

**Naples Planning and Land Use
Regular Meeting
July 26, 2011**

Commission Present: Chairman Dale Harrison, Vice Chairman Jim Richards, Walter Gale, Cresta Slaugh, Lane Webb, Kerry Kinney and Mark Partridge

Commission Absent: None

Council Rep. Absent: Kenneth Reynolds

Others Present: Chris Hoem and Brandy Salazar

Opening Ceremonies Chairman Dale Harrison welcomed the Commission to the meeting. Lane Webb led the pledge of allegiance and Chairman Dale Harrison offered the invocation.

Verification of full Quorum Chairman Dale Harrison verified a full quorum.

Approval of Agenda
July 26, 2011

Chairman Dale Harrison moved to approve the agenda for July 26, 2011 with the change of tabling the minutes for June 28, 2011. Lane Webb seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Vice Chairman Jim Richards	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Kerry Kinney	Aye
Mark Partridge	Aye

The motion passed with all voting Aye

Disclosures None

General Business
Repeal of Chapter 02-09
Planned Unit Development

Chris Hoem: We have discussed the PUD Development Chapter. The City has gotten into a bad spot with a couple of Subdivisions that went in as PUD's. The Council discussed removing the chapter from the Land Use Ordinance so it is not an option anymore. The good things about a PUD are: it allows a developer a little more flexibility so they can put more homes in a subdivision and there is green space that is supposed to be maintained. This has not worked out for the City so far, it would be in the City's best interest to repeal this ordinance so these scenarios do not occur in the future. It is still possible to have a similar subdivision without the PUD without the higher density. Chairman Dale Harrison: Would we be hurting ourselves with doing away with PUD's while we are trying to encourage affordable housing? Chris Hoem: Speaking to the Mayor and the Council about affordable housing, they want to do elderly housing and self-help housing. Self-help housing would not be affected by not having a PUD option. Vice Chairman Jim Richards: What about areas for possible duplexes? Chris Hoem: That will not be affected either, you can still have duplexes in other zones. Another good thing about repealing this chapter is

this is a long chapter. By repealing it, the Land Use Ordinance would be more streamlined. Mark Partridge: What does the City Attorney think about this? Chris Hoem: The City is allowed to have this ordinance and they are allowed to not have it, it's the City's choice. Vice Chairman Jim Richards: What is the City Council's opinion? Chris Hoem: They would like to repeal it. Chris Hoem asked the Commission if they agreed to repeal the ordinance. There will be a public hearing on this matter at the next meeting.

**Approval of Amendment of Phase 1A of Pheasant Run
Subdivision Plat, Including homes Along 750 East and
The Road Itself, in Order to Provide Public Safety Access.
(No Parcels or Roads Are to Be Changed. the Only
Change is a Reduction in the Size of the Next Proposed Phase
of the Subdivision.)**

Chris Hoem: As of now, 750 East is not built leaving just one way out of Pheasant Run Estates. This causes a public safety issue for emergency access. Craig Blunt, Dennis Judd and I met with the developers of Pheasant Run Estates. The developers' were obligated in a muddy sort of way, meaning not totally clear, to use a bonded amount of money that was set aside years ago to build 750 East. They have not followed through with the agreement and built the road. The developers do not want to yet because they don't have the money. They wanted to fulfill this obligation with the City by collaborating with the City Attorney. They are going to take phase 2 and split it to make phase 1A. There are two parts to this agreement that need to happen, the first part is they are missing the water and sewer and water details for the new lots. They will be required to provide this information before they get to start developing or building the road. The second part is to finish the agreement. The bond will consist of two parts; there will be a property bond for property in Heber City along the highway. The property will be put in a trust account for the City. If 750 East road is not built in 3 years, the City will claim ownership to the property. The property can then be sold and the money will be used to build the road. The property is worth about \$300,000. The developers have given us their word; they are going to try hard to get the road built within 2 years. The other part is the developers need to bond for the infrastructure so the lots are buildable lots. The City Attorney would like to have all of the signatures on the plat except one so this process can continue. In order to avoid a legal battle, we should approve this plan with the drawings for the water and sewer and we draw the agreement with the property assurance bond and the improvement assurance bond which will ensure the utilities are installed. Chairman Dale Harrison moved to approve Phase 1A of Pheasant Run Estates 750 East Road to join High Country Estates with the stipulations of all infrastructure shall be in place, no lots to be sold until all infrastructure is bonded for and no lots shall be sold until road is completed upon review of the City Attorney. . Vice Chairman Jim Richards seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Vice Chairman Jim Richards	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Kerry Kinney	Aye
Mark Partridge	Aye

The motion passed with all voting Aye

Administrative Updates

Update on Recent Residential Re-zones

Chris Hoem showed the Commission the updated Zoning Map showing the changes from RA-1 to R-1. The corner property in Hunter Hollow on 2900 South was re-zoned as well to R-1. Vice Chairman Jim Richards: Does the owner of the property know his property was re-zoned? Chris Hoem: No. Vice Chairman Jim Richards: The property owner deserves a letter stating the current use can be continued as long as there aren't any complaints.

Items for Future Discussion

**Future Public hearing for Repeal
Of 02-09 Planned Unit Development**

Chris Hoem: There will be a public hearing for this issue on August 9, 2011.

Adjourn

Lane Webb moved to adjourn; Vice Chairman Jim Richards seconded the motion.

Roll Call Taken:

Vice Chairman Jim Richards	Aye
Cresta Slauch	Aye
Walter Gale	Aye
Lane Webb	Aye
Kerry Kinney	Aye
Mark Partridge	Aye

The motion passed with all voting Aye

Next Planning and Land Use Meeting will be held on August 9, 2011 at 7:00 p.m.