PERRY CITY PLANNING COMMISSION/APPEALS BOARD TRAINING

THURSDAY, JULY 17, 2008 6:00 P.M.

PERRY CITY OFFICE BUILDING—CITY COUNCIL ROOM

3005 S. 1200 W. PERRY, UTAH

PLANNING COMMISSIONERS PRESENT: Karen Cronin, Martin Hinckley, Randy Wilde (Chair), Clint Nelson, Steve Pettingill (Vice-chair)

APPEALS BOARD MEMBERS PRESENT: James Felix

OTHERS PRESENT: Codey Illum (Building Inspector and Community Development Director), Duncan Murray (City Attorney), Rachel Tribe (Assistant City Planner), Angela Erwin (Minutes Clerk)

Training was presented by Duncan Murray. The subject of the training was the discretion and authority of the Planning Commission, specifically with special exceptions and conditional use permits (quasi-judicial applications). Mr. Murray also reviewed the Government Records Access and Management Act (GRAMA).

**PERRY CITY PLANNING COMMISSION MEETING**
**THURSDAY, JULY 17, 2008 7:00 P.M.**
**PERRY CITY OFFICE BUILDING—CITY COUNCIL ROOM**
**3005 S. 1200 W. PERRY, UTAH**

**PLANNING COMMISSIONERS PRESENT**: Karen Cronin, Martin Hinckley, Randy Wilde (Chair), Clint Nelson, Steve Pettingill (Vice-chair)
**OTHERS PRESENT**: Codey Illum (Building Inspector and Community Development Director), Duncan Murray (City Attorney), Lorin Gardner (City Engineer), Rachel Tribe (Assistant City Planner), Angela Erwin (Minutes Clerk), Kelly Harju, Tony Francis, Roger Knowles, Don Lilyquist, Lani Braithwaite, Michael Kilburn, Trisha Kilburn, Tom Peterson, Glenn Bradbury, Gary Jeppesen, Greg Young, Tina Mace, Desmond Thomas, Leslie Thomas, Steve Neville, Aaron Nielsen, Erik Craythorne, Jason Roberts

I. CALL TO ORDER AND OPENING CEREMONIES:

Comm. Wilde called the meeting to order at approximately 7:00 p.m.

A. PLEDGE ALLEGIANCE TO THE U.S. FLAG

Conducted by Comm. Wilde.

B. DECLARE CONFLICTS OF INTEREST, IF ANY

Questions initiated by Comm. Wilde. Comm. C. Nelson had a conflict with item 4.D. on the agenda, City Center subdivision phase 2. He will remain at the Commissioners' table, but excuse himself from any discussion.

C. REVIEW AND ADOPTION OF THE AGENDA

Questions initiated by Comm. Wilde. Comm. Pettingill would like to add item 6.G. to the agenda, which will include a discussion on the abandoned vehicle ordinance.

**Motion:** Comm. Pettingill moved to adopt the agenda for July 17, 2008 with this modification. The motion was seconded by Comm. C. Nelson. No Discussion. All in favor.

D. APPROVE MINUTES FOR JUNE 19, 2008 AND ANY OTHER MINUTES

June 19, 2008: Comm. Pettingill pointed out the highlighted correction to page three: "setbacks could then **be** modified."

**Motion:** Comm. Pettingill moved to approve the minutes for June 19, 2008 with the correction listed. The motion was seconded by Comm. Cronin. No discussion. All in favor.

May 1, 2008: Comm. Cronin would like further explanation to the sentence, "Mr. Illum wanted to make clarifications to item 3.B.,"on page three. She would also like further explanation to the sentence, "Rachel Tribe provided an overview for this item," on page three. The following highlighted change needs to be made on page six: "Comm. Wilde accepted this **and** withdrew his concern." Also, the word "changed" should read "change" in the second paragraph of 8.A. on page seven.

**Motion:** Comm. Pettingill moved to approve the minutes for May 1, 2008 with the corrections listed. The motion was seconded by Comm. Cronin. No discussion. All in favor.

II. PUBLIC HEARINGS AND PUBLIC COMMENTS

A. RULES

Comm. Wilde read the rules as listed on the agenda.

