

Naples Planning and Land Use Regular Meeting Minutes October 14, 2008

Commission Present: Chairman Dale Harrison, Stanley Johnson, Walter Gale, Jim Richards, Lane Webb, Cresta Slauch

Commission Absent: Vice Chairman Jim Garner

Council Rep Absent: Kenneth Reynolds

Others Present: Craig Blunt, Brandy Goff, Jed Cowan, Brad Harrell, Vic Condie, Vickie Condie, Sarah Prince,

Approval of Agenda: Walter Gale moved to accept the agenda for October 14, 2008. Stanley Johnson seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Walter Gale	Aye
Stanley Johnson	Aye

The motion passed with all voting Aye

Disclosures: Jim Richards has an item for personal business on the agenda this evening.

Approval of Minutes: Walter Gale moved to accept the minutes for September 23, 2008 with a clarification on who seconded the motion on page 8. Stanley Johnson seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Walter Gale	Aye
Stanley Johnson	Aye

The motion passed with all voting Aye

Commercial Development
Naples Commercial Center
2839 South 1500 East
Parcel # 06:047:0061

Craig shows the Commission where the Commercial Center will be located. The zone is Downtown Commercial. Brad Harrell: I represent the LLC that will be putting in this development. Our water will be tying into the future development of the Naples Downtown. We didn't tie the sewer into 2500 south because the sewer is too high, we would have had to pump it out of the development. We utilized the multi purpose easement by putting the sewer in where the elevation is lower. The drainage study has been sent to the City. Craig Blunt: will the retention ponds be kept on this property? Brad Harrell: yes. There are supposed to look like landscaped areas with grass and gravel. Craig Blunt: on the parking, our parking chapter and commercial development, we would like to see islands every three or four parking stalls that are landscaped. Craig Blunt asks about the lighting for the parking. How many rooms? Brad Harrell: They have the lighting in conjunction with Rocky Mountain Power. There will be 103 rooms. Lane Webb: off of 1500 East does the traffic come in one way? Brad Harrell: that entrance is supposed to be for trucks. No it is not a one way drive. Chairman Dale Harrison: the road coming towards downtown, where will it be dumping the traffic? Brad Harrell: it is tied in to the Naples Downtown area. There are four ingress/ ingresses into the development. Chairman Dale Harrison: phase one is the La Quinta? Brad: the infrastructure for the thorough fare and all of the utilities will be included in phase one. Chairman Dale Harrison: I am excited to see this go in there. For phase 2, are you still thinking about commercial businesses? Brad Harrell: lots 2 and 6 are supposed to be restaurant sites. Lot 3, 4 and 5 are for small commercial, lots 13 and 14 will be office buildings. Lots 7-12 will be commercial retail. Chairman Dale Harrison: you won't have parking in the front of lot 14? Brad Harrell: no, there is a cross easement for parking. Chairman Dale Harrison: how are you addressing the fence between this development and the residential area? Brad Harrell: an eight foot sight obscured fence. Walter Gale: a neighbor is worried about his cows tearing up your vinyl fence. I would hate to see a nice fence be torn up. Brad Harrell: it might be better if it was a block wall instead. Chairman Dale Harrison: that can be addressed, it seems like you are willing to work with that. Will you put hydrants in as you build the additional phases? Brad Harrell: yes, we will stub out for the hydrants. Craig Blunt: how many parking stalls are there? Brad Harrell: 107 parking spaces, we have exceeded the recommended amount of spaces by four. The majority of the spaces being utilized at night are for the hotel, the parking for the office buildings will be utilized during the day; there are cross easements for the lots to share parking. Stanley Johnson: is there adequate spacing for trucks to turn around? Brad Harrell: there is plenty of room. Craig Blunt: on the elevations that you have given us, will there be any brick used for the façade of the building? Brad Harrell: there is stone on the elevation and stucco. I will get the City an updated elevation plan for phase 2, lots 2-6, 13 and 14. Stanley Johnson moved to accept the plans for Naples Commercial Center for preliminary and final for lot 1 as phase 1 including the thorough fare infrastructure, with the issues of lighting, drainage, fencing and parking adjustments made and send to Council. Walter Gale seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Walter Gale	Aye
Stanley Johnson	Aye

The motion passed with all voting Aye

Industrial Development
Winder Industrial Park lot #2
Approval of Final Site Plan
540 Wright Brothers Drive
Parcel # 05:047:0202

Jed Cowan: I am here representing Natalie Strombeck. We have brought the revised site plan back with the changes requested by the Commission on the asphalt and. Chairman Dale Harrison: what were the dimensions from the end of the third parking stall to the edge of the asphalt? Jed Cowan: I do not know the exact dimensions. Chairman Dale Harrison: if you have a mega cab truck parked in the third stall it is going to be really tight staying on the asphalt. Jed Cowan: I sent the drawing from the Commission to the engineer. Chairman Dale Harrison notes the 70 foot requirement has been met. Chairman Dale Harrison: has the façade worked out? Jed Cowan: I believe Natalie Strombeck is working with Craig Blunt on that. The site plans matches the request from the Commission. Walter Gale moved to accept the changes on the asphalt for Winder lot #2. Stanley Johnson seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Walter Gale	Aye
Stanley Johnson	Aye

