

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting Wednesday, June 1, 2016

CALL TO ORDER

Chairman Qualls called to order the Regular Meeting of the Planning Commission of the Town of Apple Valley for June 1, 2016 at 6:00 p.m.

ROLL CALL

Planning Commission

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

STAFF PRESENT

Carol Miller, Principal Planner, Silvia Caraballo, Community Development Program Assistant, Thomas Rice, Town Attorney, and Yvonne Rivera, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Lamoreaux led the Pledge of Allegiance.

1. APPROVAL OF MINUTES

Minutes for the Regular Meeting of April 6, 2016.

Motion by Commissioner Kallen, and seconded by Commissioner Tinsley, to approve the Minutes for the Regular Meeting of April 6, 2016.

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

PUBLIC HEARING ITEMS

- 2. Tentative Tract Map No. 17724.** This is a request for a time extension for a previously approved tentative tract map to subdivide 120 acres into 100 lots for the future development of single-family homes. The lots will range from 1 to 2.12 gross acres in size.

Applicant: Mr. Hamid Roknian
Location: The project is located at the northwest corner of Ocotillo Way and Navajo Road, APN 438-042-07.

Chairman Qualls opened the public hearing at 6:09 p.m.

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

Ms. Miller commented on the recommended modifications to Condition P-11 on page 2-8. She stated the staff report supports the required Findings and recommended modifications for approval. Ms. Miller also stated, for the record, that the Applicant was not present; however, he would like the Planning Commission to take action on his map. Ms. Miller also stated the Applicant is in agreement with all Conditions.

Mr. Thomas Rice, Town Attorney, noted there is a need to make a correction to the language on Page 2-4, Section C, as it relates to the Quality Act, to read "Notes of Determination".

It was the consensus of the Planning Commission to change the language to Section C on Page 2-4 to read as follows:

"Environmental Assessment: Pursuant to the California Environmental Quality Act (CEQA), Section 15162, this proposal (Extension of Time) within the scope of the approved "*Notes of Determination*" was approved and adopted by the Planning Commission for Tentative Tract Map No. 17724

Commissioner Lamoreaux clarified, for the record, that the property he owns does not pose a conflict of interest.

Chairman Qualls reiterated the statement by Ms. Miller, on behalf of the Applicant, that they are in agreement with all Conditions, as modified.

PUBLIC COMMENTS:

None.

Chairman Qualls closed the Public Hearing at 6:11 p.m.

MOTION

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

1. Determine that, pursuant to the California Environmental Quality Act (CEQA), Section 15162, the proposed Time Extension is exempt and does not require further environmental review (although the map is still required to fulfill all environmental requirements stipulated within the map's initial approval).

2. Find that the facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve a three (3)-year extension of time for Tentative Tract Map No. 17724, subject to the attached Conditions of Approval, as amended.
4. Direct Staff to file the Notice of Exemption.

ROLL CALL VOTE

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

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

PUBLIC COMMENT

None.

3. **Tentative Tract Map No. 17872, Extension of Time No. 1 (continued from May 4, 2016).** This is a request for a time extension for a previously approved tentative tract map to subdivide twenty (20) acres into thirty-six (36) lots for the future development of single-family homes. The lots will range from 18,007 to 23,883 square feet in size.

Applicant: Mr. Dilip Sheth, representing Shree Properties, Inc.

Location: The project site is located one-half (1/2) mile east of Dale Evans Parkway and one-half mile north of Otoe Road; APNs 0441-011-20 and 21.

Chairman Qualls opened the public hearing at 6:13 p.m.

Ms. Carol Miller, Principal Planner, stated that the Applicant requested that this item be continued to the next meeting scheduled for June 15, 2016.

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

MOTION

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

1. Continue Tentative Tract Map No. 17872, Extension of time No. 1 to the next Planning Commission meeting scheduled for June 15, 2016.

