

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 9/10/2020. THE MEETING WAS HELD IN THE GRANTSVILLE CITY COUNCIL CHAMBERS AT 429 EAST MAIN STREET AND ON ZOOM.

Commission Members Present: Chairman Jaime Topham, and Commission Member Gary Pinkham

Commission Members that were present on Zoom: Commission Member Erik Stromberg

Commission Members that were absent: Commission Member Jacob Linares and Commission Member Brian Pattee

Appointed Officers and Employees Present: Zoning Administrator Kristy Clark, Attorney Brett Coombs, Shay Stark with Aqua Engineering, Grantsville Fire Marshal Brad Clayton and City Council Liaison Darrin Rowberry

Appointed Officers and Employees that were absent or present on Zoom: City Engineer Timm Dixon

Citizens and Guests Present: Marilyn Woodger, Cody Stewart, Lynsy Ferrin, Desiree and David Wyant, Scott Yermish, Jacob Clegg, Rob Jaterka, Lynn Butterfield, Linda Herrera, Chance Fackrell and many members of the community attending the meeting through Zoom

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

- a. Proposed Commercial Conditional Use Permit for Desiree Wyant to own and operate a DIY Craft Studio located at 822 East Main Street, Suite H in the CD zone.**

Chairman Jaime Topham opened the public hearing at 7:01p.m. and called for comments.

With no comments offered, Chairman Jaime Topham closed the public hearing at 7:01p.m.

- b. Proposed Rezone of 16.6 acres for Shane and Cari Watson to go from an R-1-21 zone to a R-1-12 zone for property located at approximately 547 West Apple Street.**

Chairman Jaime Topham opened the public hearing at 7:01 p.m. and called for comments.

Chairman Jaime Topham read an email into the record from Karen Watson that read, “I

support this rezone request. Thank you for advising me. Karen Watson at 82 S West Street, Grantsville, UT. 84029.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:01 p.m.

c. Proposed Rezone of 12 acres for Andrei Popa to go from an A-10 zone to an MD zone for property located at approximately 1342 North Old Lincoln Highway.

Chairman Jaime Topham opened the public hearing at 7:02 p.m. and called for comments.

Chairman Jaime Topham read an email into the record from Marilyn J. McMullin-Woodger that read, "To: Grantsville City, Subject: Rezone application for approximately 1342 N. Old Lincoln Highway. I am the owner of property next to above-named which has a request for rezoning. My property is held in the name of Finn, LLC. I inherited it from my father, who owned it for many years. I have been waiting to sell it until it would be worth more as a Commercial property. I received the notice for a zoning meeting on September 10, 2020 regarding the application for a rezone from A-10 zone to MD zone on property next to mine I am very concerned about a rezone for the property. This property faces both Highway 138 and Old Lincoln Highway. It is a prime piece of property for a large commercial development. To zone it Light Industrial will make it less valuable than a regular commercial zone. (Which will make my property also less valuable). Furthermore, it will most likely reduce the amount of taxes paid to Grantsville if the property had a large commercial development on it. I am a Real Estate Broker in Salt Lake City, and have done several developments in the Salt Lake Valley. I understand the effects of zoning and feel that "spot zoning" is never a good idea. I am planning on attending the meeting on September 10, 2020 to voice my opposition to this application for rezoning. Regards, Marilyn J. McMullin-Woodger, Principal Broker. I understand that Marilyn is here tonight. Marilyn, would like to speak in addition to this letter?"

Marilyn stated, I think that says it all.

Rob Jaterka stated to the Commission, My name's Rob Jaterka. I live at 1342 Old Lincoln highway and my wife and I've gotten no quarter with anyone that wants to start to their own business. We've lived there for two years and to have an industrial right out our front door diminishes our property, which is zoned agriculture and we do use it for that. I'd like to say, I don't know how you guys would feel about looking out your front door, of your home and seeing a commercial business like that. Thank you.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:05 p.m.

d. Proposed Rezone of 9.7 acres for Chance Fackrell to go from an A-10 zone to a RR-2.5 zone for property located at 848 North Cooley Street.

