



APPLE VALLEY PLANNING COMMISSION PUBLIC HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, September 07, 2022 at 6:00 PM

MINUTES

Chairman | Allen Angell

Commissioners | Lee Fralish | Forrest Kuehne | Jeri-Burhorn Politte | Margaret Ososki

CALL TO ORDER Commissioner Burhorn-Politte called meeting to order at 6:00 p.m. and mentioned that Chairman Angell would be absent, and she would be co-chairing for tonight's meeting.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Commissioner Lee Fralish

Commissioner Forest Kuehne

Commissioner Jeri Burhorn-Politte

Commissioner Margaret Ososki

ABSENT

Chairman Allen Angell

CONFLICT OF INTEREST DISCLOSURES

None stated.

APPROVAL OF MINUTES

1. Minutes: July 20, 2022

Motioned to approve minutes from July 20, 2022 as written.

Motion made by Commissioner Fralish, Seconded by Commissioner Kuehne.

Voting Yea: Commissioner Fralish, Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki

The vote was unanimous and the motion carried.

2. Minutes: August 13, 2021

Commissioner Burhorn-Politte commented that she was not here, but Commissioner Fralish was present.

Commissioner Kuehne commented about Craig Rasmussen being changed to Karl Rasmussen and that he watched the video of the meeting. Fralish commented that he was there for the meeting, and he felt minutes represented the meeting.

Motioned to approve the minutes from August 13, 2021 with the change of Mr. Rasmussen's name to "Karl Rasmussen".



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Motion made by Commissioner Fralish, Seconded by Commissioner Kuehne.

Voting Yea: Commissioner Fralish, Commissioner Kuehne, Commissioner Burhorn-Politte,
Commissioner Ososki

The vote was unanimous and the motion carried.

3. **Minutes: April 15, 2021**

Commissioner Burhorn-Politte mentioned that she did not see any errors and Commissioner Fralish commented this is a good representation of the meeting he attended.

Motioned to approve minutes from April 15, 2021.

Motion made by Commissioner Fralish, Seconded by Commissioner Kuehne.

Voting Yea: Commissioner Fralish, Commissioner Kuehne, Commissioner Burhorn-Politte,
Commissioner Ososki

The vote was unanimous and the motion carried.

HEARING ON THE FOLLOWING

4. **Zone Change for AV-1376-B-3 | 1442 E 2000 S from Open Space/Open Space Transition Zone (OS/OST) to C-3 General Commercial Zone (C-3) for the stated purpose of business development. Applicant: Nuance Management, LLC.**

Commissioner Burhorn-Politte opened the public hearing.

Applicant Anthus Barlow owner of Nuance Management and property stated reason for change is to develop a business on the property. HE continued, when looking for a site they needed to be close to a power supply.

Commissioner Kuehne asked what business. Applicant said that this is for freeze drying for USDA facility with no retail sales and wholesale. Commissioner Kuehne asked how large of the proposed site. Applicant answered 13,000 square feet. Commissioner Fralish commented that he felt it fit well with the General Plan and he is pretty sure it was designated as such.

Amy Alkema, 2142 S 1560 E, across the property from applicant. She commented, wanted to clarify that the lighting ordinance would still apply.

Applicant anticipates that the only crew, will be there during the day and not at night.

Motioned to close public hearing on zone change.

Motion made by Commissioner Ososki, Seconded by Commissioner Fralish.

Voting Yea: Commissioner Fralish, Commissioner Kuehne, Commissioner Burhorn-Politte,
Commissioner Ososki



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The vote was unanimous and the motion carried.

5. **Update Title 11.02.040 Necessity Of Plat; Exemption From Plat Requirements Amendment, Ordinance-O-2022-32.**

Commissioner Burhorn-Politte opened the public hearing.

Frank Lindhardt, Planning Department Manager commented this is for the exception on preliminary and final plats. He continued, we would like to change the section that pertains to farmland, that currently allows dividing farmland without public roads.

