CITY OF APPLE VALLEY
PLANNING COMMISSION MINUTES
DECEMBER 6, 2017

1. CALL TO ORDER

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

Members Present: Ken Alwin, Tim Burke, Keith Diekmann, Jodi Kurtz and Paul Scanlan.

Members Absent: Tom Melander and David Schindler.

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

2. APPROVAL OF AGENDA

Vice-Chair Burke asked if there were any changes to the agenda.

MOTION: Commissioner Alwin moved, seconded by Commissioner Diekmann, approving the agenda. Ayes - 5 - Nays - 0.

3. CONSENT ITEMS

MOTION: Commissioner Alwin moved, seconded by Commissioner Scanlan, approving the minutes of the meeting of November 1, 2017. Ayes - 5 - Nays - 0.

MOTION: Commissioner Alwin moved, seconded by Commissioner Scanlan, approving the 2018 Planning Commission regular meeting schedule. Ayes - 5 - Nays - 0.

MOTION: Commissioner Alwin moved, seconded by Commissioner Scanlan, approving January 10, 2018, as a Planning Commission informal meeting work session for the 2040 Comprehensive Plan. Ayes - 5 - Nays - 0.

MOTION: Commissioner Alwin moved, seconded by Commissioner Scanlan, recommending approval of a variance to increase the maximum size of a detached accessory building from 750 sq. ft. to 957 sq. ft. subject to compliance with all City Codes, the conditions of Resolutions No. 2013-13 and 2015-107, and the following additional conditions:

1. The exterior of the garage shall be constructed of materials that are compatible with the exterior of the home.
2. A natural resources management permit (NRMP) shall be obtained prior to any tree removal or site-disturbing activity.
3. The driveway to the new garage shall be paved if the garage is used for storage of motorized vehicles.

4. The variance shall be valid for two (2) years from the date of approval.

Ayes - 5 - Nays - 0.

MOTION: Commissioner Alwin moved, seconded by Commissioner Scanlan, approving setting a public hearing for January 17, 2018, at 7:00 p.m. to consider ordinance amendments to Chapter 155 related to small cell wireless facilities in the City. Ayes - 5 - Nays - 0.

4. PUBLIC HEARINGS

None

5. LAND USE/ACTION ITEMS

A. Bigos Kelley Park Phase III - PCI7-16-Z B

Planner Kathy Bodmer stated Bigos Management requests amendments to the planned development zoning district, PD-739, to allow construction of a 61-unit apartment building on Block 9 and 114-unit apartment building on Block 10, Legacy of Apple Valley North. The subject properties are located on the northeast and northwest corners of 153rd Street and Fresco Terrace, south of Kelley Park.

The Bigos Kelley Park development was reviewed at the Planning Commission's October 18, 2017 and November 1, 2017, meetings. At the November 1, 2017, meeting, the petitioners provided responses to the issues identified at the public hearing. The last step was to create a draft ordinance that incorporates the features of the new plans. The draft ordinance is attached for the Planning Commission's review.

Ms. Bodmer provided a background of each building including amenities, landscaping and parking.

Discussion followed.

MOTION: Commissioner Alwin moved, seconded by Commissioner Diekmann, recommending approval of a draft ordinance amending PD-739 related to setbacks, parking stall dimensions, number of parking stalls and exterior building materials, subject to execution of a development agreement and planned development agreement and the following conditions:

1. Park dedication shall be a cash-in-lieu of land dedication.
2. A license to encroach agreement shall be executed for the private improvements that encroach into City drainage and utility easements.
3. A Private Installation and Maintenance Agreement shall be executed for the long-term maintenance and functioning of private storm water retention/infiltration basins and structures.

4. The City Engineer shall determine whether a public or private project will be used to remove, relocate and/or reconstruct existing public services on the sites. A Private Installation Agreement shall be executed for any private work conducted on public infrastructure.
5. Drainage and utility easements shall be dedicated for the relocated storm water infiltration basins, subject to final approval of location by the City Engineer.
6. A restricted Access Easement shall be dedicated along Foliage Avenue.

Ayes - 5 - Nays - 0.

