

**PLANNING & ZONING COMMISSION**  
**6:00 PM. FEBRUARY 16, 2009**  
**EDGEWOOD COMMUNITY CENTER**  
**26 E. FRONTAGE ROAD**  
**MINUTES**

**1. Call to order**

Commissioner Fulwiler called the meeting to order at 6:02 P.M. All Commissioners were present with the exception of Commissioner Turner and Commissioner Fleming. Also present was Ms. Mahalick, Community Planning & Development Manager.

**2. Approve agenda**

**Action:** Commissioner Wilhite made a motion to approve the Agenda as presented. Commissioner Bassett seconded the motion. The motion carried unanimously.

**3. Approve Minutes of 02/02/09**

**Action:** Commissioner Wilhite made a motion to approve the minutes of February 2, 2009. At this time Commissioner Turner was present. Commissioner Williams seconded the motion. The motion passed unanimously.

**4. Resolution 2009- 5 Rules of Conduct**

Ms. Mahalick stated that the Town Attorney, Marcus Rael had reviewed the resolution and had the following suggested changes. Section 2.e a quorum is 3 members, typos in 2.f and striking the last line in section 4. Commissioner Fulwiler asked for clarification of the Quasi-Judicial Procedure, Mr. Rael summed-up as the meeting needed to be posted, individuals adjacent to the property needed to be informed about the process, the applicant needs to be allowed to present supporting evidence, affected parties need to be allowed to support evidence, the applicant needs to be allowed to cross-examine those presenting evidence and the commission and public is allowed to ask questions.

**Action:** Commissioner Wilhite made a motion to approve Resolution 2009-05 with the listed changes. Commissioner Williams seconded the motion. Commissioner Wilhite voted aye. Commissioner Williams voted aye. Commissioner Turner voted aye. Commissioner Bassett voted aye. Commissioner Fulwiler voted aye. The motion carried.

**CERTIFICATION WAS MADE THAT PUBLIC NOTICE OF THIS MEETING HAD BEEN POSTED AS REQUIRED AND THE STATEMENT OF PROCEEDINGS WAS READ INTO THE REC ORD. ALL COMMISSIONERS CONFIRMED NO CONFLICT OF INTEREST. CONFIRMATION OF NO CONFLICTS OF INTEREST/EX PARTE CONTACTS AT THIS TIME ALL COMMISSIONER CERTIFIED NO CONFLICTS OF INTEREST OR EX-PARTE COMMUNICATION. AT THIS TIME MR. RAEL SWORE IN ALL PARTIES TO TESTIFY.**

**5. Preliminary plat extension Campbell Ranch.**

- a. SU-2007-11-Minor Subdivision, the Orchards at Campbell Ranch.
- b. SU-2007-12, Bulk Land Plat of Village Two.

Mr. Rael reviewed these items and asked if the Commissioners would like to hear both at the same time.

Mr. David Campbell, representative of Campbell Corporation, gave testimony at this time stated that he was asking for a 24 month extension of the subdivision plat.

Mr. Rael stated that the Commission needed to hear all of the evidence and questioned Mr. Campbell regarding the time frame as well as the documents to be available.

Mr. Rael stated that it was his opinion that the Commission had not reviewed the related documents and that this needed to be a completely new hearing.

Mr. Campbell stated that he thought the Commission would have been present the documentation of the previous meeting.

Ms. Mahalick stated that it is incumbent on the petitioner to present any evidence or documentation and that staff only provides copies of the documents that have been included with the current petition.

Mr. Campbell requested that these documents, materials, and previous testimony be made available to the Commission so that a proper decision may be made.

Mr. Rael stated that as a means to assure that the documents are all the same that the meeting minutes in question be provided as well copies of all submittals.

Commissioner Turner asked staff if there had been any contact by Mr. Campbell since the last meeting on this matter.

Ms. Mahalick stated that they had not.

Mr. Rael stated that a new hearing should be re-noticed and re-scheduled.

**Action:** Commissioner Wilhite made a motion that the preliminary plat of Campbell Ranch be continued to March 2, 2009. Commissioner Turner seconded the motion. The motion carried unanimously.

## **OUT-OF-HEARING**

**6. Master Plan zoning discussion.** Mr. Rael had been asked by commissioners whether the commissioners could approve a zoning category not in the original Master Plan for the Hillcrest plan. Mr. Rael responded that as long as the category was in the list of approved uses that it could be considered without a rezoning request or amendment to a master plan.

Commissioners considered the merits of including Multi-Use, and Residential and Estates.

Commissioner Williams asked for the logic behind including Rural Residential as they are large tracts of land. Ms. Mahalick explained that in this zoning category there is the allowance for mother-in-law or accessory dwellings which is not readily available in other zone categories.

Commissioners recommended the Master Plan zoning category permissive uses be amended to allow these uses.

## **7. Sign Ordinance revisions**

Staff presented the commissioners with an amended version of the sign ordinance showing the changes discussed during the Council meeting. Mayor Stearley addressed the commissioners and explained that as per council directive the next step in the process would be for him to do more work with the sign committee and have a revision by March 4<sup>th</sup>'s Council public hearing.

## **8. Discussion**

- a. Will serve letter for subdivision approval process. Staff had received comments back from Entranosa water company about the specifics of the will serve letter's language; these comments are to be incorporated into the format and made part of the subdivision application materials.
- b. Zoning ordinance language amendment switching C-1 and C-2 for consistency with neighboring jurisdictions. Staff explained that this request was due to the confusion created due to neighboring jurisdictions having the same classification with different magnitude of use. Our Commercial C-1 being the highest intensity of use, neighboring jurisdictions having C-1 as the lesser intensity of use. Commissioners were advised that this was a public

hearing scheduled on March 4<sup>th</sup>, all agreed with the concept of being consistent with the adjoining jurisdictions.

9. Calendar Update, next meeting March 2, 2009
10. Adjourn.

DRAFT