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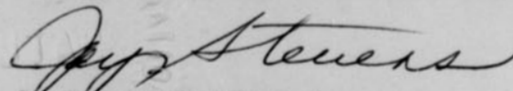
PUBLIC NOTICE
TOWN OF LEEDS
PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold a meeting on, Tuesday January 7, 2003, at the Leeds Town Hall, 218 North Main Street at 6:00 P.M. Public is welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes
5. Reinhard Vogel
Request a zone change for property located on Main Street and Vista. The property is currently zoned R-1-20 and the request is to change the zone to allow for apartments.
6. Jared Westhoff
Request preliminary approval for a subdivision on property located at approximately 162 E Vista.
7. Sheneman & Ludlow
Request a zone change for Leeds Business Complex on Main Street.
Request a conditional use permit for an on site manager residence at Leeds Business Complex.
8. Ian Crowe
Propose a possible annexation of 300 acres located north of Leeds Town boundaries for future development.
9. Scott Hayes
Building permit plans.
10. Planning Commission:
Update on Master Annexation Policy Plan.
11. Council Member Darrell Nelson
Update on Town Council Items.
12. Open Discussion
13. Adjournment

POSTED THIS 6TH DAY OF JANUARY 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Waltons Plaza

THIS NOTICE MUST BE POSTED UNTIL JANUARY 8, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS
Minutes for the Planning Commission Meeting
on January 7, 2003

1. CALL TO ORDER:

The meeting was called to order at 6:06 p.m.

2. ROLL CALL:

Present were Planning Commission Chairman Pro Tem Roger New, members Jim Parnell and Dave Clements. Also present was Town Council Member Darrell Nelson.

3. PLEDGE:

Roger New

4. APPROVAL OF AGENDA AND MINUTES:

Roger New turned the Chair position over Chairman Sheneman who is now present. Council Member Darrell Nelson requested amending the minutes to read 2 unleaded fuels instead of 3 in item #5 Kerry Worthen. Motion by Dave Clements to approve the agenda and minutes of November 6, 2002, as amended. Seconded by Jim Parnell. Motion passed unanimously.

5. REINHARD VOGEL:

Mr. Vogel is not present.

6. JARED WESTHOFF:

Request preliminary approval for a subdivision on property located at approximately 162 E. Vista. Mr. Westhoff presented his preliminary sketch and proposed CC&R's for Vista View Estates Subdivision. Westhoff stated originally he was going to put his home on the 8.1 acre piece in Vista View Estates Minor Subdivision. When the Roundy home came up for sale he purchased it. Westhoff said the next best use of the property is the subdivision he has presented to the Commission. He then explained the size and description of the lots, subdivision, and in the CC&R's it states the homes will be 1400 sq. ft. instead of the previously presented 1300 sq. ft. Jim Parnell expressed concern about the 970 ft. road going into the cul-de-sac. The Commission reviewed the Zoning/Subdivision Ordinance and on page 95 section C it states, "cul-de sac streets shall not exceed eight hundred (800) feet in length". Jim asked if Westhoff plans on paving the 55 ft. road. Westhoff stated 55 ft. is the required right of way but he doesn't know how much of that he is required to pave. Darrell asked if the improvements will be in before he starts building. Westhoff stated he will put everything in and in one phase. Westhoff said there is a possibility of a home being built while the road is being built. Roger said no lots can be sold or homes built until the improvements are completed, bonded, dedicated, and the final recording has been done. Jim said it looks to him like there are too many lots for the length of the cul-de-sac. Jim said if this request was before Washington County they would require ingress and egress. Jim asked if Westhoff couldn't find a way out without having to create a cul-de-sac. Westhoff said he has looked into the issue and hasn't found

a solution. Chairman Sheneman said it looks like Westhoff needs one more fire hydrant to meet the 500' requirement. Sheneman said he lost track of this project when it was first proposed as a minor subdivision. Sheneman asked if when the minor subdivision was approved was it with all of the property being zoned R-1-20. Westhoff said yes all of the property is zoned R-1-20. Jim asked Westhoff where he is getting water for the project. Westhoff said he has been buying water and has about half of what he needs. Darrell expressed his concerns with emergency vehicles not having ingress and egress and also drainage concerns. Darrell said because of the slope of the land the bottom lots could get flooded.

Chairman Sheneman asked if anyone in the audience had any comments on this item. Resident Merle Gier stated Westhoff currently has the property up for sale and therefore may not see what he is proposing through to the end. Gier said when Westhoff got approval for the minor subdivision it was with the understanding there were 5 lots. Gier said a major concern is ingress and egress. With a cul-de-sac all traffic will be on Vista which is a major issue. Realtor Pat Early stated she disputes that comment. She said traffic will not be an issue. Resident Paul Densley stated he has lived here for 10 yr. and traffic is a problem on Vista. Densley said Westhoff said he would be putting in 5 homes and now he is adding 14 homes. Densley's concerns were septic systems, density, and traffic. Resident Roy Brewer voiced his concerns about water availability and traffic problems. Realtor Pat Early suggested if the adjacent property owners are so concerned about these issues they should help Westhoff with the infrastructure of this project. Mayor Gier stated in keeping with the General Plan the residents want low density. Mayor said one of the problems is the whole area off Vista dead ends. Resident Jan Madison stated we all know we will have growth but it needs to be controlled growth. Madison said she wants low density and suggested to Westhoff to sell the property as 1 acre lots since all the lots in the area are 3/4 an acre and up.

Chairman Sheneman asked if there were any other comments from the Commission Members. Jim Parnell said he wants to see ingress and egress. Jim said he is concerned that there isn't another exit besides Vista. Jim stated he is a servant of the community and wants to see what is best for the community. Jim said he would like to see Westhoff appease the residents around him. Roger New said he is concerned about the traffic problem. Roger said the problem is more than just widening Vista. Roger said widening doesn't make it a better or acceptable solution.

