

Review and action on an agreement for Phelon Annexation, consisting of 47.39 acres, located at approximately 400 East 1700 South

The Phelon Annexation consists of 47.39 acres. The annexation is located at approximately 400 East 1700 South. Existing use of the property is agriculture. Right-of-way for 1700 South will be dedicated with the annexation. As the area lies directly adjacent to existing industrial uses, the I-1 (Industrial) zone is proposed. This allows for expansion of industrial uses within the City. Upon development of this area; and a small portion of the Catalyst business park area to the west, industrial areas within the City will be fully developed. The far southern portion of the annexation area will be zoned SP (Shoreline Preservation) as it lies adjacent to the Utah Lake shoreline.

Potential Motions:

APPROVAL

Mr. Chairman, I move that we recommend approval of the Phelon Annexation Agreement.

DENIAL

Mr. Chairman, I move that we recommend denial of the Phelon Annexation Agreement.

TABLE

Mr. Chairman, I move that we table action on the Phelon Annexation Agreement.

AMERICAN FORK CITY ENGINEERING DIVISION STAFF REPORT

Planning Commission Meeting Date: 3/6/2019

This report is a summary of the American Fork City Engineering Division plan review comments regarding the subject plan as submitted by the applicant for American Fork City Land Use Authority approval:

Project Name: Phelon Annexation

Project Address: 400 East 1700 South

Developer / Applicant's Name: Stephen W. Phelon

Type of Application:

- | | | |
|---|--|--|
| ☐ Subdivision Final Plat | ☐ Subdivision Preliminary Plan | ☒ Annexation |
| ☐ Code Text Amendment | ☐ General Plan Amendment | ☐ Zone Change |
| ☐ Commercial Site Plan | ☐ Residential Accessory Structure Site Plan | |

Engineering Division Recommendation: The Engineering Division recommends APPROVAL of the proposed development subject to the following findings and conditions:

1. All Standard Conditions of Approval and items denoted as "Plan Modification(s) Required" in the 3/6/2019 Engineering Division Staff Report for the City Land Use Authority shall be addressed on all final project documents.

Project Map:



STANDARD CONDITIONS OF APPROVAL

Standard Conditions of Approval:

APPLICANT is responsible and shall submit/post/obtain all necessary documentation and evidence to comply with these Standard Conditions of Approval prior to any platting, permitting, or any other form of authorization by the City including plat recording or other property conveyance to the City and prior to scheduling a pre-construction meeting. All recording shall take place at the Utah County Recorder's Office.

1. **Title Report:** Submit an updated Title Report not older than 30 days or other type of appropriate verification that shows all dedications to the City are free and clear of encumbrances, taxes, or other assessments.
2. **Property Taxes and Liens:** Submit evidence that all the property taxes, for the current and/or previous years, liens, and agricultural land use roll over fees have been paid in full.
3. **Water Rights:** Submit evidence that all the required water rights have been conveyed to American Fork City.
4. **Performance Guarantee:** Post a performance guarantee for all required public and essential common improvements.
5. **Easements and Agreements:** Submit/record a long-term Storm Water Pollution Prevention Maintenance Agreement signed and dated by the property owner and any required easement documentation.
6. **Land Disturbance Permit:** Obtain a Land Disturbance Permit.
7. **Compliance with the Engineering Division Plan Review Comments:** All plans and documents shall comply with all the Technical Review Committee comments and the City Engineer's final review.
8. **Commercial Structure:** Record an Owner Acknowledgment and Utility Liability Indemnification if the proposed building is a multi-unit commercial structure served by a single utility service.
9. **Sensitive Lands:** Record all applicable documents required for compliance with the City's Sensitive Lands Ordinance.
10. **Utility Notification Form:** Submit a Subdivision Utility Notification Form.
11. **Professional Verification:** Submit final stamped construction documentation by all appropriate professionals.
12. **Fees:** Payment of all development, inspection, recording, street light, and other project related fees.
13. **Mylar:** Submit a Mylar. All plats will receive final verification of all formats, notes, conveyances, and other items contained on the plat by City staff (recorder, legal, engineer, GIS, planning).

