



**Town of Apple Valley**  
1777 N Meadowlark Dr  
Apple Valley UT 84737  
T: 435.877.1190 | F: 435.877.1192  
www.applevalleyut.gov

Fee: \$1,100.00 + Acreage Fee	
1 – 100 Acres:	\$25.00/Acre
101 – 500 Acres:	\$15.00/Acre
501 + Acres:	\$ 5.00/Acre

## Zone Change Application

**Applications Must Be Submitted A Minimum of 21 Days in Advance of The Planning Commission Meeting**

Owner: <b>Hidden Rock Development Group</b>		Phone: [REDACTED]	
Address: [REDACTED]		Email: [REDACTED]	
City: [REDACTED]	State: [REDACTED]	Zip: [REDACTED]	
Agent: (If Applicable)		Phone:	
Address/Location of Property:		Parcel ID: <b>AV-2194-D + AV-2194-B</b>	
Existing Zone: <b>OST</b>		Proposed Zone: <b>C-3</b>	
For Planned Development Purposes: Acreage in Parcel ~101		Acreage in Application ~101	
Reason for the request <b>Commercial development to match neighboring C-3 parcels</b>			

**Submittal Requirements: The zone change application shall provide the following:**

- ☒ A. The name and address of owners in addition to above owner.
- ☒ B. An accurate property map showing the existing and proposed zoning classifications
- ☒ C. All abutting properties showing present zoning classifications
- ☒ D. An accurate legal description of the property to be rezoned
- ☒ E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- ☒ F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- ☒ G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- ☒ H. Signed and notarized Acknowledgement of Water Supply (see attached).

Official Use Only	Amount Paid: \$ 2614.50 + 3% fee	Receipt No: 42119
Date Received: 11/7/22	Date Application Deemed Complete:	
By: [Signature]	By:	

**Note:** To avoid delays in processing your Zone Change request, it is important that all applicable information noted above, along with the fee, is submitted with the application. An incomplete application will not be scheduled for the Planning Commission. Planning Commission meetings are held on the second and fourth Wednesday of each month at 6:00 pm. Submission of a completed application does not guarantee your application will be placed on the next PC meeting agenda. It may be placed on the next available PC meeting agenda.

## **REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE**

When approving a zone change, the following factors shall be considered by the Planning Commission and Town Council:

1. Whether the proposed amendment is consistent with the Goals, Objectives and Policies of the Town's General Plan;
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
3. The extent to which the proposed amendment may adversely affect adjacent property; and
4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways, parks and recreation facilities, fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

## **PROCESS**

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report and forward a recommendation to the Town Council for approval, approval with modifications, or denial of the zone change application.

Upon receipt of the Planning Commission recommendation, typically 1-2 weeks after the Planning Commission action, the Town Council will consider and act on the Commission's recommendation. The action of the Town Council is final. If denied, a similar application generally cannot be heard for a year.



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Parcel ID# \_\_\_\_\_

## ACKNOWLEDGEMENT OF WATER SUPPLY

I/We, Hidden Rock Development Group am/are the applicant(s) of the application known as  
AV-2194-D + AV-2194-B located on parcel(s)  
\_\_\_\_\_ within the Town of Apple Valley, Washington County, Utah.

By my/our signatures(s) below, I/we do hereby acknowledge and agree to the following:

1. Approval of a development application by the Town does not guarantee that sufficient water will be available to serve the zone, project, or permit for which this application is being submitted; and
2. Prior to receiving final approval for the application, and/or any building permit, the applicant may be required by the Town of Apple Valley to provide a guarantee of water service through a "Will Serve" letter from the Big Plains Water and Sewer Special Service District ("District") which verifies that there is a sufficient water supply and guarantee of water for the application or proof that another guaranteed source of water is available to the applicant; and
3. For any application which may be approved without the "Will Serve" letter from the District, the applicant assumes the entire risk of water availability for the project and/or application.

