CITY OF APPLE VALLEY
PLANNING COMMISSION MINUTES
MAY 2, 2018

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, Civil Engineer Ahmed Omer, Community Development Director Bruce Nordquist, City Planner Tom Lovelace, Planner/Economic Development Specialist Alex Sharpe and Department Assistant Joan Murphy.

2. APPROVAL OF AGENDA

Chair Melander asked if there were any changes to the agenda.

Community Development Director Bruce Nordquist introduced Civil Engineer Ahmed Omer.

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

3. CONSENT ITEMS

MOTION: Commissioner Schindler moved, seconded by Commissioner Alwin, approving the minutes of the meeting of April 18, 2018. Ayes - 5 - Nays - 0. Abstained – 1 (Scanlan)

MOTION: Commissioner Schindler moved, seconded by Commissioner Alwin, adopting **Resolution No. 2018-02** finding that the disposition of City-owned property in Lakeville is consistent with the 2030 Comprehensive Plan. Ayes - 6 - Nays - 0.

4. PUBLIC HEARINGS

- NONE -

5. LAND USE/ACTION ITEMS

A. AmericInn & Old Chicago Sign Variance – PC18-08-V

Planner/Economic Development Specialist Alex Sharpe stated this item was previously reviewed by the Planning Commission and approved on April 4, 2018. Since that review, the site plan has been amended due to the proposed sign being placed over a private sewer utility line.

The new site plan requires a 3' variance. Staff is recommending up to a 6' variance to allow the applicant to locate an area that will not conflict with private utilities. A 6' variance is consistent with the previously approved proposal, but the location of the approved site plan placed the sign on a private sewer line. A condition of approval is for all private utilities to be located. When this is completed the applicant will need to find a suitable location within the 6' variance for the sign.

The proposed sign is 18.32 sq. ft. and is 6' 10" tall. The applicant is seeking this sign to allow customers better recognition of the shared entrance driveway to the Americlnn and Old Chicago. A 10' drainage and utility easement runs along the front property line, which the sign is proposed to encroach into. Ground signs are required to have a 13' setback from any property line, but in this case that would place the sign in the parking lot, or too far from the entrance driveway to provide direction to customers.

A variance to allow off-premise signage is required due to the applicant's desire to share the sign between Americlnn and Old Chicago. City Code does not allow for off premise signage except when in a shopping center, which this development does not qualify as.

A common signage plan between these two sites was previously approved that allowed two free standing signs on the Americlnn parcel, one along Cedar Ave, and one along CSAR 42. City Code only allows one ground sign per lot, and as such, staff is recommending that one of the existing signs be removed to allow installation of this sign without an additional variance. Staff has been in discussion with the applicant about this and they have stated that they are comfortable with this condition.

As the sign is proposed closer to Glazier Ave than permitted, staff has evaluated whether the sign would impede with site-lines for drivers. Previously, the applicant had proposed the sign be closer to the roadway, but in discussion with staff, moved it further back to allow greater visibility.

MOTION: Commissioner Alwin moved, seconded by Commissioner Burke, recommending approval of a sign variance with the following conditions:

1. The variance shall be applicable to the property legally identified as Lot 1, Block 1, Apple Valley Commercial Addition.
2. If the sign permit fee is not paid and not issued or within one (1) year of the date of approval, the variance approval shall lapse.
3. Prior to issuance of the sign permit, the petitioner shall record the variance with Dakota County and provide evidence to the City.
4. Prior to issuance of the sign permit, the petitioner shall enter into an encroachment agreement for placement of the sign within the drainage and utility easement.
5. The approved common Signage Plan permits two signs, prior to installation of this sign one of the existing signs shall be removed.
6. A private utility locate shall be completed and a site plan or survey depicting the located private utilities and proposed sign location shall be submitted with

the sign permit application. No sign permit will be issued unless and until a private utility locate is completed and the site plan/survey is provided to the City.

7. Installation shall be generally consistent with the sign plan dated 4-16-18.

Ayes - 6 - 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, May 16, 2018, 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 Burke moved, seconded by Commissioner Scanlan to adjourn the meeting at 7:09 p.m. Ayes - 6 - Nays - 0.

Respectfully Submitted,

/s/ Joan Murphy
Joan Murphy, Planning Department Assistant
Approved by the Apple Valley Planning Commission
on _____.

_____
Tom Melander, Chair