The motion passed with all voting Aye

Winder Industrial Park
500 South 1100 East
Lot Splits

Craig Blunt: we have asked lot owners and the developers to come in and give their input to the Planning Commission on the lot splits. There are quite a few requests to split more lots; 6, 7 and 9 in Winder Industrial park. We have already split lots 3 and 8. These lot splits are making quite a change to the character of the subdivision. I wanted the Commission to be aware of the proposed splits. We have received two letters in favor of the lot splits. We have not heard from the other property owners. Lane Webb asks how big the lots are. Craig Blunt: some lots are about two acre lots. Chairman Dale Harrison: lot 6 cannot be split because it doesn't have the necessary frontage. Cresta Slaugh: how do we address the utilities and are they underground? Craig Blunt: yes, the utility companies were able to service the two lot splits that have already taken place. Stanley Johnson: we won't know the distance right now? Craig: no. we had people wanting the big lots but because now that the cost has come up they want smaller lots. Jim Baker. Lot 6 cannot be split but I am also interested in lot #7. I would like to split lot

#7 and put a 4500 square foot building on the lots. Lane Webb: will there still be a sufficient parking area if the lot is split? Craig Blunt: on warehousing the requirement is for every one thousand square feet there is one parking space and for the office is one parking stall per 250 square feet. They are looking at eight or nine parking stalls. Lane Webb: will there be enough room for deliver trucks to get in and out? Jim Baker: there is plenty of room because the lots are wide. I have met with the utilities; there is a way to get the power and sewer in without cutting the road through an existing easement through lot 6. Craig Blunt: lot # 6, 10, 11 and 2 cannot be split, that is about half of the lots. Chairman Dale Harrison: I think we should only allow half of the lots in the subdivision to be split. Craig Blunt: I could meet with the utilities again and get their input. Chairman Dale Harrison: I don't have a problem with splitting lot 7 but I do not feel comfortable splitting the rest of them. I see a trend that will happen. Jim Baker: is there is a minimum lot size? Chairman Dale Harrison: lot size isn't an issue as long as you have to have eighty feet of frontage. The building will be 4500 square foot building on one half and the other would be 10,000 square feet on the second half of the lot. Chairman Dale Harrison: I think lots 1, 3, 4, 7, 8 and 9 can be split and the rest left as big lots and the utilities can be put in without cutting the road we will allow them to divide the lots. (Jim Richards comes into the meeting at 8:30 p.m.)

Walter Gale moved to switch Ordinance Updates and the Alltel/ UBET tower on the agenda. Jim Richards seconds the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Walter Gale	Aye
Stanley Johnson	Aye
Jim Richards	Aye

The motion passed with all voting Aye

Ordinance Updates

One and Two Family Dwellings

Craig Blunt: we have noticed with the development of the casita ordinance we are saying a home owner cannot rent their house to anyone except immediate family members. We have a college coming in and that brings up the opportunity for student housing and residents making extra money renting to college students. I have received a couple of complaints. We do have boarding houses where there is a four bedroom house with two people renting one room and sharing the kitchen area. The residents in the neighborhood are uncomfortable with this. We are looking at our ordinance to see if they can be allowed or not. The ordinance now doesn't allow this type of boarding house in the single family residential neighborhoods. We have a need but what are we going to do to meet this need, what direction should we go? How is the City going to handle this situation? Chairman Dale Harrison: what about an overlay zone to allow this but only in certain areas to keep this type of housing in one area. Craig Blunt: we can set aside areas with an overlay and set the conditions that there will be a family there to manage the unit so it will not get out of hand. We do have agencies that

