FOR FOSTER CHILDREN WITHIN AN EXISTING BUILDING ON PROPERTY ZONED C-1 NEIGHBORHOOD SERVICE COMMERCIAL

Planning Conditions:

1. This approval is to allow for a foster family agency administrative office and evaluation center at 12421 Hesperia Road, suites 11-15. 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 Minor 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.
5. 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.
6. 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.
7. No outdoor recreation or activities shall take place on-site.
8. No loitering shall take place on-site, including smoking within 300 feet of the subject property.
9. Should a parking deficiency arise or be reported to the Development Department due to excessive number of transportation vans or employees the applicant/business owner shall modify their operation to correct the problem, subject to Zoning Administrator review and approval.
10. All transport vans shall be parked at the rear of the building outside the main field of parking.
11. The applicant and/or property owner shall modify the current trash enclosure to provide solid metal gates and roof structure in accordance with City trash enclosure details within six months of the issuance of the Certificate of Occupancy of the subject use. The enclosure is subject to review and approval of the Zoning Administrator and the issuance of a City Building Permit.

12. 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 and/or Planning Commission review and approval.
13. The applicant/business owner shall be responsible for obtaining all necessary permits from any affected regulatory agencies.
14. 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, replacement 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.
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. 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:

18. Shall comply with all current Building and Fire Code requirements based on occupancy classification.

PUBLIC HEARINGS

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ZONING ADMINISTRATOR STAFF REPORT

DATE: SEPTEMBER 21, 2020

AGENDA NO. 3

CASE: ADMN20-00061

SUBJECT: A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR A GYMNASTICS STUDIO TO OCCUPY SUITES #1B AND #2 OF AN EXISTING BUILDING ZONED BUSINESS PARK DISTRICT WITHIN THE SCLA SPECIFIC PLAN

APPLICANT: SILVER LAKES GYMNASTICS

LOCATION: 18499 PHANTOM WEST SUITES #1B AND #2

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 Conditional Use Permit** – Approve Minor Conditional Use Permit Case No. ADMN20-00061 subject to the recommended Conditions of Approval.

II. SUMMARY:

The applicant is requesting approval of this Minor Conditional Use Permit to allow for a gymnastics studio primarily for a gymnastics camp with a multi-level program. The studio has been long established in Silver Lakes and is relocating to the Southern California Logistics Airport (SCLA) as the closest alternate location. The site is inside two suites at an existing multi-tenant building known as Building 15A within the Global Access Business Centre within the Business Park (BP) District of the SCLA Specific Plan. Although the Centre has primarily light industrial users with bay doors, the warehouse offers a unique warehouse space for the studio with a business-friendly front entrance and Staff supports its use.

III. STAFF ANALYSIS:

1. Environmental Assessment.

California Environmental Quality Act (CEQA) Section 15301 allows a categorical exemption for the permitting, licensing, and minor alteration of existing structures involving negligible or no expansion of use. Since the proposed gymnastics studio will utilize an existing site with no building expansion and minor interior alterations, Staff finds that this exemption is applicable and will not constitute an expansion of use.

2. Minor Conditional Use Permit.

- A Minor Conditional Use Permit is required since health clubs and sports centers are listed as a conditional use within the BP District of the SCLA Specific Plan. A gymnastics studio

would be considered similar to a health center. Additionally, this land use would also require the same procedure within the proposed updated Specific Plan. Staff finds that, with adequate parking on-site, the use would not interfere with the operations of the Airport and is a beneficial use to SCLA as it contributes to a healthy mix of commercial and light industrial uses.

- As mentioned, the gymnastics studio would be primarily for a gymnastics camp for girls aged two to seventeen years old and would offer training at the preschool, recreational and competitive levels. The competitive level competes in events across the country. Additionally, the studio is governed by the Amateur Athletic Union (AAU) and the USA Gymnastics (USAG).
- The studio will operate from 4:00 pm to 8:00 pm Monday through Thursdays. The highest volume of trainees occurs after regular business hours (5:00 pm), averaging 40 students in groups of 8-10. Many students carpool from Silver Lakes and most students are dropped off while parents run errands and shop at local businesses. Only a hand full of parents remain in the lobby and due to current Covid-19 guidelines, the lobby will be closed at this time.
- Parking should not be an issue at the site since the higher volume of trainees arrive after 5:00 pm when most, if not all, businesses will be closed. Additionally, as mentioned above, most students are dropped off and carpooling from Silver Lakes is common. Although, it is difficult to determine an exact parking demand for the use and determine a parking allocation as the suites are partitioned and warehouse space is cut from office space, Staff sees no parking issue and has included conditions for the proposal in regards to excessive parking, parking complaints and the expansion of the use.