Westhoff said he will come back to a future meeting with a new plan.

7. SHENEMAN AND LUDLOW:

Request a zone change for Leeds Business Complex on Main Street and a Conditional Use Permit for an on site manager residence at the Complex. Planning Commission Chairman Pat Sheneman declared a conflict of interest and turned the chair over to Chairman Pro Tem Roger New. Mr. Sheneman stated he wants to purchase Ludlow's Leeds Business Complex and convert the existing buildings into residential use instead of commercial use. Sheneman presented a map and stated this would be his proposal for the first phase. Sheneman stated the property consists of 6 or 7 parcels. Sheneman said there are no rules, that he is aware of, that talks about becoming residential use in a commercial zone. Sheneman said he isn't sure if he is asking for a conditional use

permit or a zone change. Sheneman said if it is a zone change then it would be R-M-7 which allows for multi family dwellings. Dave Clements said if these are all residential units then there will be some concerns about size and separation. Dave asked Sheneman if he is planning on using all of the existing structure. Sheneman said he will use the existing structures except for Pease's Garage and the building where the grocery store was which will be torn down. Sheneman said everything will be a Sante Fe look with stucco and one story. Jim Parnell asked Sheneman what his intention is as far as residential. Jim asked if they are going to be townhouse or apartments. Sheneman said he has studied it both ways and doesn't have a definitive answer. Jim asked Sheneman if what he is proposing is a Planned Unit Development. Sheneman said he hasn't gotten that far yet in his approach to know. Sheneman said it could be either way. Jim asked Sheneman if this is a condominium. Sheneman said this will not be a condominium. Roger New asked for the difference between a condominium and a PUD. Dave Clements said it is how they are attached. Jim asked how many units are there. Sheneman said he thinks there are 7 or 9. Jim said he can't quite read what is proposed. After Sheneman reviewed the map he said there are 9 units plus an office. Jim asked if this is a combination of commercial and residential. Sheneman said it would be 100% residential. Roger said he doesn't know how to address this as condominiums or apartment buildings. Sheneman said they definitely will not be condominiums. Roger asked Sheneman if apartments are what he is asking for. Sheneman stated R-M-7 is what he is asking for. Dave said an R-M-7 allows single family, two family, PUD's, and 3 and 4 family dwellings by conditional use. The Commission then discussed the difference in the current General Commercial zone and the R-M-7 zone. Roger said in the past the Commission has looked at down use of the property without rezoning but not going to higher use without rezoning. Jim said the big problem is so many units. Jim said this is the first time a 9 unit complex has been proposed and indicated as phase I. Jim asked Sheneman what he is planning on doing about Babylon Rd. which seems to be a problem. Sheneman said he would probably come in and ask for abandonment. Sheneman said it depends on how this phase of the project went and what happens in the second or next phase of it. Darrell asked Sheneman if his plans for the rest of the property is more housing. Sheneman said if it works yes. Jim stated he doesn't feel the Town should abandon any of its right of ways. Jim said if there is no advantage to the Town to abandon then they should not do it. Sheneman said he isn't asking the Town to consider abandonment at this point. Sheneman said he can live with the road there and maybe somewhere along the line he would even consider paving Babylon and eventually tie everything all together in a U shape. Roger asked what the size of the property is. Property owner Janet Ludlow, who was in the audience, stated it is 2.77 acres. Jim said he would definitely like to walk the property. Darrell asked what happened to Kerry Worthen's plan of a grocery store, gas station, and etc. on this same piece of the property. Darrell said the plan Worthen had would benefit everyone in the community. Dave said that proposal is not what is before us right now. Roger expressed concerns about the septic systems being under pavement. Roger said he has discussed this with Sheneman and the pavement will be torn up. Darrell said they have been told there are 11 septic systems on this property. Darrell said if this property is rezoned a precedence will be set. Roger said he would like to see the General Plan re

worked to include multi family dwellings in a particular area. Roger said his big concern is whether this is a favorable area for multi family units.

Roger asked if there were any comments from the audience. Roy Brewer he knows who built the complex and it should not be used for residential. Brewer said it should be completely re-wired. Merle Gier asked about water availability if these are to be considered individual units. Gloria Parnell said she would hate to see the Town lose some of its commercial zoning since there is very little property zoned commercial and the Town is growing. Dave Nelson said he doesn't feel it is in the best interest of the Town to change the zone.

Comments then went back to the Planning Commission. Jim stated he would like to see more information. Darrell said he wants what is in the best interest of the community and doesn't want to give up the commercial zone. Dave Clements said he doesn't like to lose commercial zoning but right now our commercial locations have a lot of vacancies. Roger stated there are too many issues that need to be addressed. Motion by Dave Clements to rezone to R-M-7. And if it is rezoned to reserve the right to look at a site plan. Discussion then went to when do you review site plans. At that time another motion was made. Motion by Dave Clements to recommend approval to change the General Commercial zone to R-M-7 zone. If the zone change is approved then require a site plan before any units can be considered. Roger New called for a second. Motion died for lack of a second. Jim said he would like to seek the advice of the Town Council. He then asked Mayor Gier for her opinion. Mayor Gier said the Commission does not need to recommend anything tonight until they have more information and time to review it. Jim said he wants more precise details on what the project even is. Motion by Dave Clements to table until they have more details. There was no second. Motion died for lack of a second. Motion by Jim Parnell to have more information and time to review the request. Seconded by Darrell Nelson. Discussion. The Commission members discussed the lack of information and wanted more specific details from Sheneman before it is presented again. Vote was called for. 3 Aye votes. 1 Nay vote. Motion passed.

Since the meeting was now going on 3 hours a recess was called for.
The meeting reconvened at 8:55 p.m.

