

ROY CITY PLANNING COMMISSION

July 13, 2010

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on July 13, 2010, at 6:00 p.m.

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Lee Holt, Vice Chairman
Blake Hamilton
Gennie Kirch
Blake Hamilton
Bill Merx
Roy Watts

Tony Reynolds, Community & Economic
Development Director
Jared Hall, Planner
Michelle Drago, Secretary

Others in attendance were: Kenny Russell; Eldon Haacke; Brian Knowlten; Jeff Clifford; Donald Kenyon; and Nick Clements.

Pledge of Allegiance: Bill Merx

1. APPROVAL OF JUNE 22, 2010, MINUTES

Commissioner Merx moved to approve the June 22, 2010, minutes as corrected. Commissioner Kirch seconded the motion. Commission members Holt, Merx, Kirch, and Watts voted "aye." The motion carried.

2. PUBLIC HEARING (CONTINUED FROM JUNE 22, 2010) TO CONSIDER A REQUEST FOR A CONDITIONAL USE ALLOWING AN OFFICE AND SELF-STORAGE FACILITY ON PROPERTY LOCATED AT APPROXIMATELY 5837 SOUTH 1900 WEST

Commissioner Kirch moved to open the public hearing continued from June 22, 2010, at 6:04 p.m. Commissioner Watts seconded the motion. Commission members Collins, Hamilton, Holt, Merx, Stonehocker, and Watts voted "aye." The motion carried.

Jared Hall stated that this hearing had been continued from June 22nd. The application was for approval of a site plan and a conditional use for an office and self storage facility at 5837 South 1900 West. The office building would be located on the 1900 West frontage. The storage facility was located to the west and would not be visible from the

street. Myers Mortuary was located immediately to the south, and the Painter Apartments were located to the west. At the June 22nd hearing, residents on the west side of 2000 West wanted to know if the storage facility would have access to 2000 West. The only access to the site would be from 1900 West. The office building located on 1900 West was small. It would be used for managerial purposes and a real estate office. The storage units were various sizes. Some would be accessible from the interior roadway; others would be accessed from an interior hallways. All access to the site would be controlled by an electronic gate. The interior roadway ranged from 28 feet to 44 feet. Mr. Hall showed the Planning Commission elevations of the office building and storage units.

Commissioner Kirch asked if fencing shown on the elevations was what the proponent planned to install. Mr. Hall said it was.

Mr. Hall stated that a monument sign was planned on 1900 West. There were technical issues that needed to be resolved, such as the parking, which was shown at a 1 to 500 ratio rather than the 1 to 400 required. The staff wanted to make sure the parking worked, but didn't feel that issue would hold the project up. There were engineering concerns about drainage and secondary water that needed to be resolved.

Mr. Hall sated that the staff had found that the proposed development was an acceptable use in the Regional Commercial Zone. The proposed development met standards for design and development in the Zoning Ordinance and had shown sensitivity for adjacent uses. The proposed development met the standards for granting conditional uses contained in the Zoning Ordinance. The Development Review Committee recommended that the site plan and conditional use application be forwarded to the City Council for approval with the following conditions:

1. Subject to the satisfaction of the questions and comments of the City Engineer and subject to review and approval of any further corrections and revisions or other materials as might be required by the City Engineer prior to review by the City Council.
2. Subject to approval of the developer's application to UDOT.
3. Subject to all items of the staff report and attachments, and to further review and approval by the members of the Development Review Committee as might be deemed necessary prior to review by the City Council.

Commissioner Kirch asked if the buffer for the adjacent residential consisted of a 6-foot solid wall. Mr. Hall said it did. Commissioner Kirch said a lot of families lived in the apartments. She wanted to make sure there weren't any openings for children and vehicular traffic to access the storage facilities.

Commissioner Merx asked what the storage units would look like to the residents who lived on the west side of 2000 West. What would they see when they looked east? Mr. Hall said the view of the storage facility would mostly be blocked by the apartments. There was also a landscaped area and a block wall.

Commissioner Watts asked about the storm water drainage easement. Was the easement in place? Jared Hall said the condominium plat included existing utility easement for this property. The developer didn't want to use that easement unless he had to.