The entrance to Suite 2 is in the middle of this photo, with Suite 1A located behind the office to the right.

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 and the Specific Plan.*
 - Comment: The underlying BP zoning of the site conditionally permits health clubs similar to this proposal. The gymnastics studio will contribute to a vibrant and healthy Business Park District of SCLA. Therefore, the proposed use is in accord with the objectives and requirements of the Development Code and the Specific Plan.
 - *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 Specific Plan with a BP Land Use District that conditionally allows for the proposed use. Additionally, Implementation Measure 1.2.1.3 of the Land Use Element of the General Plan states “Continue to implement the SCLA Specific Plan” under Objective 1.2 “Protect existing development from incompatible uses.” 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.
- *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: The proposed use will not generate a greater traffic demand as most activity will occur after regular SCLA hours, but any increase in traffic is not expected to exceed or diminish the level of service expected for Phantom West or Air Expressway. Additionally, traffic impacts within the area are anticipated and planned for as it is within a redeveloping airbase with large warehouses and industrial uses that utilize a considerable workforce.

IV. SITE CHARACTERISTICS:

	Existing Land Use	General Plan	Zoning	Specific Plan District
Site	Industrial Building	Specific Plan	-	BP
North	Industrial Building	Specific Plan	-	BP
South	Industrial Building	Specific Plan	-	BP
East	Industrial Building	Specific Plan	-	BP
West	Airport Hangar	Specific Plan	-	ASF

NUMBER OF RADIUS LETTERS MAILED: 2

MJS

Attachments:

Attachment A – Site Plan

Attachment B – Aerial Image

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

CONDITIONS OF APPROVAL
ADMN20-00061
September 21, 2020

A MINOR CONDITIONAL USE PERMIT WITH AN ENVIRONMENTAL EXEMPTION TO ALLOW FOR A GYMNASTICS STUDIO TO OCCUPY SUITES #1B AND #2 OF AN EXISTING BUILDING ZONED BUSINESS PARK DISTRICT WITHIN THE SCLA SPECIFIC PLAN LOCATED AT 18499 PHANTOM WEST SUITES #1B AND #2

Minor Conditional Use Permit

Planning Conditions:

1. This approval is for a gymnastics studio with up to 40 trainees per evening, operating Monday through Thursday 4:00 pm until 8:00 pm. Any change in the scope of operation, the number of trainees, operation days or times shall be filed with the Zoning Administrator prior to the change.
2. Any expansion of the proposed use beyond the scope of this Minor 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.
3. 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 or the SCLA Specific Plan shall cause that use to be subject to Zoning Administrator and/or Planning Commission review and approval and/or the immediate implementation of Phase Three.
4. Should any parking problem occur or parking complaints filed with the City due to the proposed operation, increased enrollment, or expansion of hours, this use shall be subject to Zoning Administrator and/or Planning Commission review and approval.
5. Trainee drop off and pick up should not occur within the drive aisles and should be limited to the parking stalls as there is no existing loading or drop-off zone.
6. The applicant/owner/operator shall obtain a business license from the City prior to occupancy and shall notify the City upon the cease of business operations.
7. The development shall be in substantial conformity with the plans submitted with this application, unless modification is required by condition.
8. All site, including the rear bay areas and landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This includes visible outside storage, proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement 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.
9. All proposed signs, including any freestanding signage, shall comply with Title 16 and the SCLA Specific Plan. 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.

10. 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.
11. The applicant/business owner 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.
13. The project shall comply with all Federal, State and local laws and policies, including: the California Government Code (including the Planning, Zoning and Development Laws), Environmental Quality Act (CEQA), Subdivision Map Act, International Building Code, Green Code, Fire Code; and, Victorville General Plan and Municipal Code; unless permitted to deviate through provisions of such, or through adopted mitigation measures, conditions of approval, or the plans themselves.

Building Conditions:

14. The project shall comply with all building codes in effect at the time of plan submittal. Plans shall be submitted addressing the change to an "A" occupancy if the suite will exceed an occupant load of 50.
15. The scope of work indicated will require accessibility upgrades to be included in accordance with Section 11B-202 of the California Building Code.
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. Tools for estimating total permit fees are available on the City's website at <https://www.victorvilleca.gov/government/city-departments/development/permit-center/fees-forms>. Actual amounts owed will be determined upon submittal of the plans via the City's online permit center.

Fire Conditions:

17. Shall comply with all Building and Fire Code requirements based on occupancy classification.
18. Knox Box/Key Box is required and shall be provided and installed in accordance with Fire Department Standards.

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PUBLIC HEARINGS

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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:rc