8. IAN CROWE:

Propose a possible annexation of over 300 acres located north of Leeds Town boundaries for future development. Mr. Crowe presented to the Council a plat of his proposed project. Crowe stated the property is actually closer to 400 acres. Crowe said he has been in touch with Washington Co. Water Conservancy District to provide water. Crowe said the project will provide their own septic system. He said that sewer ponds are being considered. Crowe introduced a representative to explain the system they are considering. The system is called Airr Wastewater Recovery Facilities by Spec Industries, Inc. (See attached information).

Crowe said the following: 1. The project will consist of approximately 380 home sites clustered on 1/3 to 1/2 acre parcels. 2. There will be a common area on the remainder of the property is for parks. 3. The homeowners will own and maintain their

septic system recovery facility. 4. The water and septic issue is already resolved. 5. He and several others will be doing the project.

Crowe said the reason for coming before the Town Council is to see if the Town would be willing to accept this plan and be in favor of the annexation. The Commission asked if the property is contiguous to the Town boundaries. Crowe said it is close. Alberta Lee said her property is contiguous to the Town and she would be willing to annex her 100 acres along with this annexation proposal. Discussion then went to a body politic, who maintains the septic facility, impact of increased traffic on Main Street and the benefits of the project concerning Leeds tax base. Mayor Gier asked Crowe to present to the Council a list of pros and cons. Mayor asked Crowe if he would be willing to reserve some of the property for a school and Town park. Crowe said he has no problem with reserving property for a school and a park.

9. SCOTT HAYES:

Mr. Hayes is not present.

REVISIT NUMBER 5:

Reinhard Vogel request a zone change for property located on Main Street and Vista. The property is currently zoned R-1-20 and the request is to change the zone to R-M-7 to allow for apartments. Realtor Eric Early and Vogel presented a plan for a five plex on property which is approximately 1.14 acres. The Commission discussed the site plan. Darrell said looking at the plan as presented, Vogel would be putting 5 families in 1/2 acre space since the rest of the property is taken up by parking and etc. Chairman Sheneman stated if this zone change is approved the five units will meet the square footage. Dave Clements asked what benefits the Town if the zone is changed. Realtor Krueger said the Town needs rentals. Darrell stated we do not have to have rentals. Jim Parnell said he is not in favor of spot zoning and that is exactly what this would be. Jim said Vogel is asking us to put an R-M-7 zone in the middle of an R-1-20 zone and doesn't see where the change would be justified. Dave said the Town doesn't have R-M-7 zoning anywhere. Darrell explained that there is R-M-7 zoning which now has a tri-plex and more are planned for that area. Darrell asked Vogel if he is the current land owner of the property. Vogel stated he will purchase the property if the zone change is approved. Motion by Pat Sheneman to recommend approval of the R-M-7 zone change. Seconded by Dave Clements. 2 aye votes, 3 nay vote, Motion failed. Chairman Sheneman called for another motion. Motion by Jim Parnell to recommend denying the request for the R-M-7 zone change. Seconded by Darrell Nelson. 3 aye votes, 2 nay votes, Motion passed.

10. PLANNING COMMISSION:

Update on Master Annexation Policy Plan. The Commission reviewed the Annexation Policy Plan Revisions to the first draft were noted. (See attached). Motion Roger New to recommend approval of the Master Annexation Policy Plan and proceed with the process as outlined. Seconded by Jim Parnell. 4 aye votes, 1 nay vote, Motion passed.

11. COUNCIL MEMBER DARRELL NELSON:

Update on Town Council Items. Darrell stated there were no new items to update the Commission on.

12. OPEN DISCUSSION:

Chairman Sheneman said the General Plan should be high on the Commissions priority list to be reviewed.

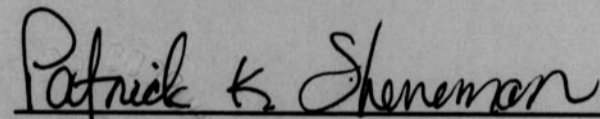
Chairman Sheneman stated the handout given to the Commission Members by the Mayor concerning "spot zoning" hinges and touches closely on influencing them on their decision making. Jim Parnell said he doesn't feel this was given to the Commission to be influenced by the Mayor but rather to be helpful concerning the issue of spot zoning.

Roger New said he feels the Commission should be compensated for "Special Meetings". Roger felt the fee for "Special Meetings" should be increased from \$50 to \$150. Chairman Sheneman informed the Council the Commission does not get compensated for any meetings. The Commission Members agreed that the fee should be increased to help cover the cost of having the clerk at the meetings.

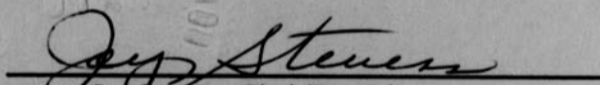
13. ADJOURNMENT:

The meeting adjourned at 10:50 p.m.

APPROVED AND SIGNED THIS 4TH DAY OF FEBRUARY 2003



Patrick Sheneman, Planning Commission Chairman



attest: Joy Stevens, Clerk/Recorder

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- Facility owner's personnel perform inspections/maintenance as "No (process) decisions are required."
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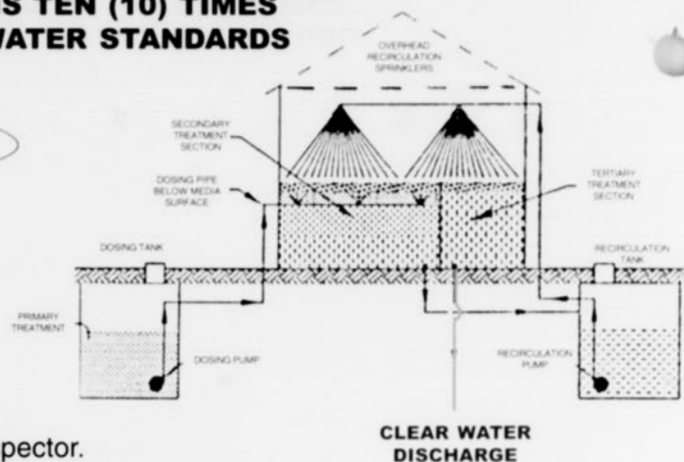
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spec INDUSTRIES, INC. can provide completely Engineered Drawings for AIRR Facilities of concrete, steel or wood with PVC liners, structures and the AIRR Process Components.



