

ON FEBRUARY 22, 2017 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N 870 WEST HURRICANE, UT.

Members Present: Yovonda Hall, Ralph Ballard, Bob Petersen, Ken Bradshaw, Paul Farthing and Rebecca Bronemann

Staff Present: Planning Director Toni Foran, Planning Assistant Cindy Beteag, City Attorney Fay Reber, and City Council representative Darin Larson

Chairman Petersen called the meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Ralph Ballard and Yovonda Hall offered the prayer. Roll call was taken.

Rebecca Bronemann motioned to approve the February 22, 2017 agenda as posted. Ralph Ballard seconded the motion. Motion carried with all Commissioners voting aye.

Chairman Petersen opened the Public Hearing at 6:03 p.m. to take comments on the following:

- 1. A zoning map change request from M-1, Light Industrial, to M-2, Heavy Industrial, for 3.4 acres located at 188 N. Old Highway 91 with parcel #'s of H-4-1-34-333-RD3 and H-4-1-34-327-RD3 for the purpose of improving the concrete batch plant site on the first parcel and constructing storage garages on the second parcel.**

Dave and Nicole Stewart, owners of Pride Rock, stated they originally wanted to include all 3.4 acres but now they only want to change 2 acres to M-2 and leave 1.4 acres as M-1. He explained they purchased the 1.4 acres in 2016 to expand their plant but after hearing their neighbors' concerns they decided to do storage units instead. He stated they are trying to be a good neighbor and feel like they have addressed their concerns. They would like to proceed with improvement to the concrete plant and construct "man Cave" storage units in between the batch plant and Tru Audio. He explained the previous owner that they leased the property from did not want anything permanent on the property. He asked them not to pour concrete, lay asphalt or put a building on the property. He has passed and they have now purchased the property. He stated they would like to keep the piece and give everyone else a turn to voice their concerns so they can try to address them.

Greg Hardman, attorney hired by Black Gate LLC, the property owners adjacent to Pride Rock stated his clients respect the applicants and their business but their main concern is this business is not in harmony with the surrounding businesses. He mentioned he submitted a letter on January 19th for the initial zone change. He stated he thinks the Commission needs to seek legal counsel because the applicants applied for a zone change for both parcels and the notices referenced both parcels. Now the application has been changed to only 2 acres as M-2 and the remainder property staying M-1. He feels that invalidates the application because it was not advertised as such so they could submit their concerns. He stated the zone change is only valid if it is properly advertised and notices sent to surrounding property owners which would require this amended application to be continued. Mr. Hardman handed out his original letter, the pictures that were included, and Hurricane City's codes that he references. He stated all the zones around this property are M-1 so if this was approved it would be the only M-2. In addition all the surrounding property owners invested in this area in reliance upon the zoning map and that the zoning would continue to be in effect. Mr. Hardman read the purpose the of the M-1 zone, *to provide areas for uses involving processing and assembly of manufactured goods, warehousing, and material storage. Uses which generate excessive noise, vibration, odor, dust, and fumes are excluded from this zone.* He stated he appreciated Mr. Stewart comments regarding why he hadn't done the landscaping or paving to honor his lease but the property does not meet Hurricane City's code. He stated for a zone change

application it is necessary for the applicant to adhere to the design and compatibility standards in chapter 33, the landscaping provisions in Chapter 32, and the motor vehicle access in Chapter 35. He feels the application ignores these requirements. He stated in order to approve a zone change the applicant needs to have a specific plan for design. He stated in order to operate this business in the M-1 zone the Hurricane City ordinance requires them to have a conditional use permit which was never applied for or issued. He feels the city granted a business license illegally because a conditional use permit was never received. He mentioned heavy industrial within the M-1 zone is prohibited so they could never have received a conditional use permit. He stated the City went through a process where they cleaned up this area and converted it into a business park. He stated by allowing this business to operate as they have been doing is allowing this area to revert back to the original state. He requested the application to be denied. He feels that if it is approved it would be rewarding them for operating illegally.

