

Minutes taken at the Town of Apple Valley, Regular Planning Commission meeting that was held on the 28<sup>th</sup> day of July, 2011 at 7:00 pm at the Smithsonian Fire Department Building, 1777 N. Meadowlark Drive, Apple Valley, Utah. 84737

1. The meeting was called to order at 7:00 pm.
2. The Pledge of Allegiance was led by Dale Beddo.
3. Roll Call: Roger Ashmore, Todd Stratton, Dale Beddo and Kevin Sair were present. Mike Cooke was excused. Nathan Bronemann, Town Clerk, took minutes.
4. Declarations of conflict of interests.

None stated.

5. Election of new chairperson.

Kevin Sair moved to elect Dale Beddo as the new chairman. Todd Stratton seconded the motion. VOTE: Roger Ashmore-yes, Todd Stratton-yes, Dale Beddo-yes, Kevin Sair-yes. Motion passed 4/0.

Dale Beddo said that he would his best to serve the community in this capacity.

6. Election of new co-chairperson.

Dale Beddo suggested that this item be tabled until such time that the Town Council appointed a new Planning Commission member. There were no objections.

Dale Beddo requested that Planning Commission alternate Cynthia Browning participate on the Planning Commission that evening to fill the vacancy until the Town Council formally appoint a replacement.

7. Discussion and possible action on subdivision ordinance.

Dale Beddo said that he wanted to open of the entire chapter on subdivisions in order to rid the document of conflicts.

Roger Ashmore was concerned about how a golf course can relate to open space to adjacent land and if a developer could use a percentage of a golf course as open space.

Dale Beddo said that it is not possible with the current ordinances, but the question would be that if it should, how they get there. He addressed and explained the sliding density scale proposal that was received from the Town Council back in February. As it stands right now, 30% open space is required for new developers. The current density in the Town is a maximum of 8 units per acre. The proposed density plan brings the open space requirement down to 10% and density down to 1 unit per acre. However, an increase of density can be added through donating developed free access areas that would benefit the community. The maximum allowable density that would be allowed would be 3 units per acre with a 20% open space contribution and 5% contributed to conservation easement area.

Kevin Sair further clarified that the current ordinance was set to allow 8 units per acre with no credit for golf courses. The proposal is to bring density down to 1 acre per unit with the ability

to increase that density by donating parks, trails, etc. He said that he talked to a lot of the people in the community and came up with this plan to try to benefit the most people possible.

Roger Ashmore said that he thought a plan like this would work well.

Todd Stratton asked if this was the highest the density would be available to developers.

Dale Beddo said that through the balance of other ordinances, the maximum density could be increase another unit to a unit and a half. He said that in order to get 8 units per acre a developer would have to go two-story which is against the current ordinances. He asked the commission to review this proposal and return in two weeks prepared to take action on the proposal.

8. Review concept plan from Desert Rose's proposed subdivision.

Wayne Bevan presented his plans for the Desert Rose Subdivision that they started planning in 1994. It would consist of 175 acres. The plans consist of half-acre lots. They will have CC&Rs and a waste water area. He said that they had the turn lanes put in on the highway several years ago. They are planning on using a wastewater treatment system, but that is subject to change. They are under will serve letter under both Apple Valley and Cedar Point water companies.

Dale Beddo asked if the discharge sewer permit was still intact. He asked where they were with the Corps of engineers on crossing the ravine. He asked if they had all other permits.

Wayne Bevan said he thought it was still intact.

Dale Beddo said that they would need to see a copy of all current permits as many had likely expired. He asked if they would have booster pumps for the water pressure.

Paul Bevan clarified that with the Two Bears merger, there would be enough pressure to provide 100 psi to the subdivision without pumps.

Dale Beddo said that there were two primary issues. One would be the requirement to have two entry and exit points. That could be remedied. Since the proposed open space does not equal the currently required 30% open space, he recommended that they hold off on the review until after action is taken on the proposed sliding scale.

Wayne Bevan wanted to move forward and requested that they be provided with a list of the areas that did not meet current code.

Dale Beddo said that he would do so and have the clerk provide them.

9. Consider approval of minutes:

a. June 23, 2011 Regular Meeting Minutes.

Motion made by Roger Ashmore to approve the minutes. Todd Stratton seconded the motion. VOTE: Roger Ashmore-yes, Todd Stratton-yes, Dale Beddo-yes, Cynthia Browning-yes. Motion passed 4/0.

Dale Beddo opened the floor for questions.

Buddy James said that Desert Rose would be a county issue since the Town was not in existence when they started. He vented for several minutes about how he didn't approve of the existence of the Town.

Richard Ososki asked when the open space was mandated to go in.

Dale Beddo said that took place when phase I took place, however, the current 30% does not require developed parks, etc.

Richard Ososki asked if there was an ordinance stating a minimum square footage of the home.

Mayor Moser said that the minimum square footage allowed in the Town was 1700.

Pam Quale asked who would hold the title of the open space currently.

Dale Beddo said that currently the developer would hold the title.

Pam Quale asked about how much water was available in the ground.

Mayor Moser said that when any new development comes to the community they need to bring water with them. At that time, the State reviews the availability of water.

Curtis Gubler said 20% of the water is in reserve.

Tom Hunt was concerned with the density and would like to see 4-5 units per acre. He asked Wayne about the specifics of the CC&Rs.

Wayne Bevan said that they have not been drafted yet.

Zeniff Hathaway said that 8 units per acre was totally unacceptable. We can't stay the same. We need to move forward.

Jerry Wellin asked how many more kids Hurricane would accept before the Town would have to build its own school.

Dale Beddo said that there were plans for an elementary school near Cedar Point Subdivision and that Hurricane High School could take a few hundred more. He said that as soon as there were another 500 homes they would have to start looking at adding another high school.

Dale Beddo closed public comment.

#### 10. Adjournment.

Motion made by Todd Stratton to adjourn the meeting. Roger Ashmore seconded the motion. VOTE: Roger Ashmore-yes, Todd Stratton-yes, Dale Beddo-yes, Cynthia Browning-yes, Margaret Ososki-yes. Motion passed 4/0.

Meeting adjourned at 8:14 pm.

ATTEST BY: \_\_\_\_\_  
Nathan Bronemann

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Dale Beddo  
Planning Commission Chairman