B. PUBLIC HEARINGS

(1.) A zone change, subdivision, and design review for a commercial site plan located in the existing Snow Orchard subdivision area. The requested zone change is from R1 (10,000 sq. min. residential lot size lot) to C (1,000 sq. min. Commercial lot size) and is portions of parcels 3-142-0028 and 3-142-0081. The requested subdivision and site plan would allow for Multi-family housing and Commercial buildings on or near 1400 South and 450 West and includes portions of parcel 3-142-0028 and 3-142-0081 agenda item 6.B.

Desmond Thomas, representing the Thurgood's, said 1400 South is not adequate with its twenty four foot easement. He said this zone change is needed to provide an entrance, exit, and access of roads. In order for the development of the roads and to open up the lower half for commercial development, he said Perry City needs to make the re-zone happen. He said Mr. Thurgood is pursuing a multiple use commercial zone to bring in everything in the area adequately and bring the roads to Perry City specifications. The two lots on the north side will go to the state and the lower southwest lots will be picked up by Mr. Thurgood.

**Motion**: Comm. Cronin moved to close the regular meeting and open the public hearing for the zone change of Snow Orchard subdivision. The motion was seconded by Comm. Pettingill. No discussion. All in favor.

Comm. Wilde asked if there were any public comments on this item.

Mike Kilburn, Vintage Farms resident, wanted to know what the styles of the buildings were going to be. Comm. Wilde said that the buildings were simply a concept of what may happen if the zone change is approved. Mr. Kilburn was concerned about the 1,000 sq. foot lots and would rather have residential lots. He is worried about the market value of the existing homes falling.

Gary Jeppesen, Vintage Farms resident, agrees with Mr. Kilburn. He is not against the development, but thinks it should remain 10,000 square foot, single family dwellings because of property values.

Trisha Kilburn, Vintage Farms resident, moved to Perry City because of the larger lot sizes and beautiful views and surroundings. She pointed out that there is a large, fenced-off detention pond in the area and she is concerned about the relocation of this water. She is also concerned that commercial lots will bring in noise and traffic and the possibility of vacant commercial buildings. She believes the market values of the existing homes will fall with this zone change.

She was told this would be a residential area and did not plan on commercial areas or multi-family homes. She asked that this area be left as a residential zone at the size it currently is.

Comm. Cronin asked Ms. Kilburn what type of housing she was opposed to and what she would like as a buffer. Ms. Kilburn responded that low level and cheap rental housing will look trashy and that is what she is concerned about. She prefers twin homes as the "maximum" buffer and she does not want to see apartment buildings.

Jason Roberts, Vintage Farms resident, would like to see the yards kept up. He prefers single family homes and does not want apartment buildings or low income housing. He thinks rentals will "pop" up fast, but does not believe commercial will be appropriate for the current economy. He wanted to know what type of businesses would be allowed under this zone change. Ms. Tribe said there is a land use chart that shows what is allowed in this zone. Mr. Illum volunteered to give Mr. Roberts further information on this after the meeting.

Mr. Thomas again stood and said it is not Mr. Thurgood's nature to put four-plexes and apartments in. It is his nature to build homes such as the ones he did on the east side. Yet, twin homes are not out of his realm with the difficulty of the housing market. He thinks a buffer zone should be created so that there is not a major impact. He added that the zone change does not stop the community, Planning Commission, and City Council to have their opinion. He said in order for the roads to go through and for the access to happen, the zone change needs to be approved. He believes the Snow Orchard subdivision is a disaster and needs to be redesigned.

Steve Neville, Vintage Farms resident, moved into his home two weeks ago. He was elated to hear that the area was zoned residential, but then received a notice that there was a zone change proposal. He moved to Perry City and Vintage Farms because of the image of the area. He believes the image will go down with the zone change. He said the infrastructure required to manage apartment buildings, school buses, and patrolling is not ideal. He is firmly for keeping the zoning as it is.

**Motion**: Comm. Cronin moved to close the public hearing for the zone change of Snow Orchard subdivision and open the regular meeting. The motion was seconded by Comm. C. Nelson. No discussion. All in favor.

(2.) A zone change and amended subdivision for portions of Wasatch Hills subdivision (Phases 1 and 2). In particular, the requested zone change is from R1 (10,000 sq. min. Residential lot size lot) to R2 (8,000 sq. min. residential lot

size), and the requested amended subdivision would allow for twin homes or duplexes at the end of the cul-de-sac on 560 West Street near Rockwell Dr. The area for the zone change and amended subdivision includes lot 11, 12, 13 and 14, which are also identified as parcel numbers 03-246-0026, 03-246-0027, 03-246-0029, agenda item 6.A.