Chairman Jaime Topham opened the public hearing at 7:05 p.m. and called for comments.

Chairman Jaime Topham read an email into the record from Rachael Cowan that read, "Hello, I just received the letter for this rezone yesterday in my mail and opened it now. I am not able to attend the meeting this evening but would like to see the proposed plans. I also just want to comment that when we moved down here and changed the zoning for our property to 5 acres we hoped it would not go any smaller. We feel there needs to be somewhere in the city that you are able to keep space and open land between homes. We would prefer to see the 9.7 acres divided into 2 lots instead of 3. Thank you, Rachael Cowan

Chairman Jaime Topham read an email into the record from Doug Farley that read, "My name is Doug Farley. I just want to put in my two cents in about the property wishing to zone at 2.5 acres' lots. I would hope we could keep to 5 acre lots down here. The purpose of moving out here is to have a larger area of land with minimal neighbors. I would hope that we could maintain the 5 acres in this area! Thanks for your time!!

Chairman Jaime Topham read an email into the record from Ashley Erickson that read, "To Whom It May Concern, I am writing in regards to the newly approved Grantsville City Master Plan that has now changed the north end of Grantsville from 5+ acre lots to 1 acre lots. There are several concerns that come to mind with this new change that I hope the planning and zoning committee will consider before approving mass subdivisions in that area. Current residents located to that area because of the openness, rural lifestyle, and ability to have multiple animals on the larger lots. These lots are able to stay in the Greenbelt zone which keep the resident's taxes low. Surrounding the lots will smaller ones puts a large impact on being able to keep these lots in the Greenbelt. Adding several small lots surrounding these 5 acre lots will imminently cause issues between home owners over animals, flies, dust etc. The reason we move to those areas are so we can have them without causing distress to our neighbors because there is plenty of space. When new residents come in on smaller lots who think they want to live in the "country" ultimately begin complaining about the "country" lifestyle. Currently throughout the county there are already changes trying to be passed that the smaller lots shouldn't be able to have any animals whatsoever, does Grantsville really want to follow in their same footsteps? A dirt road is one of the main routes used to access the potential one acre zones, several improvements at most likely high costs will be required to accommodate all of the additional residents. Even though the master plan allows for these size of lots, doesn't mean they have to. I hope the commission will consider all aspects before approving. We as residents will always be

against any rezoning whether it be Fackrell's, Hale's, Farley's or anyone else in the area due to the reasons above. Respectfully, Ashley Erickson

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:09 p.m.

CHAIRMAN JAIME TOPHAM OFFICIALLY CALLED THE MEETING TO ORDER AT 7:09 P.M.

1. Consideration to approve a Conditional Use Application for Temporary Living during Construction for Lynsy Ferrin and Cody Stewart for address located at 257 East Clark Street.

Lynsy Ferrin and Cody Stewart was present for this agenda item:

Gary Pinkham asked, in your application, you indicate that you're not going to hook the trailer up to utilities. So, how are you going to handle the waste?

Lynsy Ferrin stated, correct. We are going to use the dump station next to the rodeo grounds.

Gary Pinkham asked, how big is the trailer?

Lynsy Ferrin stated, we don't know at this time. We're waiting for the insurance to make a decision.

Jaime Topham asked, how long do you think it's going to take to rebuild?

Lynsy Ferrin stated, a minimum of six months. We've had the structural engineer come on last Wednesday and they said that we are able to rebuild part of it. They are working with the City to see if it going to be safe with only rebuilding part of the house.

Jaime Topham stated, I think we can approve this on a temporary basis and review it in six months to make sure that there is progress being made.

Jaime made the motion to approve the Conditional Use Application for Temporary Living during Construction for Lynsy Ferrin and Cody Stewart for address located at 257 East Clark Street. This will be a temporary permit and will be reviewed in 6 months. Gary seconded the motion. All voted in favor and the motion carried unanimously.