do find housing people coming in for the gas and oilfield. In most cases they manage that well. Chairman Dale Harrison: we will have issues with this, the kids do need somewhere to live but the units do need to be managed. Jim Richards: what if we set it up so there can only be two apartments in a single family home or two renters per single family dwelling. This way we can set boundaries without upsetting people. Chairman Dale Harrison: I think we need to keep it in one area; it will be easier to police it that way. Jim Richards: We are taking a right away from the home owners. We do need to set regulations to contain it but the home owners have rights. Sarah Prince: I am in property management and we are having a hard time housing people. I am the one sitting with the family that cannot find anywhere to live. Some of the things we do to regulate this is do a full credit and background check on everybody living on the property. We do not allow criminal history. We do frequent inspections on the property; we have not had any trash out properties. Chairman Dale Harrison: when you are placing people, are you seeing large families or small families? Sarah Prince: they are not huge families, there are some as big as five children but mostly three kids. It is hard for a family to come here from somewhere where the economy isn't as good as the economy here and to come up with the security deposit and first months rent. Vic Condie: we are currently building Silver Pines. We have to bring our help from outside of this area. We have no place to house the builders. We put them out back of the project in a trailer. I think it could be done if you could have these properties handled and managed right. If you were to incorporate property management to provide inspections and background checks this would help control this type of housing. Craig Blunt: if they do go into a residential neighborhood, will we have input? Lane Webb: are the inspections surprise inspections or scheduled? Sarah Prince: we have to give 24 hours notice according to Utah Law. Craig Blunt: we need to do research before we take it to the Council. Chairman Dale Harrison encourages the Commission to do some homework on this. Stanley Johnson moved to table this until further information is provided. Walter Gale seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Walter Gale	Aye
Stanley Johnson	Aye
Jim Richards	Aye

The motion passed with all voting Aye

Communication and Utilities

**Alltel/ UBET Tower
1895 South 1500 East
Parcel # 05:132:0064**

Craig Blunt: UBET and Alltel made application to add two more dishes to the existing tower. The last time we had a public hearing when they put the tower up there were some concerns that were addressed. Walter Gale moved to approve the Alltel's addition to UBET's tower. Jim Richards seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Walter Gale	Aye
Stanley Johnson	Aye
Jim Richards	Aye

The motion passed with all voting Aye

Ordinance Updates
Lot Line Adjustments

Craig Blunt: In our ordinance, you have what a land administrator does. Some of the little things like minor subdivisions are not brought in to the Planning Commission unless there are issues I feel need to be addressed. In our ordinance we do not have anything that mentions lot line adjustments. My recommendation is to add lot line adjustments so I do not have to bring them to the Planning Commission. It would not be creating a new lot, just moving the property line. We do not have a lot line adjustment in the ordinance. I recommend adding the lot line adjustment to the ordinance. The City requires a plat that has to be recorded. Stanley Johnson: do we need some flexibility in this to say if you have a lot that is five feet to narrow but more than adequately deep, is this something you want this lot line adjustment to apply to as well? Craig Blunt: the lot line adjustment can fix this. Walter Gale moved to add Lot Line Adjustments to the Land Use Ordinance Chapter 02-05. Jim Richards seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Walter Gale	Aye
Stanley Johnson	Aye
Jim Richards	Aye

The motion passed with all voting Aye

Chapter 02-04

Jim Richards: I noticed in this chapter, I can't sell my kids land without getting City approval? Craig Blunt: yes you could, but it would become an illegal subdivision. The Legislature has said any subdivision has to go before Planning and Zoning for approval. Stanley Johnson moved to approve 02-04 with the spelling corrections on page one section 02-04-001 and page 4 section 05-04-010. Walter Gale seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Walter Gale	Aye
Stanley Johnson	Aye
Jim Richards	Nay

The motion passed with majority voting Aye

General Business

Stanley Johnson: when we were approving phase one for preliminary for La Quinta. When we approve that as phase one, who takes responsibility? Do we tie our hands by approving phase one as a phase

and if it is bought out before the development is finished are we stuck with letting the new owners do anything they want to because we approved the phase? Craig Blunt: the plats of the subdivision have to be recorded. Stanley Johnson: we do not want the plats to be recorded so it legally binds us to go with something we do not want if circumstances changed. Craig Blunt: in our ordinance the developer has one year from the date the plat is given final approval to record it. Chairman Dale Harrison: we need to be careful also in making sure the developer has sold 80% of phase one before they start phase two. Craig Blunt: we have a build out time in our ordinance. If they have not built within so many years they have to bring it back to the Planning Commission and meet current standards.

Items For Future Discussion

The Commission dismisses Jim Richards to present storage units. I wanted to ask the Commission if this is something you would accept. I would like to do this project in phases. If this is something the Commission would accept I will get the ownership of the property and have a plat made to present for a concept plan. Chairman Dale Harrison: what will you use for a fence? Jim Richards: I would like to build a home on this property and add a couple new storage buildings. When the home is in place we will relocate the entrance next to the home. The best security would be to run the traffic in front of the house. A punch card or a code will be required to get into the fence. There will be a security camera, if anything happens it will be on tape for forty days. I would like to prove to the City that this is going to be a nice project. I would like the Commissions opinion to see if this would be a good addition to our City. Walter Gale: would there be a privacy fence along the back part of your property? Jim Richards: I would like to buy the additional property behind my lot. I am thinking about an eight foot chain link fence with barbed wire on top.

Adjourn:

Walter Gale moved to adjourn. Stanley Johnson seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Walter Gale	Aye
Stanley Johnson	Aye

The motion passed with all voting Aye

Next Planning and Land Use Meeting will be held on October 28, 2008 at 7:00 p.m.