



APPLE VALLEY PLANNING COMMISSION PUBLIC HEARING AND MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, December 01, 2021 at 6:00 PM

APPROVED MINUTES, **REVISED**

Chair | Allen Angell

Commissioners | Janet Prentice | Richard Fischer | Lee Fralish | Wenn Jorgensen

Clerk | Jenna

Chair Angel CALL TO ORDER – ROLL CALL & PLEDGE OF ALLEGIENCE

All Planning Commissioners present

Allen Angell- Present

Janet Prentice- Present

Richard Fischer-Present

Lee Fralish-Present

Wenn Jorgensen-Present

Statement made by Chair Angell to remove item 13. Dayton Hall (Town Attorney) recommended to wait and discuss at that time since it was posted that way.

Chair Angell reads statement of a Republic. He states that we have a microcosm of a Republic here and our allegiance is to this Republic of Apple Valley; the planning commission in particular represents the town. We're going to be looking at quite a few applications from people who wish to bring change to Apple Valley

1. Chair Angell states: Application for a zone change tells the applicant what criteria we will use to determine if the request is in the best interest of our Republic. These are the criteria we are going to use to determine our recommendations. Proposed Amendments need to be consistent with goals, objectives, and policies of the town's General Plan. A copy of the General Plan can be found on the town's website. Encourages citizens to review plan. Plans to review General Plan with lots of input from as many of the town citizens as possible.
 - a. Chair Angell reads from General Plan regarding Residential development
 - b. Reads General Plan and lists 4 requirements that are needed to approve a Proposed Amendment.

Chair Angell states: 2 minute time period on Public Opinion.

Chair Angell asks town staff to provide receipts showing the amount and date of application fees for the applicants in front of them this evening. He had requested this information on November 24th, 1 week ago. Asks Mayor Beddo if the planning commission provides the town with a 10 minute recess, would the town get that information for him. Mayor Beddo states that the fees are private. Chair Angell states that the town cannot process a zone process verification application if we can't verify that that fee has been paid. Clerk Jenna said that she can give him the information tomorrow. Chair Angell said he would give Clerk Jenna to the end of the public meeting to get that information. Stresses need to follow formula of application. The very first thing is a checklist verifying that the fees have been paid. Dayton Hall recommendation: When each item comes up on the agenda, have the town clerk to confirm that the receipts have been paid.

Allen Angell made statement that he has asked for assistance by Hurricane City Planning Staff - Frank Lindhart, resident, was asked to help review applications for this meeting based on criteria mentioned earlier.

NO CONFLICT OF INTEREST DISCLOSURES

APPROVAL OF MINUTES

1. **PC Minutes DRAFT 10.06.2021-** Table approval of minutes. Chair Angell asks for updated minutes with motions specifically cited.

HEARING ON THE FOLLOWING

2. ZONE CHANGE APPLICATION FOR AV-1365-E FROM OPEN SPACE TO RE-10: APPLICANT DENNIS CLARK

Dennis Clark is not in attendance. Chair Angell asks if there is anyone to represent him. Someone (did not disclose name) states that he wants to build 1 single dwelling house on the property.

Chair Angell opens up public hearing: No Comments

Chair Angell closes public hearing.

Motion: Commissioner Prentice moves to go to item 10. Chair Angell decides to stay in order of agenda since Applicant Dennis Clark is not in attendance.

3. ZONE CHANGE APPLICATION FOR AV-1329-B FROM OPEN SPACE TO SF-1.0: APPLICANT LADD MACDONALD

Overview from App: We would like to request zone change to SF-1. States when property was bought 16-17 yrs ago, it was zoned R-1. When the process was started, they realized it was zoned OST. Think that R-1 fits the town and matches the lots nearby and would be a good addition to the town. 62 Acre parcel.

Chair Angell opens up public comment:

Walter Josey 1224 N Rome Way – Asks how many acres are 1 acre zoned and how many acres are the ½ acre.

Chair Angell states that they are all 1 acre lots.

Patty (online) asks about location of parcel.

Commissioner (not sure who it is) responds: Located off Rome Avenue-North of new construction on Rome Ave, past water tank, doesn't go to Main Street but has an easement to Main Street.