Motioned to close the public hearing.

Motion made by Commissioner Burhorn-Politte, Seconded by Commissioner Kuehne.

Voting Yea: Commissioner Fralish, Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki

The vote was unanimous and the motion carried.

DISCUSSION AND POSSIBLE ACTION ITEMS

6. **Zone Change for AV-1376-B-3 | 1442 E 2000 S from Open Space/Open Space Transition Zone (OS/OST) to C-3 General Commercial Zone (C-3) for the stated purpose of business development. Applicant: Nuance Management, LLC**

Commissioner Politte mentioned the information presented was good. Commissioner Ososki asked where the lights in the back be. Applicant commented in the design stage and intend to follow the night sky ordinance. Commissioner Ososki asked if all metal building.

Frank Lindhardt, Planning Department Manager mentioned that his property goes right by a transmission shop currently there. It will go through a 50-foot easement for entrance. C-3, commercial is all around. Commissioner Burhorn-Politte liked the idea and commented big improvement.

Motioned we recommend approval to the Town Council for the zoning change for AV-1376-B-3 from Open Space Transition to Commercial C3 for the following reasons:

- 1) The requested zone is compatible with the General Plan.
- 2) The requested zone is compatible with the adjacent commercial use of a transmission shop and an AC shop and the residential use adjacent to this, is not likely to remain residential.
- 3) This is a low traffic impact business, so the poor access location is less important.

Motion made by Commissioner Burhorn-Politte, Seconded by Commissioner Fralish.

Voting Yea: Commissioner Fralish, Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki

The vote was unanimous and the motion carried.



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7. Update Title 11.02.040 Necessity Of Plat; Exemption From Plat Requirements Amendment, Ordinance-O-2022-32.

Commissioner Burhorn-Politte commented this recommendation is to make it easier, not harder.

Commissioner Kuehne commented on a few changes to be made in the motion and then proceeded to make the motion with changes.

Motioned to approve 11.02.040 and pass it on to Town Council, Necessity Of Plat; Exemption From Plat Requirements with a couple of changes right-way change to "right of way" and we would like to see joint utility "committee" in a couple of places and "written" approval of town staff.

Motion made by Commissioner Kuehne, Seconded by Commissioner Fralish.

Voting Yea: Commissioner Fralish, Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki

The vote was unanimous and the motion carried.

8. Preliminary and Final Site Plan Application for AV-1334-W | 1350 N State St for RV Park. Applicant: Dan Tygard.

Frank Lindhardt, Planning Department Manager commented that this is a house keeping item, normally a site plan is approved before construction plans and the previous administration failed to do so. Staff recommends approving both in this case, putting us on the books that we are following all the rules. Commissioner Ososki asked about where the 15 long term sites. Commissioner Kuehne asked about water rights, and applicant responded 4 shares of water were received with the property.

Dan Tygard applicant is here to discuss his project and commented they will have on site manager handling the maintenance. Commissioner Ososki asked about the landscaping. Commissioner Burhorn-Politte asked any other discussion for the Site Plan pending approval by Planning Commission.

Motion to approve the Preliminary and Final Site Plan application for AV-1334-W.

Motion made by Commissioner Ososki, Seconded by Commissioner Fralish.

Voting Yea: Commissioner Fralish, Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki

The vote was unanimous and the motion carried.

ADJOURNMENT

Motioned to adjourn meeting.

Motion made by Commissioner Fralish, Seconded by Commissioner Ososki.

Voting Yea: Commissioner Fralish, Commissioner Kuehne, Commissioner Burhorn-Politte, Commissioner Ososki



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The vote was unanimous and the motion carried.

Meeting adjourned 6:49 p.m.

Date Approved: _____

Approved BY: _____

Chairman | Allen Angell

Attest BY: _____

Town Clerk-Recorder | Jenna Vizcardo