2. Consideration to approve the Commercial Conditional Use Permit for Desiree Wyant to own and operate a DIY Craft Studio located at 822 East Main Street, Suite H in the CD zone.

Desiree Wyant was present for this agenda item:

Gary Pinkham asked, what kind of crafts are you doing at the in the store?

Desiree Wyant stated, we will have kits that people can pick up or they can do projects in the store.

David Wyant stated, There's wood, ceramics, but mostly wood. It'll be mostly pine wood. One by fours and one by sixes and they can build different things from that. Such as, a framed sign or we will cut them a custom stencil like their families last name or the year that they were married. We are offering three ways that they can do the projects. One, they can come into the studio and do it, and a generalized workshop which is going to be themed on a project type, they can book a private party and bring in multiple guests, whatever they want to do within COVID restrictions. I think we're limited at six or nine based on the six-foot space. Then it's just a party for that group, or they can do what we call a "hammer at home" kit, which is they pick whatever they want, we pre-build it, they pay for it and pick it up and do it at home.

Jaime Topham asked, where is this going to take place? Do you have a separate shop? The application says that the land is vacant. Are you building something?

Desiree Wyant stated, there is a building there already.

Jaime Topham asked, so it's going to be in one of the buildings on the property?

Desiree Wyant answered, correct.

Gary Pinkham asked, if you're going to be doing woodworking, are you going to have shop tools there such as, saws, sanders, drills et cetera?

Desiree Wyant stated, the saws will be at our home. We will cut everything before it goes to the shop.

David Wyant stated, there will be sanders, hot glue guns and probably an impact. Everything else is pretty much pre-built or we order it pre-built.

Brad Clayton stated, this is sounding a lot like a wood shop where stuff is going to be manufactured on site. Contingent to you getting the permit, I'll have to come do a fire inspection, before you open. It'll have to meet the regulations of a wood shop. How

many square feet is it?

David Wyant answered, 800 square feet.

Brad Clayton stated, that makes it a lot easier with sprinklers. They're not going to be required, but we'd have to look at everything that's in there, what kind of stains, oils, and paints will be on site?

David Wyant answered, there won't be any oils and everything else is water based.

Brad Clayton stated, so, get with Kristy if this is approved and then she'll have you hook up with me and we'll figure out a time. Once you've got everything set up. I'll come down and do an inspection.

Gary Pinkham stated, if you're going to be sanding, you're probably going to have to have some means for dust collection, so we don't get a fire hazard from the sawdust that's all in there, too. He's going to be a critical piece of your plan here. And getting the final approval is going to be based on him approving your way out and your safety measures, and so on. Especially, if you're going to have those kinds of products on site. That's one unit of about six or seven in that building, right? You've got a lot of close neighbors there. We need to be careful.

Attorney Coombs asked, if items are being manufactured at the house. Do we need to worry about any of these items at the house? Do we need to have an inspection from Brad for the house?

Brad Clayton stated, if they are being built at another location, that location would have to be inspected also.

Jaime Topham stated, that site isn't on the application. What is the site address where you would be manufacturing your own pieces?

Desiree Wyant answered, at our house located at 563 Otto Lane.

Kristy Clark stated, we could require them to do a home occupation conditional use permit for the stuff that they are doing out of their garage.

Jaime Topham stated, I think that would probably be appropriate. That means that you will have to submit another application for the home.

Kristy Clark stated, that since no one would be coming to the home and since we have had this meeting I could approve that application in house. And then the Fire Marshal could do an inspection there as well when they are ready.

Jaime made the motion to approve the Commercial Conditional Use Permit for Desiree Wyant to own and operate a DIY Craft Studio located at 822 East Main Street, Suite H in the CD zone. Fire Marshal will need to do an inspection before final approval is given. Gary seconded the motion. All voted in favor and the motion carried unanimously.

3. Discussion of a Concept Plan with Scott Yermish on the property located South of Anderson Ranch Subdivision and South of Nygreen Street in the R-1-21 zone.