COMMERCIAL INSTALLATION

LANDSCAPED SINGLE FAMILY UNIT



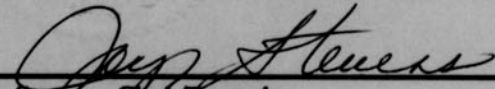
PUBLIC NOTICE
TOWN OF LEEDS
PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold a meeting on, **Tuesday February 4, 2003**, at the Leeds Town Hall, 218 North Main Street at **6:00 P.M.** Public is welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes
5. Sheneman & Ludlow
Request a zone change for Leeds Business Complex. The property is currently zoned General Commercial and the request is to change the zone to R-M-7 for multi-family dwellings.
6. Alberta Lee Pace
Request a zone change for property located in the vicinity of the Leeds Fire Station. The property is currently zoned General Commercial and the request is to change the zone to R-M-7 for multi-family dwellings.
7. Brant Jones
Request approval for mini storage units on Wonder Lane.
8. Jared Westhoff - South Pine Rentals LLC
Request preliminary plat approval for a subdivision at approximately 162 E Vista
9. Roger New
Request minor subdivision on property located at approximately 320 N Main Street
10. Conditional Use Permit Requests
Lewis Bailey - home occupation taxidermy business
Clifford Steele - home occupation barber shop
11. Planning Commission:
Master Annexation Policy Plan-"affected entities" input.
12. Planning Commission Chairman Pat Sheneman
Discuss Ordinance #03-01 Amendment to the Subdivision Ordinance
13. Council Member Darrell Nelson
14. Open Discussion
15. Adjournment

POSTED THIS 3RD DAY OF FEBRUARY 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Waltons Plaza

THIS NOTICE MUST BE POSTED UNTIL FEBRUARY 5, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS
Minutes for the Planning Commission Meeting
on February 4, 2003

1. CALL TO ORDER:

The meeting was called to order at 6:10 p.m.

2. ROLL CALL:

Present were Planning Commission Chairman Pat Sheneman, members Jim Parnell and Dave Clements. Also present was Town Council Member Darrell Nelson and Town Attorney Heath Snow. Roger New arrived late.

3. PLEDGE:

Dave Clements

4. APPROVAL OF AGENDA AND MINUTES:

Motion by Dave Clements to approve the agenda and minutes of January 7, 2003. Chairman Sheneman said before there is a second he would like to recommend moving item 12 to the next item on the agenda. Sheneman asked Clements to consider that in his motion. Jim Parnell asked Sheneman what his reason is for moving the item. Sheneman said it affects the procedures of tonight's activities. Parnell said legal counsel is coming tonight to help us with that item and it should remain at the end of the agenda. Sheneman said do you mean the cities legal counsel. Parnell said yes. Sheneman said he spoke with the cities legal counsel today and he feels comfortable to continue. Clements said he will consider changing item 12 to the next item. Clerk/Recorder Joy Stevens asked Clements to clarify if that consideration is now in his motion to approve the minutes and the agenda. Clements said yes. Sheneman asked for a second. Parnell said he is the only one that could second and he will not second that motion. Chairman Sheneman then Seconded the motion. Sheneman called for a vote. 2 aye votes by Sheneman and Clements. 1 nay vote by Parnell. Nelson did not vote. Sheneman called for another motion to approve the minutes and agenda. Motion by Jim Parnell to approve the minutes of January 7, 2003. Motion failed for a lack of a second. Sheneman said we need to consider the agenda for tonight if you wish to add that to the motion. Parnell asked do you mean the agenda itself or the order of the agenda. Sheneman said the agenda as it has been presented. Parnell said he moves to approve the minutes. Sheneman said we can not proceed until we approve the agenda. Parnell said, as I have said before, I want to wait for legal counsel to arrive. Sheneman said he has no objection to the agenda as prepared. He would prefer to move item 12 but if the agenda can't get passed with the moving the item then leave the agenda as presented. Town Attorney Heath Snow arrived at this point in the meeting. Sheneman recognized legal counsel and stated before the agenda even gets approved there are questions. Sheneman said we are on the approval of tonight agenda and minutes and it has been suggested to move item 12 to the next item on the agenda. Sheneman said the reason is to discuss the appropriateness of Darrell Nelson voting at tonight's meeting. Sheneman went back to the first motion which was seconded. Sheneman asked for a review of the vote on the motion which was 2 aye votes and 1 nay

vote. Sheneman said because there were 2 aye votes, which constitutes a majority, then the motion should have carried. It was determined that the first motion will stand as presented and seconded. Motion passed with 2 aye votes.

ITEM 12:

Sheneman said he has a question for Darrell. He then asked Darrell if he feels he can vote at tonight's meeting. Darrell said that is what legal counsel is here for to see if Ordinance #03-01 is upheld or not. Sheneman asked Attorney Snow if he thinks Darrell can vote at tonight's meeting. Snow said at this point we have an officially adopted Ordinance. If there has been a flaw in the procedural process in the adoption of the Ordinance, and there may well be, but according to that Ordinance Darrell is a non voting member. Snow said his suggestion would be for Darrell not to vote. Darrell asked about the disclaimer, No. 4, in Ordinance #03-01, concerning the validity of the ordinance. Snow said the issue is about the entire process of adopting the ordinance. Snow stated if the Town Council wants to make the decision to renew the process again so they feel comfortable that they complied with State Law and Town Ordinances then that is the legislative body's decision. Darrell asked in the meantime what does that mean. Snow said that means we have an officially enacted ordinance which says that you are a non voting member. Sheneman said that he takes exception to legal counsel and recognizes that it is up to the Planning Commission Board to determine if there is validity or not to this ordinance in how it was processed. Sheneman then asked the Commission members individually if they feel Darrell should vote in tonight's meeting. Roger New said, in his understanding, the ordinance would take affect upon the term expiration date of the board members. New then said yes Darrell should vote. Clements said in light of suggestions from legal counsel he would say no. Parnell said he would like Darrell to vote but in reading the intent of the ordinance and suggestions from legal counsel he would say no. Nelson said he is at a lost as to when this ordinance becomes null and void. Attorney Snow stated this is an officially enacted ordinance. Snow said whether the ordinance was properly or improperly enacted is not an issue for the Planning Commission to be deciding. If the Town Council decides they didn't do it right and they want to re-do it then that is the Town Council's decision. Snow said under the State statute, the Planning Commission does not have the power to enact or invalidate a zoning ordinance, only the legislative body of the town has that power or a court competent jurisdiction over the town. Darrell said in lieu of legal counsel's advice he will not vote. Sheneman then stated that so everyone in the audience will understand he will clarify what is going on with Ordinance #03-01. Sheneman then said Ordinance #03-01 amending the Zoning/Subdivision Ordinance was passed without the input from the Planning Commission, and Leeds Ordinance specifically states that the Planning Commission will have and must have an input in any ordinance amendment. Sheneman said they have been wrestling with this today to figure out the procedure on how they should function tonight. Sheneman said Parnell expressed that every member should have a vote, however, he feels it has been explained clearly that they don't have the power to invalidate the ordinance. Sheneman asked if the audience had any questions on this matter. Leeds resident Mike Kelley said he doesn't have a clue what they are talking about. Sheneman said he will try to have some clarity as the night goes on with the rest of the items on the agenda.

Attorney Snow clarified that procedure wasn't followed by allowing the Planning Commission to review the ordinance and make a recommendation before the Town Council approved the ordinance. The amendments that were made were procedural amendments to the zoning ordinance and have to be first discussed at a Planning Commission meeting. That is why there is a question about the validity of the ordinance. Attorney Snow said the issue will go back to the Council so the issue can be resolved and the ordinance will appear on the next Planning Commission agenda.

5. SHENEMAN & LUDLOW:

Request a zone change for Leeds Business Complex. The property is currently zoned General Commercial and the request is to change the zone to R-M-7 for multi-family dwellings. Chairman Sheneman excused himself from the chair position declaring a conflict of interest. Sheneman stated that his proposal has been modified from his initial plans he now wants to leave the property commercial except for where the existing buildings are. Those buildings will be remodeled to 10 apartment units. New stucco would be applied to the existing buildings and they would have the "Santa Fe" look. Sheneman said the asphalt will be torn out and landscaping put in that area since that is where the septic are located. Sheneman said he will own and rent out the apartments. Comments then went to the audience. Mike Kelley asked what these units will rent for. Sheneman said he doesn't know. Kelley said we will have the same problem we had 7 or 8 years ago when the Sheriff's department was always out here because of drug problems and fights at that business location. Kelley asked what is to prevent all of this from happening again. A citizen asked if this is project will be like the Gateway Apartments, and be government subsidized. Sheneman said no it won't be subsidized they will have to pay their own way. Mike Kelley said then will there be a stipulation in this proposal that it won't be government subsidized. Sheneman stated he will stipulate to that since he doesn't want the government involved in his world. Kelley stated we don't have the fire or police protection for something like this. Ken Stevens asked what happens if this zone change to R-M-7 is permitted then everyone else in the area asks for the same zoning. We would end up with apartments all over Town. Sheneman said he feels an R-M-7 has a less negative effect than a full fledged commercial project. Stevens said commercial is better for the town as a whole than is R-M-7. Ron Fowlks stated that a viable commercial center generates revenue for the town rather than for Pat Sheneman. Don Fawson said as it sits right now the commercial center is empty. Fawson said the buildings need to be brought up to code. Fawson said everyone is concerned about what happens in our community. Sheneman said he would like to build his own home on some of the property in the back. Fawson said he spoke with the Sheriff and asked him what his take is on government subsidized housing. The Sheriff said you will increase his business. Government subsidized housing does bring in crime. Fawson said he would like to make sure Sheneman puts in his zone change that Sheneman will move on the property to keep it up. Spectrum reporter St. Germain asked if Sheneman can legally say these units will not be government subsidized. Sheneman said he hasn't seen a section eight applicant since he has been here. Sheneman then said St. Germain is right. If an applicant came to him with a section eight he couldn't tell them no. But this is not a section eight project. Mr. Muir said he wants the zone to stay commercial and the residents need to support our local