Question about infrastructure.

Chair Angell states that questions will be addressed at the end.

Question about how many lots.

Commissioner: 56 lots

Margaret Ososki Pinion Way - If that property is above Wells Property are they going to assist in retention basins.

Chair Angell responds "Good Question"

Chair Angell closes public comment.

4. ZONE CHANGE FOR AV-1366-D-1 FROM OPEN SPACE TO SF-.25: APPLICANT NORTHERN ENGINEERING (AGENT: BRANT TUTTLE)

Property is directly 9.2 acres plan patio homes withdrawn single family lots. Need to be at .25 lots for sewer system tying onto main road two accesses Smithsonian Dr.

Brittina Nelson 1396 Cedar this subdivision is high density goes against plan not coherent with existing housing going against our plan.

Hearing Closed.

Read on record- Levi and Jennie Shepherd Questions and Concerns

RE: NOTICE OF PUBLIC HEARING – RE-ZONE REQUEST

Parcel Numbers: AV-1366-D-1

LEVI and JENNIE SHEPHERD QUESTIONS & CONCERNS

- 1) With already constrained water resources, how does Apple Valley plan to support nearly 40 additional Single Family Residential homes?
- 2) How does Apple Plan to Address sewage – With nearly 40 .25 acre lots, how is the development going to manage 40 home's waste septic systems? Can 10 acres handle 40 septic systems without polluting water sources?
- 3) What does this mean for Pacific Power customers who are already relying on a strained power grid that has constant power outages, can the power grid handle an additional 40 Single Family Residential homes?
- 4) What plans does Apple Valley have for water runoff from surrounding fields – is there going to be retention ponds for the property? There is already flooding from the surrounding land when it rains.
- 5) How does Apple Valley plan to keep its community safe and keeping crime at a minimum?
 - a) There is no Sheriff/Police department in close proximity for an additional 40 homes.
 - b) There is no Fire department in close proximity for an additional 40 homes.
 - c) No School zones for children
 - d) Traffic – there is already an abundance of speeders that go 70, 80, 90+ MPH on highway 59
- 6) Apple Valley infrastructure is already struggling to keep up with current growth with already approved communities. How will the city structure itself to handle such rapid growth?
 - a) Strained staffing for basic city functions such as, but not limited to - Water and Sewer, Admin & Finance, Fire department, Roads, Code Enforcement, Building Department, etc.
- 7) Last concern is property values for surrounding homes. Most if not, all sought this place for the large country style lifestyle. With small lot and patio homes what will this do for home values? Appraisers already have a hard time comparing homes in the valley.

5. ZONE CHANGE APPLICATION FOR AV-2184 AND AV-2165 FROM OPEN SPACE TO CABIN OR TINY PARKS ZONE AND PLANNED DEVELOPMENT ZONE AND RE-1.0: APPLICANT STANDARD DEVELOPMENT

App: Travis Holm—What we have zone change 889 parcel west side of the valley all land surrounded by gooseberry mesa- majority 1 acre lots some 1 acre.

Margaret: How many cabins? Tiny Homes? Where on the road of 59 or back. Estimate with prelim plat here just for zone change.

6. ZONE CHANGE APPLICATION FOR AV-1343-A-1 FROM OPEN SPACE TO RE-1: APPLICANT TRAVIS AND LIBBY WELLS

Craig with alliance consult representing: This particular parcel 40 acres north off highway southeast East off gas station- Access from North side coming down from Main Street

Josey commented on flood plain control

7. ZONE CHANGE APPLICATION FOR AV-1329 FROM OPEN SPACE TO RE-1 AND SF-1: APPLICANT TRAVIS AND LIBBY WELLS

160 acres requesting RE-1.

No public comments.

8. ZONE CHANGE APPLICATION FOR AV-1313-D-1 FROM AGRICULTURE TO SF-.50: APPLICANT 2000 MAIN LLC

App: Travis Holm—What we have zone change 889 parcel west side of the valley all land surrounded by gooseberry mesa- majority 1 acre lots some 1 acre.

Margaret: where are we getting the water for all these homes?

Brad Mamon 1063 E big pinion In Comment made by resident that didn't announce his information about infrastructure

Jerry Polite made comment on water why are we building.

