

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

**ACCEPT THE FINAL MAP FOR PARCEL MAP NO. 18416 – Jess Ranch
Marketplace, Phase III**

Applicant: Malcolm Riley & Associates

Location: Southwest Corner of Bear Valley Road and Jess Ranch Parkway

Summary Statement:

The applicant has complied with all conditions placed on Tentative Parcel Map No. 18416 that are required prior to final map approval. The subject site is located on the southwest corner of Bear Valley Road and Jess Ranch Parkway. This proposed subdivision will subdivide approximately forty-three (43) acres into thirteen (13) separate lots and one (1) remainder lot designation. The Planning Commission reviewed and approved Tentative Parcel Map No. 18416 on November 7, 2007.

Recommended Action:

Move to accept the Final Map for Parcel Map No. 18416.

Proposed by: Engineering Division **Item Number** _____

T. M. Approval: _____ **Budgeted Item** Yes No N/A



A Better Way of Life

Town of Apple Valley

14955 Dale Evans Parkway • Apple Valley, California 92307

November 8, 2007

Mr. Mark Giles
KKE Architects
525 E Colorado Blvd., 4th floor
Pasadena CA. 91101

Re: Tentative Parcel Map No. 18614; APN 434-541-31

Mr. Giles:

At the November 7, 2007 Planning Commission meeting, the Commission reviewed and approved the above referenced project, a request for approval to subdivide approximately forty-three (43) acres into thirteen (13) separate lots and one (1) remainder lot designation. In accordance with the required Findings, Tentative Parcel Map No. 18416 has been approved subject to the attached Conditions of Approval as amended.

This action of the Town of Apple Valley shall not be final for a period of ten (10) days from the date of Planning Commission action to allow for the filing of any appeal pursuant to the Town's Development Code, Section 9.12.250, with the Town Clerk of the Town of Apple Valley.

This approval shall expire three (3) years from the date of action on **November 7, 2010**, unless the map is recorded or extended in accordance with the provision in the Development Code addressing time extensions. Any application for a time extension, and the appropriate fees, must be submitted to the Town of Apple Valley a minimum of thirty (30) days prior to the expiration date.

Enclosed you will find the conditions as modified and approved by the Planning Commission and as accepted by the applicant at the public hearing. If you have any questions on this matter, please contact Ms. Becky Reynolds at the Town's Planning Division at (760) 240-7000 Ext. 7201. Town offices are open Monday through Thursday between 7:30 a.m. and 5:30 p.m., and alternating Fridays between 7:30 a.m. and 4:30 p.m. (**closed the subsequent Fridays**).

Sincerely,

Lori Lamson
Assistant Director of Community Development

c: file

FINAL CONDITIONS OF APPROVAL

Case No. Tentative Parcel Map No. 18416

Please note: *Many of the suggested Conditions of Approval presented herewith are provided for informational purposes and are otherwise required by the Municipal Code. Failure to provide a Condition of Approval herein that reflects a requirement of the Municipal Code does not relieve the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.*

Planning Division Conditions of Approval

- P1. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council. A time extension may be approved in accordance with the State Map Act and Town Ordinance, if an extension application is filed and the appropriate fees are paid thirty (30) days prior to the expiration date. The Tentative Parcel Map becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- P2. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:
 - Apple Valley Fire Protection District
 - Southern California Water Company
 - Apple Valley Public Works Division
 - Apple Valley Engineering Division
 - Apple Valley Planning Division
 - SBDO County Flood Control District
 - California State Fish and Game
 - U.S. Army Corps of Engineers
- P3. The applicant shall agree to defend at his sole expense (with attorneys approved by the Town), and indemnify the Town against any action brought against the Town, its agents, officers or employees resulting from or relating to this approval. The applicant shall reimburse the Town, its agents, officers or employees for any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of these obligations under this condition.
- P4. The filing of a Notice of Exemption requires the County Clerk to collect a documentary handling fee of fifty (\$50.00) dollars. The fee must be paid in a timely manner in accordance with Town procedures. No permits may be issued until such fee is paid.