Commissioner Merx felt the Fire Department might want access from the storage facility to fight a fire in the apartments. Mr. Hall said the Fire Department had reviewed the site plan. They hadn't asked for anything yet.

Vice Chairman Holt opened the floor for public comments.

Brian Knowlten, Bountiful, stated that he would be the project manager. The only comment from Jeff Clifford, the property owner, and himself was about the westerly fence. They wanted to have a very secure facility. The site plan showed a block wall, a landscaped area, and the storage units along the west side. This ground was higher in elevation than the multi-family to the west. They asked that the Planning Commission waive the requirement for a fence along the west property line so that the multi-family could enjoy the landscaped area. He felt that would be better for the residents to look at than a block wall.

Commissioner Merx asked if the landscaped area between the fence and storage units was a retention area. Mr. Knowlten said it was. During a hundred year storm there could be several feet in the retention area for several hours. He didn't feel that would be an issue because the landscaped area was four feet higher in elevation than the apartments. Commissioner Kirch disagreed; with children, where there was a will there was a way. She felt that the fence should comply with the ordinance.

Commissioner Hamilton arrived at 6:19 p.m.

Commissioner Watts moved to close the hearing at 6:20 p.m. Commissioner Kirch seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Commissioner Kirch stated that the Zoning Ordinance did not leave the Planning Commission any option for waiving the fence requirement. Mr. Hall said that was correct. Commissioner Kirch asked if a fence would be required along the entire rear property line. Mr. Hall said it would. The fence had to be opaque.

Commissioner Watts moved to recommend that the City Council approve a site plan and conditional use for an office and self-storage facility located at approximately 5837 South 1900 West based on the staff's findings and recommendations of the staff and engineer. Commissioner Merx seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

3. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND THE FUTURE LAND USE MAP DESIGNATION FROM LOW DENSITY TO MEDIUM DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT APPROXIMATELY 3199 WEST 4800 SOUTH

Commissioner Kirch moved to open the public hearing at 6:22 p.m. Commissioner Merx seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Jared Hall stated that at the last meeting, the Planning Commission considered a request to rezone two parcels at approximately 3199 West 4800 South from RE-20 to R-1-8. The purpose of the rezone was to allow a property line to be moved to accommodate an addition to one of the two homes. In reviewing the rezone, the staff realized it would be necessary to amend the Future Land Use Map because one of the two parcels was designated as "low density residential". The staff supported the amendment. There weren't any animals on either parcel. There wasn't any opposition to the amendment from the DRC. The staff had found that the proposed change would not be in conflict with adjacent designations of properties on the Future Land Use Map and did not conflict with the goals of the General Plan. The proposed change would be a component in allowing the residents and owners of 3127 West 4800 South to improve their existing home, further stabilizing the housing stock in the area. The staff recommended that the Planning Commission recommend that the Council approve the amendment to the Future Land Use Map subject to all items in the staff report and to further review and approval by City staff as might be deemed necessary.

Mr. Hall reminded the Commission that one issue discussed at the last Planning Commission meeting was the possibility of an R-1-10 Zone rather than an R-1-8 Zone. An R-1-10 Zone would not pose a problem to the applicants. The amendment to the future land use map would support either zone.

Commissioner Merx asked if animal rights were being exercised on either property. Jared Hall said there weren't animals on either parcel. Commissioner Merx asked if animal rights would be a problem in the future. Mr. Hall said the rezone and Future Land Use Map amendment would not create a non-conforming use issue in the future because there were no animals on either parcel.

Commissioner Kirch asked if the Planning Commission would have to revise the recommendation regarding the rezone it made on June 22nd. Mr. Hall said it would not have to revise anything.

Vice Chairman Holt opened the floor for public comments. There were none.

Commissioner Merx moved to close the public hearing at 6:29 p.m. Commissioner Kirch seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted “aye.” The motion carried.

Commissioner Kirch moved to recommend that the City Council approve a request to amend the Future Land Use Map by changing the designation of property at 3199 West 4800 South from “low density residential” to “medium density residential” based on the findings and recommendations of the staff. Commissioner Hamilton seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted “aye.” The motion carried.