Roger Knowles, Perry City resident, would like to put twin homes on the cul-de-sac at 560 West, now that there is a ordinance that addresses twin homes. He said twin homes are the most compatible use of the cul-de-sac. There would be four lots and four twin homes which making eight units.

**Motion**: Comm. Cronin moved to close the regular meeting and open the public hearing for the zone change and amended subdivision of Wasatch Hills subdivision. The motion was seconded by Comm. Pettingill. No discussion. All in favor.

Comm. Wilde asked if there were any public comments on this item. None existed.

**Motion**: Comm. Pettingill moved to close the public hearing for the zone change and amended subdivision of Wasatch Hills subdivision and open the regular meeting. The motion was seconded by Comm. C. Nelson. No discussion. All in favor.

(3.) Ordinance 08-T, amending the general plan to adopt a revised transportation master plan, agenda item 6.C.

Lorin Gardner said upon review of the master plan it was asked to consider additional options for interchange access along 2950 South. In chapter 34-05 there is an interchange evaluation, which the City may incorporate as a possible alternative. He pointed out that there are certain criteria required for distances between the interchanges. These are addressed when the application is made. On the recommended route, figure 4.1, there were some adjustments made on some of the roadways. In addition, Mr. Gardner said that the current version of the master plan reflects the proper numbering system, as it has been codified.

**Motion**: Comm. Cronin moved to close the regular meeting and open the public hearing for ordinance 08-T, amending the general plan to adopt a revised transportation Master Plan. The motion was seconded by Comm. Hinckley. No discussion. All in favor.

Comm. Wilde asked if there were any public comments on this item. None existed.

**Motion**: Comm. Pettingill moved to close the public hearing for ordinance 08-T, amending the general plan to adopt a revised transportation master plan and open the regular meeting. The motion was seconded by Comm. Cronin. No discussion. All in favor.

III. DESIGN REVIEW/SITE PLANS AND LIMITED REVIEW PERMITS (ADMINISTRATIVE APPLICATIONS)

A. PRELIMINARY AND FINAL DESIGN REVIEW ON MAVERIK GAS STATION WASATCH HILL DRIVE AND HWY 89 (2241 SOUTH HWY 89, PARCEL NUMBER 3-246-0030)
The Commissioners were given plat maps for reference. Don Lilyquist, representing Maverik, said he has met with the City staff and engineer. He believes the City engineer has recommended preliminary and final approval.

Comm. Hinckley pointed out that the side street shown on the map is in the wrong location. It should be south of Wasatch Hills and not just off 2100 South, as indicated on the map.

Mr. Gardner said he is still waiting for the access permit from UDOT. Mr. Lilyquist said that UDOT asked for more detailed striping on the plans and they have provided UDOT with this information, but have not yet heard back from them. Mr. Gardner said that Maverik has made all the corrections he has asked for.

**Motion**: Comm. Pettingill moved to recommend the preliminary and final design review on Maverik gas station to the City Council for their approval. The motion was seconded by Comm. C. Nelson. Discussion: Comm. Cronin asked if the signage is under a separate permit and Mr. Illum said it is.
**Roll call vote:** Comm. Cronin–aye, Comm. Hinckley–aye, Comm. Wilde–aye, Comm. C. Nelson–aye, Comm. Pettingill–aye. All in favor **(5 to 0)**.

B. LIMITED REVIEW FENCE PERMIT FOR WALMART LOCATED ON 1200 SOUTH COMMERCE WAY
The application for the project, entitled fixture enclosure, was provided for reference. Codey Illum wanted to let the Commissioners know that the fence meets all of the ordinances.

Kerry Harju, representing Walmart, said they are proposing a fifty foot by sixteen foot chain link fence with an awning and privacy slats to cover fixtures and pallets. Mr.

Illum was not aware of the awning, but said he could make sure the building permit meets code. Mr. Harju said the awning will be a twelve gauge steel building, similar to a carport.

Comm. Wilde asked if the permit could be amended for the awning and Mr. Murray does not think it is significant enough to be a design review.

**Motion**: Comm. Pettingill moved to approve the fence permit and awning with the condition it meets the requirements of the building inspector. The motion was seconded by Comm. Hinckley. No discussion.
**Roll call vote:** Comm. Cronin–aye, Comm. Hinckley–aye, Comm. Wilde–aye, Comm. C. Nelson–aye, Comm. Pettingill–aye. All in favor **(5 to 0)**.