Travis Holm made comment about water- out situation is different 2300 acre double the amount of The Town of Apple Valley. Unique situation 11 wells 6 more wells willing to connect to city water system.

Closed public hearing.

9. ZONE CHANGE APPLICATION FOR AV-1318 FROM AGRICULTURE TO SF-.50: APPLICANT STANDARD DEVELOPMENT LLC

No public comments

App: Travis Holm—What we have zone change 889 parcel west side of the valley all land surrounded by gooseberry mesa- majority 1 acre lots some 1 acre.

DISCUSSION AND POSSIBLE ACTION ITEMS

10. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR AV-1365-E FROM OPEN SPACE TO RE-10: APPLICANT DENNIS CLARK

Frank Lindhardt made comment this application met all criteria

Zone plane rules read from "Hurricane City"

Planning Commission request to appear missing- this is just housekeeping.

Zone Change Rules/Question read by Frank Lindhardt.

Water is to the property and water meter is there- Recommendation approves.

Janet Prentice makes a motion to approve zone change for AV-1365-E from OST to RE-10; forward to the town council as property meets or exceeds the General Plan and all services are available; Wenn Jorgensen second, all voted aye

Motion made by Commissioner Prentice, Seconded by Commissioner Jorgensen.
Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish,
Commissioner Fischer

**11. DISCUSSION AND POSSIBLE ACTION ON PRELIMINARY PLAT APPLICATION FOR LOT AV-1-3-5-211:
APPLICANT ALLRED HEBER**

136.62 Acres Application fee \$1500. They got zone change recently- zone change clarification is needed. The motion was Allen approved Lienhardt these 3 zones, what when where-deal with preliminary plat

From Application form:

Does this proposed subdivision front a public dedicated road-?

Is letter from adjacent – yes

Letter from BBWD- no

Easement-yes

Waterways-n/a

Average lot size minimum- it does not

Lot size frontage-yes

Property affected hillside ordinances-no

Sidewalks should be included- no road to south

Lots have major arterial- no

Major collector road 85 grade- n/a

Maps marks with street grades- n/a

Is phasing plan-no

Recommendation is to table

Janet Prentice makes a motion to table preliminary plat application for AV-1-3-5-211 until January to allow applicant time to supply missing or incomplete items as discussed and in review, which were...a letter from BPWSSD, easement needs, residential lot size average is too small for zone, roads not stubbed and below standards, needs phase plan, commercial areas needs preliminary site plans and residential needs a revised plat. Janet also mentioned in the motion a request to the town council for them to revisit recent parcel rezoning for clarity; Lee Fralish second, voting audio was unclear except chair declared motion passed

Motion made by Commissioner Prentice, Seconded by Commissioner Fralish.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish,
Commissioner Fischer

12. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR AV-1329-B FROM OPEN SPACE TO SF-1.0: APPLICANT LADD MACDONALD

Frank Lindhardt made comment: Applicant confirmed price of \$2044.50

Read the zone change applications one inaccuracy but small of so minor

Zone Changes read

Would adverse properties if access is Rome Way- Not adequate because Rome way is not meant to be collector road. Also, serious questions about water and sewer are issue. Frank recommends to not approving due to non-adequate services

Wenn Jorgensen wants to confirm that there were 2 deeds. Zone Change if they have plans to avoid using Rome Way-easement going to main street town would benefit going to Gubler way

Travis Holm said he could give access.

Allen Angell reluctant to do zone change on promise. Richard Fischer says meets General maps

Allen Angell and Richard Fischer had meeting about the zone changes.