Signature(s):

Anish Bhatia

Name

Applicant/Owner

11/7/22

Date

Dallin Jolley

Name

Applicant/Owner

11.7.22

Date

Name

Applicant/Owner

Date

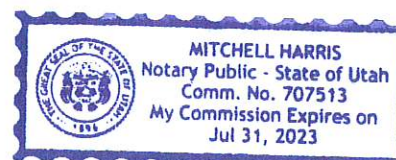
State of Utah )  
County of Washington )§

On this 7<sup>th</sup> day of November, in the year 2022, before me, Mitchell Harris a notary public, personally appeared Anish Bhatia & Dallin Jolley, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal.

(notary signature)

(seal)





**Applicant - Hidden Rock Development Group**

Dallin Jolley  
Managing Partner  
1834 East Sage Hollow Drive  
Draper, Utah 84020

Anish Bhatia  
Managing Partner  
100 Norfolk St. Apt 6B  
New York, NY 10002

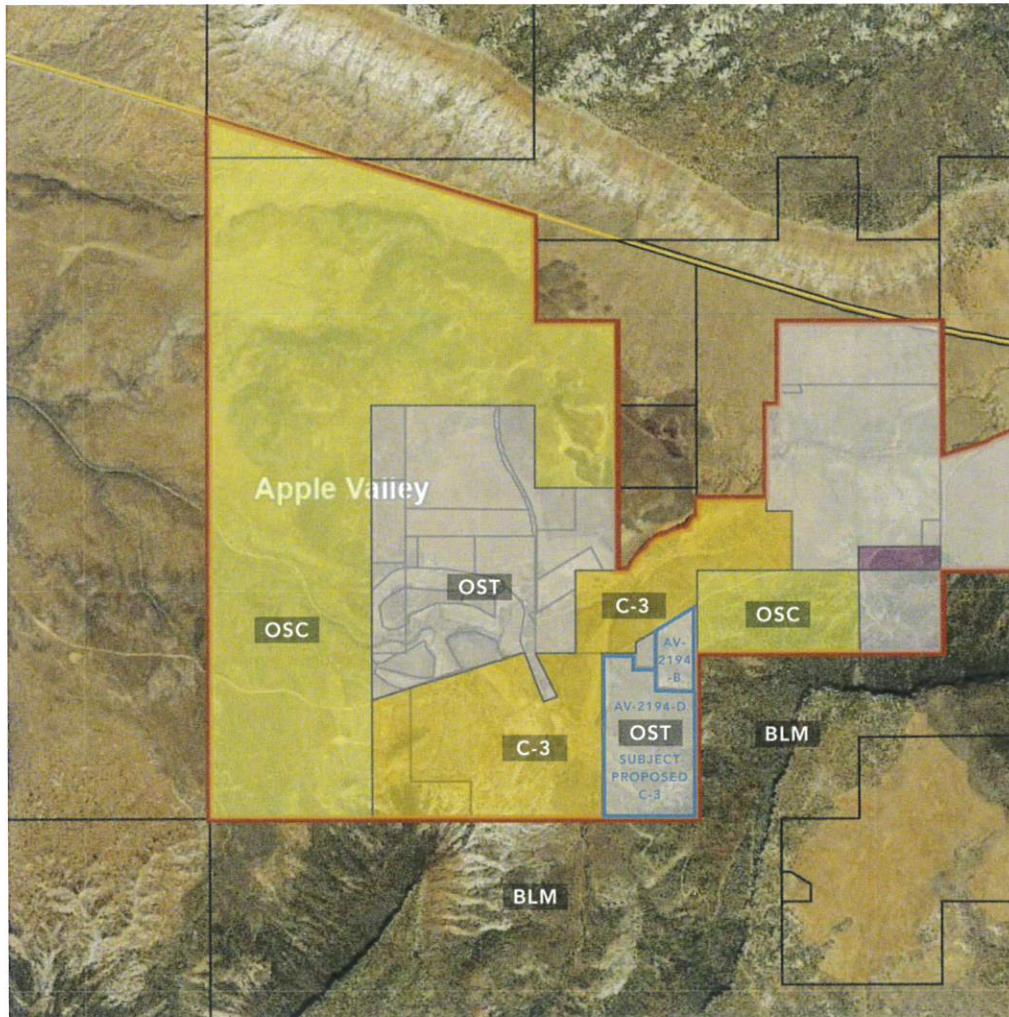
**Current Owner –**

AV-2194-D

**A&E Development LLC**  
ELLEND LABARON  
2975 N 7500 W  
Abraham, UT 84635

AV-2194-B

