



## APPLE VALLEY PLANNING COMMISSION MEETING

1777 N Meadowlark Dr, Apple Valley  
Wednesday, March 03, 2021 at 6:00 PM

### MINUTES

Notice is given that a meeting of the Planning Commission of the Town of Apple Valley will be held on **Wednesday, March 03, 2021**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

**Chair** | Allen Angell

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

Pursuant to the Executive Order issued by Governor Gary Herbert on March 18, 2020, regarding Electronic Public Meetings, please be advised that the Planning Commission Meeting will be held electronically and will be broadcast via Zoom. Persons will be allowed to comment during the meeting via Zoom or by calling in. Meeting details and dial-in phone numbers will be provided when the agenda for the meeting is published on the Town website or via <https://www.utah.gov/pmn>

Zoom Meeting ID: 834 5793 1750

Zoom Link: <https://us02web.zoom.us/j/83457931750>

#### CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

Chairman Angell calls the meeting to order at 6:00 PM and leads in the pledge of allegiance.

#### PRESENT

Chair Allen Angel

Commissioner Wenn Jorgensen

Commissioner Janet Prentice

Commissioner Lee Fralish

Commissioner Richard Fischer

Staff: Taylor Pledger and Colleen Kohler

#### CONFLICT OF INTEREST DISCLOSURES

None declared.

#### APPROVAL OF MINUTES

#### HEARING ON THE FOLLOWING

1. **An ordinance changing the zoning for AV-1365-H-4 from Open Space to Rural Estate 2 1/2 Acre (RE-2.5)**

**Chairperson Angell opens the public hearing.**

Taylor Pledger- Reads an email submitted by Mark and Patricia Parker. (Refer to the packet to read the full email)

Mason Kapcsos- Explains they are trying to split the lot in half, however, there isn't an option for 2-acre zoning so they are asking for 5-acre zoning.

Richard Kopp- Expresses that he does not understand why he cannot build on the property with the current zoning. Mentions that parcel was rezoned months ago to 5-acre low density and he feels the current zoning is appropriate for what is being asked.

Commissioner Prentice- Explains that in May of 2020 the council voted an approved to change the general map and designation of low density for the bubbling wells area must be 5-acres or more. Because of this change, they cannot approve a rezoning for less than 5-acres.

Mason Kapcsos- Mentions that he talked with the mayor on the phone, and he told Mason that because the lots would be 4 acres after being split that it could be worked out.

Chairperson Angell- Asks Mason if he has any other acreage nearby as they would need 10-acres to get it down to 5-acres per lot.

Commissioner Fischer- Explains it took a lot of effort and debate to come up with the agreement that required low density to be 5-acres or more.

Mason Kapcsos- Mentions that he has a 20-acre property in the area and when he went to rezone it to build on, they had him rezone to RE-1.

Commissioner Fralish- States that when the change was being debated on, there were already some 1-acre parcels in the are and nothing could be done about those lots. He expresses that Mason would have more options for his property with a RE-5 zoning.

Commissioner Fischer- Asks Mason if his two lots touch?

Mason Kapcsos- Answers yes, they do.

Commissioner Fischer- Could you do a lot line adjustment so we can split the lot into 2 separate 5-acre parcels?

Mason Kapcsos- States he will look into a lot line adjustment.

**Chairperson Angell closes the public hearing.**

## **2. Text amendment adding clarity to minimum lot size for Rural Estate Zones**

Chairperson Angell- Explains the change is to clarify when the minimum size will be calculated. The changes state the calculations can be done prior to a required road dedication.

**Chairperson Angell opens the public hearing.**

**Chairperson Angell closes the public hearing.**

## **DISCUSSION AND POSSIBLE ACTION ITEMS**

### **3. Discussion and possible action on Ordinance to clarify Rural Estate minimum lot requirements**

Commissioner Jorgensen- Points out a typo where it says 20 and 30 in numbers but 30 written out. Believes we need to delete the 20 and 30 in paragraph C.

Motion: to send the text change to Ordinance 10.10.050 to town council with a recommendation of approval.

Motion made by Commissioner Prentice, Seconded by Commissioner Fralish.

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

Motion: to delete the word 20 and 30 from paragraph C line 20 and leave the second word 30 and (30).

Motion made by Commissioner Jorgensen, Seconded by Commissioner Prentice.

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

**4. Consideration and possible action on zone change application for AV-1365-H-4 from OST to RE-2.5**

Motion: to deny the zone change application for AV-1365-H-4.

Motion made by Commissioner Jorgensen, Seconded by Commissioner Fischer.

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

**5. Discussion and possible action on Desert Rose Subdivision preliminary plat application**

Chairperson Angell- Opens the floor to the Desert Rose representatives, Richard Wyre, Darcy Thompson, and Karl Rasmussen to present

Karl Rasmussen- Explains they discussed changes with the mayor and had agreed to change the title from Desert Rose to Majestic Eagle, they also agreed to submit a better map that will show the parcel numbers. They will work on getting affidavits from all the property owners. They are working on getting a proper title report. They will work on presenting culvert sizes and drainage plans. Expresses they plan to build a bridge to match the once on Apple Valley Way. They intend to label the width and alias of the lots. They are working on updating the layout to have a 52-foot right of way. Will investigate adding a connecting street. They will investigate their contours to find an appropriate open spaced area for drainage. Looking at putting a 70-foot road into Gooseberry Way. and leading out to State St. Looking into running sewer from Travis Holm's property, Jepson Canyon, and the Majestic Eagle project. Looking to do chip and seal on Gooseberry Way.

Richard Fischer- Do you have a name for your main road?