4. A. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND THE RECORDED SUBDIVISION PLAT FOR THE MIDLAND SQUARE COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 4000 SOUTH MIDLAND DRIVE
- B. PUBLIC HEARING TO CONSIDER A REQUEST FOR A CONDITIONAL USE ALLOWING DEVELOPMENT OF AN AUTOMOTIVE PARTS STORE (O'REILLY AUTO PARTS) ON PROPERTY LOCATED AT APPROXIMATELY 4020 SOUTH MIDLAND DRIVE
- C. PUBLIC HEARING TO CONSIDER A REQUEST FOR A CONDITIONAL USE ALLOWING DEVELOPMENT OF A FACILITY FOR MINOR VEHICLE REPAIR (JIFFY LUBE) ON PROPERTY LOCATED AT APPROXIMATELY 4080 SOUTH MIDLAND DRIVE

Commissioner Kirch moved to open the public hearing to consider a request to amend the recorded subdivision plat for the Midland Square Commercial Subdivision at 6:31 p.m. Commissioner Hamilton seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Commissioner Merx moved to open the public hearing to consider a request for a conditional use for an automotive parts store (O'Reilly Auto Parts) at approximately 4020 South Midland Drive at 6:31 p.m. Commissioner Kirch seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Commissioner Hamilton moved to open the public hearing to consider a request for a conditional use for a facility for minor vehicle repair (Jiffy Lube) at 6:31 p.m. Commissioner Watts seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Jared Hall stated that the Midland Square Commercial Subdivision was located on the southeast corner of 4000 South and Midland Drive. The hearing would cover a request to amend the subdivision plat to create an additional lot and two site plans and conditional uses for an automotive parts store and a Jiffy Lube. Mr. Hall reviewed the lots and their approved or requested uses:

- Lot No. 1 - Jiffy Lube (under application)
- Lot No. 2 - McDonald's
- Lot No. 3 - Intermountain Dental

Lot No. 4 - O'Reilly Auto Parts (under application)
Lot No. 5 - Maverik
Lot No. 6 - Roy Family Dental

Mr. Hall said Lot No. 4 was larger than O'Reilly Auto Parts needed. They only wanted to purchase a certain amount of land. The developers were proposing to split Lot No. 4 to create an additional lot. The developers had also recorded a lot line adjustment with Intermountain Dental (Lot 3) to pick up a little more land for Lot 4 previously. The Planning Commission and City Council do not review lot line adjustments between consenting owners.

Mr. Hall stated that O'Reilly Auto Parts store would be 7,000 square feet. The site would have cross access with the adjoining lots. That needed to be clarified on the site plan. The front elevation would face the 4000 South Midland Drive corner. The parking and landscaping buffers were appropriate. There were some engineering concerns, mostly requirements to supply more information. Mr. Hall showed the Planning Commission the building elevations. Staff felt that the elevations needed additional detail on the west elevation facing Midland Drive.

Mr. Hall stated that Jiffy Lube would be located on Lot 1. Lot 1 would be developed in two phases. Phase 1 would be the construction of Jiffy Lube; Phase 2 would be construction of a small retail space. All of the on site improvements should be installed at one time.

Vice Chairman Holt asked how wide the interior road was. Jared Hall said it was 30 feet wide. When Lot No. 7 developed, the interior road would feel and function like a parking lot roadway. It wouldn't look or feel like a true street.

Tony Reynolds stated that when the subdivision was approved, the developers were required to stub the interior roadway to allow for the future development of land to the south.

Commissioner Watts asked if utilities were installed in the interior road. Jared Hall said they were. The City Engineer felt the developer needed to coordinate the construction of the interior road with the construction of the individual pads.

Commissioner Kirch asked why the interior road was labeled a private easement. Mr. Hall said it was a private easement, not a public right-of-way.

Jared Hall showed the Planning Commission elevations for Jiffy Lube. The exterior matched the Midland Square development agreement.

