

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting Wednesday October 17, 2012

CALL TO ORDER

At 6:05 p.m., the Regular Meeting of the Planning Commission of the Town of Apple Valley for October 17, 2012, was called to order by Chairman Lamoreaux.

ROLL CALL

Planning Commission

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

STAFF PRESENT

Lori Lamson, Community Development Director, Carol Miller, Senior Planner, Douglas Fenn, Senior Planner, Richard Pederson, Deputy Town Engineer, Haviva Shane, Town Attorney and Debra Thomas, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Vice-Chairman Hernandez led the Pledge of Allegiance.

1. APPROVAL OF MINUTES

- A. Minutes for the Regular Meeting of September 19, 2012.

Motion by Vice-Chairman Hernandez, seconded by Commissioner Tinsley, to approve the Minutes for the Regular Meeting of September 19, 2012.

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

PUBLIC HEARING ITEM

2. **Conditional Use Permit No. 2012-003.** A request to develop a single-story, 11,437 square foot church building in an existing single-family residential neighborhood.

Applicant: Mr. Greg Benson for Hi-Desert Church of Christ

Location: The subject side is on the west side of Apple Valley Road and 190 feet south of Powhatan Road; APN 3088-471-02.

Chairman Lamoreaux opened the public hearing at 6:08 p.m.

Mr. Douglas Fenn, Senior Planner, presented the staff report as filed by the Planning Division.

Mr. Fenn informed the Planning Commission that a typographical error was made on Page 2-5 of the Planning Commission agenda and the last sentence should read "compatible with other uses in the area", not "incompatible with other uses in the area".

Commissioner Lamoreaux asked the Applicant, Mr. Greg Benson, for Hi-Desert Church of Christ, if he agrees with the recommended Conditions of Approval presented in the staff report.

Mr. Benson indicated he agreed to the terms therein.

Vice-Chairman Hernandez had a concern with traffic in the area since there would be three (3) churches open at the same time and asked Mr. Richard Pederson, Deputy Town Engineer, if he felt that would be a problem.

Mr. Pederson informed Vice-Chairman Hernandez that there was very little traffic on Apple Valley Road at this location.

Commissioner Lamoreaux wanted to know what time outdoor, special occasion events would be required to end.

Mr. Fenn stated, since no one knew exactly when an outdoor special event would occur, it must cease by 11:00 p.m.

Vice-Chairman Hernandez asked if any letters of complaint to the project were received.

Mr. Fenn stated that the appropriate notices were mailed and no comments were received.

PUBLIC COMMENTS

None.

Chairman Lamoreaux closed the public hearing at 6:15 p.m.

MOTION:

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

1. Find that pursuant to the California environmental Quality Act (CEQA), Section 15332, Class 32, the proposed request is Exempt from further environmental review.
2. Find the facts presented in the staff report support the required Findings for approval of the Conditional Use Permit and adopt those Findings.
3. Approve Conditional Use Permit No. 2012-003 subject to the attached Conditions of Approval.
4. Direct staff to file a Notice of Exemption.

ROLL CALL VOTE:

Ayes: Commissioner Tinsley
Vice-Chairman Hernandez
Chairman Lamoreaux
Noes: None
Abstain: None
Absent: Commissioner Shoup
The motion carried by a 3-0-0-1 vote

- 3. Development Code Amendment No. 2012-02.** A request to consider an Amendment to Title 9 “Development Code” of the Town of Apple Valley Municipal Code amending Sections 9.28.150 “Trash Enclosures” and 9.35.090 “Trash Enclosures”, and establishing Section 9.45.080 “Trash Enclosures” in regard to revising the trash enclosure specifications to accommodate a recycle bin.
Applicant: Town of Apple Valley
Location: Town-Wide

Chairman Lamoreaux opened the public hearing at 6:16 p.m.

Ms. Carol Miller, Senior Planner, presented the staff report as filed by the Planning Division.

Vice-Chairman Hernandez noted on Page 3-3, Section 9.35.090 Paragraph B. Screening of Trash Storage Areas that the last sentence “Gates of trash enclosures shall remain closed at all times except when the enclosure is being accessed for refuse disposal or pickup” had been removed. He would like that language to remain as part of the Development Code Amendment.

PUBLIC COMMENTS

None.

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

MOTION:

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

1. Approve Planning Commission Resolution No. 2012-07, forwarding a recommendation that the Town Council amend Title 9 “Development Code” of the Town of Apple Valley Municipal Code, as outlined within the staff report.
2. Amend Section 9.35.090 Paragraph B., Screening of Trash Storage Areas to include the language “Gates of trash enclosures shall remain closed at all times except when the enclosure is being accessed for refuse disposal or pickup”.

ROLL CALL VOTE:

Ayes: Commissioner Tinsley
Vice-Chairman Hernandez
Chairman Lamoreaux
Noes: None
Abstain: None
Absent: Commissioner Shoup
The motion carried by a 3-0-0-1 vote

PUBLIC COMMENTS

None.

PLANNING COMMISSION COMMENTS

None.

STAFF COMMENTS

None.

OTHER BUSINESS

None.

ADJOURNMENT

Motion by Commissioner Tinsley, seconded by Commissioner Lamoreaux, and unanimously carried to adjourn the meeting of the Planning Commission at 6:21 p.m. to the Regular Meeting on December 5, 2012.

Respectfully Submitted by:

Debra Thomas
Planning Commission Secretary

Approved by:

Chairman