

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting Wednesday, April 15, 2015

CALL TO ORDER

At 6:02 p.m., the Regular Meeting of the Planning Commission of the Town of Apple Valley for April 15, 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; Haviva Shane, Town Attorney; and Debra Thomas, Planning Commission Secretary.

PLANNING COMMISSION CLOSED SESSION

It was the consensus of the Planning Commission to adjourn to Closed Session at 6:03 p.m. to discuss the following:

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (d) of Section 54956.9; (1 or more cases).

Upon returning from Closed Session at 6:19 p.m., Chairman Kallen reported that there was no reportable action taken.

PLEDGE OF ALLEGIANCE

Commissioner Tinsley led the Pledge of Allegiance.

1. APPROVAL OF MINUTES

Minutes for the Regular Meeting of March 18, 2015.

Motion by Commissioner Tinsley, and seconded by Commissioner Shoup, to approve the Minutes for the Regular Meeting of March 18, 2015.

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. **Sign Program 2015-001 (Continued from March 18, 2015).** A request to approve a Sign Program for a multi-tenant, medical office building.

Applicant: South West Sign Maintenance representing Magnus Windsor, LLC

Location: 16008 Kamana Road; APN 0473-412-18

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

Commissioner Tinsley recused himself from this item and left the dias at 6:22 p.m.

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

Mr. Robert Martinez, Project Architect speaking on behalf of the Applicant, commented on the monument sign design presented to the Planning Commission and believes that the sign is not within the clear-site triangle. Mr. Martinez also urged the Commission to approved a 1:1 sign area ratio per floor for the building. .

PUBLIC COMMENT

None.

Chairman Kallen closed the public hearing at 6:51 p.m.

Discussion ensued by the Planning Commission relating to the overage of wall sign area proposed and that the location of the monument sign, including its digital display, is within the clear-site triangle at Kamana and Apple Valley Roads.

MOTION

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

1. Deny Sign Program No. 2015-001 without prejudice.

ROLL CALL VOTE

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

Noes: None

Abstain: Commissioner Tinsley

Absent: None

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

Commissioner Tinsley returned to the Dias at 7:14 p.m.

3. **Development Code Amendment No. 2015-001.** An amendment to the Development Code, Chapter 9.77 "Wireless Telecommunications Towers and Antennas" as it relates to wireless telecommunication towers and antennas so that it is consistent with Federal Law.

Applicant: Town of Apple Valley

Location: Town-wide

Chairman Kallen opened the public hearing at 7:14 p.m.

Ms. Carol Miller, Principal Planner, asked the Planning Commission to continue the public hearing to the meeting of May 6, 2015, to allow staff additional time to prepare the staff analysis and report.

PUBLIC COMMENT

None.

Chairman Kallen closed the public hearing at 7:15 p.m.

MOTION

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

1. Continue the public hearing for this item to the meeting of May 6, 2015, to allow staff additional time to prepare the staff analysis and report.

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.

PUBLIC COMMENTS

None.

PLANNING COMMISSION COMMENTS

Commissioner Shoup asked why the Planning Commission could not consider the economic or financial aspects of any project in its deliberations and asked whether it was outlined in the Development Code or was guided by California State law.

Ms. Haviva Shane, Town Attorney, advised the Planning Commission that it must make all of its decisions based solely on the Town of Apple Valley's Development Code.

Ms. Carol Miller, Principal Planner, indicated staff would research Commissioner Shoup's question and provide the Planning Commission with a more in-depth explanation.

Chairman Kallen commented on the infill workshop conducted by Ms. Lori Lamson, Assistant Town Manager, saying what a great job she had done.

Chairman Kallen stated he would like to find a way to incorporate consideration of some of the financial aspects of a project. He also wanted to look at the Development Code as it relates to signage.

STAFF COMMENTS

Ms. Carol Miller, Principal Planner, stated that the Planning Commission has items scheduled for the May 6, 2015 Planning Commission meeting. She also informed the Commissioners that the Town Council authorized a General Plan Amendment and Zone Change for a couple of Town-owned properties. In addition, Town Council approved the Sitting Bull Project and the Amendment to the Jess Ranch Lakes RV Resort.

OTHER BUSINESS

4. **Development Code Interpretation No. 2015-01.** A request to interpret the Chapter 9.74 "Signs and Advertising Displays" of the Development Code as it pertains to the use of vinyl lettering as a wall sign.

Ms. Carol Miller, Principal Planner, presented the memorandum as filed by the Planning Division.

It was the consensus of the Planning Commission that vinyl lettering was not considered permanent wall signage.

ADJOURNMENT

Motion by Commissioner Tinsley, seconded by Commissioner Lamoreaux, and unanimously carried to adjourn the meeting of the Planning Commission at 7:27 p.m. to the Regular Meeting on May 6, 2015.

Respectfully Submitted by:



Debra Thomas
Planning Commission Secretary

Approved by:



Chairman Bruce Kallen