Jay Crosby stated he has commercial buildings on the north end of the Gateway Industrial Park. He stated he drove past the Pride Concrete property on Monday and most of the property was covered with water and mud. There was a city sweeper there trying to clean up the streets. He stated on his property he was required to do a lot of engineering to make sure the water was contained on his property. He spent a lot of money to develop it right. He stated about a year ago a Pride Rock truck didn't slow down or stop and almost hit him on Hwy 91. He stated he pulled up the CCR's for the Gateway Industrial Park from 1999 which apply to all businesses in the Park. He stated there are at least four points where Pride Rock is out of compliance. Mr. Crosby read the CCR's that he felt they were violating. He stated he doesn't think this business is a good fit for the Gateway Industrial Park. He told a story about when he bought concrete from them a few months ago. He stated the truck was late so he drove to the plant and was confronted by Dave who started yelling at him. He thinks they try to get by in the cheapest way possible. He stated they have not kept the rules and he doubts they will be kept in the near future.

Dan Allen stated he is president of a company directly across from Pride Rock. He mentioned he is not familiar with city laws but he feels there is not adequate screening for Pride Rock. He sees them watering down the property every morning to keep the dust down but it does track mud onto road. He stated he can see the property from his office and it is unsightly to look at. He feels the screening, dust, unnecessary water use, and employees parking along Hwy 91 is an issue.

Abby Cosmelo stated she works for a trucking company that delivers product to Pride Rock. She stated there have been a lot of changes to the property in the last month. They have cleaned and improved the property. She stated the trucks park on the road so they don't track onto street and they water down to make sure there isn't dust. They have been paying someone to keep streets clean. She stated Sunroc is right down the street so they wouldn't be the only M-2 zone in the area.

2. **A zoning map change request from R-1-10, Single Family Residential 10,000 square foot lots, to R-1-8, Single Family Residential, for parcel # H-39-B to allow creation of one additional building lot.** Chris Edwards and his sister Gina Eves stated this is their father's property. Mr. Edwards stated his sister would like to build house south of his father's house. He stated they need to split the lot in order for her to do this but the lot would be smaller than 10,000 square feet. He stated the other lots in area are smaller than 10,000 square feet as well so it would fit in the area.

Chairman Petersen closed the Public Hearing at 6:36 p.m. and the Public Meeting began.

Old Business:

2017-PP-01 Consideration and possible recommendation to the City Council on a preliminary plat for Gateway Commercial Center, a proposed 8 lot commercial and industrial subdivision located at approximately 166 N. Old Highway 91 – Gateway Commercial Center LLC applicant

Victor Campbell stated this application has been through before but there are new owners and they want to develop it. They are working with the State to get access off of SR-9 and they just received UDOT's response. Chairman Petersen mentioned UDOT's response wasn't very positive. Paul Farthing asked why they need access off SR-9 when they can get access off Old Hwy 91. Mr. Campbell stated there was an agreement with the State to not have that access but it has expired and the owners would prefer access off SR-9. Mr. Farthing pointed out there is not a reason they can't access off Hwy 91. Chairman Petersen stated the old plan had a cul-de-sac and it incorporated Trailer Source. He stated he liked that plan better. Mr. Campbell stated the new owner would like it this way. Ralph Ballard asked if the owners are still planning on utilizing the access off SR-9. Mr. Campbell stated if the owners and the State can work something out, they are ok not using that access. Chairman Petersen asked if the new owners had seen the old plans. Mr. Campbell stated yes. Chairman Petersen asked what their objections were to the old plan. Mr. Campbell stated they like the larger lots and the feasibility of moving the smaller lots. Chairman Petersen asked if they had seen the JUC and staff comments. Mr. Campbell stated yes and they don't have a problem with any of them. Yovonda Hall asked if the decision sits with the Commissioners to decide on the access to SR-9. Toni Foran stated the Commissioners can send a recommendation to the City Council however they feel comfortable. Ms. Hall stated the City Council made the agreement with the State so she feels the Commissioners would be out of line to ignore the agreement to restrict that access. She stated if they had rights already and there were no other options then it would be different. Ralph Ballard stated the reason they are here again is because the agreements have expired and with the amount of traffic on SR-9 he can see why UDOT doesn't want that access there. Commissioners discussed modifying the plat to the staff recommendations. Mr. Ballard asked if there was anything to reference to the old plat. Ms. Foran stated the new owners don't want to do the loop road that was on the old plat because it included too much infrastructure. She stated that is why the staff comments recommended the other way however that still leaves Trailer Source with a problem in the future. Ms. Hall asked if applicant was ok with the recommendation to change the plat to accommodate UDOT's request for access off Old Highway 91 in order to preserve the future function of SR-9. Mr. Campbell said yes. *Yovonda Hall motioned to recommend approval of application 2017-PP-01 to City Council subject to staff comment #4 and JUC comments; 1. Signed as built construction drawings must be approved before final plat application. Improvements along Old 91 may be included with site plans for each lot as they are developed. 2. Complete drainage plan will be required with construction drawings. 3. Water line easement on northeast end of the property must be determined and recognized. 4. UDOT response to proposed access must be provided before preliminary plat is considered by City Council. 5. To preserve SR-9 function, the proposed 60' public roadway is recommended to end in a cul-de-sac between lots 2 and 3. A full traffic impact study will be required prior to construction drawings. 6. A 2007 geotechnical review indicates this property is subject to adverse construction conditions including "blue clay or mudstone" that is prone to collapse and shallow groundwater. The soils report contains detailed foundation and footing requirements. Notice of this study and the need for updated recommendations for each building should be included on the final plat. Individual notice must be recorded against each lot and a waiver signed with building permits. Approval is based on the recommendation to change the plat to accommodate UDOT's request for access off Old Highway 91 to preserve the future function of SR-9. Paul Farthing seconded the motion. The vote was as follows; Yovonda Hall-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Ken Bradshaw-Aye, Paul Farthing-Aye and Rebecca Bronemann-Aye. Motion carried.*

New Business:

2017-FP-01 Consideration and possible recommendation to the City Council on a final plat for Mulberry Estates, a 14 lot subdivision at 900 South 920 West – Kevin DeMille applicant

Toni Foran explained when the City Engineer reviewed the plat he found a problem that's going to require an amendment to the 920 West Subdivision because it provides access to this subdivision. She stated the plat for Mulberry Estates is ok but the approval needs to be conditioned upon 920 West Subdivision being

amended before Mulberry Estates is recorded. Ms. Foran stated Karl Rasmussen will address the drainage issues that will need to be corrected before it is recorded. Ralph Ballard asked if an agreement for the 920 West amendment could be reached. Ms. Foran stated it is the applicant's property so it shouldn't be a problem. Karl Rasmussen stated his surveyor is working with the surveyor for 920 West and the City Engineer to correct a description on the 920 West survey. Mr. Rasmussen stated he is working with the City Engineer and Public Works Director on the drainage to ensure it will work. They have plans to contain it in a system on the north end. He explained they will reroute it under the road so it doesn't ruin any infrastructure. Paul Farthing asked if there are any plans for improvements on 1100 West. He stated it is only one lane and people will use it to access this subdivision. He mentioned that is why the Commissioners objected to the zone change. Ms. Foran stated the construction drawings for this plat just show 920 West and then making it turn to full width in this subdivision but there are no plans for improvements on 1100 West. Yovonda Hall asked for clarification on what needed to be included in the approval for this subdivision. Ms. Foran suggested this plat can't be recorded until 920 West is corrected and recorded. Mr. Rasmussen stated they plan on running them at the same time. Ms. Foran stated they will need to go through the plat amendment process. *Yovonda Hall motioned to recommend approval of application 2017-FP-01 to the City Council conditional upon an amended plat for the 920 West Subdivision being recorded before this plat is recorded. Ken Bradshaw seconded the motion. The vote was as follows; Yovonda Hall-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Ken Bradshaw-Aye, Paul Farthing-Aye and Rebecca Bronemann-Aye. Motion carried.*

2017-ZC-02 Consideration and possible recommendation to the City Council on a zoning map change request from M-1, Light Industrial, to M-2, Heavy Industrial, for 3.4 acres located at 188 N. Old Highway 91 with parcel #'s of H-4-1-34-333-RD3 and H-4-1-34-327-RD3 for the purpose of improving the concrete batch plant site on the first parcel and constructing storage garages on the second parcel– Pride Rock/Leavitt applicants, Dave and Nicole Stewart agents

City Attorney Fay Reber stated a reduction on the size as described in the notice will not invalidate their request. He explained the ordinance allows the Planning Commission to deviate from the original submittal, one of which can be a reduction in size. Ralph Ballard stated it wasn't a change in size, it was a withdrawal of one of the parcels. Dave Stewart stated they have operated with City approval. He stated they met with the City before they started and received a business license. He mentioned there was a lot of mud on Monday from the rain but the City office was closed so he hired a sweeper to clean the streets. He addressed the confrontation with Mr. Crosby, explaining he had already called the contractor for the job to tell them the truck was late and he thought everything was good. He stated he appreciated the professionalism of Tru Audio and that is why they changed the application in order to address some of their concerns. He stated the storage units will be done very nicely with block. He stated they are pushing them as man cave units much like a project in Sun River. Toni Foran stated that will have to be approved at another meeting. Nicole Stewart stated they are bringing this up because of the neighbors concerns about their property being an eyesore. She explained the storage units will block their view of the concrete plant. She stated the problems are in the past and they have invested a lot of money to improve the property. She stated the area is not all M-1 because Sunroc is down the road and they are zoned M-2. She stated they would like to improve the area but can't do it until the zone is changed. They are trying to mitigate any concerns from neighbors. Rebecca Bronemann stated there is a block wall behind the existing landscaping, the plans show a two story building in front of the new batch plant, and the applicants have hired a street sweeper. She asked how the neighbors feel with these improvements. True Audio's owner stated they are not the same grade so a six foot wall would be level with their property. He stated the applicants are comparing their operation to Sunroc and they are not even close to being run the same. His biggest concern is having this right in the middle of all the businesses and Sunroc's plant is on the outskirts. He feels there shouldn't be heavy industrial in the middle of the light industrial. Attorney Hardman stated the important thing is the applicants have not prepared an application that would

meet all the requirements. He stated everything they are saying is what they will do but not things they have done. They have not supplied any evidence of what they will do and it causes his client concern because of how they have operated in the past. Chairman Petersen explained it is a two part process, first they have to get the zone changed and then they bring a site plan showing all the details. Mr. Reber stated that is the problem the City always runs into and the way to prevent that is to have the developer submit a development agreement. Mr. Ballard stated they can't require them to purchase the new plant and make the improvements if they don't know if they can operate there. He stated they have done a lot of improvements over the last month but the pictures that were submitted did show valid concerns.

Mr. Stewart stated he was employed by Sunroc and went off on his own in 2011. There wasn't any money available then and it has been a tough run but they are ready to take it to the next level. He stated they do a lot of work in Hurricane and they are here to comply. Mrs. Stewart stated there will be a six foot block wall in the front and the man caves will have RV's that will block the view from Tru Audio. Mr. Stewart stated Tru Audio was correct when they stated Pride Rock is not comparable to Sunroc but that is in the past and he plans on turning it around and making it into Sunroc. He stated the maximum height is six feet for the wall and the man caves will be twenty feet tall but he will go taller if they are allowed to in order to appease Tru Audio. He would like to keep the peace. Ms. Foran asked what the time frame would be for the improvements. Mr. Stewart stated they put a deposit on the batch plant last January and it is ready. They are just waiting for zone change and then they can start with the improvements. Paul Farthing asked about the building. Mr. Stewart stated he hasn't decided if it will be block or frame but it will be two stories so the operator can see below. He explained from the road you will only be able to see the wall and the building not the rest of the operation. Ms. Bronemann stated the staff comments recommend 21 days to change out to the new plant. She asked if that was feasible. Mr. Stewart agreed it is great to set a time limit but it will take more than 21 days to get plant here. He stated he can't take the old plant out until new plant is here. He mentioned he wasn't planning on keeping the old batch plant but he can't bid on big operations or government jobs without having back up a plant so he might keep it now. He stated if they keep it you won't see it and it meets the Division of Air Quality. Ms. Hall stated usually with a zone change it is contingent on if the applicants purchase the property. She questioned how the business got to this point without requiring improvements. Ms. Foran stated they should not have. It was supposed to be temporary until they purchased the property but the City has never got to the point of telling them to make the improvements or shutting them down but they are now. She mentioned she thought the old batch plant would be removed once the new one was in place and she doesn't think it can be compliant with the same standards Sunroc had to meet. Ms. Hall asked if the business met M-1 zoning right now. Ms. Foran stated no. It was supposed to be temporary, improved or moved to another location. Ms. Hall asked if there were other areas in the city that are zoned M-2. Ms. Foran stated there are not very many. It has mostly been done as needed with zone change applications. She explained when Sunroc applied they started with a site plan and the Commissioners decided it wouldn't fit so they applied for a zone change. Mr. Farthing stated he agrees with Mr. Reber that a development agreement needs to be in place. Mr. Stewart stated they are willing to sign an agreement that it will revert back to M-1 if they close their business. Ms. Hall stated her concern is the neighbors. She questioned if they change the zone will it inhibit the neighbors' businesses. She stated they need to balance both property rights. Mr. Ballard asked, "If they do everything they say they will do then what impact will it have to the neighbors?" Ms. Hall stated it would still be a dust issue for the electronic company. Mr. Farthing pointed out the previous owner wouldn't let them do anything and now they are proposing to build comparable to Sunroc. Mr. Stewart stated the new batch plant will have a dust collector so a lot of the dust concerns will be addressed. Mr. Ballard asked what material containment facility they would use. Mr. Stewart stated bins. He stated he is going to try to operate on two acres but if he keeps growing then he will have to move somewhere else. Ms. Hall asked why he didn't do it now. Mr. Stewart stated land prices are too high and he doesn't have corporate backing. Mr. Reber explained the Commissioners can recommend approval, approval with changes, or deny the application. It will still go to City Council. He stated the Commissioners can't grant a zone change contingent on requiring a development agreement. He explained the applicants have to offer that so they could recommend approval