Scott Yermish and Jacob Clegg were present for this agenda item and stated to the Commission: My name is Scott Yermish, I represent Newman Construction, the owner of the property. I'm Jacob Clegg and I work for Ensign Engineering.

Scott Yermish stated, when we first came to you and showed you the concept plan about a year ago, there were small little changes you wanted, but one of the requirements was open space. We understood that, but at the same time, we have Nygreen Street which we have to build and maintain which is 2.3 acres, and then you're asking for an additional 1.9 acres of open space, which is 4.23 acres that we have to give of our land. That seems to be excessive and we want to try to figure out a way, whether you guys want to take Nygreen Street or you want to take the open space, but having both puts us in a really bad position financially.

Jacob Clegg stated, Typically, for a normal subdivision you don't have to dedicate a through street like this. This is a major collector road that's been master planned for Grantsville. We understand that. That's why they're planning to build it. Like Scott just said, it's not typically to have to dedicate a road and then look at the overall square footage or acre feet of the property, and dedicate another 10% for open space. What we're asking for is just to consider, "Okay, they're going to be improve this 2.3 acres for a through street that's no homes will front, it doesn't really benefit this development, per se, but it does benefit the community." Would the planning commission consider that enough for a trade for the 10% of open space of the overall acreage?

Jaime Topham stated, well, it does benefit your development. Two of your streets dump onto Nygreen.

Jacob Clegg stated, but we could easily connect to Gold Dust and Saddle Road and then we wouldn't need Nygreen. And we wouldn't have our homes front Nygreen, that's why it doesn't directly benefit us.

Jaime Topham asked Shay Stark with Aqua Engineering, with their development wouldn't they have the responsibility to do the half width of Nygreen? No matter what?

Shay Stark answered, correct.

Jaime Topham stated, so that's not going to be something we can budge on and our code requires the open space. As a zoning commission, we don't have the right to grant that kind of a variance. Where you're not doing a P.U.D. and there's nothing out of the box about this proposal, it's just a standard subdivision, we don't have the authority to grant a variance to something like that. Is there anything else that they need consider?

Shay Stark added, you're exactly right. From the planning commission side of this you don't have the authority to grant any sort of variance. That discussion would need to occur at city council. There's definitely some form of discussion that should be able to occur because they are willing to improve the full width versus half width plus five feet to get the minimum road width. That's above and beyond what would typically be required.

Jaime Topham stated, so the long and short of it is you have to have the conversation with the City Council.

Scott Yermish and Jacob Clegg thanked the Planning Commission for their time.

4. Consideration to recommend approval of the Rezone of 16.6 acres for Shane and Cari Watson to go from an R-1-21 zone to a R-1-12 zone for property located at approximately 547 West Apple Street.

Shane Watson was present for this agenda item and stated to the Commission:

Should be pretty straight forward. I think the zoning is according to the plan.

Jaime Topham answered, yes, you are correct. I don't see any issues. Do you? Erik do you have any comments or anything to add? Is there any discussion needed?

Attorney Coombs asked, it appears that there is a strip of ground on the north side of Apple Street, most of this property is on the south, then there's that strip of ground on the north. Is the intention to rezone that strip of ground as well?

Shane Watson stated, I own the street, and this is the one we talked about where I've kind of got the problem with Walker's development. My intent is to privatize the street and make it a locked subdivision. The initial intent was that that street was going to be deeded to the city, upon him meeting his obligations for improvement per contract, which has gone on for 16 years. I'm kind of thinking we'll just gate it and make it a gated community as part of the subdivision.

Attorney Coombs stated, my only thinking is that I don't know that you want to have a

small strip one zone and the rest of that piece of property in different zone.

Jaime Topham stated, the application includes the entire lot, including that little tiny strip on the other side, so what you're saying is leave out the tiny strip?

Shane Watson stated, I'm good either way. It's going to be a road no matter what.