- P5. Approval of the Tentative Parcel Map No. 18416 by the Planning Commission is understood as acknowledgement of Conditions of Approval by the applicant, unless an appeal is filed in accordance with Section 9.12.250, Appeals, of the Town of Apple Valley Development Code.
- P6. Prior to recordation the applicant shall provide the Planning Division with a copy of the subdivision in an electronic format compatible with the Town's current technology.
- P7. All slopes over three (3) feet in height shall be landscaped and irrigated according to Town standards.
- P8. If the tract/parcel map is adjacent to existing development, a fence/wall plan shall be submitted with the grading and landscape/irrigation plans to identify how new fencing or walls will relate to any existing fences or walls located around the perimeter of the tract/parcel map. The developer shall be required to connect to the existing fencing/walls or collaborate with the adjacent property owners to provide new fencing/walls and remove the existing fence/wall, both options at the developer's expense. Double fencing shall be avoided and review and approval of the fencing/wall plan is required prior to issuance of grading permits.
- P9. An agreement to grant reciprocal vehicular and pedestrian ingress/egress, parking and circulation access easements shall be submitted to extend over and across those areas designated as driveways, driving lanes, parking areas and pedestrian walkways of the respective parcel and with the existing commercial parcels. This agreement shall be submitted prior to, or conjunction with, the recordation of Final Map No. 18416.
- P10. A minimum forty-five (45)-foot building setback shall be provided from the Bear Valley Road right-of-way; a minimum twenty (20)-foot setback shall be provided from the Jess Ranch Parkway right-of-way; a minimum twenty (20)-foot building setback shall be provided from the rear (south) property line to any structure.
- P11. All applicable conditions and mitigation measures of the Jess Ranch PUD shall apply to this map.
- P12. The applicant shall adhere to the conditions, permits and requirements necessary for clearances of the County Flood Control District, U.S. Fish and Wildlife, U.S. Army Corps of Engineers, California State Fish and Game and the Town of Apple Valley for all on-site and off-site work related to the Mojave River Flood Plain and riparian habitat.
- P13. Mitigation measures listed in the Jess Ranch Mitigation Monitoring Program and Mitigated Negative Declaration shall be made conditions of this project.

Public Works Division Conditions of Approval

Prior to Recordation:

- PW1. The subject property is located within the boundaries of Assessment District No. 98-1, which currently has an active assessment bond issue. The applicant must substantiate bond reapportionment. The bond reapportionment will divide the bond assessment among the subdivided parcels.
- PW2. Sewage disposal shall be by connection to the Town of Apple Valley sewer system. Financial arrangements, plans and improvement agreements must be approved by the Town of Apple Valley Public Works Department.

Engineering Division Conditions of Approval

- EC1. A final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall consider reducing the post-development site-developed flow to 90 percent of the pre-development flow for a 100 year design storm. (Town Resolution 2000-50; Development Code 9.28.050.C, 9.28.100)
- EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.
- EC3. All streets abutting the development shall be improved a minimum half-width of twenty-eight (28) feet with curb, gutter and sidewalk on the development side.
- EC4. Bear Valley Road, adjacent to the property, shall be improved to meet the conditions outlined by the Traffic Impact Analysis (TIA) performed by RBF Consulting. These improvements shall include, but not be limited to, a Class I Bike Path. A minimum twelve (12)-foot wide easement for the Class I Bike Path shall be dedicated to the Town prior to Final Map recordation.
- EC5. During the grading of the streets, soils testing of the street subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural street section. Minimum asphalt concrete thickness for all streets shall be 0.33 ft.
- EC6. All required improvements shall be constructed and approved or bonded in accordance with Town Development Code.
- EC7. Jess Ranch Parkway shall be reconstructed from Bear Valley Road to the south property line.
- EC8. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC9. Final improvement plans and profiles shall indicate the location of any existing utility which would affect construction and shall provide for its relocation at no cost to the Town.
- EC10. A final grading plan shall be approved by the Town Engineer prior to issuance of a grading permit. A grading permit shall not be issued until street improvement plans have been submitted to the Town Engineer for review and substantial completion of the street plans has been attained as determined by the Town Engineer.
- EC11. The developer shall present evidence to the Town Engineer that he has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
- EC12. Utility lines shall be placed underground in accordance with the requirements of the Town. (Municipal Code Section 14.28)
- EC13. Traffic impact fees adopted by the Town shall be paid by the developer.

