NORTH OGDEN PLANNING COMMISSION

MEETING MINUTES

May 1, 2013

The North Ogden Planning Commission convened in a regular meeting on May 1, 2013 at 6:30 pm in the North Ogden City Municipal Building, 505 E. 2600 N. North Ogden, Utah. Notice of time, place and agenda of the meeting was furnished to each member of the Planning Commission, posted on the bulletin board at the municipal office and posted to the Utah State Website on April 25, 2013. Notice of the annual meeting schedule was published in the Standard-Examiner on December 30, 2012.

COMMISSIONERS:

Larry Residori	Chairman
Allan Dalpias	Vice-Chairman
Joan Brown	Commissioner
Blake Knight	Commissioner
Steve Quinney	Commissioner
Dee Russell	Commissioner
Eric Thomas	Commissioner

STAFF:

Craig Barker	Community Development Director
Jon Call	City Attorney
Gary Kerr	Building Official
Stacie Cain	Community Development Coord./Deputy City Recorder

VISITORS:

Charles Crippen	Tom Baguley
Michael Dufrene	Jerry Shaw
Mark Wall	Brent Pectol
Dale Swenson	Kelly Wilson
Karen VanDyke	Joshua Myers
Shara Ballstaedt	Lois Green
Jolyon Walker	Susan Walters
LoRen Baguley	Carolyn Baguley

REGULAR MEETING

Vice-Chairman Dalpias called the regular meeting to order at 6:30 pm. Commissioner Thomas offered the invocation and led the audience in the Pledge of Allegiance.

NOT APPROVED

CONSENT AGENDA

1. CONSIDERATION AND/OR ACTION TO APPROVE THE APRIL 17, 2013 PLANNING COMMISSION MEETING MINUTES.

Commissioner Knight stated he emailed Ms. Cain to provide her with one correction to the minutes, but he noted for the record that the error is on line 268 in the minutes. He stated the minutes state that he declared a potential conflict of interest and abstained from voting. He stated that is incorrect and he actually asked if he actually had a conflict of interest and if he should abstain from voting. Mr. Barker informed him that it was not necessary for him to abstain because he felt no conflict existed. He stated he did vote on the item.

Chairman Residori made a motion to approve the April 17, 2013 Planning Commission meeting minutes as amended. Commissioner Knight seconded the motion.

Voting on the motion:

Chairman Residori	**yes**
Vice-Chairman Dalpias	**yes**
Commissioner Brown	**yes**
Commissioner Knight	**yes**
Commissioner Quinney	**yes**
Commissioner Russell	**yes**
Commissioner Thomas	**yes**

The motion passed unanimously.

ACTIVE AGENDA

Vice-Chairman Dalpias introduced the newest member of the Planning Commission, Commissioner Russell, and asked him to make a few comments. Commissioner Russell stated he has lived in the area since 1987; he was raised in the Ogden area. He stated he retired from employment as a federal law enforcement officer in 2006 and he is also a retired Army officer. He stated he has been interested in the community and is interested in this point, after having lived in the City for the last 25 years, in volunteering some of his time and efforts to repay the community he has enjoyed being a part of. He stated he and his wife, Diane, owned the UPS Store in the Acres Market development.

1. PUBLIC COMMENTS.

There were no public comments.

NOT APPROVED

2. ANNUAL REVIEW OF A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION FOR AN AUTO REPAIR SHOP IN A RESIDENTIAL GARAGE AT 3590 N 575 E.

A memo from Community Development Director Craig Barker explained this home occupation was granted some years ago for Mr. Baguley to operate an auto repair shop in the garage of his home. This issue was a contentious one at the Planning Commission meetings and in the neighborhood. The Planning Commission approved the Conditional Use Permit (CUP). However, an appeal was filed which was heard by the City Council. The City Council approved the CUP with certain conditions. This CUP has an annual review to provide the Planning Commission with feedback regarding the operation of this home occupation. Usually when there has been no issues come up during the year, the staff informs the Planning Commission that this is the case and the commission takes no additional action. This year the City Manager informed the staff that he had had a complaint concerning the operation, thus neighbors were notified of the annual review so that they may attend. This review is not intended to be a rehearing to see if the CUP should be rescinded but to consider the complaint and determine if further action is desired or necessary. Further discussion with the City Manager disclosed that the complaint was verbal and from one of the original individuals opposed to the CUP from the beginning. This makes the issue a clouded one since there is no evidence provided that the operator is in violation of the original conditions of approval. It is not necessary that the Planning Commission open the meeting to opinion and general negative or positive comments but ask for facts and evidence that the conditions of approval have or have not been met.