Mr. Hall said approval of the Jiffy Lube site plan and conditional use was a stand alone issue. The approval of the O'Reilly site plan and conditional use was dependent on approval of the Midland Square Subdivision amendment. The staff had found that the proposal to amend the subdivision plat was not in conflict with standards of the Zoning Ordinance. The proposed amendment allowed the creation of two viable commercial lots based on current development patterns and requirements. The staff had found that the conditional uses for O'Reilly Auto Parts and Jiffy Lube were acceptable uses in the Community Commercial Zone. They met the standards for design and development in the Zoning Ordinance and complied with the standards of the Development Agreement that governed the Midland Square Commercial development. They met the standards for granting Conditional Uses as contained in the Zoning Ordinance. The staff recommended that all three items be forwarded to the City Council with the following conditions:

Midland Square Subdivision amendment:

1. Subject to all items of the staff report and to further review and approval by City staff as may be deemed necessary.
2. Subject to agreement to cross access and a shared drive access to the interior road between the remaining Lot No. 4 and the newly created Lot.
3. Subject to no net increases in building coverage on the site generally as a result of the amendment and lot split.
4. Subject to further review and approval by the City Engineer as might be deemed necessary and satisfaction of any requirements that might result as an outgrowth of the change to the improvement plans already in place.

O'Reilly Auto Parts:

1. Subject to the satisfaction of the questions and comments of the City Engineer's review, and subject to review and approval of any further corrections and revisions or other materials as might be required by the City Engineer prior to Council approval.
2. Subject to prior or concurrent installation of the Midland Square Commercial Subdivision Phase 2 improvements that have direct connection to or are necessary for the development of Lot No. 4.
3. Subject to all items of the staff report and attachments and to further review and approval by the members of the DRC as might be deemed necessary prior to review by the City Council.
4. Subject to adherence to all aspects of the development agreement for the Midland Square Commercial Subdivision.
5. Additional architectural details shall be added to the west elevation in a manner giving the appearance of at least partial orientation to Midland Drive.

6. The applicants shall obtain cross access agreements with adjacent property owners and construction of the full shared access with the proposed new lot will be included as a part of the development of Lot No. 4.
7. Subject to further review and approval by the City Engineer as might be deemed necessary and satisfaction of any requirements that might result as an outgrowth of the change to the improvement plans already in place.

Jiffy Lube:

1. Subject to satisfaction of the questions and comments of the City Engineers' review and subject to review and approval of any further corrections and revisions or other materials as might be required by the City Engineer prior to review by the City Council.
2. Subject to prior or concurrent installation of the Midland Square Commercial Subdivision Phase 2 improvements that have direct connection to or are necessary for the development of Lot No. 1.
3. Subject to all items of the staff report and attachments and to further review and approval by the members of the DRC as might be deemed necessary prior to City Council approval.
4. Subject to all adherence to all aspects of the development agreement for the Midland Square Commercial Subdivision.
5. The applicant shall construction all on-site improvements at the time of construction of the Jiffy Lube building, with the exception of the building envelope for the second, future retail building and the property east of the envelope. Those portions of the property shall be maintained in good condition until such time as they are developed.
6. Subject to further review and approval by the City Engineer as might be deemed necessary and satisfaction of any requirements that might result as an outgrowth of the change to the improvement plans already in place.

Vice Chairman Holt opened the floor for public comments.

Donald Kenyon, 4101 South 2775 West, stated that his back yard faced this development. He was concerned about traffic. He felt Maverik was under built. All of these uses would add to the traffic flow, noise, and light. Would there be a sound barrier? He had concerns about delivery times, hours of operation, and light from signs. Would his view to the west be obstructed by street signs? He didn't want the view from his back porch to be lost.

Nick Clements, 4087 South 2775 West, stated that he felt traffic on 4000 South was backed up during rush hours. Were they plans to widen 4000 South? He felt the interior access road was too narrow. He felt the light from these uses would be intrusive, as well as the early morning noise. He felt these issues needed to be addressed.

Eldon Haacke stated that he had been working on this development since 2003. They had completed traffic studies required by the City. He would be happy to meet with Mr. Kenyon and Mr. Clements to discuss their concerns. The City required them to put up a fence and install landscaping as buffers. They weren't asking for anything that was contrary to the ordinances on the books.