Plan Modifications Required:

- 1.

ANNEXATION AGREEMENT (*Phelon Annexation*)

This Agreement, made and entered into this _____ day of _____, 20__, by and between The City of American Fork, Utah, a Utah Municipal Corporation (hereafter referred to as "City") and Phelon Lakeland LLC, (hereafter referred to as "Applicants"), is based on the following:

RECITALS

WHEREAS, Applicants are the owners of parcels of privately owned real property constituting the entirety of the *Phelon Annexation*, which annexation is located within the unincorporated territory of Utah County and contiguous to the corporate boundary of the City. A "Request to Initiate Annexation of Land Within an Island or Peninsula" (Attachment 1), together with an Annexation Area map (Attachment 2) prepared by the Applicants showing the real property proposed for annexation (hereafter referred to as "Annexation Area").

WHEREAS, the Annexation Area constitutes a portion of an existing island, as defined by Utah State law; and

WHEREAS, in accordance with the provisions of UCA 10-2-418, the American Fork City Council has heretofore adopted Resolution No. 2019-01-04R indicating its intent to annex the entire Annexation Area. Further, notice of hearing regarding the proposed annexation has been published and the public hearing thereon held.

WHEREAS, the City Council has determined that annexation of the Annexation Area is in the best interest of the City and has indicated an intent to: (1) execute this Agreement and enact an ordinance of annexation relating thereto, and (2) authorize the recording of the annexation plat at the office of the Utah County Recorder, subject to the terms and conditions of this Agreement and any other conditions required prior to annexation.

TERMS AND CONDITIONS

NOW THEREFORE, based on the above recitals and in consideration of the annexation of the Annexation Area to the City, the parties covenant and agree as follows:

SECTION 1 - Applicability of Agreement: The real property to which the terms of this Agreement apply shall be the parcels of private property within the Annexation Area, identified on Attachment 2. Attachment 2 is hereby made part of this Agreement.

SECTION 2 - Annexation a benefit to Applicants: Applicants and City acknowledge that the City is not required to approve the annexation and that the terms and conditions of

annexation, as set forth herein, are reasonable and entered into freely and voluntarily. Further, Applicants hereby acknowledge and agree that the benefit received from annexation of the property is equal to or greater than the requirements and conditions of annexation as set forth in this Agreement and the conditions of the development as set forth under the terms of the City's Development Code and Impact Fee Ordinance and does not constitute a taking as defined pursuant to the terms of UCA 10-9a-103(6), 1953, as amended.

SECTION 3 - Authority of Applicants: Applicants hereby affirm that they are the current owners of at least 75% of the Annexation Area and have complete authority to enter into this Agreement and bind the Annexation Area hereto.

SECTION 4 - Compatibility with Land Use Plan and Initial Zone Classification: The Land Use Element of the General Plan shows the annexation area classified as Shoreline Protection; however, the annexation area is directly adjacent to lands designated, and zoned, "Industrial". City views the development of a majority of the annexation area as conducive to Industrial uses; being in direct proximity to existing industrial land. Therefore, the zone classifications proposed for the annexation are the I-1 (Industrial) zone and the SP (Shoreline Preservation) zone. A map illustrating the zone classifications has been prepared by the City and is made part of this agreement (Attachment 3).

SECTION 5 - Right-of-way to be Conveyed. The Bike and Pedestrian Master Plan identifies placement of the Utah Lake Shoreline Trail and a Shared Use Path through the Annexation Area. As a condition of annexation, Applicants hereby agree to convey to the City any right-of-way necessary for the Utah Lake Trail in the locations shown on the plat prepared by the Applicant and approved by the City (Attachment 4). Applicants shall have no obligation to construct any right-of-way or trail improvements unless and until any improvement or development occurs on the parcel adjacent to the right-of-way or trail corridor, or as otherwise required by City Code, subject to the provisions as outlined in the American Fork City Development Code Section 17.5.126 (Minimum Level of Improvements Required).