HALL LARON W & LINDA W  
120 W 975 N  
Hurricane, UT 84737-1735

**Property Map with Existing, Proposed and Abutting Properties Zoning Classification**

*\*Subject property outlined in blue*

**Accurate Legal Description**

**Parcel Number:** AV-2194-D

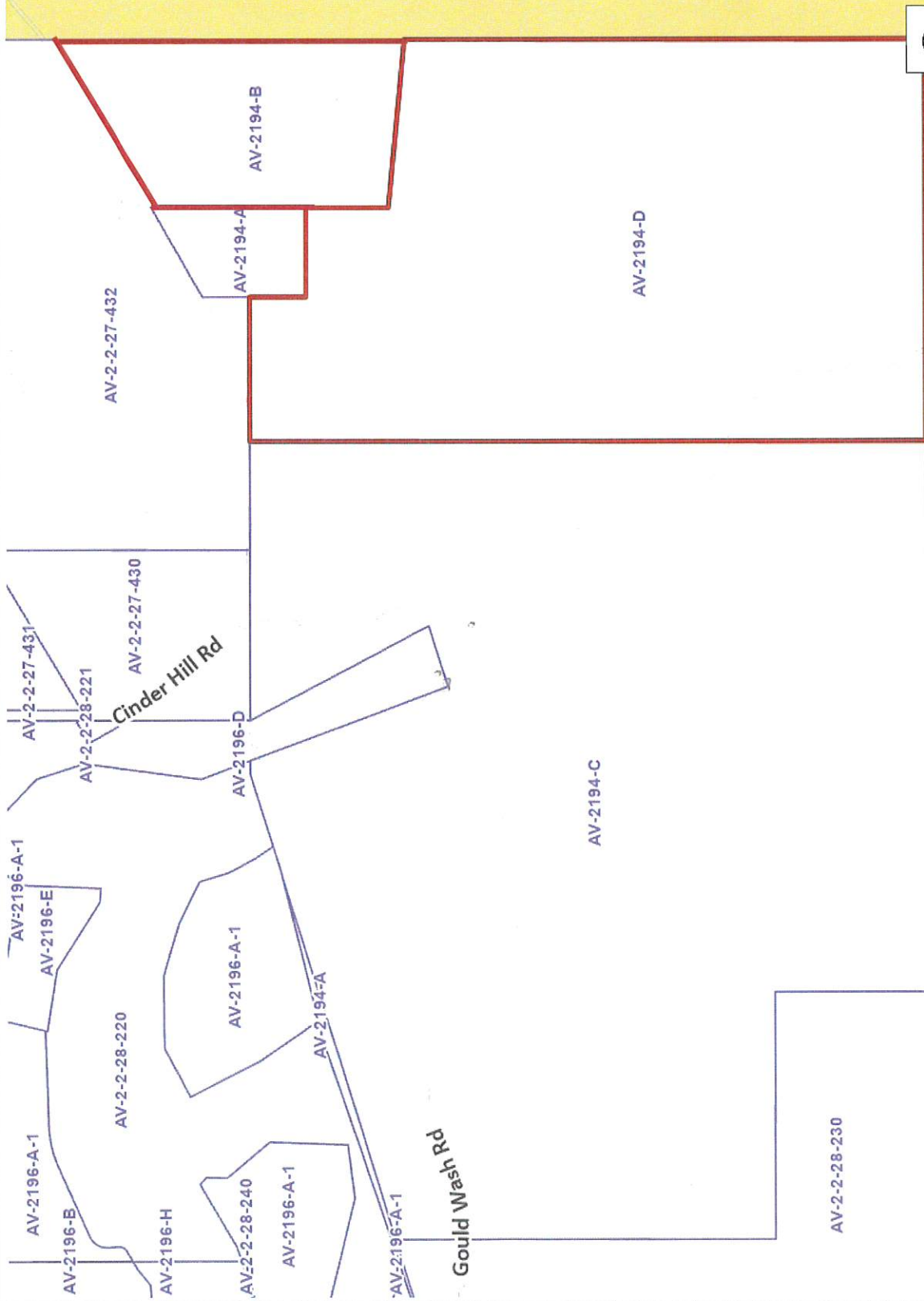
**Legal:** S: 27 T: 42S R: 12W BEG AT PT N89°53'25" E ALG S SEC/L 1080.46 FT FM SW COR SEC 27, T42S, R12W; TH N0°04'17" W 2638.65 FT TO PT ON C/S/L; TH N89°54'58" E ALG SD C/S/L 559.35 FT TO PT ON PARCEL DESC IN DOC #20070025178, TH ALG SD PARCEL FOL (2) CRSES: S0°03'58" E 218.34 FT; TH N89°53'25" E 346.55 FT TO PT ON PARCEL DESC IN INSTR #917739; TH ALG SD PARCEL FOL (2) CRSES: S0°03'58" E 321.36 FT; TH S84°32'14" E 655.48 FT TO C/S/L; TH S0°03'39" E ALG SD C/S/L 2035.05 FT TO S1/4 COR OF SD SEC 27; TH S89°53'25" W ALG S SEC/L 1557.90 FT TO POB.