if an agreement was presented and then it is up to the City Council. Attorney Hardman asked if there would be a Public Hearing at the City Council. Mr. Reber stated it is not advertised as a Public Hearing but usually the Mayor will allow comments. Attorney Hardman asked how the public would be able to see the development agreement and make comments on it. Mr. Reber stated development agreements are not usually available to the public. He stated it will be considered in a Public Meeting and the Council takes comments from the public during the Public Forum. *Paul Farthing motioned to recommend approval of application 2017-ZC-02 to the City Council based on the staff findings; 1. The proposed amendment is not compatible with General Plan map for this area but is compatible with goals and policies of the general plan by providing jobs and economic benefit in an area served by public services. 2. The proposed amendment is not harmonious with adjoining uses but this site is not immediately adjacent to any other uses and a plan to mitigate negative effects is proposed. 3. Public facilities and services are adequate to serve the subject property. Approval includes the recommendation of a development agreement tying the heavy industrial to this one use and the site improved as shown on the site plan within a specified amount of time. Site plan approval will be required. Ken Bradshaw seconded the motion. The vote was as follows; Yovonda Hall-Nay, Ralph Ballard-Aye, Bob Petersen-Aye, Ken Bradshaw-Aye, Paul Farthing-Aye and Rebecca Bronemann-Aye. Motion carried.*

Attorney Hardman requested their opposition be included to the City Council.

2017-ZC-04 Consideration possible recommendation to the City Council on a zoning map change request from R-1-10, Single Family Residential 10,000 square foot lots, to R-1-8, Single Family Residential, for parcel # H-39-B to allow creation of one additional building lot –Wayne and Margaret Edwards owners/ Raymond and Gina Eves applicant

Bob Petersen stated he drove by and it looks like there is enough room to accommodate another house. Wayne Edwards stated it is the largest lot on the block. Ralph Ballard clarified it used to be two lots that were combined and now they are going to separate it again. Commissioners discussed the surrounding lot sizes. Mr. Ballard asked if there was any other way to do it besides rezoning. Toni Foran stated their lot is just barely too small to do a lot split under the current zoning so they have to have a zone change in order to split the lot legally. Mr. Ballard stated he doesn't see any reason to not approve it. Yovonda Hall stated the use stays the same. *Paul Farthing motioned to recommend approval of application 2017-ZC-04 to City Council based on the staff findings; 1. The proposed amendment is compatible with the goals and policies of the general plan by recognizing the area is appropriate for development in the downtown district which is already served by City services. 2. The proposed amendment is in harmony with existing development. 3. Public facilities and services are adequate to serve the subject property. Rebecca Bronemann seconded the motion. The vote was as follows; Yovonda Hall-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Ken Bradshaw-Aye, Paul Farthing-Aye and Rebecca Bronemann-Aye. Motion carried.*

2017-CUP- 05 Consideration and possible approval of a conditional use permit for a 2691 square foot storage building proposed at 755 S. 180 West that is bigger than permitted for an accessory building in this zone – Mike Low applicant

Mike Low stated they purchased about three acres on 180 West and he wants to put a shop behind the house. Bob Petersen clarified the boundaries of his property. Paul Farthing asked where the access would be to the shop. Mr. Low stated the new entrance would be moved to the south end of the property on 180 West. Chairman Petersen asked what building materials he would use for the shop. Mr. Low stated it would be wood framed and metal on the outside. Chairman Petersen asked what type of roofing material would be used. Mr. Low stated it will be a 4' pitch and have a metal roof. Mr. Farthing asked if they plan on living there. Mr. Low stated they are planning on moving there in April. He explained they have owned it for two years and have been renting it but now they want to upgrade the house and move to this property. Chairman Petersen asked what he would be using the building for. Mr. Low stated mostly cars and storage but would like a little area to tinker. Yovonda Hall asked if they would be living in the building when they

