

CITY OF APPLE VALLEY  
PLANNING COMMISSION MINUTES  
APRIL 16, 2014

**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, Keith Diekmann, Paul Scanlan, David Schindler and Brian Wasserman.

Members Absent: Tim Burke

Staff Present: City Attorney Sharon Hills, Community Development Director Bruce Nordquist, Planner Kathy Bodmer, Planner Margaret Dykes, Assistant City Engineer David Bennett 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 Alwin moved, seconded by Commissioner Diekmann, approving the agenda. Ayes - 6 - Nays - 0.

**3. APPROVAL OF MINUTES APRIL 2, 2014.**

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

MOTION: Commissioner Schindler moved, seconded by Commissioner Wasserman, approving the minutes of the meeting of April 2, 2014. Ayes - 4 - Nays - 0. Abstained - 2 - Alwin and Diekmann.

**4. CONSENT ITEMS**

--NONE--

**5. PUBLIC HEARINGS**

**A. Chapter 153 Amendments** – Hold public hearing to consider Amendments to Chapter 153 (Subdivision), related to Council waivers, minor subdivisions, and other items for purposes of clean-up and clarification, by City of Apple Valley. **(PC14-09-O)**

Chair Melander opened the public hearing at 7:02 p.m.

Planner Kathy Bodmer stated staff reviewed Chapter 153 (Subdivision) of the City Code and found several sections that require editing for purposes of clarification and/or consistency with State law. A draft ordinance had been prepared to address minor edits that are considered housekeeping in nature. She summarized the sections of the subdivision chapter that staff proposes to amend.

The following minor amendments were proposed:

1. Delete Council Waiver Provisions
2. Replace Term "Bulk"
3. Update/Clarify Section Regarding Recorded Plats Not Meeting Dimensional Requirements
4. Delete "Minor Subdivisions" Provisions
5. Insert Term "Subdivision" Related to Preliminary Plat and Public Hearings
6. Remove requirement for Planning Commission Chair and Secretary to sign Final Plats

Discussion followed.

Chair Melander closed the public hearing at 7:10 p.m.

**MOTION:** Commissioner Diekmann moved, seconded by Commissioner Alwin recommending approval of the draft ordinance amending Chapter 153 (Subdivision) for the purposes of consistency with State Law. Ayes - 6 - Nays - 0.

**B. Chapter 155 Amendments** – Hold public hearing to consider Amendments to Chapter 155 (Zoning) related to number of Council votes required for rezoning, window wells, front decks with railing, and rooftop mechanical unit setback, by City of Apple Valley. **(PC14-08-Z)**

Chair Melander opened the public hearing at 7:12 p.m.

Planner Kathy Bodmer stated four minor amendments are proposed that are considered housekeeping in nature. The proposed amendments included the following:

1. Revise the number of City Council votes required for rezoning and zoning amendments
2. Window well encroachments
3. Allow decks, stoops and uncovered porches with railings in the front yard
4. Remove rooftop mechanical unit setbacks

She stated staff reviewed Chapter 155 (Zoning) of the City Code and found several sections that require editing for purposes of clarification and/or consistency with State law. A draft ordinance had been prepared to address four minor edits that are considered housekeeping in nature. She summarized the sections of the zoning chapter that staff proposed to amend.

Discussion followed.

Chair Melander closed the public hearing at 7:37 p.m.

## **6. LAND USE/ACTION ITEMS**

**A. Chapter 154 Amendments** – Consider amendments to Chapter 154 (Signs Regulations) to allow for and regulate tenant signage on area identification signs for commercial, industrial, and business park zones, by Spowd Developments, LLC. **(PC14-07-O)**

Planner Margaret Dykes stated Area Identification Signs are used to identify the names of business or industrial complexes; the code does not allow individual businesses or tenants of the complex to be identified on Area Identification Signs. Spowd Developments, LLC, the property owner of Apple Valley Business Campus, generally located northeast of 147th Street W. and Flagstaff Avenue, has requested an amendment to the sign code to allow for and regulate tenant signage on Area Identification Signs for non-retail commercial (i.e. office), industrial, and business park zones. The requested amendment would allow individual tenants to be identified on Area Identification Signs. Dog Day Getaway, a business located in Apple Valley Business Campus, is representing the owner.

Chapter 154 currently allows commercial or industrial complexes consisting of two or more businesses to have up to two Area Identification Signs (AI Signs) to identify the name of the complex. The Code does not allow individual tenants or businesses to be listed on the AI Signs, only the name of the complex.

Due to the recent development of the Apple Valley Business Campus, and the future development of the Mixed Business Campus, staff believes a code amendment allowing business identification on AI Signs could be useful. Staff and the City Attorney have drafted a sign code amendment that would allow the identification of businesses on AI Signs, but limit these signs in terms of number, size and placement to ensure that there is not a proliferation of signs creating clutter.

Discussion followed.

**MOTION:** Commissioner Diekmann moved, seconded by Commissioner Alwin recommending approval of the draft ordinance amending Chapter 154 of the Code of Ordinances pertaining to Area Identification Signs with recommended changes. Ayes - 6 - Nays - 0.

## **7. OTHER BUSINESS**

**A. Review of upcoming schedule and other updates.**

Community Development Director Bruce Nordquist stated that the next Planning Commission meeting would take place Wednesday, May 7, 2014, at 7:00 p.m.

## **8. 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 8:26 p.m. Ayes - 6 - Nays - 0.

Respectfully Submitted,

/s/ Joan Murphy  
Joan Murphy, Planning Department Assistant

Approved by the Apple Valley Planning Commission on 5/7/14.