CITY OF APPLE VALLEY
PLANNING COMMISSION MINUTES
JUNE 21, 2017

1. CALL TO ORDER

The City of Apple Valley Planning Commission meeting was called to order by Chair Melander at 7:00 p.m.

Members Present: Tom Melander, Ken Alwin, Tim Burke, Keith Diekmann, Paul Scanlan and David Schindler

Members Absent: Jodi Kurtz

Staff Present: City Attorney Sharon Hills, Community Development Director Bruce Nordquist, City Engineer Brandon Anderson, City Planner Tom Lovelace, Planner Kathy Bodmer and Department Assistant Joan Murphy.

2. APPROVAL OF AGENDA

Chair Melander asked if there were any changes to the agenda. Hearing none he called for a motion.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Alwin, approving the agenda. Ayes - 6 - Nays - 0.

3. CONSENT ITEMS

MOTION: Commissioner Burke moved, seconded by Commissioner Scanlan, approving the minutes of the meeting of May 17, 2017. Ayes - 5 - Nays - 0. Abstained – 1 (Diekmann)

4. PUBLIC HEARINGS

A. Cobblestone Lake 9th Addition – Public hearing to consider planned development ordinance amendment and the replat of eight (8) existing residential lots that will include the adjustment of lot lines. **(PC17-18-SF)**

LOCATION: 15574-15602 Duck Trail Lane
PETITIONER: Essay Holdings, LLC and Stonebay Builders, LLC

Chair Melander opened the public hearing at 7:01 p.m.

City Planner Tom Lovelace stated the applicant is requesting approval of a preliminary plat that will adjust common lot line of eight existing lots of record. The proposed adjustments will involve the moving of four common lot lines approximately five feet, which will create new lots that will vary size from 2,849 sq. ft. to 3,408 sq. ft. and in width from 37 feet to 44 feet. The current planned development ordinance allows for lots within zone 2 that have a minimum area of 2,800 sq. ft. and

width of 40 feet. The lots will meet or exceed the minimum lot area requirements, and four of the eight lots meet the minimum lot width requirement.

Staff is proposing that the planned development ordinance be amended, which would reduce the minimum lot in zone 2 from 40 feet to 34 feet for lots located in Blocks 12 and 13 of the Cobblestone Lake 3rd Addition, the Cobblestone Lake 6th and 9th Additions.

He reviewed the public utilities and the landscaping plans.

Commissioner Scanlan asked for confirmation that they are only looking at the reconfiguration of the lots and not the elevations and landscape plans.

Mr. Lovelace answered that is correct and what is before the Commission tonight is the zoning amendment to allow for the reduction in the lot widths and the preliminary plat.

Commissioner Scanlan said he has concerns for other items that need to be addressed outside of the Planning Commission and did not want it misunderstood what was before them tonight.

Mr. Lovelace said that review process is between the association and the builder.

Chair Melander clarified that the City has nothing to do with the association and all their rules.

Tom Osfar, Stonebay Builders, LLC, commented that they would take what was there originally and improve it a little.

Chair Melander closed the public hearing at 7:19 p.m.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Burke, recommending approval of reduction of minimum lot width within Zone 2 of Planned Development No. 703 from 40 feet to 34 feet for lots located in Blocks 12 and 13 of the Cobblestone Lake 3rd Addition, the Cobblestone Lake 6th and 9th Additions. Ayes - 6 - Nays - 0.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Burke, recommending approval of the Cobblestone Lake 9th Addition preliminary plat. Ayes - 6 - Nays - 0.

B. Cobblestone Lake South Shore 9th Addition – Public hearing to consider replat of Outlot A, Cobblestone Lake South Shore 4th Addition into two lots for the purpose of future construction of a 7,500-sq. ft. retail building on a 1.15-acre lot. **(PC17-19-SF)**

LOCATION: Southeast corner of 157th Street West and Emperor Avenue
PETITIONER: South Shore Development, Inc. and Hempel Companies

Chair Melander opened the public hearing at 7:20 p.m.