C. DESIGN REVIEW FOR ALPINE GARDENS GREENHOUSE APPROX. 1810 SOUTH HWY 89

The Commissioners were given a site plan of the project. Mr. Illum said the owners of Alpine Gardens are proposing a new greenhouse which meets all code requirements.

Glenn Bradbury, owner of Alpine Gardens, pointed out that the building, canopy, and greenhouse all constitute one structure. He said the final layout of the parking lot is in limbo because of UDOT construction elevations and sprinkler lines. Because of this, the parking lot will be looked at as a separate issue. There will be temporary parking until the spring when the new parking lot will be opened.

Comm. Cronin asked Mr. Bradbury what type of building he was looking at doing. Mr. Bradbury responded that there will be a cement floor on the portion labeled building, while the greenhouse will probably have some cement and some gravel flooring. The canopy is going to be a covered area for pallets and other storage.

Mr. Illum mentioned that a concern for the greenhouse may be proper setbacks. Mr. Bradbury agrees that the setback needs to be sufficient, as he will have semi trucks coming and going from there. He said they may have more than one access for this reason.

**Motion**: Comm. Cronin moved to approve the preliminary and final design review for Alpine Gardens greenhouse. The motion was seconded by Comm. Pettingill with the stipulation that Lorin Gardner, City Engineer, will review the distance for the greenhouse setback before it goes to the City Council. Comm. Cronin accepted this amendment. Discussion: Comm. Pettingill was concerned with being able to turn a car around in the area and whether there will be single or double access. Mr. Bradbury thinks there will be double access.

**Roll call vote:** Comm. Cronin–aye, Comm. Hinckley–aye, Comm. Wilde–aye, Comm. C. Nelson–aye, Comm. Pettingill–aye. All in favor **(5 to 0)**.

IV. SUBDIVISIONS AND STREETS (ADMINISTRATIVE APPLICATIONS)

A. PRELIMINARY ON ADL STORAGE SUBDIVISION

The Commissioners were given preliminary plan review comments dated July 2, 2008 from Mr. Gardner and a copy of a letter dated July 16, 2008 from Steve Meyer of UTA. Aaron Nielsen, owner of ADL Storage, said he and his engineer met with Mr. Gardner to discuss any questions. The drawings will be updated with the easements for final approval. Mr. Nielsen has also spoken to Steve Meyer of UTA who said their easement requirements would be a maximum of thirty two feet. Also, there would potentially be an easement for storm drains. This would leave about one-hundred-and- sixty feet of frontage. Mr. Hinckley wondered if the easement needed to be labeled on the map. Mr. Nielsen said his engineer may not want to label the easement since it still has to be negotiated. Mr. Murray said that nothing needs to be recorded on the plat at this time. Mr. Nielsen said it was also recommended for him to do a rural road agreement and deferral until the street develops.

**Motion:** Comm. Hinckley moved to approve preliminary on ADL Storage subdivision with the condition that the rural road agreement has the required signature(s). The motion was seconded by Comm. Pettingill. No discussion.
**Roll call vote:** Comm. Hinckley–aye, Comm. Corey–aye, Comm. Wilde–aye, Comm. G. Nelson–aye, Comm. Pettingill–aye. All in favor **(5 to 0)**.

B. PRELIMINARY REVIEW ON CANYON GATE SUBDIVISION PHASE 5

Because of lack of representation, this item was postponed until later in the meeting.

C. FINAL ACTION ON AMENDMENT OF ORCHARD CREEK SUBDIVISION PHASE 3

Mr. Gardner provided final plan review comments dated June 20, 2008. He said the plans are complete. Greg Young, developer, was present to answer questions. Mr. Murray said that the listed outstanding item, storm drainage, has been completed. Mr. Illum informed Mr. Young that before he begins any portion of construction, the escrow needs to be complete. Mr. Illum also pointed out that the escrow needs to represent the pricing and standards at the time of construction, not, for example, today's pricing.

**Motion:** Comm. Pettingill moved to approve final on the Orchard Creek subdivision phase 3 with notice to the developer that the escrow amount will reflect prices at the time of construction. The motion was seconded by Comm. C. Nelson. No discussion.

**Roll call vote:** Comm. Hinckley–aye, Comm. Corey–aye, Comm. Wilde–aye, Comm. G. Nelson–aye, Comm. Pettingill–aye. All in favor **(5 to 0)**.