SECTION 6 - Conveyance of Water Right: Applicants acknowledge that the dedication of water rights is required pursuant to City Code Section 17.1.400—Conveyance of Water. City acknowledges that Applicants have a sufficient basis to delay the time of conveyance of water rights until the time of development in accordance with City Code Section 17.1.400(C). A Water Delay Agreement is hereby entered into by the parties and is incorporated into this Agreement as Attachment 5.

SECTION 7 - Open Ditches to be Piped: Applicants acknowledge that it is their burden in full to pipe any and all gravity irrigation conveyances (ditches), to the standards of the City and to the standards of the applicable irrigation company or private ditch easement holders, as part of any forthcoming development project. Such piping shall be completed prior to or in concurrence with the development of the parcel and in compliance with City Code Section

17.8.303 – Plan to identify and accommodate natural constraints to development.

SECTION 8 - Property Taxes and Rollback Taxes to be Paid on any Right-of-Way Dedicated to City: Applicants agree to pay any outstanding property taxes on the Annexation Area including any and all rollback taxes if the subject area is classified as "Greenbelt" with the Utah County Tax Assessor, for any areas identified as right-of-way to be dedicated to City. Proof of payment of these taxes shall be required prior to recording of this Agreement.

SECTION 9 - Impact Fees: No impact fees are required as a condition of annexation. However, nothing in this Agreement constitutes a waiver of any obligation that Applicants or any successor may have for the payment of impact fees required as a condition of development of the Annexation Area or any portion thereof. Applicants acknowledge that no development approval or building permit shall be issued until all applicable fees required by City ordinance have been paid at the amount then in effect.

SECTION 10 - Default: Should any of the parties default in the performance of any of the terms of this Agreement, the parties shall first seek mediation to resolve any defaulting performance. The defaulting party shall pay all costs and expenses, including mediation fees and/or reasonable attorney's fees, which may arise from enforcing this Agreement, whether such remedy is pursued by mediation and/or filing suit or otherwise.

SECTION 11 - Notice: Any notice to be given hereunder shall be given by certified mail, return receipt requested, addressed as follows:

- a. If to the City, to the City of American Fork, 51 East Main Street, American Fork Utah, 84003
- b. If to Applicants, to Phelon Lakeland LLC, PO Box 1090, American Fork Utah, 84003.

SECTION 12 - Counterparts and Severability: In the event that any provision of this Agreement shall be held invalid and unenforceable, such provision shall be severable from, and such invalidity and unenforceability shall not be construed to have any effect on, the remaining provisions of this Agreement. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

SECTION 13 - Entire Agreement: This Agreement constitutes the entire agreement between the parties and may be changed only in writing signed by all parties, and this agreement shall bind the heirs, assigns, and successors in interest of the respective parties. If any party shall breach this Agreement, the other party shall be entitled to recover their attorney fees and court costs in addition to other lawful damages resulting therefrom.

IN WITNESS WHEREOF, the parties have signed this agreement on the date first mentioned above.

Applicants names

MAYOR

Applicants signatures

ATTEST:

City Recorder

LIST OF ATTACHMENTS

Attachment 1	Request to Initiate Annexation of Land of Within an Island or Peninsula
Attachment 2	Annexation Area Map
Attachment 3	Zone Classification Map
Attachment 4	Annexation Plat
Attachment 5	Water Delay Agreement