Karl Rasmussen- Not currently. We will investigate a name. Asks the commissioners to look at their proposal and offer suggestions. We are thinking Majestic Blvd.

Chairman Angell- What is your time frame?

Richard Wyre- Immediately.

Chairperson Angell- Have you had any discussion with the water district about this project?

Karl Rasmussen- Mentions they have a meeting coming up but there has been some discussion regarding their contribution towards a water tank and pipelines.

Richard Fischer- Points out an old irrigation well on the property.

Chairman Angell- Discussions about the water will take place for this project, correct?

Richard Wyre- Yes, the discussion is in process.

Item tabled for future discussion and action.

## **6. Discussion and possible action on West Temple Village Subdivision preliminary plat application**

Karl Rasmussen- Explains there are 27 residential lots and 2 commercial lots in this plan. The commercial will be adjacent and down the street from the Chevron. Explains they will have to do a 52-foot road through the subdivision, but it was recommended to do a 70-foot road instead.

Commissioner Prentice- Asks if they are going to be connected to a sewer system?

Karl Rasmussen- That's correct.

Commissioner Fischer- Asks if they intend to build a 70-foot road for the main road?

Karl Rasmussen- Answers yes, they will build a 70-foot road that will go down to Majestic Dr.

Commissioner Fischer- Asks if they are planning to continue pavement on the road.

Karl Rasmussen- The entire thing will be paved and curb and gutter on both sides of the road.

Commissioner Fischer- Explains that curb and gutter is not a requirement. A slope is appropriate.

Karl Rasmussen- Expresses he would still like to do curb and gutter on the road by the commercial lots. Would also like to put in a type of walkway by the road.

Chairperson Angell- Where are the discussions with the water district?

Travis Holms- They sent out a letter verifying there is enough water to service this project. They are getting me the will serve letter in the next few days.

Chairperson Angell- What accommodations do you have planned for upgrades to the general community such as parks or community centers?

Karl Rasmussen- Explains they will have a trail down the gooseberry wash. In the future Travis has designated an area on the north side for other projects such as a park or church.

Commissioner Fischer- Mentions asphalt on the trail would help with the dust.

Chairperson Angell- States that in the past they had planned to build a bridge. Asks if that is still the plan?

Karl Rasmussen- Answers that it is still being discussed at this time, but they are working on it.

Chairperson Angell- Asks if the lots will be half acre?

Karl Rasmussen- Explains that the current town code allows 20,000 sq foot as the minimum lot size so when we were laying lots out, we had to make some of them over a half-acre and some of them under a half-acre.

Travis Holm- Expresses they would like to get approved for the first 27 lots at least.

Chairperson Angell- Is the road going on the north side of the mailboxes?

Karl Rasmussen- Explains where the entrance of the road is in relation to the mailboxes.

Commissioner Fralish- Are you required to make an adjustment to the turn lanes entering your development?

Chairperson Angell- Expresses concern over the turn lane entering Apple Valley may be congested.

Karl Rasmussen- States they are talking with UDOT on what would be required.

John Barlow- Recommends that tabling this item tonight would help speed up the process so that the changes could be reflected on the plat and the Town Council can just pick up where the Planning Commission left off.

Chairperson Angell- What are the changes being recommended?

John Barlow- Explains we are waiting on more paperwork.

Karl Rasmussen- Feels that the paperwork for this project has already been submitted. The only changes made were for the width of the frontage road. Gives details on how the 70-foot road could be painted.

Commissioner Fischer- Explains that with a 70-foot road you will have a lot of options.

Karl Rasmussen- Explains the road can be striped in several ways one of which would include a turn lane. Mentions he will bring in a book showing all the cross sections.

Commissioner Fralish- Will there be any traffic studies done for the area?

Karl Rasmussen- States that UDOT does not need a traffic study when the developer is the one putting in the turn lanes.

Chairperson Angell- Is there anything else that is amiss for this project? Explains he heard there was an issue with the water agreements.

Travis Holm- Explains that the district has already sent a letter to the town guaranteeing they have enough water to service this project.

John Barlow-??

Chairperson Angell- We can recommend that the Town Council approves this project with some conditions, however, depending on the severity of the changes the project might have to come back to Planning Commission and be voted upon again.

Commissioner Fischer- Asks John Barlow if he has the email from the water district?

John Barlow- Explains he does have an email from the district engineer, and he states that he sees no problem with service or water capacity.

Chairperson Angell- Asks if they have had any discussions with someone at the town on using funds that you would otherwise use on septic systems.

Karl Rasmussen- Explains they will have to put money into creating the infrastructure for the sewer. If someone in the future would like to tie into the sewer, they would have to fund the improvements required to get them connected.

Chairperson Angell- Expresses he wants to ensure the sewer system is part of the agreement.

Motion: to recommend to the Town Council for approval based on 4 conditions. 1. South Temple road to be widened to 70 feet. 2. An agreement with UDOT to develop a turning lane coming off Apple Valley Dr. 3. Wastewater and sewer need to be in a mainline going to a public system. 4. They must obtain a will serve letter from the water district.

Motion made by Commissioner Fischer, Seconded by Commissioner Prentice.

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

## **ADJOURNMENT**

Motion: to adjourn tonight's meeting.

Motion made by Commissioner Prentice, Seconded by Commissioner Fischer.

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

Interested persons are encouraged to attend public hearings or present their views in writing at least one day prior to the meeting.

CERTIFICATE OF POSTING: I, John Barlow, as duly appointed Administrator for the Town of Apple Valley, hereby certify that this meeting notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town Website [www.applevalleyut.gov](http://www.applevalleyut.gov) and sent to The Spectrum on the **24th day of March, 2021**.

John Barlow, Town Administrator

Town of Apple Valley

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.