

CITY OF APPLE VALLEY
PLANNING COMMISSION MINUTES
DECEMBER 3, 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, Tim Burke and Paul Scanlan.

Members Absent: Keith Diekmann, David Schindler and Brian Wasserman.

Staff Present: City Attorney Sharon Hills, City Planner Tom Lovelace, 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.

MOTION: Commissioner Burke moved, seconded by Commissioner Alwin, approving the agenda. Ayes - 4 - Nays - 0.

3. APPROVAL OF MINUTES NOVEMBER 5, 2014.

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

MOTION: Commissioner Burke moved, seconded by Commissioner Scanlan, approving the minutes of the meeting of November 5, 2014. Ayes - 3 - Nays – 0. Abstain – 1 (Melander)

4. CONSENT ITEMS

--NONE--

5. PUBLIC HEARINGS

--NONE--

6. LAND USE/ACTION ITEMS

A. Springs at Apple Valley Apartments – Consideration of a proposed amendment to the 2030 Land Use Map from “C” (Commercial) to “HD” (High Density Residential/+12 units per acre), rezoning and zoning code amendments, and site plan/building permit authorization to allow for 14-building/280-unit apartment complex on 20 acres. **(PC14-40-PZSB)**

LOCATION: Northwest corner of 147th Street West and Flagstaff Avenue

PETITIONER: Continental 313 Fund LLC

City Planner Tom Lovelace stated the request is for:

1. Amendment to the 2030 Comprehensive Plan Land Use Map re-designating Outlot B, FISCHER MARKET PLACE from "C" (Commercial) to "HD" (High Density Residential/12+ units per acre).
2. Rezoning of Outlot B, WENSMANN 13TH ADDITION from "Planned Development 746/zone 1" and Outlot B, FISCHER MARKET PLACE from "Planned Development 646/zone 3" to "Planned Development 746/zone 3", which allow apartments as a permitted use, and shall establish special area requirements and performance standards for the new zone.
3. Subdivision of land by preliminary plat that will combine two existing outlots into one lot.
4. Site plan/building permit authorization to allow for construction a 280-unit apartment project on 20 acres, located between 145th and 147th Streets West, and Foliage and Flagstaff Avenues.

Outlot B, FISCHER MARKET PLACE is currently guided "C" (Commercial). The proposed development is not consistent with the current designation and a re-designation of the outlot to "HD" (High Density Residential/12+ units per acre) would be required. There is currently 562 acres of property designated for commercial uses and 245 acres for high-density residential uses. The two outlots are located in two planned development zoning districts. Outlot B, WENSMANN 13TH ADDITION is located in "PD-746/zone 1". This planned development zone allows for townhomes and condominiums as permitted uses at a maximum density of 16 units per acre. Apartments are not allowed.

Outlot B, FISCHER MARKET PLACE is located in "PD-646/zone 3". This planned development zone allows for a variety of general business and some limited retail uses. Again, apartments are not allowed. The property would need to be rezoned. Staff is suggesting that all the property be rezoned to "PD-746" and that a new subzone be created for apartment buildings. This new subzone would include area requirements and performance standards applicable to apartment development. The subject properties are currently platted as outlots. The applicant is proposing a replat of the two outlots into one lot.

The plans show 168 detached and 112 attached garage spaces, and 412 surface parking spaces, which calculate into 2.47 spaces per unit, which is slightly below the minimum required 2.5 spaces per unit.

Access to the development would be via one driveway located along the east side of Foliage Avenue. Two emergency accesses are proposed, with one located at the end of Flycatcher Lane, a private street and the other off 145th Street West. The site would be completely fenced and all accesses would have security gates. Staff expressed their concern about providing only one access in and out for its residents. It had been suggested that the development provide an exit only access for residents along 145th Street West. The applicant had not indicated if the 145th Street access would be accessible by the residents.

Development of the subject property would include the removal of the temporary cul-de-sac at the east end of Flycatcher Lane. The loss of the cul-de-sac turnaround would affect the ability of emergency vehicles to turn around at the end of that private street. It has been suggested that an emergency access gate be installed at the end of Flycatcher Lane that would be used by emergency vehicles as an exit only from the Midtown development. If that does not happen, an alternative turnaround would need to be installed on the Midtown property.