Attachment 2

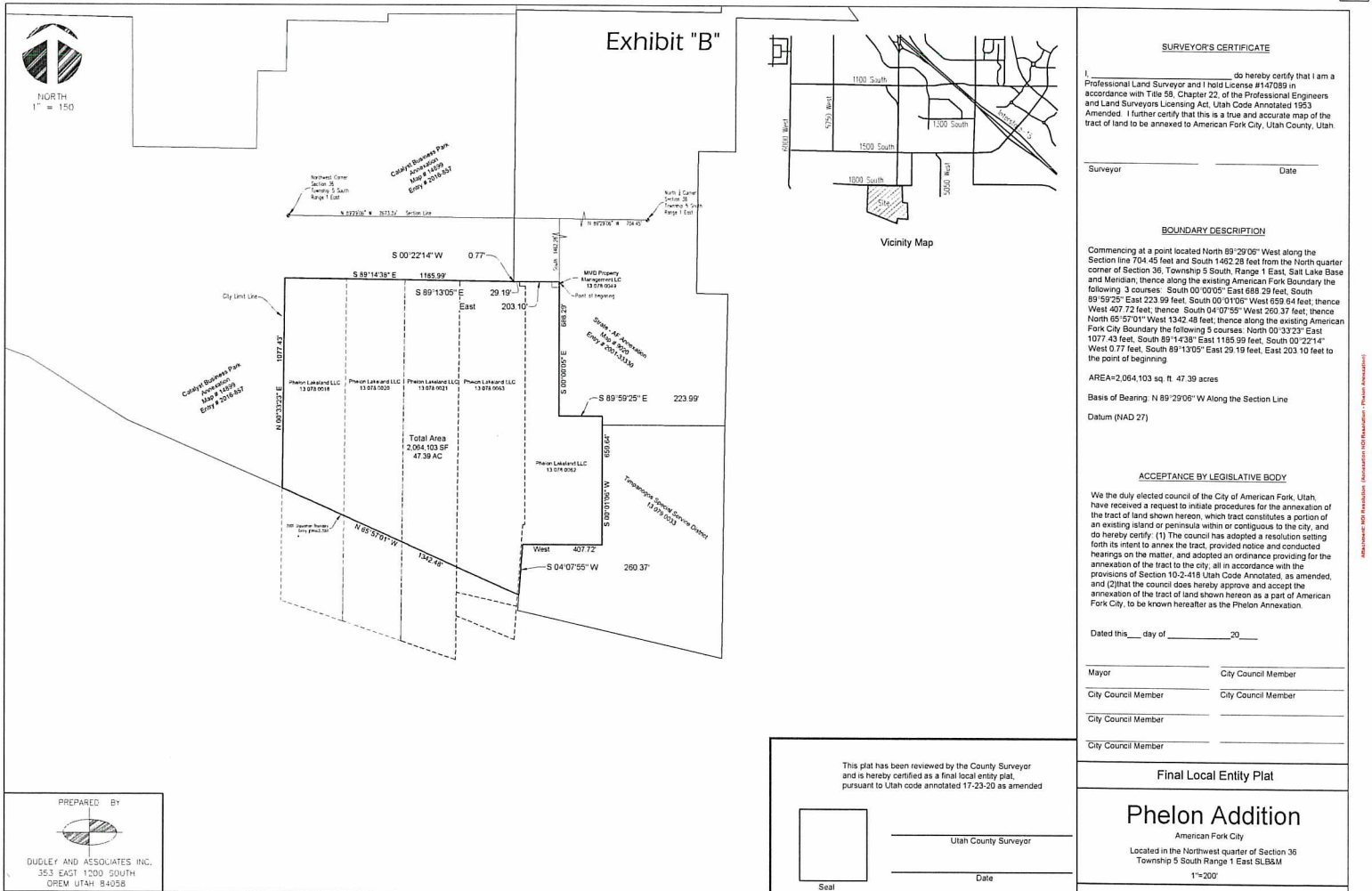


Exhibit "B"

NORTH
1" = 150'

Coleman Survey Park
Addition
Map # 2016-587

Section Line
S 27°20' E 303.32'

North Corner
Section 36
Range 5 South
Range 1 East

North Corner
Section 36
Township 5 North
Range 1 East

S 00°22'14" W 0.77'

S 89°14'38" E 1185.99'

S 89°13'05" E 29.19'

East 203.10'