- EC14. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.
- EC15. Any required street striping shall be thermoplastic as approved by the Town Engineer.
- EC16. In the event that an applicant/developer chooses to seek Council approval of the Final Map prior to completion of the required improvements, an "Agreement for Construction of Improvements" shall be required. In accordance with the California Labor Code, any such Agreement will contain a statement advising the developer that certain types of improvements will constitute a public project as defined in California Labor Code, Sections 1720, and following, and shall be performed as a public work, including, without limitation, compliance with all prevailing wage requirements.
- EC17. The developer shall pay to the Town in-lieu fees for all project fair-share contributions for off-site intersection improvements as outlined in the TIA produced by RBF Consulting. These in-lieu fees include fair-share contributions of \$46,406 for the construction of a traffic signal at the intersection of Bear Valley Road and Deep Creek Road.
- EC18. A dedicated right-turn lane with a radius of thirty-five (35) feet for eastbound to southbound traffic shall be constructed at the intersection of Jess Ranch Parkway and Bear Valley Road.
- EC19. A dedicated right-turn lane shall be constructed on Jess Ranch Parkway for northbound to eastbound traffic. The raised median shall be modified/reconstructed to accommodate the additional lane.
- EC20. Dual left-turn lanes shall be constructed at the intersection of Jess Ranch Parkway and Bear Valley Road for northbound to westbound traffic, and for westbound to southbound traffic. All necessary street widening required as a result of these dual left-turn lanes shall be the responsibility of the developer. The cost to widen the north side of Bear Valley Road will receive a traffic impact fee credit.
- EC21. A raised median shall be constructed in Bear Valley Road from Jess Ranch Parkway to the west property line.
- EC22. A storm drain system, as outlined in the Preliminary Hydrology and Hydraulics Study produced by Stantec Consulting, consisting of various storm drain lines, and a twelve (12) foot wide box culvert that will match up to the existing box culvert, shall be constructed.

Fire Department Conditions of Approval

- FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements
- FD2. All combustible vegetation, such as dead shrubbery and dry grasses, shall be removed from each building site a minimum distance of thirty (30) feet from any combustible building material, including the finished structure. This does not apply to single specimens of trees, ornamental shrubbery, or similar plants, which are used as ground cover if they do not form a means of transmitting fire. California Public Resources Code, Sec. 4291
- FD3. The development and each phase thereof, shall have two points of paved access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of

these points of access shall provide an independent route into the area in which the development is located. This shall be completed prior to any combustible construction. Apple Valley Fire Protection District Ordinance 22, Section (I) Install per A.V.F.P.D. Standard ARI #8

FD4. Fire lanes shall be provided with a minimum width of twenty-four (24) feet, maintained, and identified. Apple Valley Fire Protection District Ordinance 41 Install per A.V.F.P.D. Standard Series #202

FD5. A turnaround shall be required at the end of each roadway one hundred fifty (150) feet or more in length and shall be approved by the Fire District. Cul-de-sac length shall not exceed 600 feet.

Turning radius on all roads within the facility shall not be less than twenty-two (22) feet inside and minimum of forty (40) feet outside turning radius with no parking on street, or forty-seven (47) feet with parking. Road grades shall not exceed twelve percent (12%) unless approved by the Chief. Uniform Fire Code, Section 902.2.2.3 Apple Valley Fire Protection District Ordinance 22, Section 1 (e). Install per A.V.F.P.D. Standard Series #202

FD6. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to and approved by the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems. Apple Valley Fire Protection District, Ordinance 42.

A. Unless otherwise approved by the Fire Chief, on-site fire protection water systems shall be designed to be looped and fed from two (2) remote points.

B. System Standards:

*Fire Flow UFC Appendix III-A GPM @ 20 psi Residual Pressure

Duration 4 Hour(s)

Hydrant Spacing 330 Feet

*If blank, flow to be determined by calculation when additional construction information is received. Install per A.V.F.P.D. Standard Series #101

C. A total of approx. 16 fire hydrant(s) will be required. It is the responsibility of the owner/developer to provide all new fire hydrants with reflective pavement markers set into pavement and curb identification per A.V.F.P.D. Standard. Install per A.V.F.P.D. Standard Series #101.

FD7. An approved fire sprinkler system shall be installed throughout any building:

- 5,000 square feet or greater, including garage and enclosed areas under roof.
- Two stories or greater.
- Existing building(s) with intensification of use, or
- Other per California Building Code requirements.

The system shall be supervised and connected to an approved alarm monitoring station and provide local alarm which will give an audible signal at a protected location. Supervision to be both water flow and tamper. Sprinkler work may not commence until approved plans and permits have been issued by the Fire District. Apple Valley Fire Protection District, Ordinance 41

FD8. A Knox Box Rapid Entry System shall be required for this project. Uniform Fire Code, Section 902.4 Install per A.V. F.P.D. ARI #5

End of Conditions