Allen Angell makes a motion to recommend denial to the town council for the AV-1329-B zone change from OST to SF-1.0 for the following reasons...General Plan not met, road access is inadequate and future roads are needed, lack of water and sewer service need to be resolved. Janet Prentice second, voting was 4 to 1 for motion approval

Motion made by Chair Angell, Seconded by Commissioner Prentice.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish,

Voting No: Commissioner Fischer

13. DISCUSSION AND POSSIBLE ACTION ON PRELIMINARY PLAT APPLICATION FOR AV-1329-B, APPLICANT LADD MACDONALD

Allen Angel made motion to table due to ZC being tabled

Motion is made all ayes

Motion made by Chair Angell, Seconded by Commissioner Prentice.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish, Commissioner Fischer

14. DISCUSSION AND POSSIBLE ACTION ZONE CHANGE FOR AV-1366-D-1 FROM OPEN SPACE TO SF-.25: APPLICANT NORTHERN ENGINEERING (AGENT: BRANT TUTTLE)

Frank Lindhart made comment 9 acres in CP. OST to SF-.25. GP shows to be commercial piece.

Proposed zoning does not match general plan therefore should've requested general plan amendment prior to zone change application.

Janet Prentice makes a motion to table zone change application for AV-1366-D-1 from OST to SF-.25 for the following, patio homes and twin homes references in submittals and those housing types are not allowed in requested zoning and that needs correction, master planned road is missing, zoning request does not follow General Plan and that should be amended, missing BPWSSSD letter. Wenn Jorgensen second, vote unanimous aye

Motion made by Commissioner Prentice, Seconded by Commissioner Jorgensen.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish, Commissioner Fischer

15. DISCUSSION AND POSSIBLE ACTION PRELIMINARY PLAT APPLICATION FOR AV-1366-D-1, APPLICANT NORTHERN ENGINEERING (AGENT: BRANT TUTTLE)

Allen Angell, Chair passes on doing discussion for this item

16. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR LOT AV-2184 AND AV-2165 FROM OPEN SPACE TO CABIN OR TINY PARKS ZONE AND PLANNED DEVELOPMENT ZONE AND RE-1.0: APPLICANT STANDARD DEVELOPMENT

Frank Lindhart commented- Problem with owner agent. Table

No evidence application was fee paid

Provide ownership affidavit matching warranty

Property map showing existing class

Property map abutting

Janet Prentice makes a motion to table zone change application for AV-2185 and AV-2165 to clarify owner and agent, to research fee paid, to ask again for maps of zoning for abutting properties, to ask again for maps of existing and proposed parcel zoning, amend General Plan, inadequate services available. Second heard from Wenn. Vote passed unanimously.

Motion made by Commissioner Prentice, Seconded by Commissioner Jorgensen.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish, Commissioner Fischer

17. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR AV-1343-A-1 FROM OPEN SPACE TO RE-1: APPLICANT TRAVIS AND LIBBY WELLS

Frank Lindhardt read zone change recommendation

Did not provide accurate map abutting or existing. Warranty deed

Allen Angell made a motion to table zone change application for AV-1343-A-1, OST to RE-1 for 30 days to allow time for applicant to provide warranty deed and maps of existing and proposed zoning for parcel and abutting parcels, inadequate services. Janet Prentice second; passed unanimously

Motion made by Chair Angell, Seconded by Commissioner Prentice.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish, Commissioner Fischer

18. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR AV-1329 FROM OPEN SPACE TO RE-1 AND SF-1: APPLICANT TRAVIS AND LIBBY WELLS

Janet Prentice motioned to table the zone change request for AV-1329 from OST to SF-1, until first PC meeting of 2022 to allow time for applicant to provide a warranty deed and maps of parcel's existing and proposed zoning plus abutting property zoning; fee paid confirmation. Wenn Jorgensen second. Passed unanimously

Motion made by Commissioner Prentice, Seconded by Commissioner Jorgensen.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish, Commissioner Fischer

19. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR AV-1313-D-1 FROM AGRICULTURE TO SF-.50: APPLICANT 2000 MAIN LLC

Missing proposed zones.

Conversation with Frank Lindhart about the applicant confusion with map. Did not provide legal description of zone and did not provide preliminary report. Has own water to tie into Town.

Proposed location of zone. Maps showing abutting properties. Along hwy 59 was already approved for zoning.

Application

Allen Angel makes recommendation that appear before Planning Commission. All applicants have 2 applications to complete.

Merritts- current zone agricultural-proposed zoning SF .50

Not consistent with general plan

Has shown map but all sf.50 maps shows something different

Overall harmonious- there isn't out there closest 1 acre lot in Gooseberry, OST. Though all 1 acre. Desert Rose that is connected has already been approved for ½ acre is consistent.