Jaime Topham stated, well as far as rezoning, it's in line with our future land use map plan. I would say, just rezone the entire parcel.

Jaime made the motion recommend approval of the Rezone of 16.6 acres for Shane and Cari Watson to go from an R-1-21 zone to a R-1-12 zone for property located at approximately 547 West Apple Street. Gary seconded the motion. All voted in favor and the motion carried unanimously.

5. Consideration to recommend approval of the Rezone of 12 acres for Andrei Popa to go from an A-10 zone to an MD zone for property located at approximately 1342 North Old Lincoln Highway.

Lynn Butterfield was present for this agenda item and stated to the Commission:

Lynn Butterfield, Coldwell banker, I represent the applicant. Current owners of this property have held the property for several years and they purchased the property with this kind of intent, recognizing the shift in the area for businesses, similar to Broken Arrow and the train yards there, and Wal-Mart distribution center. That land has not been used for agriculture purposes for many years. The request for the rezone meets that the current master plan and land use of Grantsville City. It is not spot zoning. It's appropriate for the current uses of the area which are current, the Wal-Mart distribution center near that area, it's a major trucking route where all of the trucks for Wal-Mart distribution come through, and it would entail a tax increase revenue for Grantsville City, and additional opportunities to store containers that could come to the rail yard very close to the north. Adjacent property owners have had the opportunity to apply for general commercial rezoning for many years. This applicant is ready to move forward and to add value to Grantsville City.

Jaime Topham asked, So, the applicant's intention is to put in a cargo storage? Are they going to front that business onto 138? How are they going to handle that traffic?

Mr. Butterfield stated, They'll be fronting the business onto the Old Lincoln highway for access, and on the north side of the property. So, they'll immediately go onto 138 and have access to 138 and the I-80 freeway.

Jaime Topham asked, So, they won't use the side of the property that actually fronts 138

as their access?

Mr. Butterfield stated, No, they'd have to apply to U-DOT for additional access, but if they go the furthest northern point of that property that gives them a very short distance of travel on the Old Lincoln highway and then immediately onto 138, and then of course onto the I-80 freeway.

Gary Pinkham asked, is that triangular piece the one that we are looking at? And there are two parcels? And the applicant is looking at rezoning both parcels?

Mr. Butterfield stated, that's correct.

Gary Pinkham asked, why choose the MD zone instead of commercial?

Mr. Butterfield stated, because of the use with storage containers. It was the most appropriate zone for the use.

Jaime Topham asked, So, you heard the neighbor's concerns? Have they had any consideration about how that's going to impact the neighbors? Are they going to use a certain point down the property of their access? Farther to the north rather than more towards the south?

Mr. Butterfield stated, it will absolutely be further to the north and their shop and office facilities will be further to the north because that's what makes sense for access.

Shay Stark with Aqua stated, With the Worthington Ranch subdivision we were trying to figure out how to sewer that subdivision and spent some time looking at this larger area here, and when you get the body plans, there's a highpoint in Old Lincoln highway and that highpoint carries off to the northwest across the property between Old Lincoln highway and SR-138. Currently, there is no way to sewer this north end without a special line and a lift station, there's no way to sewer it, and so looking at it and maybe for what Gary was saying with that commercial zoning out there, at this point if somebody were to try to develop that they'd walk away from it realizing they couldn't afford to put the lift station in and the sewer that would be required for it, and so if they pick a less intensive use on that end it probably does make more sense.

Mr. Butterfield stated, the applicant is aware of that and is prepared to put in an appropriate septic system.

Jaime Topham asked, can we allow septic systems for commercial use?

Timm Dixon stated, no, you can't have a septic system for commercial.

Mr. Butterfield stated, I don't think that is correct. We have areas in Tooele County that

are commercial and they are on septic.

Jaime Topham stated, well this isn't actually part of tonight's discussion, but something to consider going forward.

Jaime made the motion to recommend approval of the Rezone of 12 acres for Andrei Popa to go from an A-10 zone to an MD zone for property located at approximately 1342 North Old Lincoln Highway. Gary seconded the motion. All voted in favor and the motion carried unanimously.