Mr. Barker reviewed his staff memo noting annual review of this business license is required. He stated there had been no complaints regarding the home occupation until recently when the City Manager received an oral complaint. He noted the intent of this agenda item is not to hold a hearing to consider revoking the business license, but to evaluate the home occupation with input from the City Attorney to determine how to respond to the complaint regarding the licensee's business.

City Attorney Jon Call stated the City has received several comments regarding the business as of late. He noted staff is trying to figure out how the Planning Commission would like to approach this issue and what they feel is the healthiest way to make sure the citizens' voices are heard and that the property and business owner's voice is also heard. He stated that after reviewing the Council minutes from the time that the CUP was approved, the conditions he found as part of Council Member Turner's motion were that the garage door be kept closed when automobiles are being repaired; that the garage door be insulated to mitigate noise; that OSHA and HVAC codes be complied with for ventilation purposes; two vehicles are allowed at one time – one located inside and the other located outside; and that the vehicles not obstruct the sidewalk at the premises. He noted there was some discussion of windows and doors being closed when work is underway and at the conclusion of the discussion Council Member Taylor asked Council Member Turner to amend his motion to allow the windows and the personal garage door to remain open during work hours, but that the garage door would remain closed. He stated Council Member Turner amended his motion as requested and therefore his understanding is that, according to the City Council's CUP approval, is that the windows and the personal door can be open during work hours. He stated that staff has not done any researching

NOT APPROVED

or fact gathering to determine what conditions have been complied with or what complaints are valid and staff is now trying to get a feel for how the Planning Commission would like to proceed. He noted the only body that has the authority to revoke the CUP is the City Council, but the only way they can do that is upon a recommendation from the Planning Commission. He stated staff is looking for guidance from the Planning Commission.

Vice-Chairman Dalpias questioned conditional uses that are consistent with being temporary and he asked if there is an end date for certain conditions or if they exist into perpetuity. Mr. Call stated that State Law states CUPs are allowed to continue as long as the conditions are met or they are not abandoned; the way a CUP would be abandoned is if someone stopped doing what was allowed under the CUP for a period of one year. He stated that the City can extend that abandonment period if they so choose, but State Code identifies the abandonment period as at least one year.

Commissioner Knight stated one of the things that would help the Planning Commission and staff is for issues occurring throughout the year to be documented, written, and submitted. He stated receiving complaints a couple of days or hours before a Planning Commission meeting is not a clear documentation of facts. Mr. Call stated that concern is shared by staff and they feel a better process is needed. He noted there are several things the Planning Commission can do this evening; they have seen some information in their packet regarding the CUP and it may be appropriate to table this item to allow people time to submit written complaints and to allow the holder of the CUP to provide information about compliance with the conditions of the CUP. He stated the Planning Commission could review that information at a later date. He stated that an alternative would be for the Planning Commission to act on the information that has been provided and move forward with the annual review.

Commissioner Knight stated that his understanding, after reviewing the City Council minutes, is that the public had the opportunity to submit complaints throughout the year and instead they have waited until just a few days before this meeting. He stated that he did not feel that waiting to act on the item until the next meeting would not document the facts; facts need to be documented when situations occur.

Vice-Chairman Dalpias stated last year the approval of the CUP was very easy because at that time there were no complaints for the Planning Commission to consider. He stated there had been some comments made regarding the business, but no formal complaints were provided to the Planning Commission prior to the night of approval of the CUP. He stated there have been concerns expressed at this time regarding the CUP and it is necessary for someone to sort out whether the complaints are legitimate and whether the conditions of the CUP have been violated. He stated the letters of concern should probably be investigated. Mr. Call stated that a CUP can be revoked at any time during the year. He stated the Planning Commission can determine that the complaints or documentation regarding violations was not received in a timely manner to consider tonight and proceed with annual review and approval of the CUP. He noted individuals can then be instructed to submit formal written complaints that the Planning Commission can consider at a later date. He reiterated the CUP can be revoked at any time based on non-compliance with the conditions of said CUP.

NOT APPROVED

Commissioner Knight stated he has spent a considerable amount of time reading through the documents included in the packet and he assumes it still holds true that it is incumbent on the appellants to provide facts that support the revocation of the CUP for the Planning Commission to consider. Mr. Call stated that anyone can provide facts, but it is now a bigger hurdle for the City to terminate the CUP because it must be shown that there is substantial evidence that proves there have been clear violations of the conditions of the CUP. He stated the burden is shifted from the holder of the CUP to those that are seeking to terminate the CUP.

