

**ON JANUARY 24, 2018 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:** Chairman Bob Peterson, Mark Borowiak, Yovonda Hall, Michelle Cloud, Paul Farthing, Rebecca Bronemann, and Ralph Ballard

**Members Excused:** Chris Christensen

**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 Michelle Cloud and Bob Petersen offered the prayer. Roll was taken.

Michelle Cloud motioned to approve the agenda as posted. Yovonda Hall seconded the motion. Motion carried with all Commissioners voting aye.

**2018-PSP-01 Consideration and possible approval of a preliminary site plan for a multi-family project on 15 acres south of 350 North and west of the extension of 2460 West – Rock Solid Builders applicant – James Cheney agent**

Barry Thompson with Pratt Engineering and James Cheney with Rock Solid Builders were present to represent the application. Mr. Thompson stated the applicant is proposing a 153 unit project with townhouses on the exterior and buildings that are apartments similar to The Retreat at Sky Mountain. He stated they are proposing the exterior buildings as two story and the interior buildings three story. He stated there would be ample open space and an area for drainage. He explained they feel the project flows well and utilizes the master planned road. Chairman Petersen asked if they had seen the staff comments. Mr. Thompson stated no. Toni Foran gave him a copy. Chairman Petersen stated the project still needs polishing but it looks like a good project. Yovonda Hall stated the parking is on the interior but the road goes past these units. She commented the tenants aren't going to want to go across the street to park. Mr. Thompson stated those units have individual garages located on the back of the unit. Chairman Petersen asked if there would be a fence along the back. Mr. Thompson stated he assumed it would be required. Paul Farthing asked if the four-plexes would be sold individually. James Cheney stated the outside units will be town homes and could be sold individually. Mr. Farthing asked if there would be on-site management for the other units. Mr. Cheney stated there will be an HOA but not an on-site manager. He stated these are not meant to be rental units. They are more like starter homes. He stated if someone buys them and rents them they will not be required to use a certain management company. Mr. Farthing stated with his experience the flaw is if no one is controlling it then the property gets run down. He stated one person can ruin the development. He feels it runs better with someone on-site. He told the applicants to consider adding that for the long term quality. Rebecca Bronemann agreed it would also help to know who to talk to if there were problems. Mr. Cheney stated the only down side to doing it that way is they are hoping that most of the homes will be individually owned. Ms. Foran asked if the apartments would be individually owned. Mr. Cheney stated they are still working on that detail. He stated they might make them shorter and do them as townhomes. He stated they will have it finalized before final plat. He mentioned he has been in a subdivision where he had to use a certain rental company and it turned out horrible. He stated they will stay under the percentage of rentals so the owners can still get a loan. Mr. Farthing asked if there would be any amenities. Mr. Cheney stated they decided not to do a pool because of liability and maintenance. Instead it will be more open space and individual yards for the residents. Ms. Bronemann pointed out this would be by

industrial uses. She questioned if there would be problems with noise. Mr. Cheney stated this development is closer to residential uses, other than the rock yard. He doesn't foresee a problem. Mark Borowiak brought up the sizing in the garage and the units. He stated the garage size doesn't meet the minimum requirement. Mr. Cheney stated he wasn't aware of the size requirement but he will make the garages 20'x20' to meet that requirement.