businesses. Mike Kelley said if Sheneman gets his R-M-7 zone then will he be able to get an R-M-7 zone for his property next door. Sheneman said get in line the door is open if you want to apply. Kelley said if this is zoned R-M-7 his property value will go down. Comments went to the number of apartments in town, density and the general plan. Roger New said the general plan needs to be looked at concerning property for apartments. Attorney Snow said even if the zone change is granted Sheneman would still have to come back in for a conditional use permit for the units. Attorney Snow asked Sheneman if he is the owner of the property. Sheneman said no he is not. Attorney Snow asked Sheneman if he has written authorization or power of attorney from the property owner to propose a zone change. Sheneman said he is of the opinion he doesn't need one and he doesn't have one. Attorney Snow said he has property in Washington so does that mean Sheneman can ask for a zone change on his property. Sheneman said not without your permission. Attorney Snow said one of the requirements of most municipalities is that they require some type of signed certification that this is the desire of the property owner. Parnell said he agrees with that. The Commission needs to deal with the principal owner of the property. Council Member Nelson said he agrees the property owner needs to give permission in writing. Nelson said the town is growing and he doesn't want to give up commercial property for residential use. Nelson said he doesn't want to see the commercial businesses that are currently at the complex displaced. Nelson said maybe as the town grows there will be a need for apartments but not right now. Nelson said not long ago there was a proposal for the complex to open it up to a service station, day care center, grocery store, and etc., Nelson said he doesn't know what happened to that proposal but he doesn't want to give up the commercial zone to apartments. Nelson said maybe we need more drive to fill up our commercial businesses and support them. Nelson said the adjacent property owners are concerned about there property values. Kerry Worthen made the comment that if Sheneman's proposal is not approved he is in line to go ahead with his project to put in the service station, grocery store, and etc. Clerk/Recorder Joy Stevens stated as a property owner who lives across the street from Sheneman's proposal she is very concerned about this. Stevens said she accepted the Commercial businesses across from her home before she invested into her property. Stevens said she accepts commercial property and feels it is a value to the community. Stevens stated she feels the reason the commercial property is not full of businesses is because the current owner will not rent the facilities out for anything other than storage units. Stevens feels the complex could have viable businesses if the property owner would let that happen. Stevens said she is against this proposal and feels it will devalue her property value. Roger New asked if there were any comments from the Commission. Jim Parnell stated he has to side with the neighbors. If they want it to remain commercial then it should remain commercial. Dave Clements said the complex has not been active since he has been here. New stated the Commission needs to do what is good for the community and at the same time let people have a right to use their property. New reminded everyone the Commission is a recommending body and it will go to the Town Council for a vote. New then called for a motion. Motion by Dave Clements to recommend approval of the zone change based on the applicant showing proof he has authority to make the request for the zone change and the use of the property is as

proposed. **Seconded** by Jim Parnell. **Roll call vote was called for. Roger New Ave. Dave Clements Ave. Jim Parnell Nav. Motion passed.**

Don Fawson said if the Planning Commissions purpose is to address the health and welfare of the Town and its citizens then you have to take into consideration the type of elements you will in fact bring into the community. And also its impact upon the police force and disturbance upon the community. Fawson asked Attorney Snow to comment on his statement. Attorney Snow said if the zone change is approved it would then be the Planning Commission and Town Council responsibility to grant Sheneman a conditional use permit for his proposal. Sheneman at that time would have to come in with a specific conceptual plan showing unit number, size, parking, and etc. The Town would then be able to put conditions on the proposal. Such as hours of operation, parking stalls and etc. Attorney Snow said at that time you could really fine tune the project. Council Member Nelson asked what kind of precedent are we setting here. Does this mean anyone else can ask for R-M-7. Attorney Snow said the Planning Commission, when considering any zone change, should look at the general plan and the zoning map so your not spot zoning and there is a flow to the zone. Attorney Snow said a member of the audience made a great comment when he asked if Sheneman gets R-M-7 am I going to get R-M-7. Attorney Snow said the Planning Commission should definitely consider what precedent is being set.

6. ALBERTA LEE PACE:

Request a zone change for property located in the vicinity of the Leeds Fire Station. The property is currently zoned General Commercial and the request is to change the zone to R-M-7 for multi-family dwellings. Alberta stated the property is in escrow and she will get the letter from the property owner. Alberta said she is in the process of buying an 8 acre piece of property. Alberta said she is buying the property because she wants a road up to a 70 acre mountain she has. Alberta said she isn't sure if the Commission wants her to proceed or not since she doesn't have the letter from the property owner. Chairman Sheneman said he would like for her to proceed if there are no objections. Alberta said she will own the property in a few days. Alberta said she doesn't want to rezone all of the property just a portion of it to R-M-7. Alberta said she doesn't feel General Commercial on both sides of the road makes a good entrance going up on a mountain. On the 4 one acre lots she would like the R-M-7 so she could have some single residential lots, some duplex and multi-family lots. The Planning Commission members asked for clarification of landmarks on the map Alberta submitted. Alberta, with the assistance of Chairman Sheneman, indicated on the map where the location of the fire station, roads, and lots are. Jim Parnell asked Alberta if she wants residential why isn't she applying for residential. Alberta stated she thinks it would be nice to have one or two that might be multiple. Alberta said she has spoken to one gentleman who would like to put a windmill on the property next to his house and have living quarters inside of the windmill. Sheneman said right now the Commission just wants to consider the zone change request. Council Member Nelson said why do you think anyone would want a single family home when the neighbors are multiple family dwellings. Alberta said these are large lots. Each one is at least an acre. Parnell said all we are talking about tonight is a rezone. Parnell said he thinks they are getting things backwards. He feels the

P. Comm. mtg 2-4-03

Commission should be studying this to see if this is a good spot for R-M-7 zoning. Don Fawson commented that there are issues to be addressed concerning water and fire suppression. Alberta said she won't have a dead end cul-de-sac, but if she does it won't be any longer than 100' long. Chairman Sheneman said he would like to see more detail on Alberta's map. Clements said the paperwork is really confusing and he can't understand what Alberta is trying to do on this map. Parnell said he would like to see more information. New said he would like to have more time to study the information. Nelson said he needs more clarification and wants to look at this more closely. **Motion** by Roger New to table the zone change request. **Seconded** by Dave Clements. **Motion passed unanimously.**

7. BRANT JONES:

Request approval for a zone change from Open Space to General Commercial for mini storage units on Wonder Lane. Brant Jones explained his request to change the zone so he can have mini storage units on the property. Jones said he would like to have a Highway Commercial zone. Jones said eventually he would like to have five buildings of mini storage units. Jones said he will start with a few buildings and then see what happens. Chairman Sheneman said the Planning Commission needs to see a vicinity map and preliminary sketch. Sheneman said Jones would also be required to have a conditional use permit and a surveyed site plan. Parnell said he would like to see General Commercial rather than Highway Commercial. The Planning Commission members agreed that more detail and paperwork will be required. **Motion** by Dave Clements to table the request for the zone change. **Seconded** by Roger New. **Motion passed unanimously.**

