

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION REGULAR MEETING

November 15, 2017

CALL TO ORDER

Chairman Shoup called to order the regular meeting of the Town of Apple Valley Planning Commission at 6:00 p.m.

Roll Call

Present: Commissioners Bruce Kallen; Jason Lamoreaux; Doug Qualls; Vice-Chairman B. R. "Bob" Tinsley; Chairman Mark Shoup.

Absent: None.

Staff Present

Carol Miller, Assistant Director of Community Development, Pam Cupp, Associate Planner, Richard Pedersen, Deputy Town Engineer, Thomas Rice, Town Attorney, Yvonne Rivera, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Lamoreaux.

APPROVAL OF MINUTES

1. **Approval of Minutes**
 - a. Regular Meeting of November 1, 2017

Chairman Shoup announced that there is a need to continue the minutes for the meeting of November 1, 2017, to the December 6, 2017 meeting.

It was the consensus of the Planning Commission to continue the minutes for the November 1, 2017 meeting to the December 6, 2017 meeting.

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

Carol Miller, Assistant Community Development Director, recommended to rearrange the order of the Agenda Items, to discuss Agenda Item Number 5 first.

Chairman Shoup, with the consensus of the Planning Commission, agreed to discuss Agenda Item Number 5 at this time.

5. **Special Use Permit No. 2017-002 and Variance No. 2017-001.** A request for a Special Use Permit to allow the installation of gasoline pump island with fuel pumps at an existing liquor store. The Variance is a request to deviate from the following Development Code Sections: Section 9.36.190 C (3) to allow a four (4)-foot setback from the front property line where a ten (10)-foot setback is required, Development Code Section 9.36.190 C (6)(a) to allow approximately 3.5 percent of the site to be landscaped where a minimum ten (10) percent is required, Development Code Section 9.36.190 C (7) to allow two (2) existing thirty-five (35) foot wide driveways to remain where one thirty-two (32) foot wide driveway is allowed for gas stations, and Development Code Section 9.72.080 (A) (2) to allow zero landscape setback along Navajo Road where a minimum ten (10) foot landscape setback is required along the street frontage.

Applicant: Dale Mell & Associates

Chairman Shoup opened the public hearing at 6:05 p.m.

Carol Miller, Assistant Director of Community Development, informed the Planning Commission that the Applicant has requested a continuance to the January 17, 2018 Planning Commission Meeting.

There being no requests to speak, Chairman Shoup closed the public hearing at 6:06 p.m.

It was the consensus of the Planning Commission to continue Agenda Item No. 5 to the January 17, 2018 Planning Commission Meeting.

MOTION

Motion by Commissioner Lamoreaux, seconded by Commissioner Kallen, to continue Agenda Item Number 5 to the Regular Planning Commission Meeting scheduled on January 17, 2018.

Vote: Motion carried 5-0-0-0

Yes: Commissioners Kallen; Lamoreaux; Qualls; Vice-Chairman Tinsley; Chairman Shoup.

Absent: None.

2. **Development Permit No. 2017-009** – A request for Planning Commission review of a Development Permit involving an exterior façade modification. The proposed remodel will include the addition of a metal panel tower element and a metal slatted wall valance. The project site is 0.40 acres in size located in a sixteen (16)-acre shopping center within the General Commission (C-G) zoning designation.

Applicant: Mr. John Dodson representing Taco Bell

Chairman Shoup opened the public hearing at 6:06 p.m.

Pam Cupp, Associate Planner, presented the staff report as filed with the Planning Division. She noted that typical remodels are reviewed at staff level for this type of Development Permit; however, the Applicant is requesting an extensive amount of metal on the exterior of the building. She also noted that much of the landscaping has been removed since the store was constructed; therefore, staff is requesting that the landscaping be replaced at this time.

John Dodson, Applicant, responded to the concerns expressed by the Planning Commission regarding the metal valance

Commission discussion concluded with a consensus that the proposed design change would be an aesthetic improvement to the area.

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

Mr. Dodson stated that he agreed with the Conditions of Approval.

There being no requests to speak, Chairman Shoup closed the public hearing at 6:10 p.m.

MOTION

Motion by Vice-Chairman Tinsley, seconded by Commissioner Kallen, to:

1. Determine that pursuant to Section 15301 of the State Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed requires is Categorically Exempt from further environmental review.
2. Find the Facts presented in the staff report support the required Findings for approval and adopt the Findings for Development Permit No. 2017-009
3. Approve Development Permit No. 2017-009, subject to the attached Conditions of Approval.
4. Direct Staff to file the Notice of Exemption.