MOTION: Commissioner Alwin moved, seconded by Commissioner Diekmann, recommending approval of Site Plan/Building Permit Authorization for a 61-unit apartment building on Block 9 and a 114-unit building on Block 10, subject to compliance with all City Codes, and the following conditions:

1. Site plan/building permit authorization is subject to the approval of amendments to PD -739 and execution of a Planned Development Agreement.
2. Site plan/building permit authorization for Lots 1 and 2, Block 10, is subject to approval of a final plat to combine the two lots into a single lot.
3. Site plan/building permit authorization is subject to approval of vacation of existing drainage and utility easements and dedication of new easements on Blocks 9 and 10, The Legacy of Apple Valley North, as approved by the City.
4. A lighting plan shall be submitted at the time of application of the Building Permit subject to review and approval by the Planner.
5. No sign approval is given at this time. A separate sign permit must be obtained prior to the installation of any signs on the site.
6. The owner shall submit a nursery bid list at the time of application of the building permit that confirms the value of the landscape plantings meet or exceed 2-1/2% of the value of construction of the building based on Means Construction Data. Landscape material 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 foster positive social interaction.
7. Minor modifications to the site plan may be required as a result of the findings of the Traffic Impact Study, subject to final review and approval by the City Council.
8. Minor modifications to the site plan may be required to address the outstanding storm water management issues, subject to final review and approval by the City Council.
9. The plans shall be revised to address the issues identified in the City Engineer's November 29, 2017, memo.
10. The plans shall be revised to address the issues identified in the Building Inspector's August 28, 2017, memo.

Ayes - 5 - Nays - 0.

B. Greenleaf Elementary Site Improvements - PC17-34-BF

Planner Kathy Bodmer reviewed the request by ISD 196 for consideration of Site Plan Review approval for exterior site improvements at Greenleaf Elementary School located at 13333 Galaxie Ave. The Greenleaf improvement project will be comprised of two phases with Phase 1 consisting of a 3,200 sq. ft. building addition and Phase 2 consisting of the exterior site work. Limited site work will occur in Phase 1 to prepare the site for the building addition.

Site work at Greenleaf Elementary will be done to improve internal site circulation by separating parent traffic from bus traffic. The Phase 2 site work will include removing a driveway on the north side of the site and shifting the new access further north so that it aligns with 133rd Street W. The new northern drive access will be 460' feet long and provide for stacking of parent vehicles on the north side of the site.

Discussion followed.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Scanlan, recommending approval of the Site Plan for driveway modifications and parking lot improvements, subject to compliance with all City codes and the following conditions:

1. The civil plans including grading, drainage, utilities and storm water management are subject to final review and approval of the City Engineer; release of the Natural Resources Management Permit (NRNP) financial guarantee is subject to compliance with the final approved plans.
2. The landscape plan, including infiltration basin plantings, are subject to final review and approval by the Natural Resources Coordinator.
3. A nursery bid list shall be submitted that confirms that the value of the landscape plantings meets or exceeds 2-1/2% of the value of the construction of the building based on Means Construction Data; release of the NRMP financial guarantee is subject to compliance with the 2-1/2% value requirement.
4. The petitioner shall execute an Infiltration Maintenance Agreement to ensure the long- term maintenance of the underground storm water infiltration structures prior to release of the NRMP financial guarantee.

Ayes - 5 - Nays - 0.

6. OTHER BUSINESS

A. Review of upcoming schedule and other updates.

Community Development Director Bruce Nordquist stated that the next regular Planning Commission meeting would take place Wednesday, December 20, 2017, at 7:00 p.m. He added that the City Council requests a joint meeting with the Planning Commission to discuss the 2040 Comprehensive Plan.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Kurtz, approving setting a special meeting for January 23, 2018, at 6:00 p.m. to discuss the 2040 Comprehensive Plan at a joint meeting with the City Council. Ayes - 5 - Nays - 0.

7. ADJOURNMENT

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

MOTION: Commissioner Alwin moved, seconded by Commissioner Diekmann to adjourn the meeting at 7:32 p.m. Ayes - 5 - Nays - 0.

Respectfully Submitted,

/s/ Joan Murphy
Joan Murphy, Planning Department Assistant

Approved by the Apple Valley Planning Commission
on _____.

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Tim Burke, Vice-Chair