D. PRELIMINARY REVIEW ON CITY CENTER SUBDIVISION PHASE 2

Mr. Gardner presented plans for the City Center subdivision phase 2 and provided his preliminary plan review comments dated July 2, 2008. There is an alternative version showing all lots except lot six as being duplex lots. The restriction on the duplexes will be that they have a common drive. Mr. Murray said that one concept the City is looking at is to amend the area requirements to allow a duplex on ninety feet of frontage (forty five feet per unit), as the current ordinance does not currently allow for this. Also, Mr. Murray pointed out that the restriction (R) means that only duplexes would be allowed on these lots, creating a more uniform look. Mr. Gardner added they have included lot one from the first phase because the lot line has been adjusted a few feet.

Comm. Pettingill does not like the City involving themselves in a subdivision. He is also concerned with the amendment to the land use chart the City is now asking for. He does not feel that the City should be involved in private enterprise. Mr. Murray responded that the City's goal has been to put the road through from the school to 900 West and eventually to the highway. A private developer may not have this same goal. He agrees that this does put the City in a difficult position.

Comm. Cronin asked if the City has looked at selling to an interested developer. Mr. Murray said no, because the City has done a lot of the development work and is putting the infrastructure in. After the City subdivides, they will turn the lots over to a real estate agent to sell. Comm. Cronin asked how this was handled in other cities and if it was common practice. Mr. Gardner said that downtown re-development occurs a lot with "in-house" subdivisions, but it is not too common in open property . Mr. Illum said he has worked in other cities where there is an ultimate goal in the development aspect, such as the building a park or bettering the community. The city, in turn, plays an active role in developing a certain area to obtain their goals.

Comm. Wilde asked for each Commissioner to offer their opinion. Comm. Cronin wants to see samples of what ninety foot duplexes on ninety foot frontage look like. Comm. Hinckley thinks the ordinance change with a public hearing needs to be done first Comm. Pettingill said the City needs to offer the property for sale. Comm. Wilde feels that since the City has invested a lot of money in this, they may need to be involved with the development in order to recoup some money. Also, he would like the development to meet the current ordinances and not adjust ordinances to meet the City's desires. Comm. Wilde also pointed out that the Commissioners previously requested that an independent engineering review be done on this project.

E. 3450 SOUTH STREET DEDICATION
Mr. Murray said this is an informational item that Mr. Gardner is working on and discussion can be continued to the next agenda.

*The following is the previously postponed agenda item.

B. PRELIMINARY REVIEW ON CANYON GATE SUBDIVISION PHASE 5
The Commissioners were given preliminary plan review comments from Mr. Gardner, dated June 23, 2008. Mr. Illum said he was concerned with the unapproved temporary building on lot three. Adopting this item would adopt this unapproved building into the subdivision. He believes this should not go forward until the building meets the ordinances or is removed.

Further discussion of this item was tabled since there was no representation.

*The agenda continued as follows.

V. SPECIAL EXCEPTIONS, CONDITIONAL USE PERMITS, AND MISC. (QUASI-JUDICIAL APPLICATIONS)
None

VI. LAND USE ORDINANCES, ZONING, DESIGN GUIDELINES, GENERAL PLAN (LEGISLATIVE ACTION)

A. A ZONE CHANGE AND AMENDED SUBDIVISION FOR PORTIONS OF WASATCH HILLS SUBDIVISION (PHASES 1 AND 2). IN PARTICULAR, THE REQUESTED ZONE CHANGE IS FROM R1 (10,000 SQ. MIN. RESIDENTIAL LOT SIZE LOT) TO R2 (8,000 SQ. MIN. RESIDENTIAL LOT SIZE), AND THE REQUESTED AMENDED SUBDIVISION WOULD ALLOW FOR TWIN HOMES OR DUPLEXES AT THE END OF THE CUL-DE-SAC ON 560 WEST STREET NEAR ROCKWELL DR. THE AREA FOR THE ZONE CHANGE AND AMENDED SUBDIVISION INCLUDES LOT 11, 12, 13 AND 14, WHICH ARE ALSO IDENTIFIED AS PARCEL NUMBERS 03-246-0026, 03-246-0027, 03-246-0029, AGENDA ITEM 6.A.
Comm. Cronin was concerned with land locking Benny Kay's property. She also wanted to know if there was appropriate frontage at the setback lines. Mr. Illum said that the plans meet the ordinances even though the area seems tight. Comm. Hinckley said there does not seem to be sufficient setback of one-hundred-and-twenty feet. Mr. Knowles said the setback for R2 was sixty feet. There was discussion on whether the setbacks were sixty feet per unit or one-hundred-and-twenty feet per unit. Upon review of the ordinance, it was determined that approval cannot be made until an accurate interpretation is reached. Comm. Cronin asked Mr. Knowles what he was

planning on for frontage. He thought it was sixty feet for each structure. This is why he designed a common driveway and set the units back to the widest part of the lot.