Ms. Foran asked the Commissioners to address staff comment #5 *The land use code 10-34-8 includes the following language regarding parking: B. Access To Public Street: Except for parking for a single-family or two-family dwelling, access to a parking space or parking lot shall be from a parking lot aisle and not directly from a public street. Every parking lot shall have access to a public street. Such access may be provided through platted or recorded easements, reciprocal arrangements, or other guaranteed means. The Planning Commission should determine if this section of the code applies to the four-plex buildings or if they can be considered side by side two-family dwellings.* Mr. Cheney asked if they are townhomes then the access cannot directly be from the street. Ms. Foran read the ordinance. Ms. Hall clarified that if there was a space between the buildings then they would be considered a duplex and then they could access them off the public road. Commissioners discussed the differences on a duplex and a four-plex. Ms. Foran stated she likes this design better but it doesn't meet code. Mr. Borowiak pointed out the code was probably adopted so they didn't get too many driveways off of a public road. Mr. Farthing stated it would be continuous concrete. Ms. Hall stated they have to follow the code. Ms. Foran stated the Commissioners need to decide if they consider them a continuous building or duplexes. Mr. Cheney stated they could separate them. Darin Larson asked what the minimum space requirement was between units. Ms. Foran stated ten feet. She stated she is concerned with no on-site management. Mr. Farthing stated there are ninety six rental units. Ms. Hall asked why he didn't want on-site management. Mr. Cheney explained he wants the ability to sell individual units and he doesn't want to require a particular management company. Ralph Ballard mentioned a condominium association that was done really well and something like that would alleviate everyone's concerns. Michelle Cloud asked what the percentage of rentals can be before no more loans will be issued. Mr. Cheney stated he doesn't know off the top of his head. Ms. Hall pointed out the Commissioners need to decide if they want the units separated or if they are okay with them together. Mr. Farthing stated there currently isn't enough parking and if they make these changes it would mean fewer units. He questioned if the applicants should make those changes and bring it back before they make a decision. Mr. Cheney stated they would like to bring everything back at final. Ms. Foran stated the report didn't count the garage parking because she could not see them on the drawing. Ms. Hall asked if the application could be moved forward with the requirement to make them duplexes. Commissioners discussed driveways and the requirement between each one. Mr. Farthing stated he was surprised to see this type of development without any amenities. He stated he doesn't think it is a good idea. Mr. Cheney explained one of the reasons they didn't include amenities is because they wanted it to feel more like a home. There would be no HOA fees. Mr. Farthing stated he sees that with the duplexes but not the apartments. Mr. Ballard stated the changes that need to be made are far from what was presented. Ms. Foran stated her opinion is that this approval does not give a vesting right it is an opportunity for the applicant to get comments and design it with the comments before the final site is done. Mr. Cheney asked for clarification on the process. Ms. Foran explained that if they bring it back with the suggested changes then they could probably move forward but if they don't change anything then it won't get approved. Ms. Hall suggested adding something to the common area other than lawn. She stated there has to be something there for the tenants. *Mark Borowiak motioned to approve of application 2018-PSP-01 subject staff and JUC comments; 1. If this is a plat individual meters will be required. 2. A water study will be required. 3. Fire District turning radius and access per fire codes must be met. 4. The plan presented provides a system of walkways around the apartment buildings and around large areas of open space adjacent to the buildings. A final site plan will be required to provide the details of these open*

spaces. 5. It is not clear from the lines on the plan presented if the developer intends to divide this property into lots with a four plex on each lot and retain the interior as one large property or if those lines are meaningless. 6. Parking required for the apartment buildings is 192 spaces. The application materials indicate there are 251 parking spaces but it is not clear if this total includes parking in garages in the four-plexes or just the surface parking lot. Markings on the surface lot are missing in many areas so it is difficult to determine the total spaces when reviewing the plans. 7. The four-plex buildings are divided. 8. Dumpster locations will be required in a final site plan for the apartment area. 9. The plan shows an area for recreational vehicle parking in compliance with the following code section: 10-34-6 G. Recreational Vehicle Parking: Adequate and accessible recreational vehicle parking storage areas shall be required in each multi-family and planned residential development project unless the premises are subject to restrictive covenants or other means limiting the parking of such vehicles. A layout and design for this area will be required with final site plan. 10. A calculation of total open space, exclusive of the parking lots, provided is required with final site plan, in accordance with the following code section: 10-13-7 E. Open Space: In multiple-family residential zones, common open space should equal or exceed the ground floor area of all buildings on site. Projects greater than one story should provide common open space equivalent to the ground floor area plus fifty percent (50%) of all additional floor area. Ralph Ballard seconded the motion. The vote was as follows; Mark Borowiak-Aye, Bob Petersen-Aye, Yovonda Hall-Aye, Michelle Cloud-Aye, Paul Farthing-Aye, Rebecca Bronemann-Aye, and Ralph Ballard-Aye. Motion carried.

