

CITY OF APPLE VALLEY
PLANNING COMMISSION MINUTES
FEBRUARY 18, 2015

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, Paul Scanlan and David Schindler.

Members Absent: Tom Melander

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

2. APPROVAL OF AGENDA

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

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

3. APPROVAL OF MINUTES FEBRUARY 4, 2015.

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

MOTION: Commissioner Diekmann moved, seconded by Commissioner Scanlan, approving the minutes of the meeting of February 4, 2015. Ayes - 4 - Nays - 0.

Commissioner Schindler arrived at 7:01 p.m.

4. CONSENT ITEMS

--NONE--

5. PUBLIC HEARINGS

A. Primrose School of Apple Valley – Public Hearing request for rezoning and zoning amendments, subdivision, and site plan permit authorization to allow for construction of a 11,700-sq. ft. day care facility on 1.65-acre lot. **(PC15-03-ZSB)**

LOCATION: Northeast corner of Pilot Knob Road and 155th Street West

PETITIONER: Primrose School Franchising Company

City Planner Tom Lovelace stated the applicant is proposing to rezone the property to allow for the development of a day care facility on the east 1.65 acre of an existing outlot. This would require the creation of a new subzone in "PD-856" and the preparation of ordinance amendments that identify uses, area requirements, and performance standards for the future subzone.

The applicant is proposing to subdivide the existing Outlot B, APPLE VALLEY EAST FAMILY 2ND ADDITION into a 1.65-acre lot, with the remaining 3.8 acres platted as an outlot. All existing easements would remain dedicated with this replat. A ten-foot drainage and utility easement, centered on common east/west property line shall be dedicated with this plat. In addition, all requirements set forth in the City's subdivision ordinance shall be adhered to.

The north/south drive lane would directly abut the west property line. He stated staff had concerns that this drive aisle is not set back from the property line. This is something that would generally not be allowed in similar developments. The applicant should provide information on how this development would interact with future development to the west before considering a zero setback for the drive aisle.

The site abuts public streets to the north, east, and south, each having a sidewalk or pathway directly adjacent to the property. Internal sidewalk connections should be made to the public sidewalks and pathway abutting the property.

The four parking spaces in the southeast corner would be devoted for bus parking, which would likely be stored there overnight. It would be necessary to provide screening in that area. The applicant shall install a bike rack in accordance with City requirements.

The submitted plans show the removal of a berm and the relocation of ten 5-foot tall spruce trees located along the north side of the outlot. This berm and landscaping was established to provide screening of the commercial development from the residential development to the north. Staff has concerns about the removal of this screening element and the applicant has identified a screening alternative on their submitted plans.

Mr. Lovelace reviewed the Traffic Management Plan, Grading and Utility Plans, Storm Sewer Plan and Landscaping Plan. No elevations had been provided that show the trash enclosure's exterior finish. City code requires that the enclosure's finish shall be architecturally compatible with the principal building it serves.

He stated cross access easements shall be recorded with the subdivision that would allow use of the drive approaches on Embry Path and 155th Street West by the proposed lot and any future lots to the west. Approval of this proposed development should include a condition that would allow the City to require the installation off the 155th Street West intersection at the property owners expense if it is determined that the Embry Path intersection cannot safely and sufficiently handle the day care facility's traffic.

Commissioner Alwin commented that when this comes back to the Planning Commission he would like to see more traffic flow looked at. He asked if they carved another driveway into 155th Street West would there be a short cut created from 154th Street through the back of the parking lot.

Mr. Lovelace said there would not be access off 154th Street into this development because there is an access restriction easement along the south side of 154th Street.

Commissioner Scanlan inquired if future commercial development to the west would have any limitations as what can be built with this facility as far as what is allowed and not allowed.

Mr. Lovelace commented that he did not think there would be any limitations but with just how it is laid out. He thought the developer would like to maximize the property to its fullest use and the City would like to see that the uses are compatible with each other.

Commissioner Scanlan asked if there would be any safety concerns with the location of the play area and traffic flow and the close proximity to Embry Path with the traffic volume that may be expected when Embry Path opens. He also expressed concern of vehicles losing control and going over the sidewalk there during the winter months driving into the play area.

Mr. Lovelace answered that the property would be fenced in and that school staff would be required to be with children all the times when they are outdoors.

Commissioner Scanlan referenced earlier discussion about the housing development to the north and having the berm in place and stated he would like to see some alternative designs brought forth to the next meeting to allow the berm to be retained. He feels it is an important component and if it is allowed to be removed here are we opening ourselves up to the rest of the commercial properties as seeing it removed in future developments.

Vice-Chair Burke opened the public hearing at 7:25 p.m.

Jacob Fick, Tradition Development, discussed screening from the north and said they would continue to work with staff and bring back revised plans. It was their intent to put a road to the west that has an entrance from 155th Street and not hinder uses to the west.

John Finnemore, Primrose Schools, reviewed the hours of operation and playground location in relationship to Embry Path. He commented that they may not see a high volume of traffic and that the playground would have a high fence.

Commissioner Scanlan asked if more plans for bus storage, berm and playground area could be brought back to the next Planning Commission meeting. He questioned if more screening could be provided and what type of buses they planned to store on the property.

Mr. Finnemore answered that the buses would be the short bus type.

Commissioner Scanlan inquired where the picking up and dropping off sites would be.

Mr. Finnemore said parents would need to park their car and bring the child inside the building. The school would utilize a keypad system where parents enter their child in and escort them to their classroom.

Vice-Chair Burke asked if they expect all the parking stalls to be used at the same time.

Mr. Finnemore answered that the drop off time is about six to ten minutes. It is quicker in the morning hours than in the evening hours due to parents talking to their child's teacher. Cars would be coming and going from those stalls. If there was any stacking it would be very minimal.

Vice-Chair Burke closed the public hearing at 7:43 p.m.

6. LAND USE/ACTION ITEMS

--NONE--

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, March 4, 2015, at 7:00 p.m.

8. ADJOURNMENT

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

MOTION: Commissioner Schindler moved, seconded by Commissioner Alwin to adjourn the meeting at 7:44 p.m. Ayes - 5 - Nays - 0.

Respectfully Submitted,

/s/ Joan Murphy
Joan Murphy, Planning Department Assistant

Approved by the Apple Valley Planning Commission on 3/4/15.