

Sugar City Planning & Zoning
Public Hearing-Toscano Special Use Permit June 5, 2008
Minutes

Commissioners attending: Brian Hawkes, Vaun Waddell, Ray Barney, Bruce Bills, Ninette, Galbraith, Steve Hawkes, Stephanie Blackham and Josh Garner, city attorney

Public attending: Sharon Bell, Dwayne Seiter, Patti Seiter, Wesley Seiter, Terry Mortensen, Kara Lee Ricks, Sharee Palmer, Jan Gallup, Bill Moss, Elizabeth Powell, Robert Powell, Elaine King, Kate Palmer, Joel Nicol, Kay Baker, Daniel Baird, Greg Stoddard.

Chairman Hawkes opened the public hearing. Dwayne Seiter, Toscano developer, presented reasons for requesting a special use permit. The parcel in question has been zoned commercial and a specific designation for a resort is not found in the city's ordinances. The developer would like the option of selling or leasing the units to be built in the resort area and so the designation as hotel/motel or other residential was asked for.

Bill Moss testified in favor of granting the special use permit. He felt that this is a welcoming area and the citizens should be willing to share the benefits enjoyed here.

Sharee Palmer, Jan Gallup and Kara Lee Ricks testified against granting the special use permit. Sharee and Jan felt the public hearing was not legal as proper procedure was not followed. They felt the comprehensive plan was not being followed as this resort was not a use that fit with the vision statement of the city. They also felt that sewer and water issues were not adequately addressed. Sharee felt that it is not appropriate to provide all types of land use and that the city needs moderate and stable growth. Jan felt that the sewer capacity should be used for single family homes. Kara Lee felt the resort was not a compatible use and she is concerned and uncomfortable with the number of people that will be using the resort.

Dwayne noted that 20% of the income from the resort will be used to maintain the resort units and grounds. All the sewer and water issues have been discussed and resolved with the city. He feels they have studied out feasibility of the resort and they have several people interested in the concept. They are asking that the option to lease or sell the units be left open to them.

Chairman Hawkes adjourned the public hearing.

Sugar City Planning & Zoning
Regular Meeting June 5, 2008
Minutes

Commissioners attending: Brian Hawkes, Ray Barney, Vaun Waddell, Steve Hawkes, Ninette Galbraith, Bruce Bills, Stephanie Blackham, and Josh Garner, city attorney

Public attending: Dwayne Seiter, Patti Seiter, Wesley Seiter, Bill Moss, Elizabeth Powell, Robert Powell, Elaine King, Kate Palmer, Jan Gallup, Sharee Palmer, Kara Lee Ricks, Joel Nicol, Kay Baker, Daniel Baird, Greg Stoddard, Winston Dyer, Troy Thurgood

Chairman Hawkes called the meeting to order. Ray moved to accept the minutes from May 15, 2008 as corrected. Vaun seconded the motion and it passed unanimously.

Joel Nicol came before the commission to ask permission to put a double-wide manufactured home on a 2 ½-acre lot in the impact area. There is already one home on the property. The county has given him permission, but told him he needed the OK from the city. Bruce noted that the request had been made twice before and denied and then he recused himself from the discussion. The lot in question is in an R-A area. There was some discussion on mobile homes, additional dwelling definition and setbacks. It was Josh's opinion that it would be an additional dwelling and we needed to make sure the setbacks were met. Mr. Nicol will check that out and bring in a site plan at the next P&Z meeting.

Daniel Baird came in to talk about the garage located on his property. Originally it was built to be an apartment but was never used as such. The Bairds would like to use the garage as an apartment that would not be rented now but could be in the future. It was determined that they should apply for a special use permit.

The comprehensive plan and comments from the public hearing on the plan were then discussed. Vaun solicited comment from the group that is working on the county comprehensive plan. The response from Laura Hanson is attached. Ray moved to recommend the comprehensive plan to city council with the suggestion that they hold a public hearing. Stephanie seconded the motion and it passed unanimously.

The special use permit for the Toscano resort area and comments from the public hearing were discussed. Josh stated that he felt the public hearing was in accordance with the ordinances and therefore legal. After considering ordinances 9-5-3 and 9-5-6-B, the commission was satisfied that the special use permit should be granted. Vaun moved to recommend to city council approval of the Toscano special use permit as submitted, including both hotel/motel and/or other residential. Steve seconded the motion and it passed unanimously.

Josh reported that he has been in contact with Adam Dunn concerning the Old Farm Estates development agreement and all conditions have been agreed upon. Winston

reported that he has been notified of a revised set of engineering plans for OFE and he is expecting to see them soon. The developer has agreed to all conditions pertaining to the engineering review.

The transportation map was then discussed. The map from the 20-year build out study differs from the approved city transportation map. After some discussion, it was determined that major and minor collectors would be the largest classifications needed to serve the city's transportation needs. The following streets were suggested for the new transportation map: 1) 5th S from 7th W to 7th E-major collector 2) between Peterson Lane and Stoddard Land-minor/major collector 3) 7th W from 9th N to the county line-major collector 4) a roundabout at 5th S in Old Farm Estates. Further discussion was tabled and Steve was given the assignment to update the map with the above-mentioned streets.

Because of the lateness of the hour, discussion on the land use and zoning maps was postponed. Brian had a couple of issues that he wanted to discuss. Quinn Galbraith has had some questions about the property he has purchased in the impact area. Winston suggested that the property be annexed then zoned and then the subdivision issues could be addressed. Brian also felt that in view of the issue raised by Daniel Baird, that the P&Z should deal with the apartment issue in residential zones as well as what to do about zoning the part of Center Street that has residences. It was suggested that the comprehensive land use map be used to designate desired uses and the zoning map be used to designate what exists. Chairman Hawkes then adjourned the meeting.

Brian D. Hawkes
6/19/2008