Vice-Chairman Dalpias stated the fact is that the Planning Commission has received a letter, though it is dated April 30, 2013, signed by four residents that expresses there was some noncompliance with the CUP. He stated he feels that should be looked into. He stated that is only one letter and there may be others that he does not know about. Commissioner Knight asked Vice-Chairman Dalpias if he has identified the actual noncompliance issues in the letter. Vice-Chairman Dalpias stated the letter explained the owner has not met the conditions of the CUP. He stated he is not sure that it is specific enough and they may just be making a general statement. He stated he would ask someone to look into the specifics of the complaints.

Commissioner Thomas inquired as to the staff recommendation regarding this issue. He asked if staff would like additional time to review the complaints.

Commissioner Brown stated that when this issue was first considered it was very disruptive and tragic; it tore friends and neighbors apart and she does not want to see that happen again. She stated the fact that the annual consideration of the CUP last year went so smoothly is proof that the applicant is more than willing to do everything he has been asked to do. She stated that unless she can see a list of the conditions and dates that those conditions were violated she does not understand why the Planning Commission cannot proceed with approving the CUP at this time. She noted Mr. Call has informed the Planning Commission that they can revoke a CUP at any time throughout the year and if proof and evidence is provided regarding the violations she will be supportive of that, but at this time she does not want to create a similar damaging situation based on letters that include vague information. Mr. Barker stated he discussed that issue with the City Manager and they have agreed that all complaints need to be filed in a timely manner and in writing and when that occurs the City will make its best attempt to investigate. He reviewed some of the issues that could potentially be encountered during an investigation and noted the requirement for timely and written documentation will improve the process. He stated he would recommend the Planning Commission vote to allow the CUP to continue and instruct the complainants to provide timely and detailed documentation regarding those complaints.

Chairman Residori stated that he reviewed the letter of complaint and it is very general, but that the CUP is a temporary permit that has been allowed to continue. Mr. Barker stated there is no definite end to a CUP except for when the CUP is abandoned as was explained by Mr. Call. Chairman Residori stated the letter does not include specific information regarding any clear violations of the conditions of the CUP.

Vice-Chairman Dalpias reviewed the options available to the Planning Commission this evening. He stated he also questioned whether the CUP is temporary and Mr. Call has answered that

NOT APPROVED

question. He stated he understands the only way the CUP can be revoked is if the conditions of the CUP are violated or if the CUP is abandoned for a period of one year.

Commissioner Thomas stated his understanding is that the Planning Commission can declare that the annual review of the CUP has occurred and the CUP will remain in effect. He stated staff can be directed to look into the complaints that have been made and there may be some residents that are unaware that the issues related to the CUP can be addressed at any time throughout the year. He stated the Planning Commission can only rely on the understanding that the CUP holder has met all the conditions associated with the CUP and that he can continue with his business. Vice-Chairman Dalpias agreed and stated the Planning Commission does not have detailed information to consider at this time. Commissioner Knight stated it has been his understanding that it is common knowledge that a CUP can be revoked at any time throughout the year.

Commissioner Brown made a motion to approve the conditional use permit for a home occupation for an auto repair shop in a residential garage at 3590 N. 575 E. Chairman Residori seconded the motion.

Mr. Barker stated the appropriate action is not to approve the CUP but to recognize that the annual review of the CUP has been conducted and that the Planning Commission recommends continuation of the CUP.

Commissioner Brown amended her motion by noting annual review of the conditional permit has been conducted and that the continuation of the conditional use permit should be allowed. Chairman Residori seconded the motion.

Voting on the motion:

Chairman Residori	**yes**
Vice-Chairman Dalpias	**yes**
Commissioner Brown	**yes**
Commissioner Knight	**yes**
Commissioner Quinney	**yes**
Commissioner Russell	**yes**
Commissioner Thomas	**yes**

The motion passed unanimously.

3. CONSIDERATION TO APPROVE A BOUNDARY LINE ADJUSTMENT FOR 2037 N. 775 E.

A memo from Community Development Director Craig Barker explained Ms. Green owns a lot in the Quail Ponds Subdivision and, after the PRUD was vacated with the common areas being eliminated (one of which was deeded to Ms. Green), she owns property next to her lot. She desires to build an addition to her home which will extend the home toward the former common area she now owns. If the Planning Commission approves her request she will be able to go

NOT APPROVED

closer to the boundary between the two parcels and do as she desires. She will still have to respect the water channel to the north and its easements if any.

