

**MINUTES
TOWN OF APPLE VALLEY
PLANNING COMMISSION
REGULAR MEETING**

March 20, 2019

CALL TO ORDER

Chairman Tinsley called to order the regular meeting of the Town of Apple Valley Planning Commission at 6:01 p.m.

Roll Call

Present: Commissioners Bruce Kallen; Mike Arias; Commissioner Joel Harrison
Chairman B. R. "Bob" Tinsley.
Absent: Vice-Chairman Jason Lamoreaux

Staff Present

Carol Miller, Assistant Director of Community Development, Pam Cupp, Associate Planner, Thomas Rice, Town Attorney, Maribel Hernandez, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Joel Harrison.

ELECTION OF NEW OFFICERS:

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

ROLL CALL VOTE

Yes: Commissioner Kallen
Commissioner Arias
Commissioner Harrison
Chairman Tinsley
Noes: None
Abstain: None
Absent: Vice-Chairman Lamoreaux
The motion carried by a 4-0-0-1 vote

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

ROLL CALL VOTE

Yes: Commissioner Arias
Chairman Tinsley
Commissioner Harrison

Noes: None
Abstain: Commissioner Kallen
Absent: Vice-Chairman Lamoreaux
The motion carried by a 3-0-1-1 vote

RECESS FOR REORGANIZATION

Vice-Chairman Kallen reconvened the meeting of the Planning Commission at 6:06 p.m.

APPROVAL OF MINUTES

1. Approval of Minutes for the regular meeting of February 6, 2019.

Motion by Commissioner Harrison, and second by Vice-Chairman Kallen to approve the minutes of February 6, 2019 with the following correction to Page 7:

Change the Motion to adjourn the meeting to read:

“Motion by Commissioner Harrison, Second by Commissioner Arias, and unanimously carried, to adjourn the meeting of the Planning Commission at 7:01pm to its next regularly scheduled meeting on March 20, 2019.”

ROLL CALL VOTE

Yes: Commissioner Harrison
Vice-Chairman Kallen
Commissioner Arias
Noes: None
Abstain: Commissioner Tinsley
Absent: Chairman Lamoreaux
The motion carried by a 3-0-1-1 vote

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

2. **Appeal No. 2019-002.** The applicant is requesting to change the face of an existing, legal nonconforming, thirty-six (36)-square foot roof-mounted can sign to a digital advertising display.

APPELLANT: Mr. Ralph Dickinson

Vice-Chairman Kallen opened the public hearing at 6:08pm

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

Commissioner Arias announced that he had a potential conflict of interest regarding this item.

COMMISSIONER ARIAS RECUSED HIMSELF FROM THE DIAS AT 6:10PM.

Vice-Chairman Kallen reconvened the meeting of the Planning Commission at 6:10pm.

Commissioner Harrison asked if the B of A sign referenced in the letter from the applicant was permitted. Ms. Cupp stated that sign is legal non-conforming sign and has been in place before the Town incorporated and may be refaced.

Commissioner Tinsley recalled that some years ago Planning Commission and some members of Council requested that we make some exceptions to the Village area due to unique location and situation and make special accommodations to promote growth. Ms. Cupp stated that no special accommodations and that the goal is to eventually eliminate the non-conforming signs.

Vice-Chairman Kallen asked if repairs were needed to be made on existing signs would that be allowed. Ms. Cupp stated repairs were allowed as long as the sign was not changed to digital advertising.

Vice-Chairman Kallen also asked if signs were on list of items to discuss at the Joint Town Council/Planning Commission Meeting. Ms. Cupp stated that signs were not on the list at this time.

Mr. Ralph Dickinson, Applicant discussed making his digital sign smaller from 36' to 30' so, it could be approved. Mr. Dickinson stated that the Development Code was very vague when it came to monument signs. Mr. Dickinson felt an obligation to improve the look of the Village and also help promote different events and business in the Village with an average of 32,000 cars passing thru daily.

Thomas Rice, Town Attorney stated staff was correct in their findings and recommended discussing this topic at the Joint Town Council/Planning Commission and discuss making changes to the Code.

Commissioner Tinsley asked staff if a recommendation could be made to help the applicant with legal non-conforming sign, Ms. Cupp stated the applicant needed to resubmit a new sign permit application that meets the Development Code.