Commissioner Kirch moved to close the hearing to consider a conditional use for Jiffy Lube at 6:56 p.m. Commissioner Watts seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Commissioner Hamilton moved to close the public hearing to consider a conditional use for O'Reilly Auto Parts at 6:56 p.m. Commissioner Merx seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Commissioner Watts moved to close the public hearing to consider the Midland Square Subdivision amendment at 6:56 p.m. Commissioner Hamilton seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Commissioner Kirch asked if the development had monument signs. Jared Hall said the individual lots were allowed monument signs. Two project signs had been approved as part of the development agreement and subdivision. The cabinets of those signs could be lit. All of the sites were required to submit photometric plans showing no light pollution at the property lines. Commissioner Kirch asked if consideration had been given to foot traffic. Jared Hall said a sidewalk was planned for the perimeter of the development. It had always been understood that most traffic in the project would be generated by vehicles.

Jared Hall stated that the road east of Roy Family Dental was a service road for Lot No. 7. Eventually the 6-foot block wall and landscaping buffer would be continued the entire eastern length of the development, and then westward as well.

Tony Reynolds stated that when Phase 3 came in the balance of the improvements would be installed, along with the landscape buffer.

Commissioner Kirch asked that internal pedestrian traffic be taken into consideration when the site plan for Lot No. 7 was submitted.

Commissioner Merx stated that when the block wall was completed, any pedestrian traffic cutting through the development would probably stop. Pedestrians would have to go around. Mr. Hall said most of the traffic into the development would be vehicular.

Commissioner Kirch stated that deliveries would be more significant when Lot No. 7 developed. Tony Reynolds said when Lot No. 7 developed, a site plan specifically for Lot 7 would be brought back to the Planning Commission for consideration.

Commissioner Watts asked if the landscaping buffer would include trees. Jared Hall said it would, but it would naturally take time for the trees to have their full impact. Commissioner Watts asked how far the light would cast. Would they use the same type of lights as WinCo? Tony Reynolds said parking lot lights could not be higher than 20 feet, and they had to be hooded. All wall lights had to be directed down. The City tried to reach a balance between security and light affecting adjoining property owners.

Commissioner Merx asked about the grade difference between the commercial development and the residential subdivision to the east. Mr. Hall said it was significant, especially at the north end. Commissioner Merx felt some of the public opinion was due to a lack of information regarding Lot No. 7, which couldn't really be helped.

Commissioner Kirch suggested that the timing of the deliveries on the service road be looked at. Tony Reynolds said that the conditional use for Lot No. 7 would include buffering.

Commissioner Kirch moved to recommend that the City Council approve the request to amend the subdivision plat for the Midland Square Commercial Subdivision on property located at approximately 4000 South Midland Drive based on staff's findings and recommendations. Commissioner Hamilton seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Commissioner Merx moved to recommend that the City Council approve a site plan and conditional use for an automotive parts store (O'Reilly Auto Parts) on property located at approximately 4020 South Midland Drive based on the staff's findings and subject to the recommendations of the staff. Commissioner Hamilton seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Commissioner Hamilton moved to recommend that the City Council approve a site plan and conditional use for a minor vehicle repair facility (Jiffy Lube) on property located at approximately 4080 South Midland Drive. Commissioner Merx seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

5. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND THE RECORDED SUBDIVISION PLAT FOR RUSSELL FARM ESTATES ON PROPERTY LOCATED AT APPROXIMATELY 4910 SOUTH 3100 WEST

Commissioner Kirch moved to open the public hearing at 7:08 p.m. Commissioner Merx seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Jared Hall stated that the Planning Commission recently considered the Russell Farm Estates Subdivision located at approximately 4900 South 3050 West. The development included 18 lots along 3050 West. Lot No. 19 was a large "remainder" lot, with frontage on 3100 West. The owners of Lot No. 19, the Russell Family Trust, were asking that Lot No. 19 be amended. Two siblings remained in the trust, and they wanted to divide their interest and close out the estate. They proposed to divide Lot No. 19 into three lots. Lot No. 1 would be an existing home; Lot No. 2 had only 17,000 sq ft, which was too small for the RE-20 zone, Lot No. 3 did not meet the minimum lot width requirement for the zone. The staff proposed that the lot line for Lot No. 2 be moved about 17.6 feet to the south, and that Lot No. 3 be added to Parcel No. 09-067-0019 at 4944 South 3100 West, which was Kenny Russell's existing home. Two lot line adjustments were included in the amendment to clear up some boundary discrepancies. Mr. Hall asked that the applicants be allowed to move forward subject to making the changes recommended by the staff before the Council considered the amendment.