ROLL CALL VOTE

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

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

4. **Development Permit No. 2016-002.** This is a request to approve a Development Permit to allow the construction of a 258 square foot addition, to an existing 615 square foot, eighteen (18) foot tall detached garage. The addition will add two (2) feet, eight (8) inches, resulting in a total height of twenty (20) feet, eight (8) inches.
Applicant: Ramon and Aida Romero
Location: The project site is located at 20257 Sahale Road (APN 3112-24-152)

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

Ms. Sylvia Caraballo, Community Development Program Assistant, presented the staff report as filed with the Planning Division.

Dan Seagondollar, Architect on record, responded to questions by the Planning Commission regarding the need to increase the height of the roof. He explained that the structure was originally permitted by the county. The Applicant, Mr. Romero, purchased the property and decided to proceed in finishing construction of the second floor; however, he was not aware that he needed permits. Therefore, we are starting with a structure per county code that is in need of increasing the height of the roof.

Discussion ensued regarding the need to maintain the aesthetic presentation of the property.

Carol Miller, Principal Planner, responded to the concerns expressed by the Planning Commission regarding structures that go against the code. She explained that the request for a 20' height is a typical height request approved by the Planning Commission.

Chairman Qualls asked if the Applicant agreed to the Conditions of Approval as amended. Mr. Romero stated they agreed with the conditions of approval.

PUBLIC COMMENT

None.

Chairman Qualls closed the public hearing at 6:19 p.m.

MOTION

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

1. Determine that, pursuant to Section 15332 of the State Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed request is Categorically Exempt from further environmental review.
2. Find that the facts presented in the staff report support the required Findings for approval and adopt the Findings for Development Permit No. 2016-002.
3. Approve Development Permit NO. 2016-002, subject to the attached Conditions of Approval as amended.
4. Direct Staff to file the Notice of Exemption.

ROLL CALL VOTE

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

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

5. **Variance No. 2016-002.** This is a request to allow an addition to a single-family residence that encroaches six (6) feet into the required twenty-five (25)-foot side yard setback.

Applicant: Mr. Roberto Contreras

Location: The project site is located at 21014 Taos Road, APN 0463-394-06.

Chairman Qualls opened the public hearing at 6:21 p.m.

Ms. Carol Miller, Principal Planner, presented the staff report as filed with the Planning Division. She noted the Specific Plan allows property owners to expand an existing single-family residence in accordance with the Low Density Residential. Commissioner Kallen stated that although he supports the project, he is concerned of allowing a non-conforming home to be located in a different zone.

Ms. Miller stated that although it is designated as industrial zoning, the Town recognizes it as a single-family residence. She also noted that the language in the code recognizes it as a legal use; therefore, non-conforming standards would not apply.

Discussion ensued regarding allowing a residence to expand and continue within industrial zoning.

Chairman Qualls asked if the Applicant agreed to the Conditions of Approval as amended. After receiving clarifications regarding the concerns expressed by the Planning Commission, Mr. Contreras stated they agreed with the Conditions of Approval.

PUBLIC COMMENT

None.

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

MOTION

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

1. Determine that the project is not anticipated to have any direct or indirect impact upon the environment, as it has been determined that the proposed request is Exempt from further environmental review.
2. Find that the facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve Variance No. 2016-002 and direct staff to file a Notice of Exemption.

ROLL CALL VOTE

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

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

PUBLIC COMMENTS:

John Laraway, Apple Valley, expressed concern regarding signs that include the words "inclusive community" as part of advertisement. He explained the reasons why he believed, the Town should not allow signs that include this language. He also expressed concern regarding certain religious structures within Town limits.

PLANNING COMMISSION COMMENTS

None.

STAFF COMMENTS

None.

OTHER BUSINESS

None.

ADJOURNMENT

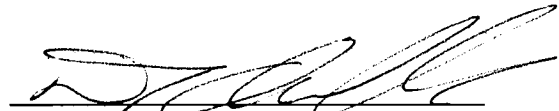
Motion by Commissioner Tinsley, seconded by Commissioner Kallen, and unanimously carried to adjourn the meeting of the Planning Commission at 6:33 p.m. to the Regular Meeting on June 15, 2016.

Respectfully Submitted by:



Yvonne Rivera
Planning Commission Secretary

Approved by:



Chairman Doug Qualls