PUBLIC COMMENT

Vice-Chairman Kallen closed the public hearing at 6:28 p.m.

Discussion ensued regarding the sign code and the need to revisit the current standards.

Vice-Chairman Kallen reopen the public hearing at 6:44pm to allow Mr. Dickenson to respond to the discussion of the Planning Commission. Mr. Dickenson was in agreement to make the changes to his sign and resubmit a new application.

Vice-Chairman closed the Public Hearing at 6:45pm.

MOTION

Motion by Commissioner Tinsley, seconded by Commissioner Harrison, that the Planning Commission move to deny Appeal No.2019-002:

ROLL CALL VOTE

Yes: Commissioner Tinsley
Commission Harrison
Vice-Chairman Kallen
Noes: None
Abstain: Commissioner Arias
Absent: Chairman Lamoreaux
The motion carried by a 3-0-1-1 vote

Commissioner Arias returned to the dais at 6:45pm.

A SHORT RECESS WAS CALLED AT 6:45

Vice-Chairman Kallen reconvened the meeting of the Planning Commission at 6:50 p.m.

3. **Temporary Use Permit 2019-002.** The applicant is requesting approval of a Temporary Use Permit to allow the temporary use of an existing vacant commercial building (former Lowe's) by allowing the indoor storage of recreational vehicles and water craft and creating two mini-storage areas within the former garden center and rear staging/loading area. No outdoor storage is proposed.

APPLICANT: Joseph Michael

Vice-Chairman Kallen opened the public hearing at 6:50pm

Carol Miller, Assistant Director of Community Development presented the staff the report as filed with the Planning Division.

Commissioner Harrison asked if there would be any personnel monitoring the facility.

Ms. Miller stated customers will have a code or keys to gain access the building. Commissioner Harrison also asked about the boxes in the plans in the garden area and questioned if they were temporary storage units. Ms. Miller stated they were temporary metal modular units and distributed a handout that was provided by the Applicant with additional pictures.

Vice-Chairman Kallen asked how long the temporary use of this building would go for. Ms. Miller stated the TUP is valid for 10 years with Three - One-year extensions and the Applicant would then be allowed to come back and apply for another TUP that would allow him another 10 years.

Vice-Chairman Kallen asked the Applicant if he agreed with all the Conditions of Approval.

Mr. Michael stated he was in agreement with all the Conditions of Approval.

MOTION

Motion by Vice-Chairman Kallen, seconded by Commissioner Tinsley, that the Planning Commission move to approve the Temporary Use Permit 2019-002.

1. Find that, pursuant to the California Environmental Quality Act (CEQA), Section 15301, the proposed request is Exempt from further environmental review.
2. Find the facts presented in the staff report support the required Findings for Approval for Temporary Use Permit No. 2019-002.
3. Adopt the Findings as provided in the staff report and Temporary Use Permit No. 2019-002.
4. Direct staff to file the Notice of Exemption.

ROLL CALL VOTE

Yes: Vice-Chairman Kallen
Commissioner Tinsley
Commission Harrison
Commissioner Arias

Noes: None

Abstain: None

Absent: Chairman Lamoreaux

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

4. **Development Code Amendment No. 2019-002.** A request for an amendment to Title 9 "Development Code" of the Town of Apple Valley Municipal Code that will amend Chapters 9.35 "Commercial and Office Districts", and 9.37 "Commercial and Office Districts Design Standards" related to the use of exposed metal.

Vice-Chairman Kallen opened the public hearing at 7:03pm

Carol Miller, Assistant Director of Community Development presented the staff the report as filed with the Planning Division.

Vice-Chairman Kallen stated it was a good idea to make the changes to the Development Code so that projects can be expedited but wanted to know if there could be a certain percentage of metal, then it should come to Planning Commission for approval.

Ms. Miller stated this change would only allow staff approval if metal is only as an architectural feature and if staff did not feel comfortable making an approval, then projects would be referred to the Planning Commission.

Ms. Miller gave examples of existing architectural panels in Town.