MWD Property
Managers LLC
13 578 9504
Part of beginning

State of Utah
County of Salt Lake
Survey # 2015-1116

S 00°00'00" E 223.99'

S 89°59'25" E 659.64'

Township Section Drive Right
(19 994 103)

West 407.72'

S 04°07'55" W 260.37'

Phelon Limited LLC
13 578 9504

Phelon Limited LLC
13 578 9504

Phelon Limited LLC
13 578 9504

Phelon Limited LLC
13 578 9504

Total Area
2,064.103 SF
47.39 AC

City Limit Line

100 Square Foot
Area (2016-587)

I-1

SP

Vicinity Map

1100 South
1500 South
1500 West
1500 East
1500 North
1500 West

SURVEYOR'S CERTIFICATE

I, _____ do hereby certify that I am a Professional Land Surveyor and I hold License #147089 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Licensing Act, Utah Code Annotated 1953 Amended. I further certify that this is a true and accurate map of the tract of land to be annexed to American Fork City, Utah County, Utah.

Surveyor

Date

BOUNDARY DESCRIPTION

Commencing at a point located North 89°20'06" West along the Section line 704.45 feet and South 1462.28 feet from the North quarter corner of Section 36, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence along the existing American Fork Boundary the following 5 courses: South 00°00'00" East 686.29 feet, South 89°59'25" East 223.99 feet, South 00°01'06" West 659.64 feet; thence West 407.72 feet; thence South 04°07'55" West 260.37 feet; thence North 89°57'01" West 1342.48 feet; thence along the existing American Fork City Boundary the following 5 courses: North 00°33'23" East 1077.43 feet, South 89°14'38" East 1185.99 feet, South 00°22'14" West 0.77 feet, South 89°13'05" East 29.19 feet, East 203.10 feet to the point of beginning.

AREA=2,064.103 sq. ft. 47.39 acres

Basis of Bearing: N 89°29'06" W Along the Section Line

Datum (NAD 27)

ACCEPTANCE BY LEGISLATIVE BODY

We the duly elected council of the City of American Fork, Utah, have received a request to initiate procedures for the annexation of the tract of land shown herein, which tract constitutes a portion of an existing island or peninsula within or contiguous to the city, and do hereby certify: (1) The council has adopted a resolution setting forth its intent to annex the tract, provided notice and conducted hearings on the matter, and adopted an ordinance providing for the annexation of the tract to the city, all in accordance with the provisions of Section 10-2-418 Utah Code Annotated, as amended, and (2)that the council does hereby approve and accept the annexation of the tract of land shown herein as a part of American Fork City, to be known hereafter as the Phelon Annexation.

Dated this ____ day of _____, 20__

Mayor _____ City Council Member _____
City Council Member _____ City Council Member _____
City Council Member _____ City Council Member _____
City Council Member _____

Final Local Entity Plat

Phelon Addition
American Fork City
Located in the Northwest quarter of Section 36
Township 5 South Range 1 East SLBAM
1"=200'

This plat has been reviewed by the County Surveyor and is hereby certified as a final local entity plat, pursuant to Utah code annotated 17-23-20 as amended

Utah County Surveyor

Date

Seal

PREPARED BY
DUGLEY AND ASSOCIATES INC.
353 EAST 1200 SOUTH
OREM UTAH 84058

UNAPPROVED MINUTES

AMERICAN FORK CITY PLANNING COMMISSION MINUTES FEBRUARY 20, 2019

The American Fork City Planning Commission met in a regular session on February 20, 2019 at the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

Present: John Woffinden
Harold Dudley
Nathan Schellenberg
Rebecca Staten
Christine Anderson
Eric Franson

Absent: Rod Brocious
Geoff Dupaix

Staff Present: David Turner, City Administrator
Scott Sensanbaugher, Public Works Director
Ben Hunter, Engineer
Adam Olsen, Senior Planner
Wendelin Knobloch, Planner
Lisa Halversen, Administrative Assistant

Also Present: Garrett Seely, Josh Schellenberg, Mark Hampton, Jonathan Jensen

1. Pledge of Allegiance

Chairman Woffinden welcomed everyone and those present recited the Pledge of Allegiance.

