

Planning and Zoning Minutes  
August 5, 2008

**Present:** Mike O'Neill, Karen Hodge, Russ Barney

It was moved and seconded to approve the meeting minutes for July 15, 2008 as amended.

**Sign Permits** Chairman O'Neill signed a permit for Trail Creek Springs with the condition that only the logo and arrows be used on the off-site sign. A permit for Rapid Auto Glass was signed with the condition that the lighting complies with the dark sky ordinance.

**Business Licenses** Chairman O'Neill signed a business license for Art Hazen Branch Office. He also signed a license for Rapid Auto Glass as a home occupation. Chairman O'Neill feels that the application should comply with the central business zone and that some landscaping would be appropriate. Commissioner Hodge wondered if a water and sewer hookup would still be required. Chairman O'Neill feels that as long as the impact does not exceed the initial application, then the hookups should not be required. Commissioner Barney feels that if it is in an underlying zone of the central business zone, it cannot be required of the applicant to follow the conditions that are written for the central business zone.

**Mark Neumann/Lot Split/Public Hearing:** Chairman O'Neill explained the process of the public hearing. He described the property as being located at 42 E Center Street in the central business district. The current use is residential and the lot split will create a parcel to be used for commercial buildout.

Cari Golden read the staff report. It explained that the proposed access to the property will come from the alley in the area. This project will encourage infill. At the present time, there is no application for development on the lot. Staff feels that the applicant has not provided an access that will accommodate for a commercial business. Staff recommends this application be approved with the condition that the applicant acquires the needed easements and legal dedications to the public for alley access from each property owner to the requested lot.

Mark Neumann presented the project. He explained that the alleyway is accessible from Main Street as well. He is hoping to create commercial infill in the area. Neumann explained that only two lots on the east side at Agate Street include the alley in the property deed so a dedication would only be needed for these two lots. The alley cannot be built on because of power and irrigation lines that lie within one foot of the sides of the alley. The alley in question is called a designated alley in the city code book. There is a clear access from the west and partial from the east if the two dedications are not acquired. In the long run this lot split will be beneficial for infill and density in the area.

There was no public comment, so Chairman O'Neill opened the hearing up to deliberation by the commission.

Commissioner Barney feels that it is a simple lot split and as long as there is access and the required paperwork is present, there should be no problems.

Cari Golden explained that every parcel needs to have the dedications to the public because a commercial venue may bring much unwanted traffic.

Commissioner Hodge wondered if it was the responsibility of the city or the applicant to contact the owners of the parcels bordering the alley and acquire the dedications.

Chairman O'Neill has no problem with the access. The future maintenance for the alley will require cooperation with the land owners.

Cari Golden suggested that the alley may be better for one way traffic only.

It was moved and seconded to approve LS2008-1 with the condition that the applicant acquire the needed dedications of the alley to the public.

**Area of Impact Discussion** Cari Golden explained that the area of impact map that was attached to the ordinance has already been approved by the county, but the county is unsupportive of the area as of now. There is a place in the chapter where the city's ordinance number should be replaced by the county's. Golden suggested that the chapter be rewritten and simplified.

All present commissioners are in support.

The meeting was adjourned.

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P&Z Administrator Cari Golden

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P&Z Chairman Mike O'Neill