Vote: Motion carried 5-0-0-0

Yes: Commissioners Kallen; Lamoreaux; Qualls; Vice-Chairman Tinsley; Chairman Shoup.

Absent: None.

3. **Sign Program No. 2016-002.** A request to approve a Sign Program for a multi-tenant office building previously approved under Development Permit No. 2014-005. The Sign Program will determine the design and guidelines and locations for all wall and free-standing signs located on the project site.

Applicant: Sooter Signs representing Apple Valley Dental

Commissioner Lamoreaux announced that he had a potential conflict of interest on this item and therefore, he recused himself from voting on this item.

COMMISSIONER LAMOREAUX RECUSED HIMSELF FROM THE DAIS AT 6:11 P.M.

Chairman Shoup opened the public hearing at 6:12 p.m.

Pam Cupp, Associate Planner, presented the staff report as filed with the Planning Division. She commented on the concerns surrounding the Applicant's request for a height deviation of ten (10)-feet for the monument sign. She also informed the Planning Commission that staff is recommending Condition P8, which requires the project to conform to the six (6)-foot height standard for monument signs.

Jay Sooter, Applicant, responded to questions by the Planning Commission regarding the proposed height and appearance of the digital sign. He noted that the top portion of the sign is a cast metal decoration, with the focal part being the LED double sided sign.

Mr. Sooter responded to questions by the Planning Commission regarding the height of the digital sign. He clarified that the top of the LED sign would reach seven (7)-foot level, the top of the monument would reach the eight (8)-foot level, and the decorative steel portion would extend up to ten (10)-feet.

Ms. Cupp responded to questions by the Planning Commission regarding the LED portion of the sign. She stated that the sign program states that the LED sign would be rotating for the tenants in the building; however, the sign code does permit the owner of the digital sign to lease space to other people within the community. She also commented on the requirements for the digital sign according to the code.

Discussion ensued amongst the Planning Commission regarding alternatives to the height of the sign, including reducing the overall height of the sign from ten (10)-feet to eight (8)-feet, which would include the two (2)-foot decorative top.

Commissioner Kallen stated that although he liked the two (2)-toned scheme of the sign, he would prefer the digital portion of the sign be removed. He also expressed concern regarding the type of advertisement that would be displayed on the digital sign.

Chairman Shoup expressed concern regarding the dimension of the freestanding sign. He believed that the sign should conform to the standards according to the development code.

After listening to the concerns expressed by the Planning Commission regarding the height of the monument sign, Mr. Sooter proposed removing the top decorative portion of the sign that is made of steel, to lower its overall height.

Ms. Cupp clarified, for the benefit of the Planning Commission and public, that the code requires that only eighty (80)-percent of the sign area be digital, and that the remaining twenty (20)-percent would have to be a center ID sign.

Commissioner Qualls commented that the sign height of ten (10) feet would blend with the two (2)-story medical office and expressed concern that the sign would be the first view of Apple Valley as traffic comes in through the Narrows.

Commission discussion ensued regarding the site's topography and the sign's potential visibility from the Narrows.

After a lengthy discussion on the sign structure, it was the consensus of the Planning Commission to allow a maximum height of eight (8) feet for monument sign with the digital portion not to exceed a height of six (6) feet.

Condition of Approval No. P8 was amended to read "The maximum height for the monument sign is ~~six (6)~~ eight (8) feet with the top portion of the digital sign not to exceed six (6) feet in height."

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

Mr. Sooter stated that he agreed with the Conditions of Approval, as amended.

There being no requests to speak, Chairman Shoup closed the public hearing at 6:38 p.m.

MOTION

Motion by Commissioner Qualls, seconded by Commissioner Kallen to:

1. Find the facts presented in the staff report supports the approval of Sign Program No. 2016-002.

2. Approve Sign Program No. 2016-002, subject to the Conditions of Approval, as amended.

Vote: Motion carried 3-1-1-0
Yes: Commissioners Kallen; Qualls; Vice-Chairman Tinsley
Noes: Chairman Shoup
Absent: Commissioner Lamoreaux
Abstain: None.

COMMISSIONER LAMOREAUX RETURNED TO THE DAIS AT 6:38 P.M.

4. **Development Permit No. 2017-008 and Special Use Permit No. 2017-005.** A request to approve a Development Permit and Special Use Permit to allow the construction of gasoline station with a 4,000 square-foot convenience store.

Applicant: Mr. Tom Steeno representing Mark Maida

Commissioner Kallen announced that he had a potential conflict of interest on this item and therefore, recused himself from voting.

COMMISSIONER KALLEN RECUSED HIMSELF FROM THE DAIS AT 6:40 P.M.