2. Hearing, review and action on a zone map amendment from the R-1-7,500 Residential zone to the R-3-7,500 Residential zone located in the area of 414 East 500 South

Mr. Olsen stated that the applicant proposes a zone map amendment to bring the property into a single zone, the R3-7,500 zone. The property currently has a split zone; the front portion zoned R1-7,500 and the rear portion zoned R3-7,500. The applicant requests the zone map amendment so that the parcel will be one zone, as opposed to two. This will also help facilitate the conversion of an existing single-family home into a duplex.

Mr. Hunter stated that the Engineering Division recommends approval of the zone change.

Public Hearing Opened

UNAPPROVED MINUTES

Public Hearing Closed

Ms. Anderson moved to recommend approval of the zone map amendment in the area of 414 East 500 South from the R-1-7,500 zone to the R-3-7,500 zone.

Mr. Franson seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Christine Anderson	Aye
Harold Dudley	Aye
Nathan Schellenberg	Aye
Eric Franson	Aye

The motion carried.

3. Hearing, review and action on a zone map amendment from the R-1-12,000 Residential zone to the PR-3.0 Residential zone located in the area of 840 South 240 West

Mr. Olsen indicated that the applicant proposes a zone map amendment to approximately 21.5 acres, located in the area of 840 S. 240 W. from the R1-12,000 to the PR-3.0 zone. Woodside Homes is developing the property to the north, east, and south of this area (Stonecreek Subdivision); and, proposes to incorporate this 21.5 acres into its overall development. The underlying density of 3 du/ac does not change from either the R1-12,000 or the PR-3.0 zone. The PR-3.0 zone allows a greater amount of flexibility than the current zone; while capping overall density at 3 du/ac. The zone change request is the first stage toward ultimate residential development.

Mr. Hunter stated that the Engineering Division recommends approval of the zone change.

Public Hearing Opened

Public Hearing Closed

Mr. Franson moved to recommend approval of the zone map amendment in the area of 840 South 240 West from the R-1-12,000 to the PR-3.0 zone with the finding listed in the staff report.

Mr. Schellenberg seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
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UNAPPROVED MINUTES

Christine Anderson Aye
Harold Dudley Aye
Nathan Schellenberg Aye
Eric Franson Aye

The motion carried.

4. Hearing, review and action on a site plan for the Auble Office Building, located at 1112 East 300 North in the PO-1 Professional Office zone

Mr. Olsen said that the site on which the office is proposed was recently annexed and given a zone designation of PO-1 (Professional Office). The area around the intersection of 300 North and North County Boulevard has been undergoing a transition from residential to professional office uses; largely due to proximity to the hospital. Property to the north is undergoing annexation and is slated to come into the City with a PO-1 zone.

Auble Office Building is a 3-story structure, to be built adjacent to North County Boulevard and 300 North--enhancing visibility from both corridors; parking to be provided to the east of the structure, south of 300 North. An existing home will be demolished. Landscaping is provided per the City's landscape provisions; parking as well. Renderings of the proposed structure are included in the submittal materials.

Mr. Hunter stated that the Engineering Division recommends approval of the proposed development. Applicant has relinquished the required right-of-way to the city.

Mr. Jonathan Jensen, representing builder, asked commissioners if they had any questions for him.

Chairman Woffinden asked about the possibility of widening the drive entrance to 30 ft., he thinks the current 26 ft. may not be wide enough.

Mr. Jensen says they will consider doing that.

Public Hearing Opened

Public Hearing Closed

Mr. Schellenberg moved to approve the site plan for the Auble Office Building, located at 1112 East 300 North, with the finding listed in the staff report and subject to any findings, conditions, and modifications listed in the Engineering report, and subject to increasing the width of the drive entrance by moving the curb on the east side.

