Town of Leeds

Agenda
Town of Leeds Planning Commission
Wednesday, October 7, 2015

PUBLIC NOTICE is hereby given that the Town of Leeds Planning Commission will hold a **PUBLIC MEETING** on Wednesday, October 7, 2015 at 7:00 P.M. The Planning Commission will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

Regular Meeting 7:00 p.m.

1. Call to Order/Roll Call
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
    a. Tonight's Agenda
    b. Meeting minutes from September 2, 2015.
6. Announcements:
7. Public Hearings:
8. Action Items:
    a. Zone Change for Parcel L-3-B-1 for William Rainey and Linda Rowley from Commercial (C) to Rural Residential (R-R-1)
9. Discussion Items:
10. Staff Reports
11. Adjournment

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2947 at *least* 24 hours prior to the meeting.
The Town of Leeds is an equal opportunity provider and employer.
Certificate of Posting;
The undersigned Deputy Clerk/Recorder does hereby certify that the above notice was posted October 6, 2015 at these public places being at **Leeds Town Hall, Leeds Post Office,** the **Utah Public Meeting Notice website** http://pmmutah.gov and the **Town of Leeds website** www.leedstown.org

Kristi Barker, Deputy Clerk/Recorder

Town of Leeds

Planning Commission Meeting for October 7, 2015

1. Call to order:
   Chairman Peters called to order the regular meeting of the Planning Commission at 7:00pm on October 7, 2015, at Leeds Town Hall, 218 N Main.

ROLL CALL:

	Present	Absent
CHAIRMAN: NORM PETERS	x	
COMMISSIONER: ELLIOTT SHELTMAN	x	
COMMISSIONER: DARRELL NELSON	x	
COMMISSIONER: JOHN POAST		x
COMMISSIONER: DANNY SWENSON	x	

2. Invocation by Commissioner Swenson.

3. Pledge of Allegiance by Commissioner Nelson.

4. Declaration of Abstentions or Conflicts: None.

5. Approval of Agenda:
   Commissioner Swenson moved to approve tonight's agenda and meeting minutes of September 2, 2015. 2nd by Commissioner Nelson. All voted "Aye". Motion Passed.

6. Announcements: None.

7. Public Hearings: None.

8. Action Items:
   a. Zone Change for Parcel L-3-B-1 for William Rainey and Linda Rowley from Commercial (C) to Rural Residential (R-R-1)
      Chairman Peters, I had a discussion with the Mayor today and I have been looking at a few different things. I personally do not have a problem with this; the Mayor does not have a problem with it. What we thought that we might like to propose is a conditional change. The condition being, that they cannot come back in as property owners 4 years from now and change it back to commercial. If you change it to residential, there are two other residents out there right now and like the Mayor said, we are a mismatch right now. We have flag lots here and flag lots there, we have people in back yards of people and we have got a mix. It would not be fair to these people to pick them out of the whole bunch all of the sudden and say, ok everybody else can do it but you can't. It is just not democratic and not a good way for us to run things. The lot out there had been residential ever since I have been here; I believe ever since they put the trailer on it around 20 years ago.

Linda Rowley, a long time, everybody that has come out there has indicated they have worked on it when it was put in.
Commissioner Swenson, are you talking about the trailer, the modular?
Lina Rowley, yes the modular.
Chairman Peters and both your neighbors' live in their homes right next to you. There is nothing commercial beyond Pilkeys place and the Fire Hall. My idea is that we give them the conditional under that condition, that it can't be changed again as long as they are the owners of the property. It has got to stay residential and I have no problem with it whatsoever.
Commissioner Nelson was that the Mayor?
Chairman Peters, yes the Mayor and I spent time on the phone and we both agreed with that. He said when it comes to council, they are an entirely different batch than we are, but this would be step one.
Commissioner Swenson, so let me hear it straight to, the other property on either sides will remain the same.
Chairman Peters, they will remain as they are. They never petitioned to change it.
Commissioner Swenson, so if they have a desire to change, we just start that process with them?
Chairman Peters, correct.
Commissioner Swenson, I do like that because I don't have a problem with it. It is all residential to me. I attempted to talk with both sides to see where they stand and I walked the property's front to back. I would like to know why it was ever changed originally from residential to commercial. The homes I am sure were there, so I would agree that I don't have any problem with the change to residential.
Commissioner Nelson, sounds good to me, it seems a shame that they have the property and their neighbors can put in things but they can't, but they would be committed to residential for the time they own it.
Chairman Peters, yes they couldn't come back and apply to go commercial again. If they sold it, they could come in and argue about it but that would be their problem.
Commissioner Sheltman, is that something that they have to agree to? Is it legal to require that?
Chiarman Peters, I believe so, it is called a Conditional Use Permit, isn't that what it is called?
Kristi Barker, well they wouldn't have to apply for a Conditional Use Permit. I guess I don't know what your question was.
Chiarman Peters, the condition of the zoning change the condition that they just leave it as residential during their time span.
Kristi Barker, you can do that, it will be reflected in the minutes and if someone wonders what happened with it, they can go pull the application. I looked for prior applications on the property and there wasn't anything. So what ever happened before, maybe they just told them no, you can't do that verbally but nothing was in writing.
Commissioner Swenson, you realize if the gentleman to the north with the construction equipment and trailers desires to put in a big construction garage and heavy equipment, he can do that.
Linda Rowley, that is fine, that side of the property has a septic tank and a leach field, so we can't do anything over there anyway. He is still going to be 500 feet from us.
Commissioner Sheltman, yes I am ok with that, basically they want to make changes to the house and the house is already there. I don't have a problem with it changing to commercial. A stipulation would be nice, if we can do that and it's agreeable.

Commissioner Sheltman made a motion to approve the zone change for parcel L-3-B-1 from Commercial (C) to Rural Residential (R-R-1) with a stipulation in it that part of the agreement

includes a clause, where basically the property during the ownership of the property owners, the Rainey's stays that designation. 2nd by Commissioner Swenson. All voted "Aye". Motion Passed.

William Rainey asked how long they can keep this.
Chairman Peters, it is good forever, but you still need to go in front of Council next week.

9. Discussion Items:

Linda Rowley I have a question, it is directed toward Elliott. I think he is running for Town Council, does that mean if you get that, you would have to come off the Planning Commission.
Commissioner Sheltman, yes.

10. Staff Reports: None.

11. Adjournment:

Commissioner Nelson moved to adjourn the meeting. 2nd by Commissioner Sheltman. All voted "Aye". Motion Passed.
Time: 7:18pm.

APPROVED ON THIS 2 DAY OF March 2016

Danielle Stirling, Chair

ATTEST:

Kristi Barker, Deputy Clerk/Recorder