

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting Wednesday, September 16, 2015

CALL TO ORDER

At 6:00 p.m., the Regular Meeting of the Planning Commission of the Town of Apple Valley for September 16, 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; Pam Cupp, Associate Planner; Richard Pedersen, Deputy Town Engineer; Haviva Shane, Town Attorney; and Yvonne Rivera, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Tinsley led the Pledge of Allegiance.

1. APPROVAL OF MINUTES

Minutes for the Regular Meeting of August 19, 2015.

Commissioner Shoup requested the word "not" be inserted on stamped page 1-5, paragraph seven (7), last sentence, between "is and "part". The sentence should read "He explained that Ion is not included on the map because it is **not** part of the extension."

Commissioner Shoup asked that the word "she" be changed to "he" on stamped page 1-5, paragraph eleven (11). The sentence should read "Chairman Kallen asked the Applicant if **he** agreed to the Conditions of Approval."

Chairman Kallen noted that the word "project" should be changed to resolution or ordinance in paragraph eleven (11), stamped page 1-7. The sentence should read "John Laraway, Apple Valley, spoke in opposition of the **Resolution**."

Carol Miller, Principal Planner, also noted that Assistant Town Manager, Lori Lamson's name had been added to the re-write of stamped page one, under the paragraph "Staff Present". She also added that on stamped page 1-3, paragraph 5, the word "intricate" should be changed to "integral".

Motion by Commissioner Lamoreaux, seconded by Commissioner Tinsley, to approve the Minutes of August 19, 2015 as amended.

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. Tentative Parcel Map No. 19576 and Variance No. 2014-002.

Applicant: Mr. Cy Zermeno representing Mr. Michael Dorriz
Location: 21849 Waalew Road; APN 0437-302-01
Project Planner: Pam Cupp, Associate Planner
Recommendation: Approval

Chairman Kallen opened the public hearing at 6:04 p.m.

Ms. Pam Cupp, Associate Planner, presented the staff report as filed by the Planning Division. She commented on the Condition made to the Applicant as it relates to the Railroad Tie House.

Mr. Cy Zermeno, Applicant, stated that he is in agreement with the Conditions of Approval of the project; however, he respectfully disagreed with the requirements for street improvements. He provided each of the Planning Commissioners with a map of the parcel and explained why he believed the improvements should not be required for this project.

Mr. Michael Dorriz, Owner, commented on the development of several single family homes within the Town that did not require street improvements. He, too, respectfully requested that the improvements be waived.

Chairman Kallen asked the Applicant if he agreed to the other Conditions of Approval.

Mr. Zermeno stated "Yes".

PUBLIC COMMENT

None.

Chairman Kallen closed the public hearing at 6:18 p.m.

Mr. Richard Pedersen, Deputy Town Engineer, commented on the Conditions of Approval for street improvements as it relates to parcel maps. He also commented on

the requirement of frontage foot fees, as well as in-lieu fees to widen any road within the Town's Street System. He clarified that the Planning Commission does not have the authority to waive the improvements along the project frontage of Waalew Road.

Ms. Carol Miller, Principal Planner, read into the record the section in the Development Code that addresses sidewalks.

Discussion ensued regarding the requirement for curb, gutters and sidewalks.

Discussion ensued regarding in-lieu fees.

Ms. Miller read into the record the section in the Development Code that addresses in-lieu fees for improvements to local streets. She clarified Soboba Road is considered a local street.

Mr. Pedersen stated that, if the Planning Commission waived the requirement for sidewalks along Soboba Road, he would not charge in-lieu fees.

Mr. Zermeno, requested more clarification regarding the fees.

Mr. Pedersen, stated the Applicant could either put in the improvements or pay a fee that is equivalent to the cost of the improvements for Waalew Road and Soboba Road.

Mr. Zermeno stated that, if curb and gutters would be required for both streets, he would rather pay the fees.

Chairman Kallen closed public hearing at 6:35 p.m.

Discussion ensued regarding road improvement requirements and the payment of in-lieu fees.

Commissioner Shoup expressed concern regarding eliminating sidewalks. He felt the best time to install sidewalks is at the time of new development.

Commissioner Tinsley and Chairman Kallen stated they did not support the requirements for any improvements on Soboba Road and that it should remain consistent with what is currently there and improvements should be done or in-lieu fees paid, for improvements along Waalew Road.

Commissioner Shoup made a motion to approve with the requirement for sidewalks along Waalew and Soboba Roads; however, it did not receive a second motion.

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

1. Delete Condition of Approval No. EC4 in its entirety.
2. Amend Condition of Approval No. EC8 to read as follows:

All required improvements shall be constructed and approved or bonded in accordance with Town Development Code. Alternatively, prior to recordation,

in-lieu fees shall be paid for the half-width, major road improvements and Class 1 bike path required along Waalew Road.

3. Determine that proposed Tentative Parcel Map No. 19576 will not have a significant effect on the environment with adherence to the Mitigation Measures recommended in this report.
4. Adopt the Mitigated Negative Declaration finding for Tentative Parcel Map No. 19576, finding that on the basis of the whole record 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 Mitigated Negative Declaration reflects the Town's independent judgment and analysis.
5. Find that the facts presented in the staff report support the required Findings for approval and adopt those findings.
6. Approve Tentative Parcel Map No. 19576, subject to the amended Conditions of Approval.
7. Direct staff to file a Notice of Determination.

ROLL CALL VOTE

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

Noes: None

Abstain: None

Absent: None

The motion carried by a 5-0-0-0 vote.

PLANNING COMMISSION COMMENTS

None.

STAFF COMMENTS

None.

OTHER BUSINESS

None.

ADJOURNMENT

Motion by Vice-Chairman Qualls, seconded by Commissioner Lamoreaux, and unanimously carried to adjourn the meeting of the Planning Commission at 7:03 p.m. to the Regular Meeting on October 21, 2015.

Respectfully Submitted by:



Yvonne Rivera
Planning Commission Secretary

Approved by:



Chairman Bruce Kallen