8. JARED WESTHOFF-SOUTH PINE RENTALS LLC:

Request preliminary approval for a subdivision on property located at approximately 162 E. Vista. Mr. Westhoff presented a preliminary plat to the Commission members for review. Westhoff's preliminary plat is for a cul-de-sac subdivision with a road of 1080'. Chairman Sheneman asked Westhoff to indicate the changes he has made to his first plat. Westhoff indicated a temporary cul-de-sac until he secures the easements necessary for the road to go on through to Babylon. Westhoff stated he has drawn in a proposed road, for sometime in the future, at the end of the cul-de-sac. Westhoff referred to the Leeds General Plan and stated in the general plan there is also a proposed road indicated. Parnell asked Westhoff if he now has an easement for this proposed road. Westhoff said he spoke with Carlyl Stirling today concerning an easement across his property. Westhoff said Stirling's comment to him was that he, Stirling, may want to have that road connect sometime in the future a little different. Parnell said it is his understanding that you have to have an easement for water. Parnell said another concern he has is the increase in traffic for the area that has one entrance. Parnell said the traffic will increase by 36 percent. Member Dave Clements asked Westhoff about the properties the easement would need to go through. Westhoff said Stirling told him that if he were ever to develop his property he wants a say in where the road would be located. Member Roger New asked if Mr. Stirling owns the property right up to Westhoff's proposed through road. Westhoff said no, the Gier's own the property right next to his.

New stated then there is a strip of land owned in there by a third party. Westhoff said he has already approached the Gier's and they told him they would think about it. Westhoff said later on they told him they would prefer not to grant an easement. Parnell said he is concerned about the slope of the land and water drainage. Westhoff said he has a report from an engineer addressing that concern. Westhoff said the water is draining there now. The road would break up part of the drainage, to lessen it. Westhoff said half the road will increase the water on one side, however, there will be landscaping and other things done to use the extra drainage. Chairman Sheneman asked if there were any comments from the audience. Resident Don Fawson stated he lives on Vista and the traffic in the area increased when Silver Meadows Subdivision was approved. The promise was when that was developed there would be a road at the end going back up to Main Street. Fawson said because people were new on the Planning Commission the promise never came to pass. Fawson said the traffic has increased a lot over the years. Fawson said he isn't opposed to the subdivision but there needs to be a through street. Fawson said it doesn't need to be a future thing but a through street period. Fawson stated he is very concerned about fire issues and looping water lines. Fawson said cul-de-sacs create real problems for emergency workers trying to get traffic in and out. Fawson said he strongly encourages a through road and not just a proposed road. If the through road isn't taken care of now time passes and people forget and it doesn't happen. Chairman Sheneman asked what problems are created in a cul-de-sac that affects emergency vehicles. Fawson said most of the problems are created because you need to get out from more than one direction. The fire department has a lot of equipment laid out that the traffic has to drive across to get out if there is only one way to go. Fawson said a cul-de-sac does create a real problem. Attorney Snow said other municipalities deny subdivisions because of a long cul-de-sac. Attorney Snow said fire code suggests a cul-de-sac be no longer than 600'. Attorney Snow said in a trial he was involved in they had an expert witness testify the inability of the emergency vehicles to turn and get back out of a cul-de-sac. Attorney Snow said another problem is the "watchers" who drive down to see what is going on and end up on a dead end street then emergency vehicles can't get in for the cars lined up. Attorney Snow said there are concerns with a long cul-de-sac. Reporter St. Germaine asked if there will be provisions for drainage. Westhoff said yes it will be taken care of. St. Germaine said when you do get more pavement in the area and you get more rain you have to plan carefully for the drainage. Westhoff said he is planning carefully. Westhoff said the road will be 55' wide and the drainage will be taken care of. Resident Fred Friese said if you don't the water will end up on someone else's private property. Friese said the subdivision will create more water for the adjacent property owners at the end. Westhoff said he is confident his engineer knows what he is doing and will run the numbers. Fire Chief Steve Lewis said he wants to see another entrance into the subdivision and agrees with Fawson that it needs to be taken care of now and not in the future. Westhoff said he agrees and pressure should be brought to bear to make the through street happen. Westhoff said he is doing the best he can do with his property. Attorney Snow referred to the Leeds Subdivision Ordinance Section 4 Street Improvements hh. on page 98. It states that a tentative tract of preliminary plat map shall provide for at least two (2) different standard routes for ingress and egress. A standard route is a road which is dedicated to the Town and has a minimum paved width of 24 feet. Attorney Snow said you will find