**2018-PSP-02 Consideration and possible approval of a preliminary site plan for a convenience store with gas sales at the north east corner of 100 East and State Street – Maverik Inc. applicant – Elizabeth Sorenson agent**

Elizabeth Sorenson was present to represent the application. She mentioned they were here a few months ago to discuss the Downtown District overlay zone on this property. She stated they are ready to move forward with the preliminary site plan. Bob Petersen asked if she had seen the staff and JUC comments. She stated yes and addressed some of the comments. She explained this site will replace the 200 West store. They have submitted a traffic study to UDOT but have not received a response, though they are expecting one by the end of next week. She explained the State is now offering grants for electric vehicle charging stations so they are looking into that for this site and it will be addressed at final site plan. Yovonda Hall asked if there were any in Springdale. Toni Foran stated in there is one in Washington and one in Laverkin for guests only at the La Quinta but she hasn't seen one in Springdale. Ms. Sorenson said she had updated the site plan to address some of the comments and she gave copies of the updates to the Commissioners. She explained the area labeled as future MPD on the furthest east side of the canopy means they are leaving a space to add a future canopy space if it is needed. The next staff comment she addressed was regarding the stacking parking by the fueling stations. She explained on the new drawing the 10'x20' squares represent cars. What they have observed is the car getting gas pulls all the way to the front of the pump leaving enough room for another car to stack behind them and still leave about twenty four feet for a drive aisle behind them. She then clarified the clear site triangle comment in reference to the northern access on 100 East, showing the two shaded triangles on each side of the west access is the clear site area. Because the sign north of that access but it was in that clear site area so they moved it to the south side out of the site triangle. She showed why their plan includes a forty foot access along 100 East even though the code only allows thirty six feet. She explained how their fuel trucks enter and exit the station and how it is safer if they have a wider access. Toni Foran asked if they could move the store towards the east to give more room for the trucks. Ms. Sorenson stated they could look at that but as the trucks are exiting they need that extra space Yovonda Hall clarified they needed forty feet at each point for the fuel trucks. She stated on the previous plan it showed the vendors unloading in the back. She asked why that changed.

Ms. Sorenson stated they originally thought they had a bigger lot but after the survey realized they don't have enough room. With this plan the delivery trucks will come in along the east by the dumpster enclosure. She showed where the dumpster enclosure is pushed back so the garbage truck is out of the traffic flow. She said their operations department works directly with the delivery companies to put a plan in place so it doesn't cause any traffic issues.

Mark Borowiak asked if the space to the east was empty space. Ms. Sorenson stated it will be landscaped. She then addressed the concern regarding the access off State Street. She stated this is an UDOT jurisdiction so if it is approved, they will build it to UDOT's requirements to make it as safe as possible. Ralph Ballard said when they were here before the Commissioners talked about access off State Street and the length the deceleration lane needed to be yet this plan shows that lane even shorter and there isn't enough room for cars to stop if there are pedestrians crossing. He stated this is not a good curve and he doesn't like this plan. Ms. Sorenson explained it looks shorter because they thought they had more property when they were here before. She stated they have had an engineer come and do a traffic study on that corner. They are just waiting for UDOT's response. Mr. Ballard commented he did not feel like this was a good fit. It is a blind curve. Ms. Sorenson stated she agreed and they are taking that into consideration. Mr. Ballard stated this issue was addressed at the last meeting but this plan doesn't show the recommendations the Commissioners gave them.

Commissioners agreed the deceleration lanes needs to be longer on this curve.

