

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting Wednesday, February 18, 2015

CALL TO ORDER

At 6:00 p.m., the Regular Meeting of the Planning Commission of the Town of Apple Valley for February 18, 2015, was called to order by Chairman Kallen.

ROLL CALL

Planning Commission

Roll call was taken with the following members present: Commissioner Jason Lamoreaux, Commissioner Mark Shoup, Commissioner B.R. "Bob" Tinsley, Vice-Chairman Doug Qualls and Chairman Bruce Kallen.

STAFF PRESENT

Carol Miller, Principal Planner; Doug Fenn, Senior Planner; Pamela Cupp, Associate Planner; Richard Pedersen, Deputy Town Engineer; Haviva Shane, Town Attorney and Debra Thomas, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Shoup led the Pledge of Allegiance.

ELECTION OF NEW OFFICERS

MOTION:

Vice-Chairman Qualls made a motion, seconded by Commissioner Tinsley, that Chairman Kallen be nominated and continue as Chairman of the Apple Valley Planning Commission.

ROLL CALL VOTE

Ayes: Commissioner Lamoreaux
Commissioner Mark Shoup
Commissioner B.R. "Bob" Tinsley
Vice-Chairman Doug Qualls
Noes: None
Abstain: Chairman Kallen
Absent: None
The Motion carried by a 4-0-1-0 vote.

MOTION:

Commissioner Lamoreaux made a motion, seconded by Commissioner Tinsley, that Vice-Chairman Qualls be nominated and continue as Vice-Chairman of the Apple Valley Planning Commission.

ROLL CALL VOTE

Ayes: Commissioner Lamoreaux
Commissioner Mark Shoup
Commissioner B.R. "Bob" Tinsley
Chairman Kallen

Noes: None

Abstain: Vice-Chairman Qualls

Absent: None

The Motion carried by a 4-0-1-0 vote.

1. APPROVAL OF MINUTES

Minutes for the Regular Meeting of January 21, 2015.

Motion by Vice-Chairman Qualls, and seconded by Commissioner Lamoreaux, to approve the Minutes for the Regular Meeting of January 21, 2015.

Motion Carried by the following vote: Ayes: Commissioner Lamoreaux, Commissioner Shoup, Commissioner Tinsley, Vice-Chairman Qualls and Chairman Kallen. Noes: None. Absent: None. Abstain: None.

PUBLIC HEARING ITEMS

2. General Plan Amendment No. 2013-002 and Zone Change No. 2013-001 *(Continued from December 17, 2014)*. A request to consider a change to the General Plan and the Zoning land use designations from Residential Estate (R-E) to Residential Single Family (R-SF).

Applicant: Bear Valley & Apple Valley 103, LLC and Newton T Bass Trust

Location: APNs: 3087-171-07 and easterly portion of 3087-161-04

Chairman Kallen opened the public hearing at 6:02 p.m.

Ms. Carol Miller, Principal Planner, presented the staff report as filed by the Planning Division.

Discussion ensued about the park size that was within the previously approved tract and how it would be laid out for the area, the absence of a tract map, and the Planning Commission's concern with basing a decision for approval without a frame of reference, i.e. a tract map.

PUBLIC COMMENT

Matthew Shulenberg, Apple Valley Unified School District, commented on the subject property's potential impact on the student population.

Mr. John Laraway, Apple Valley, CA. commented on the animal restrictions placed on the project and what he believed to be the Town's financial benefit from its approval.

Al Rice, Apple Valley, CA, stated his concern with the lack of community involvement in the project and the increased population/pedestrian traffic.

John Smith, Apple Valley, CA, compared this project to the Tapestry project within the City of Hesperia and commented on what "cost" that project would have in the City of Hesperia and that the same would happen here with this project.

Chairman Kallen closed the public hearing at 6:46 p.m.

Additional discussion ensued about the Planning Commissioner's desire to see a tract map before approval; although most of them believed that the project was compatible with the surrounding area.

MOTION

Motion by Commissioner Tinsley, seconded by Commissioner Lamoreaux, that the Planning Commission move to:

1. Determine that the proposed General Plan Amendment and Zone Change will not have a significant effect on the environment.
2. Adopt the Negative Declaration finding for GPA 2013-02 and ZC No. 2013-01 on the basis of the whole records before the Planning Commission, including the Initial Study and any comments received, there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Town's independent judgment and analysis.
3. Find the facts presented in the staff report support the required Findings for approval and adopt those findings.
4. Adopt Planning Commission Resolution No. 2014-05 recommending approval of GPA 2013-02 and Zone Change 2013-01.