**Parcel Number:** AV-2194-B

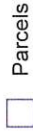
**Legal:** S: 27 T: 42S R: 12W BEG SW COR SEC 27 T42S R12W TH N89°56'17E 2639.07 FT; TH N0°01'06W 2035 FT TO POB; TH N84°29'22W 656 FT; TH N0°01'06W 908.32 FT; TH N59°01'33E 761.40 FT; TH S0°01'06E 1363.17 FT TO POB



# AV-2194-D + AV-2194-B



## Legend



## Ownership

- U.S. Forest Service
- U.S. Forest Service Wilderness
- Bureau of Land Management
- Bureau of Land Management Wildlife
- National Park Service
- Shiwiwi Reservation
- Utah Division of Wildlife Resources
- Utah Division of Transportation
- State Park
- State of Utah
- Washington County
- Municipally Owned
- School District
- Privately Owned
- Water
- Water Conservancy District
- State Assessed Oil and Gas
- Mining Claim

## Notes

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

1,504.7 0 752.33 1,504.7 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere



AFFIDAVIT  
PROPERTY OWNER  
AV-2194-D

STATE OF UTAH )

)S

COUNTY OF WASHINGTON)

I (We) A+E Development Eland S. LeBaron Manager, being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

[Signature] Manager  
Property Owner

Property Owner

Subscribed and sworn to me this 25 day of July, 2022.



Laura Joy Santos  
Notary Public

Residing in: Millard Co

My Commission Expires: 7/31/23

AGENT AUTHORIZATION

I (We), A+E Development + Eland S. LeBaron Manager, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Hidden Rock Development Group to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

[Signature] Manager  
Property Owner

Property Owner

Subscribed and sworn to me this 21 day of November, 2022.



Laura Joy Santos  
Notary Public

Residing in: Millard Co

My Commission Expires: 7/31/2023

**AFFIDAVIT  
PROPERTY OWNER  
AV-2194-B**

STATE OF UTAH

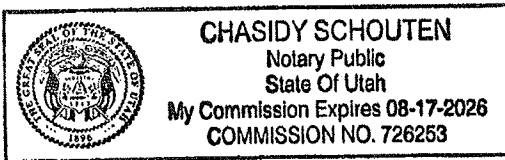
COUNTY OF WASHINGTON

I (We) [Signature], being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

[Signature]  
Property Owner

Property Owner

Subscribed and sworn to me this 2 day of November, 2022



Chasidy Schouten  
Notary Public

Residing in: Hurricane, Utah

My Commission Expires: 08-17-2026

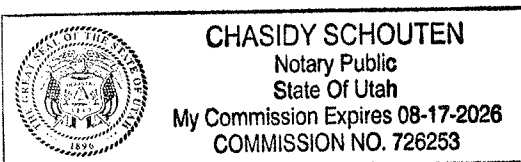
**AGENT AUTHORIZATION**

I (We), Laron Hall, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Hidden Rock Development Group to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

