

PLANNING COMMISSION MINUTES

January 5, 2010

7:00 P.M.

Present: Chairman Clark Jenkins, Vice-Chairman Tom Smith, Ray Keller, Barbara Holt, Dave Badham, Michael Allen, City Council Representative Beth Holbrook, City Attorney Russell Mahan, City Engineer Paul Rowland, Planning Director Aric Jensen, and Recording Secretary Connie Feil.

Clark Jenkins welcomed all those present.

Tom Smith made a motion to approve the minutes for November 17, 2009 as amended. Dave Badham seconded the motion and voting was unanimous in favor.

1. Consider preliminary and final Condominium Plat approved located at 280 North 200 West, 280 North Partners LLC, applicant.

Bill Smith, applicant, was present. Paul Rowland explained that Mr. Smith is requesting preliminary and final plat approval for the 280 N. 200 W. Professional Office Building Condominiums, which encompasses the recently completed Mackay Dental Office building. The main building is two stories, (approximately 7,000 sq. ft), with a small unfinished basement used for storage and utility access. There is one accessory building, which is a shed-style row of covered parking along the south property line.

The Engineering Department has reviewed the proposed condominium plat and recommends that it be approved with some minor redline corrections.

Bill Smith explained that there will be professional offices on the second floor, a dental office on the main floor, storage in the basement, and anything remaining will be common space.

Staff recommends preliminary and final plat approval for the 280 N 200 W Professional Office Building Condominiums, with the following conditions:

1. Submit the signed, final mylar ready for utility signatures.
2. Submit a current title report.
3. Payment of fees as follows:
 - a. Checking Fee \$200.00
 - b. Recording Fee \$ 80.00

After a brief discussion, Michael Allen made a motion to recommend to the City Council preliminary and final condominium plat approval for 280 N. 200 W. subject to the conditions outlined by Staff. Barbara Holt seconded the motion and voting was unanimous in favor.

2. Consider final condominium to PUD plat approval for Winquist Condominiums Located at 592 N. Main, Cameron Winquist, applicant.

Cameron Winquist, applicant, was present. Paul Rowland explained that Mr. Winquist is requesting vacation of the existing Winquist Condominium Plat (an existing three unit condominium development at 592 North Main), and approval of a PUD Plat for the same property. Mr. Winquist has submitted a copy of the proposed PUD Plat to the Engineering Department for review, and the Engineering Department recommends approval with the exception of some minor redlines.

The reason for the request is basically the same as for all of the recent condo to PUD conversions – the owners of the units are having a difficult time obtaining financing because of current lending policies. Since no new dwelling units are being created, and since the project is not being expanded or physically modified, this is basically a type of ownership change.

Staff recommends vacation of the Winquist Condominium Plat and approval of the Winquist PUD Plat, with the following conditions:

1. Submit the signed final mylar ready for utility signatures.
2. Submit a current title report.
3. Payment of fees as follows:
 - a. Checking Fee \$300.00
 - b. Recording Fee \$ 40.00
4. Subject to the City Council vacating the existing plat.

Ray Keller made a motion to recommend to the City Council vacation of the existing Winquist Condominium Plat and approve of a PUD plat subject to the conditions outlined by Staff. Dave Badham seconded the motion and voting was unanimous in favor.

3. Consider final condominium to PUD plat approval for Tierra Vista Condominiums Phase I and Phase II, approximately 385 W. 200 N., Grant Horsley, applicant.

Grant Horsely, applicant, was present. Paul Rowland explained that the various owners of the Tierra Vista Condominiums request vacation of the existing Tierra Vista Phase 1 and Tierra Vista Phase 2 condominium plats, and approval of a PUD Plat for the same properties. The applicants have submitted a copy of the proposed PUD Plat to the Engineering Department for review, and the Engineering Department recommends approval with the exception of some minor redlines.

The reason for the request is basically the same as for all of the recent condo to PUD conversions – the owners of the units are having a difficult time obtaining financing because of current lending policies. Since no new dwelling units are being created, and since the project is not being expanded or physically modified, Staff recommends vacation of the existing Tierra Vista Phase 1 and Tierra Vista Phase 2 condominium plats, and approval of a PUD Plat for the same properties.

Staff recommends to the City Council vacation of the existing Tierra Vista Phase 1 and Tierra Vista Phase 2 condominium plats, and approval of the Tierra Vista PUD Plat for the same properties, with the following conditions:

1. Submit the signed final mylar ready for utility signatures.
2. Submit a current title report.
3. Payment of fees as follows:
 - a. Checking Fee \$ 1,700.00
 - b. Recording Fee \$ 80.00
4. Subject to the City Council vacating the existing plat.

Ray Keller made a motion to recommend to the City Council vacation of the existing Tierra Vista Phase 1 & 2 condominium plats and approval for Terra Vista PUD subject to the conditions outlined by Staff. Barbara Holt seconded the motion and voting was unanimous in favor.

4. Planning Director's report and miscellaneous business.

Aric Jensen asked for approval of the annual meeting schedule for 2010 which would include each 1st and 3rd Tuesday, excluding November 2, and December 21, 2010. Michael Allen made a motion to approve the 2010 calendar year schedule proposed. Beth Holbrook seconded the motion and voting was unanimous in favor.

There was a discussion between Commission Members and Staff regarding the upcoming public hearing to consider amending the Land Use Ordinance. It was suggested that Staff prepare a proposal that addresses the size, impact, height and location of accessory buildings in residential zones. It was suggested to revisit the issue of allowing wind mills and chickens.

Mr. Jensen mentioned that he would prepare these items.

Meeting adjourned at 7:35 p.m.