this most common in a subdivision ordinance. Chairman Sheneman then asked do we want an 800' cul-de-sac or do we want a road that connects up to Babylon. Parnell said that is an easy question for him to answer. He wants a through road to Babylon and he will not even go for an 800' long cul-de-sac. Clements said he agrees with Parnell. He wants a road that goes all the way through. New said he also agrees that the road needs to be open for a second entrance. New said there are some 40 homes already in that area and no other entrance except the one. Westhoff said there a couple of ways of handling this. Westhoff then presented a different plat. Westhoff said one is a temporary cul-de-sac at the end. The other way is to have a cul-de-sac with a "swell" in the middle for the fire trucks to turn around. Westhoff said this is Plan B if Plan A is not accepted. Westhoff explained the idea of the "swell" and the radius of the turn around. Parnell said what the Commission is looking for is a way in and a way out. Resident Russ Peine said this depends on how strongly the Town feels about a two way street through there. Peine said Jared is trying to get this passed for a subdivision, and according to the general plan, wanting to relieve the pressure, the Town has to pursue that street going through. Peine said the Town can say they need a through street and condemn the property or negotiate with the property owner and put a street through and its a done deal. Peine said only a municipality can do that and not the property owner. Peine said Stirling is waiting to see what is going to happen with his family and other interested parties in his land. Chairman Sheneman said there is another point that hasn't been made and that is on page 95 of the Subdivision Ordinance. Sheneman read item j as follows: The arrangement of streets in new subdivisions shall make provision for the continuation of the street in adjoining areas and shall provide access to non-subdivided adjoining areas insofar as such continuation or access shall be deemed necessary by the Planning Commission. Sheneman said that was the approach they took with Alberta's subdivision when they recommended she not put a lot at the end of the cul-de-sac but that she dedicate the road similar to what Westhoff is doing. Sheneman then asked for comments concerning the plat with the "swell" in it. Parnell said this is not what he is looking for. Parnell said you have another problem with residents parking their cars on the street where the turn arounds are and you still can't turn around and get out. Clements said this plat with the "swell" doesn't solve the problem. Clements said he isn't against the subdivision but he is against a subdivision without a second exit. Clements said he knows Westhoff is having difficulty in that area but he doesn't feel the Town should get involved in the "eminent domain" area to solve Westhoff's problems. Clements said he wants to see a secondary entrance and would like to see the road go all the way through. Clements said these "swells" do not solve the problem at all. Fawson asked Westhoff if he has talked to both of the property owners and are they both against the easement. Westhoff said he hasn't talked to Gier's for a long time. Westhoff said at one time Gier's were ready to help get an entrance in there for a flag lot type deal. Westhoff said he is of the understanding Gier's bought that strip of land just for the purpose of stopping development. Westhoff said he hopes the Gier's can see this, with Norma's big complaint with fire, as a way to solve the problem and work for a solution with the Town. Fawson said the Gier's don't see the traffic problem down on their end but they are part of the problem when they get up to his end. Realtor Pat Early said what Jared is proposing is as obvious as the nose on her face. She agrees with Jared because what he is proposing will solve a problem that Vista already has. People are

complaining about the traffic there already and this seems like a solution to her. Early said the Planning Commission needs to address this problem. Early said Jared is giving you a solution to the problem that already exists on Vista by having a second entrance. Early said yes this benefits Jared but it also benefits the rest of the Town. Westhoff said not only does it benefit him but it will cost him more money than putting in a cul-de-sac and he doesn't feel that should go un-noticed. Westhoff said that is a lot of road to put in. Parnell said yes but you also gain 4 more lots out of it. New asked if the Commission can accept the preliminary plat with the condition that a road be provided for a second entrance. Sheneman said yes they can do that. The Commission discussed the water line going right along with the road and connecting into Babylon. Westhoff said he is willing to try to get the road but what if the individuals aren't willing to work with him on a reasonable level. Westhoff stated he doesn't believe those individuals should be allowed to hold something up that meets the general plan. Westhoff then asked the Commission what if the individuals are not reasonable will they be willing to uphold the ordinance where it states he must have a second access. Attorney Snow said you have the option of eminent domain if the Town feels it is that important to make the road through there to relieve the congestion. Snow said clearly you have your ordinances which you are bound to uphold. The issue is requiring access. Snow said it has been litigated many times whether that is a fair or an unreasonable exaction on approval. Snow said in Utah courts that it is not unreasonable to provide a second access. Westhoff said he agrees with that but he knows these individuals are going to be unreasonable and he will come back with an 800' cul-de-sac. Westhoff said he is not going to sit around and wait while someone holds up the project cause they want to be unreasonable. Parnell said his response to that statement is that he feels they do not have to pass an 800' cul-de-sac and they are not looking for that. Westhoff said it is in your ordinance. Snow said this body and the Town Council can still deny it for conditional approval that the road be made through. Snow said that is still not an unreasonable exaction. Snow said if the road needs to be there, and clearly if the general plan calls for that to be a road, he thinks this body and the Council would not be upholding their duties to uphold the general plan if they allowed Westhoff to come in with a subdivision that has an 800' cul-de-sac and that requirement sure didn't comply with the general plan which envisioned a road to go through there. Westhoff said he perfectly agrees. Attorney Snow said then he doesn't believe Westhoff can leverage the Town in that regard. Westhoff said his plan would leave a future dedication to that road. Westhoff said his plan is for an 800' cul-de-sac with a future dedication to meet the general plan. Westhoff then presented plan C. Westhoff stated this option will comply with the general plan. Member Roger New explained to the audience that the Commission is now reviewing a preliminary plat that shows an 800' cul-de-sac with a dedication to a future road going through to Babylon. Chairman Sheneman called for a motion of some kind since there are still a lot of items on the agenda and Westhoff has presented option after option to look at. Sheneman said he wants to go back to the first option and he thinks the Commission is all in agreement and a motion can be passed that allows the project to be approved subject to Westhoff obtaining a dedicated right of way through to Babylon Road. Sheneman said he would like to encourage Westhoff to go solicit that and if not then come back with an alternate option. Motion by Pat Sheneman to recommend approval of Jared Westhoff's proposal for a subdivision on the condition he

obtain a dedicated roadway through to Babylon. Seconded by Roger New. Attorney Snow asked if there is going to be a requirement, or waived, that curb and gutter be put in since that is a requirement in the subdivision ordinance. Sheneman said that is optional at the discretion of the Planning Commission and the Town Council. Sheneman said it takes a special waiver to do that and the proposal did not have it on there. Westhoff said it is on the preliminary plat. Sheneman asked Westhoff for clarification of sidewalks and curbs on the plat. Westhoff said no, but to have a 28' wide road with a 6" road base without curb and gutter. Sheneman then called for a vote on the motion. All aye votes. Motion passed unanimously.

9. ROGER NEW:

Request a minor subdivision on property located at approximately 320 N Main Street. Planning Commission Chairman Pat Sheneman said Member Roger New will be excused from the Board so he can present his plan for a minor subdivision at 320 N Main Street. New said he has the property under contract and is acting as an agent in submitting this proposal. New said he is also declaring a conflict for the record. New then presented the minor subdivision to the Commission for review. New said the current zoning is R-1-20. The minor subdivision consists of two (2) lots. Each lot is a little over a half acre. