

Sugar City Planning & Zoning Commission
Regular Meeting August 21, 2008
Minutes

Commission attending: Brian Hawkes, Vaun Waddell, Ninette Galbraith Steve Hawkes, Paul Lusk, Ray Barney, Bruce Bills, Stephanie Blackham

Public attending: See sign-up sheet

Chairman Hawkes called the meeting to order. Ray moved to accept the minutes for August 7, 2008. Vaun seconded the motion and it passed unanimously.

Bill Gutenberger came before the commission wanting to build an apartment on his lot to rent out. Some discussion was held on the zoning, sewer and water hook-ups and setbacks. Mr. Gutenberger will check with the city on sewer and water hook-up options. In later discussion, it was determined that the zone (R2) only allows one dwelling per lot and the lot does not have enough frontage for two dwellings.

Adam Dunn reported to the commission that the city council was in receipt of a final draft of the development agreement as of August 14. They will be attending city council August 28 hoping for approval of the final draft. The city has asked for the commission's opinion which will be forthcoming after the commission has had time to study the final draft.

Toscano's development agreement was reviewed again with Dwayne Seiter.

Del-Mar Condominiums brought in a final plat to be signed by the commission. The plat was necessary for title insurance purposes. Some modifications to the playground were also necessary. Brian signed the plat as approval for the condos had already been given.

In discussing the public hearing, Steve Hawkes disclosed that he had had a conversation with Kem Palmer concerning the Calaway annexation. Steve was informed that this should have been disclosed at the public hearing. Legal counsel, Aaron Davis, felt after hearing a report of the conversation that it did not rise to the level of ex parte communication. A short discussion ensued on items needing disclosure, ex-parte discussions and quasi-judicial matters. Terry clarified the process for removing land from the flood plain. After some discussion on the concerns raised at the public hearing, the commission determined that the issue was annexation or not. Ninette moved to recommend to city council the annexation of the Calaway Ranch property and designate the zone as R1. Stephanie seconded the motion and it passed. Ray did not vote as he was late for the public hearing.

The development agreements were then discussed. The commission's key concern with OFE is that the development agreement only apply to Phase 1. Stephanie will make copies of the final draft and get it to commission members by the weekend. The commission's opinion on Toscano's development agreement was to suggest the city

adopt it with two conditions: 1) Drop SC-27 and 2) add a specific date to SC-11, that date being June 1, 2009.

The transportation map was tabled until an accurate map can be obtained. Steve will work with the mayor on getting that from GIS. The land use map was determined to be ready for the public hearing on September 4, 2008.

Due to the lateness of the hour, the rest of the agenda was suspended until next meeting. Chairman Hawkes adjourned the meeting.

Brian D. Hawkes

4 Sept. 2008