City Planner Tom Lovelace stated the applicant is proposing to subdivide the existing outlot into two lots. Lot 1 will be 1.97 acres and 197.5 feet wide and Lot 2 will be .82 acres with a lot width of 137.53 feet. Both lots exceed the minimum lot area and lot width requirements.

The site plan shows a single driveway off Emperor Avenue that will provide access to the two lots. The driveway will be centered on the common lot line of the two proposed lots. The proposed driveway and parking layout will require a cross access and parking easement that will need to be recorded with the final plat. The proposed driveway is insufficiently offset from the driveways to the properties along the west side of Emperor Avenue. Shifting the driveway north to align with the Apple Valley Municipal Liquor store driveway may be problematic, as it will be located adjacent to the beginning of the right turn /thru lane. Moving the driveway south to align with the Think Bank driveway may be the better alternative.

He reviewed sanitary sewer, watermain connections and storm sewer designs. The utility plan does not show any infiltration areas. City code requires on-site infiltration of the first one-half inch of storm water resulting from any rainfall event.

The planned development ordinance calls for sidewalks into and throughout commercial areas, between buildings and across parking areas where appropriate. Sidewalks will need to be installed along the east side of Emperor Avenue and north side of 158th Street West. Internal sidewalk connections from sidewalks along those streets as well as between the two lots should be made as part of any development on the two lots.

Commissioner Scanlan asked for a brief history of what the intent was for these lots.

Mr. Lovelace answered that the land was always guided for mixed use and had no other intent but a variety of uses upon whatever the zoning was allowed. He said it was previously platted as an outlot.

Commissioner Scanlan expressed concern for additional retail in the Cobblestone Lake area. He said what everybody is asking for is an upscale restaurant to support the community and the surrounding residential areas. He said he does not believe more retail is the answer here.

Chair Melander commented if it meets the zoning we respond. It is not our job to direct development.

Commissioner Scanlan commented on the retail area to the north that he was disappointed in terms of the landscaping from what was shown and what was planted in the past. He said this is the same developer. There is no comparison. In ten years it will not grow into anything that is current in Cobblestone Lake. He has some real concerns with the project.

Mr. Lovelace said the building to the north is not completed and there has not been a final inspection on it yet. If they are deficient in any landscaping that was included in their approved landscape plan then they will be required to install that.

Chair Melander closed the public hearing at 7:33 p.m.

5. LAND USE/ACTION ITEMS

A. Zvago Apple Valley/Village Pointe Plaza – Consider amendments to PD-739, subdivision by preliminary plat, and site plan review/building permit authorization for construction of a 58-unit senior cooperative building. **(PC16-30-ZB)**

LOCATION: Southwest corner of Galaxie Avenue and 153rd Street West
PETITIONER: OneTwoOne Development and City of Apple Valley

Planner Kathy Bodmer stated the petitioner, OneTwoOne Development, requests consideration of amendments to PD-739, subdivision by preliminary plat, and site plan review/building permit authorization for construction of a 58-unit senior cooperative building on the southwest corner of Galaxie Avenue and 153rd Street (commonly referred to as the "Triangle Property") at 7070 — 153rd St. W. The property is located within PD-739 which implements the vision of the Central Village Plan. The zoning performance standards are intended to create an integrated mixed use development in a compact, pedestrian-friendly form adjacent to the City's existing downtown.

The Central Village Design Guidelines were adopted December 8, 2003 and since that time, several different proposals have been reviewed for this parcel. The property is located within Zone 2 of the PD zoning district which allows multiple family development, but requires office and commercial uses to be included in the building. The proposed development would include multiple family development, but no commercial uses are proposed to be included in the residential building. The petitioner seeks an amendment to Zone 2 that would allow mixed-use in a horizontal, not vertical form.

The overall development plan shows that Zvago Apple Valley, a 58-unit senior cooperative building, would be located on the west side of the development site abutting the Founders Lane round-about. Pads are shown on the east side of the site abutting Galaxie Avenue for construction of 18,410 sq. ft. of single story retail and a 5,850 sq. ft. single story office building. The fact that the property to the east is being platted as an outlot suggests that the commercial development will occur in the future.