Mr. Barker summarized his staff memo noting that even though Ms. Green owns adjoining parcels she must still recognize the side yard setbacks unless the two properties are combined into one property. He stated that if the Planning Commission approves Ms. Green's request she will be allowed to build the extension of her home however she sees fit.

Lois Green, 2037 N. 775 E., stated that she is not sure that she will be able to do what she wants to do, but her daughter obtained a copy of the plat containing her property in order to identify her options. She stated she is only planning to add one room to her home.

Vice-Chairman Dalpias asked if there are any easements associated with the waterway near Ms. Green's property. Ms. Green stated the waterway must remain open and she has no desire to cover it. Vice-Chairman Dalpias asked how close Ms. Green's property line will be to the waterway. Ms. Green stated her property line is straight back from the front of her stream, but when she built her home she was given a portion of the common area and the back part of her property is quite a bit wider than the front. Vice-Chairman Dalpias clarified that Ms. Green also owns the adjoining property, which is over 10,000 square feet. Ms. Green stated that is correct.

Commissioner Brown stated that Ms. Green has done a great job in improving the area and it has turned out to be quite an asset to the community.

Commissioner Russell stated that Ms. Green mentioned she has another piece of property, but he asked how far the home will be from the creek once the addition to the home is complete. Ms. Green stated she does not know the answer to that question at this time. She explained the person that is going to draft the plans for the addition works for Destination Homes and she will review all the conditions associated with the property. She stated that she does not want the home to be too close to the stream because she wants to be able to enjoy it.

Building Official Kerr stated that he will review the modifications to Ms. Green's home. He stated that if there is an easement associated with the creek Ms. Green will not be allowed to build upon it. He stated if there is no easement Ms. Green could potentially build her home right up to the waterway. He stated that usually there are easements associated with waterways, but if there is no easement there are no restrictions requiring the home to be a certain distance from the water. He stated he will check into all of these issues before issuing a building permit.

Commissioner Brown stated that the waterway was previously controlled by the Army Corps of Engineers (ACOE), but it now goes through Ms. Green's property and she is technically required to maintain it and she does. Mr. Kerr stated that if there are still restrictions from the ACOE on the waterway, Ms. Green would need to work within those restrictions. He reiterated he will check into all of those issues before issuing a building permit.

Commissioner Thomas asked if the Planning Commission is being asked to allow an encroachment or to combine the two parcels of property into one. Mr. Barker stated that the

NOT APPROVED

Planning Commission is being asked to combine two parcels into one. Commissioner Thomas stated his understanding is that once that is done the new setback becomes the new property line.

Mr. Barker stated Ms. Green has two options; she can combine the two parcels into one parcel, but that requires resurveying and re-platting of the property. He stated the other option is a boundary line adjustment, which allows Ms. Green to recognize the two parcels as one without recognizing any setbacks from the line between the two parcels. He stated documentation of the boundary line adjustment would be recorded against the property so that the future owner will understand that as well.

Commissioner Knight made a motion to approve a boundary line adjustment as discussed for the property located at 2037 N. 775 E. Commissioner Quinney seconded the motion.

Voting on the motion:

Chairman Residori	**yes**
Vice-Chairman Dalpias	**yes**
Commissioner Brown	**yes**
Commissioner Knight	**yes**
Commissioner Quinney	**yes**
Commissioner Russell	**yes**
Commissioner Thomas	**yes**

The motion passed unanimously.

4. CONSIDERATION TO APPROVE THE NORTH OGDEN RETAIL COMMONS CONDOMINIUM CONVERSION, LOCATED APPROXIMATELY AT 2300 N AND 400 E.

A memo from Community Development Director Craig Barker explained the property at this site is an existing commercial development with three buildings, each on a lot in the A. Brown Minor Subdivision Lot 3B. The building on this site is proposed to become an eight unit condominium so that the individual units can be sold. To accomplish this, a condominium plat needs to be approved. This appears somewhat like a subdivision plat but with certain other requirements. The proposed plat submitted will need to be changed to meet this requirement. There is also the question regarding the individual utility connections where individual water metering may be required for individual units while the existing building is metered with one connection. There is also an issue with the required fencing adjacent to residential development that was never installed by the A. Brown Minor Subdivision developer. An eight foot vinyl fence was required to the west but was never installed. The residents of this area have asked for this fencing to be installed many times. Mr. Barker recommended that the Planning Commission require this as a part of this approval.