**First Motion**: Comm. Cronin moved deny the Wasatch Hills subdivision zone change and amended subdivision for the Wasatch Hills subdivision because it does not meet the current ordinance for the minimum frontage setback for duplexes. The motion was seconded by Comm. Hinckley. Discussion: Comm. Pettingill said there is an interpretation question here. He interpreted it the same as Mr. Knowles interpreted it. He feels one unit is one structure, not two. Comm. Wilde asked what specifically the Planning Commission needed to concern themselves with and what should be left up to Mr. Illum, as the building inspector. Mr. Murray said if the Planning Commission wanted clarification on the ordinance, the issue could be tabled and there could be a public hearing. Comm. Pettingill read the ordinance as, "sixty feet <u>or</u> each unit of duplex." Comm. Cronin asked if the word "or" was a typo and how this should be interpreted. Mr. Illum said interpretation is left up to the Commissioners. Mr. Murray confirmed that if there is an interpretation issue the Planning Commissioners get to decide, subject to an appeal to the appeal authority. Mr. Illum stated that he interpreted the ordinance as sixty feet per unit, and that is why he moved ahead with the process. Comm. Hinckley was concerned with setting a precedent and would like the Commissioners to be confident in their decision and interpretation. Comm. C. Nelson believes that it is not the job of the Commissioners to set zone requirements and if Mr. Illum has already interpreted the ordinance one way, that is the way it should be followed. Comm. Pettingill believes the simplest way to read the ordinance is "sixty feet per duplex." Mr. Murray pointed out that interpretation should favor the land owner if there is ambiguity. He also said that the majority of the Planning Commission could overrule the interpretation Community Development Department. Also, the City Council could interpret and overrule it another way, subjecting the issue to the Appeal Authority.
**Roll call vote:** Comm. Cronin–nay, Comm. Hinckley–nay, Comm. Wilde–nay, Comm. C. Nelson–nay, Comm. Pettingill–nay. **(0 to 5)**.

**Second Motion:** Comm. Cronin moved to approve the zone change for the Wasatch Hills subdivision going from R1 to R2. The motion was seconded by Comm. C. Nelson. No discussion.
**Roll call vote:** Comm. Cronin–aye, Comm. Hinckley–aye, Comm. Wilde–aye, Comm. C. Nelson–aye, Comm. Pettingill–aye. All in favor **(5 to 0)**.

**Third Motion:** Comm. Cronin moved to table the request for the Wasatch Hills subdivision until the minimum frontage for a duplex is clarified. The motion was seconded by Comm. Hinckley. Discussion: Comm. Pettingill said he interprets it to be sixty feet.

**Roll call vote:** Comm. Cronin–aye, Comm. Hinckley–aye, Comm. Wilde–nay, Comm. C. Nelson–nay, Comm. Pettingill–nay. **(3 to 2)**.

**Fourth Motion:** Comm. Pettingill moved to interpret the ordinance as sixty feet minimum frontage for a duplex. The motion was seconded by Comm. C. Nelson. Discussion: Comm. Hinckley believes the size of the building would be very narrow if the ordinance was interpreted as sixty feet frontage.
**Roll call vote:** Comm. Cronin–nay, Comm. Hinckley–nay, Comm. Wilde–aye, Comm. C. Nelson–aye, Comm. Pettingill–aye. (**3 to 2)**.

**Fifth Motion:** Comm. Cronin moved to table the approval for Wasatch Hills subdivision until there is a drawing with the buildable footprint. The motion was seconded by Comm. Hinckley. No discussion.
**Roll call vote:** Comm. Cronin–aye, Comm. Hinckley–aye, Comm. Wilde–aye, Comm. C. Nelson–nay, Comm. Pettingill–aye. (**4 to 1)**.