UNAPPROVED MINUTES

Mr. Frandson seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Christine Anderson	Aye
Rebecca Staten	Aye
Harold Dudley	Aye
Nathan Schellenberg	Aye
Eric Franson	Aye

The motion carried.

5. Hearing, review and action on the site plan and final plat for the 860 Place Planned Community Development Project B, located in the area of 480 South 790 East in the Planned Community zone

Mr. Olsen stated that the preliminary plan for 860 Place was approved by the Planning Commission on September 6, 2017. Plat A was approved by the City Council on January 9, 2018. Plat B has been submitted for review and action.

Plat B consists of 40 units and is located at the southwestern portion of the overall 860 Place project. A clubhouse and associated park area were constructed with Plat A. 480 South, a private street, will be extended to the west and connect with the South Pointe subdivision. Plat B conforms to the approved preliminary plan.

Mr. Hunter indicated that the Engineering Division recommends approval of the proposed development. The proposed development meets utility and storm drain requirements.

Mr. Josh Schellenberg, developer, stated that he is trying to make the process of building two phases relatively seamless. The units will be rentals, and are currently in all phases of construction, from beginning to finish framing.

Public Hearing Opened

Public Hearing Closed

Mr. Franson moved to recommend approval of the final plat of 860 Place Plat B, with the findings and conditions listed in the staff report and subject to any findings, conditions and modifications listed in the engineering report.

Ms. Anderson seconded the motion. Voting was as follows:

UNAPPROVED MINUTES

Chairman Woffinden	Aye
Christine Anderson	Aye
Rebecca Staten	Aye
Harold Dudley	Aye
Nathan Schellenberg	Abstain
Eric Franson	Aye

The motion carried.

6. Hearing, review and action on a site plan and final plat for Springleaf Townhomes PUD, consisting of 4 lots, located at 900 East Pacific Drive, in the R-4-7,500 Residential zone

Mr. Olsen stated that Springleaf Townhomes is a 49-unit townhome development, located at approximately 900 E. Pacific Drive. It is situated north of Pacific, and south of Bamberger Drive. Pacific Drive will be completed across the southern portion of the development, providing an east/west connection from 700 E. to North County Boulevard. Interior access-ways are private. Parking has been provided per the requirements of the Code. Unit blocks are separated from each other at 30', as required by the Code. Open space is provided at 27%, slightly above the required 25 % for multi-family PUD's.

Staff requests that a landscape plan, illustrating landscaping and amenities, be attached to the submittal prior to review by the City Council. A plan was previously submitted, but was not included (perhaps in error) in the Planning Commission submittal. A condition of approval to this effect is presented for consideration.

The overall density of the project is 9 du/ac. As this lies in the "High Density" designation, 9 du/ac is within the range of up to 12 du/ac.

Mr. Hunter said that the Engineering Division recommends approval of the proposed development. Pacific Drive will now have a connection all the way through, which will provide for more accessibility. The development meets all utility requirements.

Mr. Mark Hampton, representing applicant, said that they are excited about connecting Pacific Drive, will submit the landscaping plan before the city council hearing.

Chairman Woffinden asked how the open space came to be calculated at 27%.

Mr. Hampton wasn't sure, he said that the CAD program figured that out. All area outside of the homes is considered open space.

Chairman Woffinden expressed concern about where the snow from snow removal will be pushed to.

Mr. Hampton replied that it will be similar to the community behind Black Bear Diner, there will be a HOA to take care of such maintenance issues.

UNAPPROVED MINUTES

Public Hearing Opened

Public Hearing Closed

Mr. Franson moved to recommend approval of the final plat and site plan of Springleaf Townhomes PUD, with the findings and conditions as outlined in the staff report, and subject to any findings, conditions and modifications listed in the engineering report, and subject to submitting landscaping plan that meets code before the city council hearing.

Ms. Staten seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Christine Anderson	Aye
Rebecca Staten	Aye
Nathan Schellenberg	Aye
Eric Franson	Aye
Harold Dudley	Aye

The motion carried.