[Signature]  
Property Owner

Property Owner

Subscribed and sworn to me this 11th day of November, 2022



Chasidy Schouten  
Notary Public

Residing in: Hurricane UT

My Commission Expires: 08-17-2026



*Let's turn the answers on.*

Dixie Service Center  
Estimating Dept.  
455 N. Old Hwy 91  
Hurricane, UT 84737  
Fax # (435)688-8351

October 18, 2022

Dallin Jolley  
1 N. Cinder Hill Road  
Apple Valley, UT 84737

Re: Oculita Roca Development

Located: Parcel #AV-2194-D

Dear Dallin Jolley:

After reviewing the proposed plans for the above mentioned project, I have determined that power is available within a near proximity. Rocky Mountain Power intends to serve the project with electrical service based on load requirements and specifications submitted. All electrical installations will be provided in accordance with the "Electric Service Regulations, as filed with the Utah Public Service Commission after receiving an approved plat showing easements approved by Rocky Mountain Power.

For additional consultation in this matter, please do not hesitate to call.

Sincerely,

Ruston Jenson  
Estimator  
Dixie Service Center  
435-688-3708





1777 N. Meadowlark Dr, Apple Valley, Utah 84737  
Phone: 435-877-1194 Fax: 435-877-1192  
www.applevalleyut.gov

Chairman Andy McGinnis  
Board Member Frank Lindhardt  
Board Member Harold Merritt  
Board Member Ross Gregerson  
Board Member Jarry Zaharias

Preliminary Water Letter  
For  
Hidden Rock Development Group LLC  
Anish Bhatia and Dallin Jolley

This letter is provided as a preliminary look at the needs of your proposed development and provides options as well as potential requirements for your project.

1. Option to connect to district water main at N Apple Valley Dr. next to the Gooseberry Lodges.
2. Option to build a tank and infrastructure designed to meet not only culinary, irrigation, but also fire suppression for your entire development.
3. State and Local permits for well drilling.
4. Municipal/Culinary water rights deeded to the District.
5. Easements as required for water infrastructure and District access.
6. Upon completion of the water system by the Developer and approval of the District's designated engineer and Water Superintendent, said water system will be deeded to the District.

The above is not an all-encompassing list, but a preliminary one and may expand as your development progresses.

The District provides this letter for the purpose of a zone change and it is NOT a Will Serve Letter.

Andy McGinnis  
Chairman  
Big Plains SSD



## **Ash Creek Special Service District**

1350 S. Sand Hollow Road

Hurricane, UT 84737

Office: (435) 635-2348 Fax: (435) 635-8550

ashcreek@infowest.com

October 24, 2022

Apple Valley

Kyle Layton

1777 North Meadowlark Drive

Apple Valley, UT 84737

### **RE: Parcel AV-2194-D**

Kyle,

Ash Creek SSD takes no exception to the proposed zone change for parcel AV-2194-D. In lieu of a Will Serve, this letter communicates Ash Creek SSD's requirements.

After reviewing the conceptual site plan for parcel AV-2194-D, it appears the land will be used as a resort style property with no subdivision of the property creating individual lots for sale. Based on the proposed land use, a Body Politic agreement with Ash Creek SSD should not be needed. Wastewater treatment will be permitted through the state. The next step for the owner/developer will be to contact the Utah Division of Water Quality to work through the permitting process. This information has been provided to the owner/developer.

The owner/developer understand and agree that they will need to get plan approval for the sewer and treatment systems. After approval, they agree to pay all costs associated with construction of sewer and treatment systems and impact fees.

Please let us know if you have any questions.

Sincerely,

Amber Gillette, P.E.

Engineer

Ash Creek Special Service District



**GEOTECHNICAL TESTING SERVICES, INC.**  
735 East Tabernacle, St. George, UT, 84770  
(435) 628-9536 admin@gtsstg.com

October 18, 2022

Mr. Anish Bhatia



Subject: Soil Classification and Septic Feasibility  
Parcel AV-2194-D  
Apple Valley, Utah  
GTS Project Number: 12925

Dear Mr. Bhatia:

As requested, we are providing you with the soil classification for the above noted project. It appears that the soils are sufficient for the installation of an onsite wastewater system; however, this letter should be provided to the Southwest Utah Public Health Department for their approval. Soil classification in accordance with Utah Administrative Code Section R317-4-13 was performed by us and reported herein.