Chairman Shoup opened the public hearing at 6:40 p.m.

Carol Miller, Assistant Community Development Director, presented the staff report as filed with the Planning Division. She informed the Planning Commission that the item is presented for their review and approval due to comments received from property owners who are concerned regarding the impact that commercial activity would have on the adjacent residential neighborhood, specifically traffic light and noise.

Discussion ensued regarding the concerns expressed by the residents, as well as the 150-foot separation rule as it relates to driveways that are designed near the intersection of a major road.

Richard Pedersen, Deputy Town Engineer, stated that in consideration of the concerns expressed by the residents in the area, he believed that the best option would be to eliminate the driveway on Wawona Road rather than to maintain the 150-foot separation. He also indicated that Engineering supports having a driveway located on Yucca Loma Road, so long as it encourages the elimination of the Wawona Road driveway.

Tom Steeno, Applicant, responded to questions by the Planning Commission regarding the distance of the proposed driveway up to Yuca Loma Road. He provided a handout of the amended plan showing the removal of the driveway on Wawona Road. He noted he was unable to relocate the driveway from its original location due to an existing catch-

basin. He also commented on the concerns expressed by the residents regarding the project designed for this site. He indicated that there will be a large landscaped area included as part of the project, which will help to keep it completely isolated from the residential areas.

David Mc Cloud, Apple Valley, expressed his appreciation to the Applicant for eliminating the driveway. He also commented on solutions that he believed would help to prevent potential light pollution from the headlights of vehicles during evening hours.

Mr. Steeno responded to Mr. Mc Cloud's concerns regarding light pollution. He believed that the twenty-five (25)-foot landscaped area will address the lighting issues. He also discussed his reasons for not wanting to install a wall at the site, including potential tagging.

Chris Matthis, Apple Valley, thanked the Applicant for responding to the concerns expressed by the residents on Wawona Road. He, too, commented on potential issues surrounding light pollution, as well as trash and debris. He also commented on concerns surrounding the danger of pedestrians using the proposed landscaped area as a short cut. He would like to see the construction of a wall at the site, to help prevent unsafe approaches to the convenient store.

Ms. Miller made the following revisions to the Conditions of Approval:

- Revise Condition P24, by eliminating the language that asks for the incorporation of a roof-style architectural design
- Add Condition P24 that specifies that the driveway located on Wawona Road would be eliminated
- Make a correction to the section listed under CEQA on Page 4-10, to read Section 15332

Mr. Steeno also discussed the undergrounding of the utility line and drive aisle across the site. He informed the Planning Commission that he will also revise the plan to show a realignment to the driveway on Yucca Loma Road.

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

Mr. Steeno stated that he agreed with the Conditions of Approval, as amended.

There being no one else in the audience wishing to speak, Chairman Shoup closed the public hearing at 7:21 p.m.

Thomas Rice, Town Attorney, clarified the following modifications to the Conditions of Approval, as recommended by the Planning Commission.

That the Planning Commission move staff's recommendations, with the amendment to Condition P24 and the addition of P34 and the change to the design pending the Town Engineer's review, and make a change to recommendation to the section of the CEQA as noted above, to reference Section 15332.

MOTION

Motion by Commissioner Lamoreaux, seconded by Vice-Chairman Tinsley to:

1. Find that, pursuant to the California Environmental Quality Act (CEQA), Section 15332. (b), the proposed request is Exempt from further environmental review.
2. Find the facts presented in the staff report do support the required Findings for Approval for Development Permit No. 2017-008 and Special Use Permit No. 2017-005.
3. Adopt Findings as provided in the staff report and approve Development Permit No. 2017-008 and Special Use Permit No. 2017-005, as amended.
4. Direct staff to file the Notice of Exemption.

Vote: Motion carried 4-0-1-0
Yes: Commissioners Lamoreaux; Qualls; Vice-Chairman Tinsley; Chairman Shoup.
Noes: None.
Absent: Commissioner Kallen
Abstain: None.

Commissioner Kallen returned to the dais at 7:23 p.m.

OTHER BUSINESS

None.

PLANNING COMMISSION COMMENTS

None.

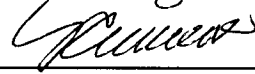
STAFF COMMENTS

None.

ADJOURNMENT

Motion by Commissioner Kallen, seconded by Commissioner Lamoreaux, and unanimously carried, to adjourn the meeting of the Planning Commission at 7:24 p.m. to its next regularly scheduled meeting on December 6, 2017.

Respectfully Submitted by:



Yvonne Rivera
Planning Commission Secretary

Approved by:



Chairman Mark Shoup