He commented that Fire staff has a concern about the location of the emergency access gate along 145th Street West, and had requested that it be set back 30 feet from the 145th Street curb line. The site plan shows buildings being set back 28 to 56 feet from the property lines abutting the public streets. He reviewed setbacks, pedestrian access plans and the proposed trash enclosure plans.

He stated that the Fire Marschall has also reviewed the utility plan and requested that additional hydrants be installed near the southeast corner of Building 4 and northwest corner of Building 8.

Discussion followed.

MOTION: Commissioner Alwin moved, seconded by Commissioner Burke recommending approval of the amendment to the 2030 Comprehensive Plan Land Use Map to re-designate Outlot B, FISCHER MARKET PLACE from "C" (Commercial) to "HD" (High Density Residential/12+ units per acre). Ayes - 4 - Nays - 0.

MOTION: Commissioner Alwin moved, seconded by Commissioner Burke recommending approval of the zoning of Outlot B, WENSMANN 13TH ADDITION from "Planned Development 746/zone 1" and Outlot B, FISCHER MARKET PLACE from "Planned Development 646/zone 3" to "Planned Development 746/zone 3". Ayes - 4 - Nays - 0.

MOTION: Commissioner Alwin moved, seconded by Commissioner Burke recommending approval of the SPRINGS AT APPLE VALLEY preliminary plat, subject to the following conditions:

- The plat shall be configured to have one (1) lot and zero (0) outlots.
- A ten-foot drainage and utility easement shall be dedicated along Flagstaff Avenue.
- A ten-foot right-of-way easement shall be dedicated over the existing drainage and utility easements for 50 feet in each direction from the intersection of Flagstaff Avenue and 147th Street.
- A drainage and utility easement shall be dedicated over any portion of the existing sanitary sewer line along the north side of 147th that is outside of existing easement.

Ayes - 4 - Nays - 0.

MOTION: Commissioner Alwin moved, seconded by Commissioner Burke recommending approval of the site plan/building permit authorization to allow for construction of a

280-unit apartment project on Lot 1, Block 1, SPRINGS AT APPLE VALLEY, according to the preliminary plat, subject to the following:

- The minimum required parking shall be allowed at a rate of one (1) garage space and 1.47 guest/tenant parking spaces per unit.
- The emergency access gate along 145th Street West shall be set back a minimum of 30 feet from the street curb line.
- The trash enclosure shall be constructed of 100% masonry materials similar to the masonry materials used on the apartment buildings and garages.
- Buildings shall meet all setbacks currently in place in Planned Development No. 746.
- Revisions shall be made to the grading and utility plans in accordance with the City Engineer's recommendations as stated in his memo, dated October 29, 2014.
- Hydrants shall be added in accordance with the City Fire Marshal's recommendation.
- Landscaping shall be added to the area adjacent to the east of the most easterly surface parking spaces located between Buildings 6 and 12 and to the west of the surface parking area in front of the clubhouse.
- Future potential trash enclosure sites shall be identified on the site plan to the satisfaction of the City.
- Additional sidewalk connections shall be made from the private sidewalks within the development to the adjacent public sidewalks in locations identified in this staff report.

Ayes - 4 - Nays - 0.

7. OTHER BUSINESS

A. Approve 2015 Planning Commission Calendar

City Planner Tom Lovelace presented the 2015 meeting calendar and application deadlines.

MOTION: Commissioner Scanlan moved, seconded by Commissioner Burke, to approve the 2015 Planning Commission Calendar. Ayes - 4 - Nays - 0.

B. Review of upcoming schedule and other updates.

City Planner Tom Lovelace stated that the next Planning Commission meeting would take place Wednesday, December 17, 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 Alwin moved, seconded by Commissioner Burke to adjourn the meeting at 8:08 p.m. Ayes - 4 - Nays - 0.

Respectfully Submitted,

/s/ Joan Murphy
Joan Murphy, Planning Department Assistant

Approved by the Apple Valley Planning Commission on 12/17/14.