Ms. Sorenson brought up the recommendation for an eight foot wall along the North side. She explained there is currently a chain link fence there but Ash Creek Sewer District will not approve a block wall because there is an easement. She stated they are proposing a six foot vinyl fence. She stated the purpose of the fence is to create a buffer and reduce the impact on the neighbors. She stated a vinyl fence would have less of an impact on the neighbors than an eight foot wall. She stated the vinyl fence would provide a hundred percent screening. She stated there is forty feet from the corner of building to the residential property on 100 East so Maverik feels a vinyl fence will be adequate because it will provide screening and block sound and sight. Mr. Ballard asked where the sewer pipe is in relation to the property line. Ms. Sorenson said they were unaware of where the pipe was located. Mr. Ballard stated vinyl won't block the sound. Ms. Hall asked if the easement was shown on the plan. Ms. Sorenson pointed out where it was on the plan. She stated they understand that if Ash Creek Sewer District needs to access the pipe Maverik will be responsible to move the fence. Ms. Hall agreed vinyl won't block the noise. Ms. Sorenson stated a lot of the traffic is directed toward the fuel canopies along State Street so their lights shouldn't affect the neighbors. Mr. Ballard pointed out all the traffic will have to exit on 100 East. Ms. Hall questioned if they should require an eight foot vinyl fence. Mr. Ballard stated he doesn't think the height is the issue it is the sound. Ms. Foran explained she put that suggestion in because the adjoining property owners to the Maverik at 3400 West applied for a conditional use for a higher wall because of the impact of the Maverik. Mr. Ballard asked Vincent Blackmore if it was a noticeable impact without the higher fence. Mr. Blackmore stated the fence has made a huge difference. Mr. Farthing stated this is for the benefit of the neighbors not for what is best for Maverik. Mr. Ballard mentioned this one has the conflict with the easement for Ash Creek. Ms. Sorenson stated they have other locations that abut residential uses and they haven't had any issues with the six foot vinyl fence. She stated the last comment she wanted to address is regarding the landscaping. She stated the code states they need ten feet along State Street. She stated there is one section where they are only providing five and half feet because it would interfere with the turning radius. She asked them to consider a deviation from the landscaping ordinance for the ten feet along SR-9 and in return they will add more landscaping on the west and east sides. Chairman Petersen commented the Planning Commissioners have approved exceptions in the past. Ms. Hall asked if the wall had to be on the property line or if they could bring it forward so it didn't interfere with the sewer easement. Ms. Sorenson stated they have to put it a little further South because of power lines but if they get it too far south it would put it right up against the

building. Mr. Borowiak asked how close the wall could be to the building. Ms. Foran stated that is a building code question. Mr. Ballard agreed that is a good idea other than it leaves an area that isn't maintained. Mr. Borowiak questioned how the neighbors would feel if the wall was on the neighbor's property. Ms. Sorenson stated the neighbor's carport is already on the easement so that isn't an option. Mr. Farthing stated he likes Maverik but he feels this location is wrong. There are too many traffic issues. Ms. Sorenson stated they did a traffic impact study and they are working with UDOT. Ms. Hall asked what they would do if UDOT didn't approve it. Ms. Sorenson stated then they wouldn't be able to do it. Commissioners questioned if it would help if UDOT put in a light at that intersection. Ms. Foran explained if a light was required then Maverik would be required to install it. She stated she doesn't feel it is good fit for the community to have two stop lights so close together or having an access of State Street at this location. She stated they will have to wait for the peer review of their traffic study that UDOT authorized. Chairman Petersen stated the Maverik on 200 West doesn't have a light and he hasn't seen an accident there. Ms. Hall pointed out there is one on 300 West to slow traffic. Mr. Ballard stated he has seen accidents there. Commissioners discussed speeds in the proposed area. Ms. Hall stated there needs to be a light at 100 North to slow the traffic before this curve. Mr. Borowiak asked if they would have the response from UDOT by next week. Ms. Sorenson stated yes. Mr. Borowiak commented it would be better to have their response before the Commissioners decide. Ms. Hall pointed out preliminary site plan doesn't give them rights so once they get UDOT's response it could be addressed at final site plan. Mr. Farthing stated an engineer somewhere will say it is doable but that doesn't mean they have to accept it for the City. Mr. Ballard stated traffic is getting worse and worse along SR-9. He would like to see something on this property but he doesn't think this is a good location. Traffic, foot traffic, and the wall are all issues. He stated it is the Commissioners responsibility to look at all those things. Mr. Farthing agreed. Maverik won't have the liabilities of the traffic accidents this could cause on SR-9. Mr. Borowiak stated he would like to see the UDOT review and traffic study before they decide anything. He feels that information would be very beneficial. Ms. Sorenson stated they will send the review once they have received it but they will send the traffic report over in the morning. Ms. Hall asked if they could do the approval contingent on the UDOT study. City Attorney Fay Reber stated there is no reason to jump through hoops to approve this when it would be better to just post pone the application until their concerns are met. Ms. Foran stated she will email the traffic study to the Commissioners but she pointed out the study was done by Maverik engineers. *Yovonda Hall motioned to table application 2018-PSP-02 until the next meeting. Rebecca Bronemann seconded the motion. The vote was as follows; Mark Borowiak-Aye, Bob Petersen-Aye, Yovonda Hall-Aye, Michelle Cloud-Aye, Paul Farthing-Aye, Rebecca Bronemann-Aye, and Ralph Ballard-Aye. Motion carried.*

**2018-PSP-03 Consideration and possible approval of preliminary site plan for a My Place 46 unit extended stay hotel at 1167 W. 80 South – Vincent Blackmore applicant**

Vincent Blackmore was present to represent the application. He stated his proposed plan is a new concept called an extended stay hotel with the units something between Super 8 and Marriott. People can stay a night, a week, or a month. Each unit comes with a full sized refrigerator, kitchenette with microwave and cooktop, and a livable area but it is still used primarily as a short term stay. He stated each building for My Place is new construction and the company is not allowing any retrofits of existing buildings. He stated the company built three units as a test five years ago and now have over forty units. He mentioned they have a goal of building one thousand units in ten years. He explained they got this property when the subdivision was first being developed. He stated they were four parking stalls short so he got the neighbors to sell him ten feet to meet the parking requirements. He said he thinks this is the perfect location for this type of development. He stated these units are built for efficiency, function, and affordability. The property will include a pool, hot tub and landscaped areas and they only charge ninety dollars a night. He mentioned they are five feet short for landscaping along the 80 South

frontage. He said they have one extra parking stall but they planned to put an electric charging station on that. He said he knows but Iversons own lot 6 and he will be doing they were approved for a narrower landscape strip as well. He declared he has a huge budget for landscaping and will do a great job. Paul Farthing asked who would be managing the hotel. Mr. Blackmore stated they offer that service but he and his wife Danyale plan on managing it. He stated he feels this is a good alternative to what is in town. Danyale Blackmore stated My Place has an auditor that comes around to make sure it is up to their requirements. Ralph Ballard asked if it was like a Residence Inn. Mr. Blackmore stated he was unfamiliar with a Residence Inn but he assumed they would be similar. He asked if the Commissioners had looked on the My Place website. Mr. Farthing stated yes. He asked what the standard square footage of each room would be. Mr. Blackmore stated 20x30 feet. Mr. Farthing stated this is smaller than the extended stay units where he has stayed. Mr. Blackmore explained they are not meant for people to move in and stay for long periods of time they are meant for transient occupants. He stated they are great for construction workers who are here temporarily because it has a full frig and a place for people to cook their own food. He stated My Place is very picky on the product and he feels it is a good fit for the property and the community. Chairman Petersen asked if it would take up all the property or if the stable would stay in the back. Mr. Blackmore stated the property was in green belt but the Iversons are working hand in hand with them and they will develop a strip mall at the same time. The stable has already been removed. Ms. Hall asked if there was enough landscaping on the ground to grant the variation from the standard for the five feet. Ms. Foran stated the plan doesn't state if it is internal landscaping only the overall number. She stated it is an attractive plan and the Commissioners have the latitude to grant a variation from the standard. She stated the Iversons were granted a smaller landscape strip. Chairman Petersen stated they might have to grant a variation from the standard for the entire area because of the wash. Ms. Hall stated she doesn't think it as much of an issue since there is more landscaping elsewhere.

Michelle Cloud asked for clarification on the under parking lot detention. Mr. Blackmore explained they will excavate underground and fill it full of rock to become the absorption area. He stated if it does get water in it then it is drained to the storm drain. He explained the only difference from a normal detention basin is this one you can park on. He stated the utilities are all stubbed into the property. The site is ready to go. Mr. Farthing stated he doesn't have an issue on the landscape variation but he has a little concern on the new use. He said if the concept doesn't work then it will just sit. Mr. Blackmore stated they will make it really nice with a great pool area, barbecue area, and an area for bikes. He stated they have a verbal agreement with Iversons for overflow parking on their property. He stated they plan to co-develop other surroundings areas and he feels it is good value to offer parking for when people bring toys with them. Rebecca Bronemann stated she thinks it is a good location for this type of development. Ms. Hall stated there is a lot of need for this type of development.

*Michelle Cloud motioned to approve application 2018-PSP-03. Ralph Ballard seconded the motion. The vote was as follows; Mark Borowiak-Aye, Bob Petersen-Aye, Yovonda Hall-Aye, Michelle Cloud-Aye, Paul Farthing-Aye, Rebecca Bronemann-Aye, and Ralph Ballard-Aye. Motion carried.*

**Conditional Use permit review Consideration of and possible revocation of a conditional use permit for horses issued to Brittany Nez at 416 W. 100 North**

Brittany Nez stated she knows she hasn't kept her word on what she would do because she went back to school, adopted a son, and was working full time. She stated she will be the first to say she has neglected her responsibilities and she would like to apologize. She stated some of the items in the letter the Planning Department sent have been done. She stated she did plant trees but the bugs destroyed them. They did have a shed but the wind ruined it. She stated they planned on using their tax return this year to beautify the area. She stated she took the fly traps down because it is winter but they will go back up in the spring. She stated she has her dad come down with his tractor to clean out the manure

but hasn't done very good with that for the last six months because she had surgery. Mark Borowiak stated one of conditions was a limit of only two horses but there are pictures showing three horses. Ms. Nez stated they only have two. She explained they only housed her mom's cousin's horse overnight while they went Vegas. Danny Campbell stated he is constructing two houses adjoining this property and he has lost sales because of them. He stated it was his understanding the horses would be further to the west. He stated his other concern is there is no corral for the horses and they are ruining the block wall. He mentioned the manure is pretty deep so there will be a fly issue when it gets warmer. He stated he doesn't like to complain about neighbors but it has caused problems with the sale of his property. He mentioned he would have to put money in to repair the block wall too. Ralph Ballard asked Mr. Campbell if he had any solutions to fix the problem. Mr. Campbell stated if a more permanent fence was put in and the horses were moved to the west side it would alleviate a lot of the problem. He explained the property is higher so the horses are more about knee high to the block wall on his property. Mr. Ballard commented if they put in a fence then the horses wouldn't hit the block wall. He asked if Mr. Campbell was the main person affected by this. Mr. Campbell stated the corral goes the full length of his two lots but he is not aware of complaints from other neighbors. Toni Foran stated John Johnson has made many comments that he wished he hadn't voted to approve this. Mr. Campbell stated it would be nice to see shade for the horses too. Ms. Nez stated the block wall was damaged before the horses were there. She said she planned on moving the horses more to the west but she had opened it up to give them more room. She stated she knows they need more acreage but they have to wait until her husband is out of school. Yovonda Hall asked if they could move the horses back to her parent's house. Ms. Nez stated no, Springdale changed their ordinance and horses are not allowed anymore. Paul Farthing asked if they are willing to do what Mr. Campbell asked. Ms. Nez stated yes, they plan on doing it this spring. Ms. Foran stated they need stronger conditions if they are going to allow them to stay. Chairman Petersen asked if they are planning on looking for something bigger. Ms. Nez stated yes but prices are very high right now so it is hard to find something. She asked if they would give her an extension on the conditional use until they can find something different. Ms. Hall asked if her property went across all of Mr. Campbell's property. Ms. Nez stated yes and it extends about twenty feet past it. Ms. Hall stated it appears the corrals cover the majority of the property. Ms. Nez stated they planned on shrinking the corral back down when she starts working with the horses again. Ms. Hall stated none of the conditions were met so she questioned if all the neighbors should suffer because of that. Paul Farthing stated if they make stronger conditions and they still aren't met then who takes the brunt. Chairman Petersen asked the city attorney if they could set a time limit. City Attorney Fay Reber stated yes. Mark Borowiak stated if they are thinking about a second chance then they need a tight time limit to come back and review. Ms. Nez asked for three months so she had time to get her financing. Ms. Hall stated she doesn't see the reasoning in making them put in a lot of work and money in if it isn't a good fit for the area. She understands it is harsh but they have to consider everyone involved. Ms. Nez pointed out if they sell the house they could revoke the conditional use permit. Mr. Campbell said they have the equipment and would be willing to help them move the fence at no cost, providing a good solution for both of them. Ms. Hall stated the Commissioners still need to keep her feet in the fire to get everything else done. Ms. Nez asked for three months to get everything done. Mr. Ballard stated lot of the problems could be resolved now with little cost. Commissioners discussed time length. Chairman Petersen stated the fence is the number one problem and manure is the second issue. Mr. Farthing stated he thought it should be brought back to the Commissioners in one month. Mr. Ballard stated they aren't sure if they are staying at this location so any permanent structure doesn't need to be built but some type of shade is needed. Ms. Hall asked if they could put in the approval that if the owners move then the conditional use permit is revoked. Mr. Reber stated yes. Ms. Hall stated they should include that if it is approved. Mr. Ballard stated the conditions are what needs to be addressed. Ms. Nez stated if they can get the water line extended then she would like to plant more grass. Mr. Farthing stated if they

are planning on selling there is no point in planting trees and shelters. He stated he thinks it should be limited to one month and then brought back for review, all the original conditions are upheld, and it is limited to the current owner. Mr. Reber stated they would have to record a document so the future owners knew horses aren't allowed. Ms. Hall asked if the Commissioners agreed to limit it to the current owner. Mr. Reber commented the City sometimes jumps through hoops to try and help people but when conditions aren't met it becomes a disadvantage to the City. However, if the Commissioners are wanting to help Ms. Nez then he would suggest continuing this decision for one month. Then if it is improved they can extend the approval with conditions and if not then revoke it. *Yovonda Hall motioned to table the conditional use permit review for one month. Rebecca Bronemann seconded the motion. The vote was as follows; Mark Borowiak-Aye, Bob Petersen-Aye, Yovonda Hall-Aye, Michelle Cloud-Aye, Paul Farthing-Aye, Rebecca Bronemann-Aye, and Ralph Ballard-Aye. Motion carried.*

**Approval of minutes:** Rebecca Bronemann motioned to approve the January 11, 2018 minutes as written. Paul Farthing seconded the motion. *The vote was as follows; Mark Borowiak-Aye, Bob Petersen-Aye, Yovonda Hall-Aye, Michelle Cloud-Aye, Paul Farthing-Aye, Rebecca Bronemann-Aye, and Ralph Ballard-Aye. Motion carried.*

**Planning Commission business:**

1. Presentation of proposed changes to Land Use Code Public Facilities Zone codes. Toni stated there will be a public hearing during the next meeting for the changes the Commissioners discussed during the last meeting regarding Public Facilities and open space zones.
2. Presentation of setback exhibit for proposed Downtown District Zone. Postponed for future meeting.
3. Discussion on Night Sky ordinances. Toni stated the power superintendent offered to come explain his take on night lighting. She stated he has fought hard to keep street lights off the street. She asked if anyone had read through codes that were handed out at last meeting. Yovonda went through the different pictures. She stated lighting is a mixed bag. Toni stated there was a conversation in staff meeting regarding private property rights and lighting on their land. Paul suggested a night time field trip to look at different lights. Commissioners discussed different lights on buildings. Yovonda asked about LED signs. Toni stated some communities have dimming requirements. Toni suggested the Commissioners just look at light distribution patterns and not get into the other items. Yovonda stated it is important to protect the resource of the night sky. Toni stated they need feedback from the City Council to see what direction they want the Commissioners go. Rebecca stated something we need to preserve. Commissioners asked Darin to bring it up to the City Council to see if they want the Commissioners to review this ordinance. Paul stated it will be a big education process. Toni stated most people appreciate the night sky. Commissioners agreed if something was put in place it would only be for projects in the future. They can't require existing structures to comply.
4. Planning Commission concerns and ideas. Toni mentioned a video she emailed to the Commissioners. She stated it is a good presentation if they have time to watch it.

**Meeting adjourned at 8:25 p.m.**