Commissioner Harrison was also in agreement, but wanted to make the recommendation to changes the language in section 9.35.120 Pre-Fabricated Structures, section B.7 to read as follows

The use of metal exteriors when staff or the Planning Commission determines, during a project's Development Permit or Conditional Use Permit review, may

include exposed metal when used as an architectural feature or design element which provides a varying material to the buildings design. Metal siding that replicates other material, such as embossed stucco, wood, stone, tile, or replicates the appearance of traditional shiplap or board and batten may also be used. The proposed structure shall also have an appearance emulating and simulating the color, texture and appearance of other structures within the surrounding area or where it can be clearly demonstrated that the proposed structure is an enhancement to the surrounding area. A structure which proposes an exposed metal exterior as the primarily building siding shall require the application to be approved by the Planning Commission. Textured panels may not be corrugated or metal seam.

And Section 9.37.080.F "Architecture" of the Code by amending Subsection "F.2" to read as follows:

New development shall be encouraged to utilize adobe, stucco, smooth plasters, earthen color block, natural stone, wood and terra cotta tile as the dominant building materials in response to the Town's desert environment. The use of metal on the exterior of any portion of a structure may include exposed metal when used as an architectural feature or design element which provides a varying material to the building. Metal siding that replicates other material, such as embossed stucco finish, wood, stone, tile, or replicates the appearance of traditional shiplap or board and batten may be used. The proposed structure shall also have an appearance emulating and simulating the color, texture and appearance of other structures within the surrounding area or where it can be clearly demonstrated that the proposed structure is an enhancement to the surrounding area. A structure which proposes an exposed metal exterior as the primarily building siding shall require the application to be approved by the Planning Commission. Textured panels may not be corrugated or metal seam.

Ms. Miller agreed with Commissioner Harrison's recommendations.

There being no requests to speak, Vice-Chairman Kallen closed the public hearing at 7:16pm.

Commissioner Tinsley asked if staff could keep the Planning Commission in the loop as these types of projects came up since there is new products coming out that simulate metal that they may not be aware of.

MOTION

Motion by Commissioner Arias seconded by Commissioner Harrison, that the Planning Commission move to approve the Development Code Amendment No. 2019-002 as amended.

ROLL CALL VOTE

Yes: Vice-Chairman Kallen
Commissioner Tinsley
Commission Harrison
Commissioner Arias

Noes: None
Abstain: None
Absent: Chairman Lamoreaux
The motion carried by a 4-0-0-1 vote

5. **Specific Plan 2005-001 Amendment No. 7.** An amendment to the North Apple Valley Industrial Specific Plan (NAVISP) Section III "Development Standards and Guidelines" by amending the Pre-Fabricated/Metal Building standards.

Vice-Chairman Kallen opened the public hearing at 7:31pm.

Carol Miller, Assistant Director of Community Development presented the staff the report as filed with the Planning Division.

There being no requests to speak, Vice-Chairman Kallen closed the public hearing at 7:34pm.

MOTION

Motion by Commissioner Arias seconded by Commissioner Tinsley, that the Planning Commission move to approve the Development Code Amendment No. 2019-002 as amended.

ROLL CALL VOTE

Yes: Vice-Chairman Kallen
Commissioner Tinsley
Commission Harrison
Commissioner Arias
Noes: None
Abstain: None
Absent: Chairman Lamoreaux
The motion carried by a 4-0-0-1 vote

OTHER BUSINESS

None.

PLANNING COMMISSION COMMENTS

Commissioner Arias commented on attending the Planning Commission Academy Commissioner Harrison commented on attending the Planning Commission Academy.

Vice-Chairman requested a list of items that will be discussed at the Joint Meeting.

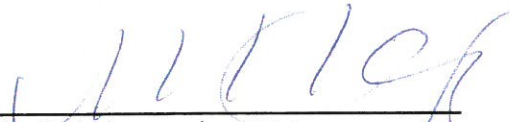
STAFF COMMENTS

Carol Miller, Assistant Director of Community thanked Commissioner that attended the Planning Commission Academy and hoped they found the Academy resourceful.

ADJOURNMENT

Motion by Commissioner Harrison, second by Commissioner Tinsley, unanimously carried, to adjourn the meeting of the Planning Commission at 7:00 p.m. to the its regularly scheduled meeting of April 19, 2019.

Respectfully Submitted by:



Maribel Hernandez
Planning Commission Secretary

Approved by:



Vice-Chairman Bruce Kallen