

MINUTES
ENOCH CITY PLANNING COMMISSION
May 10, 2016 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Commissioner John Horstdaniel
Commissioner Paul Hardy
Commissioner Josh Killian
Commissioner Debra Ley
Commissioner Bob Tingey

STAFF PRESENT:

Julie Watson, City Recorder
Rob Dotson, City Manager-absent
Dave Nelson, Bldg. Inspector-absent
David Harris, Council Member-absent

PUBLIC PRESENT: Dave Clarke and Aaron Diamond, Brady Kelsey , Tyler Bradshaw and Mayor Geoffrey Chesnut

1. **CALL TO ORDER OF REGULAR MEETING-**By Chairman Tingey at 5:30pm. He excused City Manager Dotson and Council Member Harris who were out of town for training.
 - a. **Pledge of Allegiance** –Led by Aaron Diamond
 - b. **Invocation** –Audience invited to participate. Given by Chairman Tingey
 - c. **Approval of agenda for May 10, 2016** –**Commissioner Killian made motion to approve the agenda. Motion was seconded by Commissioner Hardy and all voted in favor.**
 - d. **Approval of minutes for April 26, 2016-Commissioner Horstdaniel made a motion to approve the minutes. Motion was seconded by Commissioner Ley and all voted in favor.**
 - e. **Conflict of Interest Declaration-**Commissioner Ley said she lives on Midvalley where the zone change is. Commissioner Killian said he lives on the street behind the zone change. There were no other conflicts stated.

2. **PUBLIC HEARING FOR ZONE CHANGE FROM RURAL RESIDENTIAL(R-R-1) TO COMMUNITY COMMERCIAL(C-C) FOR PROPERTY OWNED BY TRENT SNOW AND RYAN & BRETT BRINDLEY LOCATED ON MIDVALLEY ROAD**

Commissioner Horstdaniel made a motion to close the regular meeting and go into the public hearing for a zone change from Rural Residential to Community Commercial for property owned by Trent Snow and Ryan and Brett Brindley located on Midvalley Road. Motion was seconded by Commissioner Hardy and all voted in favor. Chairman Tingey invited public comments asking residents to state their name for the record.

Aaron Diamond gave background saying he moved her a year ago and manages Cal Ranch. He purchased property next to the Brindley's lot. His plan is to create a community based five acre farm and that includes a barn. He has been involved in community gardens and is a third generation greenhouse family. He said he spent a year searching for property and a month ago he was able to purchase his lot. Heather Hill Farms is the name of his business. He is dismayed that after his life-long plan to do this now they are asking for the zone change to put in storage units. He appeals to the Planning Commission to look at the future of Enoch. The storage units down on Hwy. 91 are fine but this is not a good area for that type of business with all of the surrounding residential. He is for property rights and for land use however the people who bought in this residential zone had a reason for that. He wants to preserve our agricultural heritage mixed with

residential which is part of the charm of Enoch. What do we want the street to look like in ten years? Keep it as it is he appealed to the Planning Commission. Services would be fine to support residential but storage units are not a proper use of the land. He has talked to other neighbors too who agree with him. He added he has dealt with Mr. Snow and tried to buy that property. He said Mr. Snow does not live here and he has never even seen the property so he has no emotional attachment to it. Aaron said he chose to spend the rest of his life here because it met all of his criteria for his dream so he has an emotional tie to it. The Brindley got their lots on a bankruptcy for \$35,000 each and they are not emotionally involved with the land. Aaron said in fact, he would like to buy their land. It should be about our community and how the town looks. What they want to do would change the look of the town.

Brady Kelsey on Saddleback View Drive and he will be impacted by this change. He works for the County Assessor and they don't see high value neighborhoods by storage units. They create a negative impact. He is not for this change with storage units there adding he speaks for other neighbors too.

Dave Clarke said he is a surveyor for Platt & Platt and grew up in Enoch. The owners of the property saw where we had commercial areas near these lots other than the most recent change where it was commercial that went back to residential. Mr. Snow approached him to apply for this commercial zone due to the proximity to the major intersection where commercial development would fit. Mr. Snow felt that would be a better use for his land and same with the Brindleys who joined in with him on the application. They purchased the land recently hoping to do this. With the intersection near there they thought it would be a good fit for them.

