

Minutes taken at the Town of Apple Valley, Regular Planning Commission meeting that was held on the 11<sup>th</sup> day of August, 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 Todd Stratton.
3. Roll Call: Roger Ashmore, Todd Stratton, Dale Beddo and Cynthia Browning were present. Mike Cooke was excused. Nathan Bronemann, Town Clerk, took minutes.
4. Declarations of conflict of interests.

Dale Beddo said that he had a conflict of interest with item 7 and the Judy Creek Development.

5. Set a public hearing date for the final plat approval for Phase 2 of Cedar Point Subdivision.

Roger Ashmore made a motion to set the hearing date for the final plat approval for Phase 2 of Cedar Point Subdivision for August 25<sup>th</sup> at 7:00 pm. Todd Stratton seconded the motion. VOTE: Roger Ashmore-yes, Todd Stratton-yes, Dale Beddo-yes, Cynthia Browning-yes. Motion passed 4/0.

6. Discussion and possible action on the application for Desert Rose Subdivision.

Dale Beddo explained that Desert Rose had met the will serve requirement, but that there was an issue with the sewer and who had jurisdiction there. He explained that there was a misunderstanding with regard to what needed to be submitted for the preliminary plat approval. He referenced p. 53 of the Land Use Ordinances.

Wayne Bevan stated that the subdivision was to be 173.7 total acres. He broke down the acreage assigned to lots, roads, etc. He presented the Army Corps of Engineers' letter concerning the wash.

Dale Beddo said that the only issue was if the engineers would sign off on the septic to half acre lots.

Wayne Bevan said that he spoke with them and there was no issue with the septic.

Paul Bevan said that the only issue with waste water would be the two washes and that they were working on getting it straightened out.

Dale Beddo said that he didn't see any other issues. He suggested forwarding it on to the Town Council with the condition that the sewer issue was resolved.

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

7. Discussion on Land Use Ordinances with Kurt Allen pertaining to the proposed Judy Creek Subdivision.

Kurt Allen said that there was a dilemma with the Land Use Ordinances. He said that on p. 51 it addressed the sketch plan and that it is not required. He addressed the project plan. He said that he had never seen this type of requirement, but instead he was used to a master plan requirement. He proposed to the Commission that they make modifications to the requirements. He addressed paragraph G (transportation and pedestrian flow,) and said that it would be impossible to do what it required. In paragraph H (natural features,) it would be too busy to put all of this on the master plan and would cause confusion. He suggested that this be moved to a later phase of the approval process.

Kurt Allen further mentioned that there were some other issues in presenting the master plan as required by the ordinance. He asked for feedback and suggestions from the Commission on where to go from here.

Dale Beddo said that in the last meeting they opened up this section of the Land Use Ordinances for review. He said that they realize that there are some issues that need to be resolved. He recommended that Kurt wait until they address the issues with this section.

Dale Beddo continued requesting that the Commission review Chapter 11, Planned Development Zones. He addressed p. 40 referring to golf courses. He read on p.48, section 8:D:1:A where is addressed the project plan. He said that landscaping should not be part of the project plan. He said that a site plan is or the final and last step of the approval plan. He suggested that the site development plan and project plan be changed to read master plan.

Dale Beddo said that in section 8:D:5 the zero scape requirement was a contradiction of the natural requirement from p. 8. He addressed contradictions with the open space requirements. He said that as the ordinance currently states, disturbed (i.e. bulldozed, with trash, etc.) land can qualify as open space. He suggested that it should probably require that the open space be restored or reclaimed by cleaning and re-vegetating, etc.

Dale Beddo went on to address section 8:E:1:b:(1) and the open space requirements.

Todd Stratton said that the sliding scale proposal would address this issue.

Dale Beddo addressed the sliding scale that was proposed by the Town Council.

Todd Stratton said that he thought that the density should be higher to allow the construction of condominiums.

Dale Beddo said that they would currently be allowed other than the 32 ft. height restriction. He said that they need to determine what end result they want with regard to density and then allow developers to work up to that through the sliding scale requirements. He explained that at 2.5 units per acre, the actual end result would be closer to 6 units per acre when you take into account the road space, golf courses, and other open spaces.

Todd Stratton clarified that with the sliding scale plan, the developer would have to be responsible for the maintenance of the open spaces and the taxes as they would maintain the title.

Cynthia Browning asked for clarification on golf courses and the open space requirements.

Dale Beddo said that with a golf course, under the proposed sliding scale plan the developer would get credit at a rate of 45%.

Cynthia Browning said that some things in the 45% category were of greater benefit to the community than others. She said that some of those items should be credited at a greater percentage than others.

Jack clarified that the buildings within golf courses were not open space.

Dale Beddo agreed and said that those areas with buildings were zoned differently and not classified as open space.

Todd Stratton asked if there were a public hearing scheduled on this ordinance change.

Dale Beddo asked Mayor Moser if the Planning Commission had to have a public hearing before sending the issue to Town Council.

Mayor Moser said that the Planning Commission was the deciding body and that they would have to have a public hearing and then make a decision.

Dale Beddo asked Cynthia Browning to put the proposal in writing so that it could be sent to Meg Ryan from the League of Cities and Towns for review.

Mayor Moser reminded the Commission that they could also use the Town attorney.

Dale Beddo addressed section 8:E. He recommended that they resume the review in the next Planning Commission meeting. He reminded the public that these meetings were not for public comment.

8. Consider approval of minutes:

a. July 28, 2011 Regular Meeting Minutes.

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

9. 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 8:13 pm.

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

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Dale Beddo  
Planning Commission Chairman