6. Consideration to recommend approval of the Rezone of 9.7 acres for Chance Fackrell to go from an A-10 zone to a RR-2.5 zone for property located at 848 North Cooley Street.

Chance Fackrell was present for this agenda item and stated to the Commission: So, this is my mom and dad's property and they've lived down there for quite a few years. I understand the comments by the public. I found it funny though because I used to run my cows where they've built their houses for years. I would like to speak specifically to the comment mentioned about the number of lots. I am planning on subdividing from one lot into two. That's all it would be. Basically, just for agricultural use, horses and a barn, things like that. No one intends to build a house anytime in the future.

Jaime Topham stated, it's within the future land use for that area. Our future land use designation in that area is one dwelling unit per acre to 10 acres. So 2.5 acres is certainly within the use.

Jaime made the motion to recommend approval of the Rezone of 9.7 acres for Chance Fackrell to go from an A-10 zone to a RR-2.5 zone for property located at 848 North Cooley Street. Gary seconded the motion. All voted in favor and the motion carried unanimously.

7. Consideration to recommend approval of the Preliminary Plan for Land Development, LLC and Adam Nash on the Royal Estates Subdivision located at approximately 265 North Cooley for the creation of thirty-nine (39) lots in the RM-7 and RR-1 zone.

Adam Nash was present for this agenda item:

Jaime Topham asked, Mr. Nash. Did you have an opportunity to review the memo from our City Engineer?

Adam Nash answered, yes, we did.

Jaime Topham asked, what are we doing about cul-de-sac's?

Adam Nash stated, we are putting them in.

Jaime Topham asked, where are the plans that show that?

Adam Nash stated, I didn't have time to draw them in. Our Engineer has been going back and forth with the City Engineer and they've made the commitment to add them.

Jaime Topham asked Timm Dixon, City Engineer, who was on Zoom, is it true that you have been going back and forth with Mr. Nash's engineer, and that there is the expectation that King's Court and Queen's Court will have full cul-de-sacs?

Timm Dixon stated, I did receive something from the engineer stating that they would put that in, but they wanted to not have that on the submittal for tonight's agenda with the recommendation that it will move forward to council and then they will show the cul-de-sacs. As you can see in my memo there, I just had my concern since the cul-de-sacs were not being shown, currently tonight, how would that affect those lots in question that I had numbered. That was my concern, but he has emailed me. We've been in discussion and we kind of left it at that for the planning commission discussion for tonight.

Jaime Topham stated, that does bring up some concerns. Because if you put the cul-de-sacs in, I would assume that you're going to lose some density.

Brad Clayton stated, question, and this might require Attorney Coombs to provide a legal opinion on this, the International Fire Code states that a development of one or two families dwelling where the number of dwelling units exceeds 30 shall provide two separate points of egress and approved fire apparatus access roads. So where none of these roads tie together do we need to call it three small developments?

Attorney Coombs answered, I think if we split it up into three small developments then it would meet the code.

Jaime Topham stated, Okay, but we're here at preliminary and if we make a recommendation today then they're vested. Well, once the City Council approves it then they're vested, right? When are we going to make this transition into three developments so that it's vested correctly? Because whether you have to put a road in to tie those together, or you end up putting in cul-de-sacs in, you're going to have a density change.

Brad Clayton stated, I would be satisfied with a 20-foot access with signs stating "No Parking" that loops all three roads together along that east side.

Adam Nash stated, how about we do either or? I just need to have the engineers draw it out because it is going to change the lot configuration and the storm water.

Attorney Coombs asked, Brad, so you're saying that if they made a 20-foot trail that would suffice?

Brad Clayton answered, if it met the 75,000-pound drivable surface. It doesn't have to be paved, it just has to support a 75,000-pound firetruck.

Attorney Coombs asked, Timm, if that's what were to occur would the cul-de-sacs be required?