Commissioner Merx pointed out that all of the acreage in the back might not be buildable. Mr. Hall said the concern of the parties asking for the amendment was not subdividing into multiple building lots, but to split their interests and leave options for the future.

Commissioner Hamilton asked about the remainders. Mr. Hall said Parcel A would clean up a boundary discrepancy and Parcel B would clean up a lot line adjustment with another sibling. Neither of those would affect the critical adjustments needed for the amended plat to be in compliance with the RE-20 zone.

Vice Chairman Holt opened the floor for public comments.

Kenny Russell, 4944 South 3100 West, provided the Planning Commission with the historical background of this property. His grandfather purchased an 80-acre farm in 1910. During the Depression, he lost some of it. He lost a little more in World War II. When he passed away Mr. Russell's father received this area as his inheritance. Now that his father had passed away, the land had been subdivided to give four of his siblings their share of the estate. He and his sister wanted the land. They wanted to divide Lot No. 19 between them so the estate could be closed. Lot No. 19 was zoned RE-20, and they did have animals. In the future, his heirs could do what they wanted with the land he was keeping.

Commissioner Merx asked if Mr. Russell was comfortable with the staff's proposal. Mr. Russell said the staff's proposal was not exactly what they wanted, but it was acceptable as it appeared to be the only way to divide things.

Commissioner Hamilton asked if the staff's proposal would meet the requirements of the estate. Kenny Russell said it would. He and his sister would receive equal shares.

Commissioner Hamilton moved to close the public hearing at 7:22 p.m. Commissioner Watts seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Commissioner Kirch moved to have the staff's recommendations read into the record. Commissioner Watts seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

Jared Hall stated that the staff had found that the proposed amendment, as modified according to the staff's recommendation, to the existing subdivision was not in conflict with the standards of the Zoning Ordinance or General Plan. The staff recommended that the Planning Commission recommend approval of the request to amend Lot No. 19 of the Russell Farm Estates Subdivision with the following conditions:

1. The plat will be amended to adjust the south property line of proposed Lot No. 2 a minimum of 17.6 feet to provide the necessary 20,000 square feet as required by the RE-20 Zone.
2. The plat will be amended to effect a combination of the area contained within proposed Lot No. 3 with existing Parcel 09-067-0019 at approximately 4944 South 3100 West in order to conform with the frontage requirements of the RE-20 Zone.
3. The plat will be amended to include the owners of adjacent property slated to receive the land contained in "Parcel A" and "Parcel B".
4. Clearance from the appropriate public utilities will be obtained for the proposed vacations of public utility and drainage easements as indicated on the amended plat.
5. Subject to further review and approval by the City Engineer when the proposed amended plat has been corrected and modified to conform with the requirements of the RE-20 Zone. If no satisfactory changes are made to the proposed plat amendment, the application will be returned to the Planning

Commission for a recommendation of denial prior to forwarding to the City Council for review.

Commissioner Kirch moved to recommend that the City Council approve the request to amend Lot No. 19 of the Russell Farm Estates based on the staff's findings and subject to the recommendations of the staff. Commissioner Watts seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.

6. STAFF UPDATE

Jared Hall stated that there would be a public hearing on July 27th to consider a conditional use for apartments.

Commissioner Kirch stated that she would not be able to attend the July 27th meeting.

Jared Hall stated that the Seifert Estates Subdivision had been purchased by Woodside Homes.

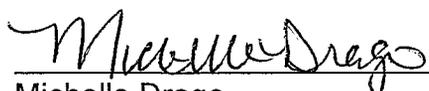
7. ADJOURN

Commissioner Merx moved to adjourn at 7:30 p.m. Commissioner Holt seconded the motion. Commission members Hamilton, Holt, Kirch, Merx, and Watts voted "aye." The motion carried.



Lee Holt
Vice Chairman

Attest:



Michelle Drago
Secretary

dc:pjul1310