#4 Is there adequate services- Access off hwy 59 however Gould's wash sensitive lands, towns

Sewer- Large underground system

Allen Angel concerns to item #1

Travis Holm makes comment that to the north and south have been already approved for this zone.

Lee made comment that there has been zone change on both sides and they can't really deny.

Allen Angel is excited and made comment that he is excited to have water coming to the town. Janet commented on water storage.

Lee Fralish makes a motion to send to the TC an approval for a zone change for a portion (74 acres) of AV-1313-D-1 from AG to SF-.50. Richard Fischer second; passed unanimously

Motion made by Commissioner Fralish, Seconded by Commissioner Fischer.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish, Commissioner Fischer

All passed, aye- PC Recommends 4-0

20. DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR AV-1318 FROM AGRICULTURE TO SF-.50: APPLICANT STANDARD DEVELOPMENT LLC

Frank Lindhart suggested preliminary title report. Allen Angel makes comment that this is the end of the year and we have a lot of requests. Travis Holm made comment that if we could be lenient

Warranty Deed application needs to be provided

Janet Prentice makes a motion to table a zone change application for AV-1318 from AG to SF-.50 to allow applicant to submit a warranty deed/title report and consider a General Plan amendment. Lee Fralish second. Passed unanimously

Motion made by Commissioner Prentice, Seconded by Commissioner Fralish.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish, Commissioner Fischer

21. DISCUSSION AND POSSIBLE ACTION ON PRELIMINARY PLAT APPLICATION FOR LOT AV-1319-A: APPLICANT 2000 MAIN

Motion TC review zoning

Frank Lindhart made comment.

No Letter from Service district- not present

Is there tentative plan for drains:

No collector roads:

Janet Prentice motioned to table a preliminary plat application for AV-1319-A until 2022 to allow time to correct submittals as listed below in 1 through 8. Wenn Jorgensen second. Passed unanimously.

1. Proposed subdivision does not front a
2. Letter from access
3. Letter from big plains
4. Drainage plans, canals and easements
5. Review hillside ordinance, make sure complies
6. Roads up to standards
7. Grades for proposed streets that do not exceed 5%
8. Warranty Deed needed

Motion made by Commissioner Prentice, Seconded by Commissioner Jorgensen.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish, Commissioner Fischer

22. DISCUSSION AND POSSIBLE ACTION ON PRELIMINARY PLAT APPLICATION FOR LOT AV-1345,1327,1326,1346,1348-A: APPLICANT 2000 MAIN

Current zone

No warranty deed

Proposed subdivision front a public road- yes it does on Main Street

Adjacent from letter-n/a

Big plains letter- Ordinance

Waterways consideration, canals- no

Drainage easement- no

Easements from- no

Min average lot size- no

Sensitive hillside ordinance- yes

Missing minimum collector roads-yes

Missing sidewalks

Missing Main Street stubbing out

Direct access to collector road not allowed- yes

No grades-

No grades marked

All vertical contours not greater than 5 feet.

No phasing plan

No double front lots

No ownership marked

Is any property affected by hillside ordinance-

Janet made comment that general plan amendment is needed

Janet Prentice made a motion to table to allow applicant to supply and clarify submittals for a preliminary plat for AV-1327, AV-1326, AV-1345, AV-1346 and AV-1348-A. Items needing work are missing warranty deed, BPWSSSD letter and state water letter, drainage plan, waterways identified and realigned, utility easements shown, average lot size shown, hillside ordinance discussion on plat, road standards, subbed out roads and turnarounds, no lot access to collectors, grade of collectors, street grade, phasing plan. Richard Fischer second. Passed Unanimously.

Motion made by Commissioner Prentice, Seconded by Commissioner Fischer.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish, Commissioner Fischer

Adjournment

Motion made by Commissioner Prentice, Seconded by Chair Angell.

Voting Yea: Chair Angell, Commissioner Jorgensen, Commissioner Prentice, Commissioner Fralish, Commissioner Fischer

Date Approved: _____

Chair | Allen Angell

Attest BY: _____

Jenna Vizcardo, Town Clerk/Recorder