Mr. Barker summarized his staff memo and reviewed the renderings of the subject property.

NOT APPROVED

Mark Wahl, 82 E. Antelope Drive, Layton, stated he is one of the owners of the LLC seeking to develop the property. He provided a brief background of the subject property noting that through the years it has been mostly vacant and was foreclosed upon by the bank last summer; at that time the building was 20 percent occupied. He stated that since that time he has been marketing the building and one of the ideas was to covert the buildings to condominiums so that tenants would have the opportunity to purchase their space on an option, which is enticing with the current economy and low interest rates. He noted one tenant has already approached him and said they are interested in purchasing the four units they occupy. He stated that is the impetus for this request. He noted since assuming ownership of the property, his company has completed many improvements to the building and it is now approximately 86 percent occupied; there is one unit left that is unoccupied. He stated he feels the property now benefits the City and he is pleased with what has happened there.

Vice-Chairman Dalpias asked if all uses in the building will continue to be of commercial nature. Mr. Wahl answered yes. Vice-Chairman Dalpias stated he simply needed to clarify that because when he hears the word 'condominium' he thinks of residential use.

Vice-Chairman Dalpias noted City staff has declared the requirement for an eight-foot fence and he asked Mr. Wahl if he will comply with that requirement. Mr. Wahl stated that he has agreed to that requirement, but he wonders if the owner of property located behind his should participate in that action since it will be a common fence. Mr. Barker stated it is Mr. Wahl's responsibility. Commissioner Knight added the requirement for a fence was included in the original agreement. Mr. Barker stated the City has received complaints about the lack of the fence. Mr. Wahl stated he agrees to install the fence.

Commissioner Thomas made a motion to approve the North Ogden Retail Commons Condominium conversion, located at approximately 2300 N. 400 E., with the condition that an eight foot fence be installed on the west boundary of the property. Chairman Residori seconded the motion.

Voting on the motion:

Chairman Residori	**yes**
Vice-Chairman Dalpias	**yes**
Commissioner Brown	**yes**
Commissioner Knight	**yes**
Commissioner Quinney	**yes**
Commissioner Thomas	**yes**

The motion passed unanimously.

5. <u>DISCUSSION AND/OR ACTION ON REZONING THE PROPERTY LOCATED APPROXIMATELY AT 1825 N 100 E FROM COMMERCIAL C-2 TO RESIDENTIAL R-4 FOR THE PURPOSE OF CONSTRUCTING A MULTI-FAMILY DEVELOPMENT.</u>

NOT APPROVED

Ms. Cain reported that the applicant contacted City staff earlier today and asked that this item be postponed until May 15.

Vice-Chairman Dalpias stated he did want to mention that staff has provided the Planning Commission with a detailed zoning map of the area around the subject property and aerial photography of the area as well. He asked the Planning Commission to review those documents prior to the next meeting. Mr. Barker added that the Economic Development Committee met last night and the minutes of that meeting will be provided to the Planning Commission prior to the next meeting. He stated Chairman Residori and Commissioner Thomas attended the meeting to provide a detailed request of what the Planning Commission is seeking from the Committee. He stated it may be a good idea to hear a report from them regarding their feelings about the meeting.

Chairman Residori stated there was a motion made to hold off on changing any zoning in the area until the City's General Plan is updated. He added the Committee recommended working with Matthew Godfrey relative to mixed use development to come up with something to clearly define that type of development. Mr. Barker stated those discussions can and should continue in fairness to the property owner.

Commissioner Thomas stated it sounded to him like the Committee wants to see commercial development, but potential future annexations of ground into the City could provide more commercial development. He added that many in attendance at the meeting were surprised to learn that the parcel of property that is zoned for commercial use is nearly 2,000 feet west of Washington Boulevard, so it is very large. He stated he thinks more discussion regarding the area as a whole is necessary. Mr. Barker stated the question at this time is regarding funding to hire a development consultant to work on updates to the City's General Plan. He stated a proper action for the Planning Commission to take this evening is to table this item until the May 15 meeting.

Commissioner Thomas made a motion to table the item until May 15 or until a date that the minutes of the Economic Development Committee are available and the developer is able to attend. Commissioner Brown seconded the motion.

Voting on the motion:

Chairman Residori	**yes**
Vice-Chairman Dalpias	**yes**
Commissioner Brown	**yes**
Commissioner Knight	**yes**
Commissioner Quinney	**yes**
Commissioner Russell	**yes**
Commissioner Thomas	**yes**

The motion passed unanimously.