The petitioner modified the plans since the time of the public hearing by reducing the height of the office building to a single-story structure. The Planned Development requires a two-story appearance for one-story buildings. The corner of Galaxie Avenue and 153rd Street is a signature corner that will need to have mass and prominence that matches the Galante building to the northeast and the Shops on Galaxie to the east.

The City of Apple Valley was awarded a Livable Communities Demonstration Account grant of $1,148,639 to assist with the purchase of the property. The funding will help to incentivize a denser development form than is typically seen in Apple Valley. One of the conditions of the grant is that the development must include residential and commercial development and both projects must commence prior to December 31, 2017.

The preliminary plat shows the property is to be subdivided into two parcels. The location of the lot line is odd because it essentially cuts off the west side of the parking lot. The proposal is to create a lot for the senior cooperative and an outlot for the future commercial development. The petitioner states that all of the parking will be shared and cross-parking and cross-access easement will be executed between the senior coop building and the commercial lot.

Tim Nichols, OneTwoOne Development, provided additional information.

Discussion followed.

MOTION: Commissioner Burke moved, seconded by Commissioner Diekmann recommending approval of amendments to PD-739, Zone 2, subject to execution of an amended planned development agreement, for the following:

a. To allow horizontal mixed-use on a planned block rather than requiring the mixed uses within a building.
b. To allow reduced parking requirements for senior developments at a rate of 1.0 spaces unit.

Ayes - 6 - Nays - 0.

MOTION: Commissioner Burke moved, seconded by Commissioner Diekmann recommending approval of the preliminary plat of Village Pointe Plaza, subject to compliance with all City Codes and the following conditions:

a. A minimum 10' drainage and utility easement shall be dedicated adjacent to 153rd Street West, Founders Lane and the Founders Lane round -about rights-of-way in accordance with the City's subdivision ordinance.
b. A cash-in-lieu of land parkland dedication shall be required in accordance with the City's dedication formula in the subdivision ordinance.
c. A cross -access and cross -parking agreement shall be executed between the senior cooperative and Outlot A and filed with the two property deeds at the time of filing of the final plat.
d. A License to Encroach Agreement shall be executed for the removable metal stairs that encroach into City's drainage and utility easements.

Ayes - 6 - Nays - 0.

MOTION: Commissioner Burke moved, seconded by Commissioner Diekmann recommending approval of the site plan and give building permit authorization to construct a 58-unit senior cooperative subject to compliance with all City Codes and the following conditions:

a. The owner shall submit a nursery bid list at the time of building permit application that confirms that the landscape materials meet or exceed 2 ½% of the value of the construction of the building based on Means Construction Data. Landscape materials may include plant materials, underground irrigation systems, public art, fountains, decorative paving, and other outdoor common

area elements that create an enhanced sense of place and fosters positive social interactions.

b. The civil construction plans submitted at the time of application of the building
c. A lighting plan shall be submitted at time of building permit subject to review and approval of the Planner.
d. A hauling and staging plan shall be submitted at time of Natural Resources Management Permit (NRMP) application subject to review and approval of the City Engineer.

Ayes - 6 - Nays - 0.

6. OTHER BUSINESS

A. 2040 Comprehensive Plan Update

Cindy Gray, SRF Consulting, provided information on the 2040 Comprehensive Plan

Discussion followed.

B. Review of upcoming schedule and other updates.

Community Development Director Bruce Nordquist stated that the next Planning Commission meeting would take place Wednesday, July 19, 2017, at 7:00 p.m.

7. ADJOURNMENT

Hearing no further comments from the Planning Staff or Planning Commission, Chair Melander asked for a motion to adjourn.

MOTION: Commissioner Schindler moved, seconded by Commissioner Diekmann to adjourn the meeting at 9:29 p.m. Ayes - 6 - Nays - 0.

Respectfully Submitted,

/s/ Joan Murphy
Joan Murphy, Planning Department Assistant

Approved by the Apple Valley Planning Commission on _____.

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Tom Melander, Chair