B. A ZONE CHANGE LOCATED IN SNOW ORCHARD SUBDIVISION AREA. THE REQUESTED ZONE CHANGE IS FROM R1 (10,000 SQ. MIN. RESIDENTIAL LOT SIZE LOT) TO (1,000 SQ. MIN. COMMERCIAL LOT SIZE) AND IS PORTIONS OF PARCELS 3-142-0028 AND 3-142-0081.
Mr. Thomas pointed out that the Planning Commission was reviewing two parcels, not three. He said Nate Wheeler‘s property is not part of the proposal. The zone change proposal includes the lower half of the McCowan property that goes through to the state’s property. As he referred to the plat map, he said the portion in the middle is already zoned commercial. He said Mr. Thurgood has an agreement to purchase the bottom half of the McCowan property and attach it to two other pieces of property.

Erik Craythorne, the Thurgood’s partner, said of the two parcel numbers, 3-142-0028 and 3-142-0081, one belongs to the state and one belongs to the McCowans. He thinks Nate Wheeler’s parcel number is 3-142-0082. Mr. Murray confirmed that there is a typo and one parcel number should read 3-142-00[82] and the other 3-142-00[28].

Comm. Wilde said he has a hard time with people coming in with proposals for mixed use commercial, wanting to build twin homes or condos, and not doing any of the intended mixed use. If this proposal is approved, he would like to make it clear to the developer that during preliminary planning, the proposal is clearly mixed use. Mr. Craythorne responded that they want to take advantage of the frontage on 1200 South and 450 West and still have enough frontage on the east side to allow for an entrance to high density housing.

Comm. Cronin pointed out that most of the map is commercial already, except for one portion that is residential, which looks too small for a residential lot. It makes sense, she said, for the City use and the development of the roads, as outlined in the transportation plan, to recommend the Snow Orchard subdivision.

**Motion:** Comm. Cronin moved to recommend parcel numbers 3-142-0028 and 3-142-0081 (as listed on the plat) of the Snow Orchard subdivision, to be zoned into a commercial zone. The motion was seconded by Comm. Pettingill. Discussion: Comm. Pettingill explained that the south zoning line was on 1450 South with the line projecting east along the property boundary. It then connected with the commercial zone. The R1 zone has a straight line that is eliminated.
**Roll call vote:** Comm. Cronin–aye, Comm. Hinckley–aye, Comm. Wilde–aye, Comm. C. Nelson–aye, Comm. Pettingill–aye. All in favor (**5 to 0)**.

C. TRANSPORTATION MASTER PLAN
Continued to the next agenda.

D. UTILITY LINE ORDINANCE
Continued to the next agenda.

E. AMENDMENT TO LAND USE CHART ORDINANCE INCLUDING ES ZONE (TO DESIGNATE WHICH ZONE GRAVEL PIT OPERATIONS SHOULD BE ALLOWED)
Continued to the next agenda.

F. ORDINANCE TO ADD SETBACK FOR COMMUTER RAIL ON THE EASE AND WEST SIDES OF THE RAILROAD CORRIDOR
Continued to the next agenda.

*Added agenda item.

G. ABANDONED VEHICLE ORDINANCE
Comm. Pettingill did some research with Comm. C. Nelson on abandoned vehicle ordinances. He presented some definitions to Ms. Tribe, which will be handed out with the next agenda.

VII. NEIGHBORHOOD PLANNING ISSUES
None

VIII. TRAINING/HANDOUTS/INFORMATION

A. NEXT TRAINING: AUGUST 7$^{TH}$, 6:00 P.M. PRESENTER: CODEY ILLUM

B. DETERMINING FREQUENCY OF MEETINGS
Ms. Tribe said she and Mr. Murray discussed skipping the first meeting of the month if things are slow or the agenda is short.

IX. REVIEW NEXT AGENDA AND ADJOURN

A. ADD AGENDA ITEMS REQUESTED BY PLANNING COMMISSIONERS
Comm. Wilde would like to move the items that were not discussed tonight to the next agenda, including discussion on the abandoned vehicle ordinance.

**Motion:** Comm. Hinckley moved to continue the rest of the agenda items to the next agenda. The motion was seconded by Comm. Pettingill. No discussion. All in favor.

B. MOTION TO ADJOURN
**Motion:** Comm. Cronin moved to close the meeting. The motion was seconded by Comm. Hinckley. No discussion. All in favor.

Meeting adjourned at approximately 10:06 p.m.