remodel the house. Mr. Low stated no, they will only use it to store their belongings in there while they remodel. Ms. Hall commented that she liked how he put it on the property so it doesn't affect the neighbors' view. Mr. Low stated there are three acres so there is plenty of room. He stated the house will look completely different once they are done. *Yovonda Hall motioned to approve application 2017-CUP-05 based on the following findings; 1. The proposed building is of compatible architecture. 2. Storage will be for the owner only. 3. The owner will live there in the near future. Ken Bradshaw seconded the motion. The vote was as follows; Yovonda Hall-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Ken Bradshaw-Aye, Paul Farthing-Aye and Rebecca Bronemann-Aye. Motion carried.*

Release of deed restriction Discussion and possible decision: Request for release of a permanent deed restriction required for a conditional use permit and recorded for a detached for the purpose of allowing the casita to be rented separately at 1580 West 400 South – Timothy and Shirley Lundin applicants

Toni Foran explained this is another casita that the owner signed a deed restriction with their conditional use permit but the new ordinance allows them to be rented long term. She stated the ordinance doesn't specify who can release a deed restriction. Ralph Ballard asked what is required to rent a casita separately. Ms. Foran stated a full kitchen is required. Yovonda Hall asked if the Council required a separate electrical meter. Ms. Foran stated the ordinance states they can't be separate. Mr. Ballard stated if it meets the standards then staff should be able to release the restriction. City Attorney Reber stated it is an amendment to the conditional use permit so it needs to come to the Commission unless they update the ordinance. Commissioners decided to come up with language to allow the Planning Director the ability to release the restriction if it meets the standards. Darin Larson clarified it can't be used as a short term rental. *Yovonda Hall motioned to amend the original conditional use permit to release the restrictive deed. Rebecca Bronemann seconded the motion. The vote was as follows; Yovonda Hall-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Ken Bradshaw-Aye, Paul Farthing-Aye and Rebecca Bronemann-Aye. Motion carried.*

Presentation of citizen concern: Mr. Ray Hunt would like to discuss the impact of the current standard for accessory buildings close to lot lines with the Planning Commission.

Toni Foran clarified the building Mr. Hunt is referencing is legal under the current code and that is why he wants the Commissioners to review the standards. Mr. Hunt stated lives in Robert's Ranch and his new neighbor built this structure. He explained he has an eighty foot deep yard but their yards are different levels. He stated the building is about thirty feet high, forty feet long and only is two feet from their fence. He feels it ruined their home as it is an eye sore in their back yard. Yovonda Hall asked if his objection was how close it was to the property line. Mr. Hunt stated the size and location. He explained this building is in their back yard and blocks their view and because the lots are different grades it makes it even taller on their side.

Ms. Hall asked what the requirements were for setbacks on accessory buildings. Ms. Foran stated two feet from the drip edge of roof. Commissioners discussed size and height limits for accessory buildings. Paul Farthing stated something like this would hurt your back yard. Ms. Foran suggested the Commissioners think about the ordinance and decide if they think it should be changed.

Planning Commission business:

1. Commissioners discussed why metal buildings are a conditional use permit in the Commercial zones. Toni stated she has strong feelings about Pride Rock leaving the old batch plant because there is no dust control on it. Ralph explained it will probably never be used because he only has to have it as a backup plan in order to bid on government jobs. It will only be used if something went wrong with the new plant during a job. Yovonda questioned if the new batch plant would look more like M-1 than M-2. Ralph stated it will have a building in front of it so it won't be seen as much. Toni stated it will be seen from the roadway because of the height. Commissioners agreed a time limit needs to be set for the improvements to be finished. Toni mentioned Bob Stevens has reached his time limit from his application so a letter will need to be sent.

2. Discussion on downtown options. Toni handed out the current ordinance on the downtown district. She stated they need to discuss setbacks and heights but she wants to make it simple. She stated she thinks they can eliminate the SR-9 section because the SR-9 improvements are already built. She asked if the Commissioners wanted the buildings to come right to the roadway to try and match the older buildings. Toni stated she tried to write it so there could be more than one use on a property. Asked them to review so they can discuss it in the future.
3. Toni stated there have been about ten people interested in becoming a Planning Commissioner. She stated the Mayor is reviewing them and will hopefully have a recommendation at the next meeting.
4. Quote to remember from Ken Bradshaw: "A blind man would be happy to see it!"

Meeting adjourned at 8:13 p.m.