Tyler Bradshaw said he is not sure what is proposed except it is commercial and he agrees with Aaron on keeping the community as it is and not an industrial park. He does not like the idea of storage units on a main corridor adding it would change their property value and make it not look as appealing. He likes the family atmosphere and there are better places to have storage units than around small kids and families.

Chairman Tingey thanked the residents for their comments. **Commissioner Hardy made a motion to close the public hearing and go back to the regular meeting. Motion was seconded by Commissioner Horstdaniel and all voted in favor.**

3. DISCUSS ZONE CHANGE REQUEST AND MAKE RECOMMENDATION TO THE CITY COUNCIL

Chairman Tingey said this is the time for the Planning Commission discussion. Julie said there were no written replies from the letters sent out to adjacent residents. Commissioner Killian said he prefers that this area remain residential. They went through the proper channels to apply for this zone change but he wishes the Brindleys were here to hear the public. This is a nice neighborhood and he wants it to stay residential. Commissioner Horstdaniel said he agrees with Commissioner Killian and he stated his opinion on the M-R-2 zone adding now it is residential and not commercial so that is more reason to not have commercial in the area. This has been residential for the 29 years he has lived here. There are lots of nice homes around there and big investments in homes in that area and there are better places for storage units.

Chairman Tingey asked if this is an administrative or legislative action. Commissioner Ley said they will give a recommendation to the City Council and should tell them a commercial zone here is not a part of the City's general plan in this area. If we go to the criteria of what we look at in zoning and look at all the surrounding residential the expectation is it will remain residential. The other storage units on Hwy. 91 were not built near homes and homes that have been built since knew the storage units were there. To change this zoning goes against the general plan.

Chairman Tingey said this is a legislative decision and we have to take into account that we held the public hearing and considered their comments. Whatever recommendation we make

includes what the public said tonight. Chairman Tingey said with nice homes in the area his feeling is he really thinks this land should remain a residential zone. He asked for a recommendation in the form of a motion.

Commissioner Horstdaniel made a motion that we send an unfavorable recommendation to the City Council on the zone change from Rural Residential (R-R-1) to Community Commercial (C-C) for the lots owned by Trent Snow and Ryan and Brett Brindley located on Midvalley Road. Motion was seconded by Commissioner Hardy and a roll call vote was held as follows:

Commissioner Horstdaniel-yes	Commissioner Hardy-yes
Commissioner Ley-yes	Commissioner Killian-abstained
Chairman Tingey-yes	Motion passed for unfavorable

4. PUBLIC COMMENTS-none

5. COMMISSION/STAFF REPORTS

Julie Watson reported there are no public applications at this time for the next agenda so we will go back to other zoning items we were working on. The zone change discussed tonight will go to the City Council on June 1st unless she can get it done in time for the May 18th agenda. The parties involved will be notified.

Commissioner Horstdaniel said again from last meeting they all know he wants to talk about getting rid of M-R-2 and would like that on the agenda.

Commissioner Ley asked about things coming up for discussion saying she needs more time to prepare for upcoming topics.

Commissioner Hardy said he wants to see a moratorium on CUPs until we get the law straightened out in the City ordinance. There should be no provisions for auto repair or car lots in neighborhoods. Chairman Tingey said he would research the possibility of a moratorium. He added in theory they agree but if we can do a moratorium or not is something else. The City Council will hear the conditions on Shane Sackett on May 18th and decide on the CUP.

Commissioner Ley said the county sends a report to OSHA and other involved agencies when a business license is issued and asked if we could do that too in regard to Mr. Sackett.

Commissioner Killian asked how we get some commercial zoning changed. Julie reminded the Planning Commission that we had started that discussion several meetings ago and could be ready to take that up again on the next agenda. She passed out the colored zoning maps.

6. ADJOURN-Commissioner Hardy made a motion to adjourn. Motion was seconded by Commissioner Horstdaniel and all voted in favor. The meeting ended at 6:15pm.

Julie Watson, Recorder **Date**