

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting Wednesday, February 17, 2016

CALL TO ORDER

At 6:01 p.m., the Regular Meeting of the Planning Commission of the Town of Apple Valley for February 17, 2016, was called to order by Chairman Kallen.

ROLL CALL

Planning Commission

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

STAFF PRESENT

Carol Miller, Principal Planner, Doug Fenn, Senior Planner, Pam Cupp, Associate Planner, Haviva Shane, Town Attorney, and Yvonne Rivera, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Bob Tinsley led the Pledge of Allegiance.

ELECTION OF NEW OFFICERS

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

ROLL CALL VOTE

Ayes: Commissioner Shoup
Commissioner Tinsley
Vice-Chairman Qualls
Chairman Kallen
Noes: None
Abstain: None
Absent: Commissioner Lamoreaux

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

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

ROLL CALL VOTE

Ayes: Commissioner Kallen
Commissioner Shoup
Commissioner Tinsley
Chairman Qualls
Noes: None
Abstain: None
Absent: Commissioner Lamoreaux
The motion carried by a 4-0-0-1 vote.

RECESS FOR REORGANIZATION

MEETING RECONVENED

Chairman Qualls reconvened the meeting of the Planning Commission at 6:05 p.m.

1. APPROVAL OF MINUTES

Minutes for the Regular Meeting of January 20, 2016.

Vice-Chairman Shoup requested the following modifications to the minutes for the meeting of January 20, 2016:

On Page 1-1, under "Staff Present", add Ms. Heather Wylie, Housing and Community Development Specialist.

On Page 1-3, Paragraph 1, delete the word "inconsistency" and replace it with the word "inconsistent".

On Page 1-3, Paragraph 2, modify the first sentence to read, "Mr. Keith Session, Applicant, commented on the various issues related to the layout of his property, including the difficulty to build on the slope. "

Motion by Commissioner Kallen, and seconded by Commissioner Tinsley, to approve the Minutes for the Regular Meeting of January 20, 2016, as amended.

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

PUBLIC HEARING ITEMS

2. **Development Permit No. 2015-005, Special Use Permit No. 2015-015 and Tentative Parcel Map No. 18095.** The proposal is to construct an eighty-four (84) room, 43,000 square foot three-(3) story hotel, 3,500 square foot restaurant, 10,261 square foot retail building, seven (7) separate buildings, totaling 23,719 square feet that also include drive-through restaurants and two (2) gasoline stations. The combined building square-footage is 80,480 square feet.

Applicant: **Town of Apple Valley**

Location: The project is located at the northeast corner of Interstate 15, Dale Parkway and bisected by Willow Springs Road; APN 0472-232-20 and 21.

Chairman Qualls opened the public hearing at 6:10 p.m.

Mr. Doug Fenn, Senior Planner stated that the Applicant had requested a continuance of the project to the meeting of March 16, 2016.

Mr. Fenn explained that one of the buildings had a setback encroachment; therefore, the Applicant has opted to submit a Variance, and that the project would need to be publicly noticed again.

PUBLIC COMMENT

None.

Chairman Qualls closed the public hearing at 6:14 p.m.

MOTION

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

1. Continue the item to the meeting of March 16, 2016.

ROLL CALL VOTE

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

Noes: None

Abstain: None

Absent: Commissioner Lamoreaux

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

3. **Conditional Use Permit No. 2015-010.** A request for approval of a Conditional Use Permit to allow the operation of an automotive repair facility. The project will occupy 5,000 square-feet within an existing industrial building. The project site is two (2) acres in size and is located within the Service Commercial (C-S) zoning designation.

Applicant: Mr. Brian Egger, representing All Pro Automotive

Location: The site is located at 22164 Ottawa Road, Suites 104-106; APN 3087-391-05.

Chairman Qualls opened the public hearing at 6:20 p.m.

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

Discussion ensued regarding the need for improvements to the project site, including building additional asphalt, resurfacing the pavement, and re-stripping the parking areas.

Additional discussion ensued regarding the storage containers and truck trailers that are stored at the site. Ms. Cupp informed the Planning Commission that the property owner is currently operating the business without a Conditional Use Permit (CUP).

Mr. Brian Egger, representing All Pro Automotive, commented on the improvements he made to the property. He also informed the Planning Commission that currently, there is no trash enclosure at the site for his business. He also stated that he has been in communication with Code Enforcement regarding the storage containers that pre-existed on the property. Mr. Egger expressed concern regarding the difficulties he has experienced, both personally and professionally, due to the various issues that affect his business. He respectfully requested that the Planning Commission approve the item.

Ms. Cupp responded to questions by the Planning Commission regarding the need to clean the debris at the site. She stated that Code Enforcement is moving forward with notifying the property owner regarding this matter.