NOT APPROVED

6. PUBLIC COMMENTS

Charles Crippen, 3576 N. 575 E., stated he wanted to offer clarification regarding the earlier discussion about the CUP. He stated a year ago he did submit a written complaint detailing the dates and times associated with the tow truck violations. He stated the discussion tonight that there was no complaint made is incorrect and he wished to correct it. Vice-Chairman Dalpias stated that now that he has heard Mr. Crippen's comments he does remember seeing the complaint.

Michael Dufrene, 587 E. 3600 N., stated he has a couple of questions and a comment. He stated he wanted to let the Planning Commission know that the reason he did not attend the Planning Commission meeting last year when the CUP was considered was because he did not know anything about this process. He stated he was moving into his home at the time that the original CUP was granted and, as he stated in personal comments in the letter that was provided to the Planning Commission, it did not take long as a new neighbor to see what was happening in the neighborhood. He stated that the Crippen's and Swenson's have become outcasts in their own homes and he, himself, experienced a week ago harassment and badgering while he was in his own yard. He stated his question to the Planning Commission relates to the discussion regarding documentation. He stated that is putting the oweness on the residents to become police and to document these occurrences. He stated the Planning Commission should all be aware of the nature of human beings and once someone files a complaint or two they are accepted, but by the time the third complaint is filed the complainer is labeled as a whiner. He stated he feels the Planning Commission is asking him and Mr. Clark, who has given him permission to speak on his behalf tonight, to become policemen and they will be known as whiners and they will become part of the outcast group if they are not part of it already. He asked the Planning Commission how they would like the residents to document things that are not documentable. He stated that is noise, fumes, and things like the harassment that he received a week ago. He asked how that should be reported to the Planning Commission to satisfy them. Vice-Chairman Dalpias requested that the residents send an email or letter noting that on a specific date at a specific time what they observed. He stated the complaint simply needs to be in writing and the time and date information needs to be specific. Mr. Dufrene asked how that information will become credible evidence if it is not witnessed by a third party. He stated that it makes he and his other neighbors whiners. Commissioner Thomas stated it is not an interrogation. Mr. Barker stated that the Planning Commission does not need to answer Mr. Dufrene's questions at this point and this may be something the Planning Commission should discuss with legal counsel and City management. He stated the Planning Commission can take note of Mr. Dufrene's comments and they will also be included in the minutes for future reference. Mr. Dufrene stated he does not mean to put anyone on the spot, but these things are on his mind and in his heart. He stated he believed Mr. Crippen had submitted a letter to Mr. Barker requesting information about the proper procedures for filing a complaint and appropriately documenting the complaint. He stated he will do everything necessary to document his concerns, but he feels that the process will only get worse and cause further dissention among the neighbors. He stated that Commissioner Brown made a comment that she did not think this was right and it should not be tolerated. He stated that it is not going to go away and the immediate neighbors should be given some credence in the process. He stated that even if the conditions of the CUP are met, the property is still a nuisance for the four adjoining neighbors who all live within 100 feet or less of

NOT APPROVED

the problem. He stated that the business owner can close all of his doors, but the vent for the exhaust that the owner is required to use when working on vehicles in his garage goes out the side or the back of his garage. He stated his backyard faces the direction of the fence and from his bedroom to the corner of his neighbor's garage is approximately 60 feet. He stated his last question is regarding the letter from the neighbors. He stated in the letter they identify that Mr. Clark has offered an opportunity for Mr. Baguley to move his business to an establishment at 3002 Washington Boulevard and he does not understand why that is not a viable solution. He stated that it would solve the problem for most of the neighbors. He stated it obviously does not suit Mr. Baguley's needs, but it seems to him that his needs are being suited and no one else's needs are being suited except for the needs of those that are taking advantage of the cheap labor that he provides.

7. PLANNING COMMISSION/STAFF COMMENTS.

There were no additional comments.

8. ADJOURNMENT.

Chairman Residori made a motion to adjourn the meeting. Commissioner Brown seconded the motion.

Voting on the motion:

Chairman Residori	**yes**
Vice-Chairman Dalpias	**yes**
Commissioner Brown	**yes**
Commissioner Knight	**yes**
Commissioner Quinney	**yes**
Commissioner Russell	**yes**
Commissioner Thomas	**yes**

The motion passed unanimously.

The meeting adjourned at 7:34pm.

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Planning Commission Chair

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Stacie Cain,
Community Development Coordinator/Deputy City Recorder

NOT APPROVED

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Date approved

NOT APPROVED