Timm Dixon answered, no, it wouldn't be required at that point.

Brad Clayton stated, it would be like a fire lane behind us, a supermarket, a store, or a business, something like that that nobody can park in but we could get a trash truck, firetruck and public works could have access.

Adam Nash stated, we would pave it and just thinking about this, those could be easements which wouldn't require any reconfiguring of the lots.

Gary Pinkham asked, so, were are at preliminary. How complete does it have to be? Where are the construction details?

Shay Stark stated, the construction details are part of the Final for each phase. Staff had a discussion last Friday to discuss what else we need to require to feel comfortable in allowing this to move forward. We don't want this vested and then have something major occur that throws us back into amending the Preliminary because it wasn't addressed. We've tried to address storm water, sewer and we've received pretty good details to make sure that the grades are going to work. I just received a copy of the drawings today, but I think the City received them yesterday. I looked over the drawings and my review memo that you received in your packet last Friday to see what had been completed and what hadn't based on the comments. The first thing that I noticed was that the cul-de-sacs weren't on the drawings. The other thing that I noticed was that the cross section showed a 25-foot-wide trail easement which according to our open space code and in order for that trail to count as open space it has to be a minimum of 25-feet. The drawings don't show that. They only show a 20-foot cross section, but the cross sections are showing 25 feet, so I think it was probably just an issue where they only addressed part of it. Then the other item that we had asked for was showing the phasing. Other than that the other items that we'd asked them to complete for tonight, for this preliminary, looked to me that they had completed them.

Jaime Topham stated, my concern is that I want everything documented and the plans need to reflect what our engineers are telling us that need to happen. I don't want to make a recommendation or have conditions and then by the time it gets to the City Council those things don't get carried through in the approval.

Erik Stromberg stated, I think we're on the same page. We all have the concern that we're having this conversation, and "we're going to get cul-de-sacs," now there's the possible addition of a road or an easement. We don't know. We can make a recommendation, we can spell it out, but that doesn't stop them from going to City Council and saying, "We had another idea," and so our recommendations don't matter because now there's been another idea that's come up. I don't see any other option other than to table this. Let them go hash it out, figure out what they want to do, whether there's cul-de-sacs, whether it's to extend that road, and then come back so we know what's really moving forward.

Jaime Topham asked Attorney Coombs, can we deliberate? I think we need to have a conversation.

Attorney Coombs answered, yes, absolutely.

Jaime Topham announced, we're going to take a 10-minute break to talk to our Attorney. (Recording stopped at 8:09 pm)

Jaime Topham stated, thank for the time. (Recording started at 8:20 pm)

Attorney Coombs stated, just for the record, we went into a closed session to discuss the legal issues related to this agenda item.

Adam Nash stated, can I just make a suggestion and maybe save us all some time? Let me go and get a clean memo and then we will come back.

Jaime Topham stated, that was our concern. We want you to have a clean memo and we want what we are looking at and what you are asking us to recommend approval on meets code and that the drawings are the correct set of drawings. So I think at this point we would like to table this and give you the time to get a clean memo and the drawings are the drawings that will get recommended approval and final approval from the City Council.

Jaime made the motion to table the Preliminary Plan for Land Development, LLC and Adam Nash on the Royal Estates Subdivision located at approximately 265 North Cooley for the creation of thirty-nine (39) lots in the RM-7 and RR-1 zone. Gary seconded the motion. All voted in favor and the motion carried unanimously.

8. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held August 13, 2020.

Jaime made the motion to approve the meeting minutes for the previous P&Z

Meeting that was held August 13, 2020. Gary seconded the motion. All voted in favor and the motion carried unanimously.

9. Report from City Council Liaison Darrin Rowberry.

Council Liaison Darrin Rowberry stated to the Commission: That he didn't have anything to report.

10. Jaime made the motion to adjourn the meeting at 8:34 p.m. Gary seconded the motion. All voted in favor and the motion carried unanimously.

Kristy Clark
Zoning Administrator