In order to investigate the subsurface soils for this study, five, 5.75 to 9.5-foot deep test pits were excavated across the subdivision as shown on Figure 1. The subsurface soils encountered in the test pits consisted of granular, fine sandy loam to the maximum depth of exploration, 9.5 feet, which was the extent of the digging equipment. Groundwater was not encountered in the test pits during our investigation and there was no evidence of a historic ground water table within the depth of the test pits.

Considering soil classification and using values from Section R317-4-13, Table 6, a soil absorption rate (SAR) of 0.5 gallons/square foot/day can be used for sizing the absorption area. Please refer to the attached Soil Exploration Results.

Thank you for allowing us to provide these services for you. Please call our office at (435) 628-9536 if there are any questions regarding this project.

Very Truly Yours,  
**GEOTECHNICAL TESTING SERVICES, INC.**

A handwritten signature in blue ink, appearing to read "Chris D. Volksen", written over the company name.

**CHRISTOPHER D. VOLKSEN, P.E.**  
President



## SOIL EXPLORATION RESULTS

Information Required for Determining Soil Suitability  
for Individual Wastewater Disposal Systems

NAME: Parcel AV-2194-D  
LOCATION OF Gould Wash Road  
PROPERTY: Apple Valley, Utah

Statement of soil conditions obtained from soil exploration to a depth of 9.5 feet. In the event that absorption systems will be deeper than 5.5 feet, further soil explorations must be performed extending to a depth of at least 4.0 feet below the bottom of the proposed absorption field, seepage trench, seepage pit, or absorption bed. A descriptive log of the exploration is given below:

**TEST PIT 1** (See Figure 1 for the location of the test pit)  
0 - 5.0 Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day)  
5.0 - 5.75 Sandy Loam, granular, fine sand, reddish brown, cobbles (SAR= 0.50 gal/sqft/day)  
5.75 Sandstone Bedrock  
5.75 END OF THE TEST PIT - Refusal

**TEST PIT 2** (See Figure 1 for the location of the test pit)  
0 - 4.25 Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day)  
4.25 - 7.0 Sandy Loam, granular, fine sand, reddish brown, calcareous (SAR= 0.50 gal/sqft/day)  
7.0 - 8.5 Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day)  
8.5 Sandstone Bedrock  
8.5 END OF THE TEST PIT - Refusal

**TEST PIT 3** (See Figure 1 for the location of the test pit)  
0 - 3.5 Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day)  
3.5 - 4.5 Sandy Loam, granular, fine sand, reddish brown, cobbles (SAR= 0.50 gal/sqft/day)  
4.5 - 5.5 Sandy Loam, granular, fine sand, reddish brown, calcareous (SAR= 0.50 gal/sqft/day)  
5.5 - 9.5 Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day)  
9.5 END OF THE TEST PIT - Extent of Equipment

**TEST PIT 4** (See Figure 1 for the location of the test pit)  
0 - 4.0 Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day)  
4.0 - 6.0 Sandy Loam, granular, fine sand, reddish brown, calcareous (SAR= 0.50 gal/sqft/day)  
6.0 - 9.5 Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day)  
9.5 END OF THE TEST PIT - Extent of Equipment

**TEST PIT 5** (See Figure 1 for the location of the test pit)  
0 - 8.0 Sandy Loam, granular, fine sand, reddish brown (SAR= 0.50 gal/sqft/day)  
8.0 Sandstone Bedrock  
8.0 END OF THE TEST PIT - Refusal


Date soil exploration(s) conducted: August 24, 2022

Statement of present and maximum anticipated groundwater table throughout the property and area of the proposed absorption system: Not encountered or anticipated