Ms. Cupp also responded to questions by Chairman Qualls regarding dumpster enclosures. She explained that due to an entitlement process, there were upgrades allowed and in this case, the dumpsters came into play due to a Conditional Use Permit (CUP) entitlement.

Chairman Qualls asked the applicant if he agreed to the Conditions of Approval.

Mr. Egger, Applicant, stated he agreed with the Conditions of Approval, with the exception of the requirement for a trash enclosure, which he believes is the responsibility of the property owner.

PUBLIC COMMENT

None.

Chairman Qualls closed the public hearing at 6:28 p.m.

Commissioner Tinsley believed that the landowner should be responsible for the required improvements at the site. He would like to see Code Enforcement look into the matter further.

Commissioner Kallen agreed with Commissioner Tinsley's comments. He also felt that the trash enclosure requirement (Condition ER-1) should be excluded from the Conditions of Approval.

Ms. Carol Miller, Principal Planner, explained that the recycling requirement comes from the state and dictated by the square footages on the property; therefore, it ultimately falls on the property owner.

Commissioner Kallen recommended, and the Planning Commission agreed, to exclude Condition ER-1 from the Conditions of Approval.

MOTION

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

1. Find that, pursuant to the California Environmental Quality Act (CEQA), Section No. 15301, class 1, the proposed request is Exempt from further environmental review.
2. Find the Facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve Conditional Use Permit No. 2015-010, subject to the attached Conditions of Approval, as amended by the Planning Commission.
4. Direct staff to file the Notice of Exemption

ROLL CALL VOTE

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

Noes: None

Abstain: None

Absent: Commissioner Lamoreaux
The motion carried by a 4-0-0-1 vote.

PUBLIC COMMENTS

None.

STAFF COMMENTS

None.

OTHER BUSINESS

4. **General Plan Conformity Finding for a Right-of-Way Vacation VAC 2016-001.** To consider a General Plan Conformity Finding, pursuant to Government Code Section 65402(a), for a vacation of a thirty (30)-foot wide, unimproved, public right-of-way (Aniwa Road) that extends south from Mana Road to the northern terminus of Swift Fox Court.

Applicant: Cubit Engineering

Location: The site is located on the southeast corner of Mana Road and Aniwa Road, along the western boundary of APNs 0473-141-63 and 71.

Pam Cupp, Associate Planner, presented the staff report as filed with the Planning Commission.

Ms. Cupp responded to a series of questions by the Planning Commission regarding the need for the existing right-of-way. Ms. Cupp clarified that the vacation is necessary to accommodate the property owner's plans for a future development proposal.

MOTION

Motion by Commissioner Tinsley, seconded by Commissioner Kallen that the Planning Commission adopt Planning Commission Resolution No. 2016-001, finding and reporting that the right-of-way vacation as described herewith is in conformance with the Town's General Plan.

ROLL CALL VOTE

Ayes: Commissioner Kallen
Commissioner Tinsley
Vice-Chairman Shoup
Chairman Qualls
Noes: None
Abstain: None
Absent: Commissioner Lamoreaux
The motion carried by a 4-0-0-1 vote.

- 5. Planning Commission Resolution No. 2016-002.** The proposed Planning Commission Resolution will adopt a policy establishing a Design Criteria Checklist based upon a point system. The policy will be Town-wide and apply to all single-family infill development.
Applicant: Town of Apple Valley
Location: Town-wide

Ms. Pam Cupp, Associate Planner, presented the staff report as filed with the Planning Commission. She noted that staff has introduced the checklist to several local builders and has received positive feedback.

Ms. Cupp would like the following modification to the checklist:

Remove “decorative vents” under architectural moldings/ornamental details.

Ms. Haviva Shane, Town Attorney, also recommended modifying the first sentence on Exhibit A to read:

A minimum of one point from each list must be “achieved” in the design of an infill single-family residence.

MOTION

Motion by Commissioner Tinsley, seconded by Commissioner Kallen that the Planning Commission move to approve Planning Commission Resolution No. 2016-002, as amended.

ROLL CALL VOTE

Ayes: Commissioner Kallen
Commissioner Tinsley
Vice-Chairman Shoup
Chairman Qualls
Noes: None
Abstain: None
Absent: Commissioner Lamoreaux
The motion carried by a 4-0-0-1 vote.

PLANNING COMMISSION COMMENTS

Vice-Chairman Shoup commented on the bus trip to Indio. He thanked staff and the Town Council for the opportunity to visit the facilities.

ADJOURNMENT

Motion by Commissioner Kallen, seconded by Commissioner Tinsley, and unanimously carried to adjourn the meeting of the Planning Commission at 7:52 p.m. to the Regular Meeting on March 16, 2016.

Respectfully Submitted by:


~~Yvonne Rivera~~ DEBRA THOMAS
Planning Commission Secretary

Approved by:


Vice-Chairman Mark Shoup