ROLL CALL VOTE

Ayes: Commissioner Lamoreaux
 Commissioner Tinsley
 Vice-Chairman Qualls
 Chairman Kallen

Noes: Commissioner Shoup

Abstain: None

Absent: None

The motion carried by a 4-1-0-0 vote.

RECESS MEETING

Chairman Kallen declared a recess of the Town of Apple Valley Planning Commission meeting at 6:57 p.m.

RECONVENED MEETING

Chairman Kallen reconvened the Town of Apple Valley Planning Commission meeting at 7:03 p.m.

3. **Sign Program 2015-016, Amendment No. 1.** A request to amend an approved Sign Program to allow additional sign panels within the Mojave River Crossing retail Shopping Center.

Applicant: Brian Sweeney for Apple Valley Retail, LLC

Location: 12218 Apple Valley Road; APNs 444-443-17 and -18

Chairman Kallen opened the public hearing at 7:05 p.m.

Mr. Douglas Fenn, Senior Planner, presented the staff report as filed by the Planning Division.

Commissioner Lamoreaux recused himself from this item because he represents the Applicant and left the dais at 7:06 p.m.

Chairman Kallen asked the Applicant if he agreed with Staff's recommendations for the request and he stated "Yes".

PUBLIC COMMENT

None.

Chairman Kallen closed the public hearing at 7:16 p.m.

MOTION

Motion by Vice-Chairman Qualls, seconded by Commissioner Tinsley, that the Planning Commission move to:

1. Pursuant to the Guidelines to Implement the California Environmental Quality Act (CEQA), Section No. 15311, the proposed request to approve signage for an approved retail center is EXEMPT from further environmental review.
2. Find the facts presented in the staff report supports the approval of Sign Program No. 2005-016, Amendment No. 1.
3. Approve Sign Program No. 2005-016, Amendment No. 1, subject to the Conditions of Approval.
4. Direct Staff to file the Notice of Exemption.

ROLL CALL VOTE

Ayes: Commissioner Shoup
Commissioner Tinsley
Vice-Chairman Qualls
Chairman Kallen

Noes: None

Abstain: Commissioner Lamoreaux

Absent: None

The motion carried by a 4-0-1-0 vote.

Commissioner Lamoreaux returned to the dais at 7:20 p.m.

PUBLIC COMMENTS

Al Rice, Apple Valley, CA. addressed public noticing and mailing requirements for projects within the Town of Apple Valley and believed they need to be more specific. In addition, Mr. Rice shared with the Planning Commission that he is celebrating his 60th year working with agendas.

PLANNING COMMISSION COMMENTS

Commissioner Shoup asked when the clock tower would be working properly.

Ms. Carol Miller, Principal Planner, informed the Planning Commission that there is no electricity connected at this time but the contractor is still working on completing the project.

Chairman Kallen wanted to share with the public that a lot of towns and cities do not have a Planning Commission and that some of the things discussed are discretionary and are an interpretation of the Town's code.

STAFF COMMENTS

None.

OTHER BUSINESS

4. General Plan conformity finding for a vacation request of a public alley located at the northeast corner of Toltec and Bear Valley Roads; APNs 3087-531-39 and -40.

Ms. Pam Cupp, Associate Planner, presented the staff report as filed by the Planning Division.

MOTION

Motion by Commissioner Shoup, seconded by Commissioner Lamoreaux, that the Planning Commission move to:

1. Adopt Planning Commission Resolution No. 2015-001, finding and reporting that the alley vacation as described herewith is in conformance with the Town's General Plan.

ROLL CALL VOTE

Ayes: Commissioner Shoup
 Commissioner Lamoreaux
 Commissioner Tinsley
 Vice-Chairman Qualls
 Chairman Kallen

Noes: None
Abstain: None
Absent: None
The motion carried by a 5-0-0-0 vote.

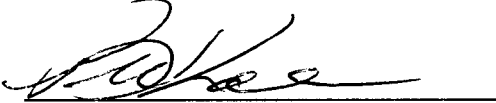
ADJOURNMENT

Motion by Chairman Kallen, seconded by Commissioner Shoup, and unanimously carried to adjourn the meeting of the Planning Commission at 7:32 p.m. to the Regular Meeting on March 18, 2015.

Respectfully Submitted by:


Debra Thomas
Planning Commission Secretary

Approved by:


Chairman Bruce Kallen