Date groundwater table determined: August 24, 2022

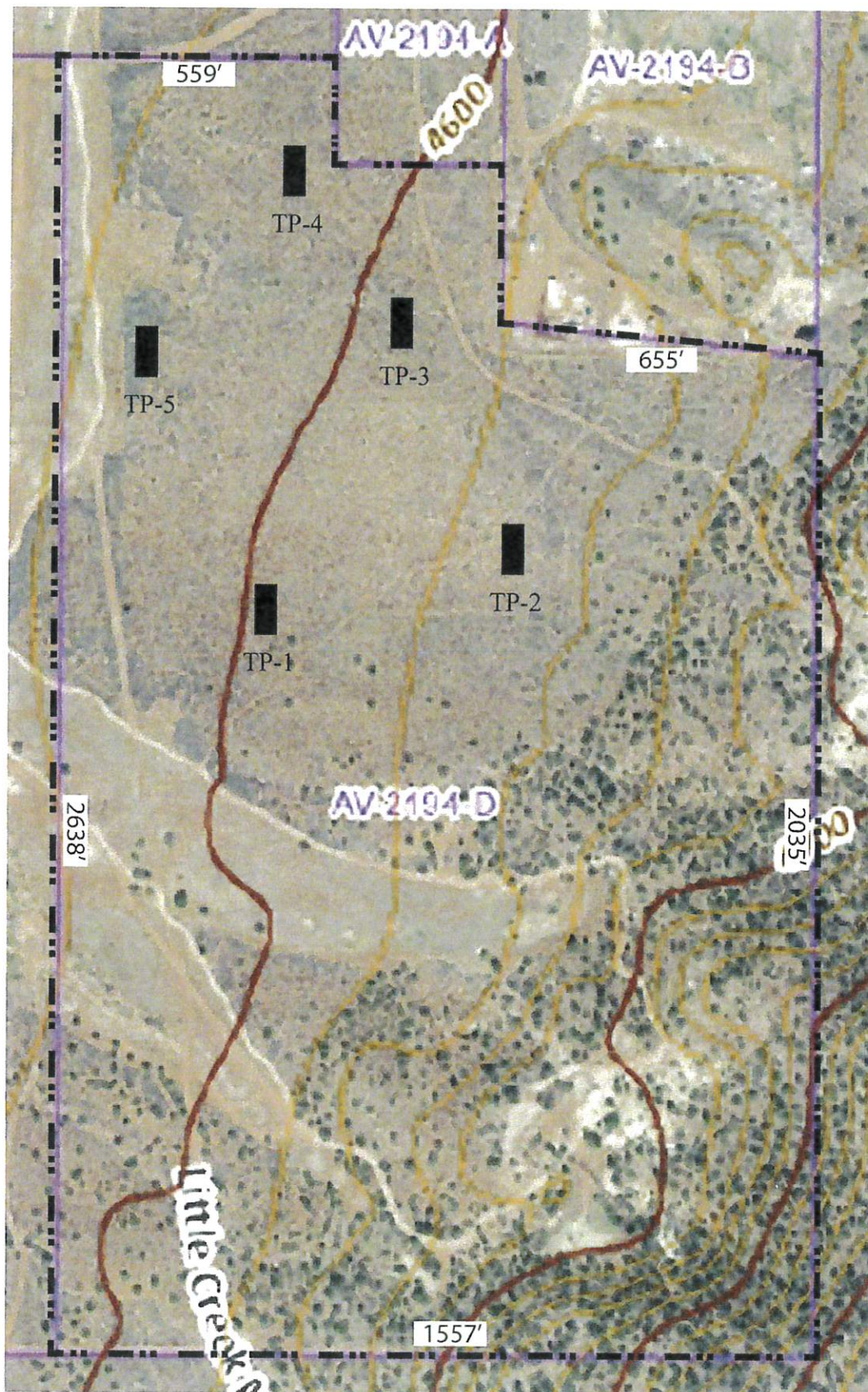
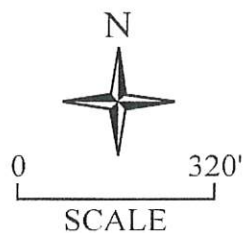
I hereby certify to the best of my knowledge, the foregoing information is correct.

Name: Carson Gardner  
Address: 735 East Tabernacle  
St. George, UT 84770

Signed:   
(Unsigned test certificates will not be accepted)

Date: 10-18-22





Engineering  
Consulting  
Testing

### SITE PLAN

Client: Anish Bhatia  
Project: Parcel AV-2194-D  
Location: Gould Wash Road - Apple Valley, UT  
Number: 12925

Figure 1