7. Hearing, review and action on a site plan and final plat for Liberty Cove Plat Amended PUD, consisting of 32 units, located in the area of 400 East 570 South in the R-3-7,500 Residential zone.

Mr. Olsen said that Liberty Cove Plat A, Amended, proposes to incorporate 4 new townhomes into the overall development, bringing the total number of units to 32. The 4 new townhome units will be constructed on what is Lot 4, Kitchen Estates Plat B Amended Subdivision (approved fall 2018). This lot will be incorporated into the Liberty Cove development. The HOA has amended the CC&R's to approve of this expansion. CC&R's will be recorded prior to the recordation of Plat A, Amended. The 4 units will have an identical footprint to the existing units within the development. Overall density, with the addition of 4 units, is 6 du/ac. This northeast corner was previously mostly a weed patch, but it will now be included and finished off.

Mr. Hunter indicated that the Engineering Division recommends approval of the proposed development. Utilities are already in the area, they will just need to add irrigation lateral lines.

Mr. Hampton said that the 4" sewer was already stubbed in this development will also have a HOA.

UNAPPROVED MINUTES

Public Hearing Opened

Public Hearing Closed

Ms. Anderson moved to recommend approval of the final plat and site plan of Liberty Cove Plat A, Amended, with the findings and conditions as outlined in the staff report, and subject to any findings, conditions and modifications listed in the engineering report.

Mr. Dudley seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Christine Anderson	Aye
Rebecca Staten	Aye
Harold Dudley	Aye
Nathan Schellenberg	Aye
Eric Franson	Aye

The motion carried.

8. Review and action on election of planning commission officers

Mr. Schellenberg moved to leave the leadership of the Planning Commission as presently constituted.

Mr. Franson seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Christine Anderson	Aye
Rebecca Staten	Aye
Harold Dudley	Aye
Nathan Schellenberg	Aye
Eric Franson	Aye

The motion carried.

9. Other Business

Mr. Olsen reminded the commissioners about the winter dinner at 6 pm this Friday at Rodizio Grill.

UNAPPROVED MINUTES

Ms. Anderson expressed her interest in having ombudsman training again for the planning commission. Mr. Olsen agreed that ombudsman training would be a good thing to get set up. There followed a discussion about the role of the planning commission. Mr. Schellenberg asked for more understanding about the role of the commission. If their role is merely to determine if the project meets code requirements, does the commission have any power to give suggestions and make new requirements if it is a project that wouldn't be a good fit for the community? Mr. Dudley said that it is his understanding that the commission may use its discretion and ask developers if they are willing to make changes. Mr. Franson pointed out that it is good to be aware of semantics, i.e. making a suggestion rather than a requirement. He also asked what the ordinances say about short-term rentals such as VRBO.

Mr. Olsen stated that at the next meeting on March 6, the commission will be adopting formal rules for short-term rentals.

10. Site Plan Committee Report

Mr. Knobloch showed commissioners the draft agenda for next planning commission meeting. There will be several annexations and also discussions about apartment/short term rentals.

Mr. Dudley stated that he will not be at that meeting.

11. Review and action on the minutes of the February 6, 2019 Planning Commission Regular Session

Mr. Dudley moved to approve the minutes of the February 6, 2019 Planning Commission Regular Session.

Mr. Schellenberg seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Christine Anderson	Aye
Rebecca Staten	Aye
Harold Dudley	Aye
Nathan Schellenberg	Aye
Eric Franson	Abstain

The motion carried.

12. Adjournment

Ms. Staten moved to adjourn.

Ms. Anderson seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
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UNAPPROVED MINUTES

1	Christine Anderson	Aye
2	Rebecca Staten	Aye
3	Harold Dudley	Aye
4	Nathan Schellenberg	Aye
5	Eric Franson	Aye

The motion carried.

10 Meeting adjourned at 7:40 pm.
11
12 John H. Woffinden, P.G.
13 Planning Commission Chairman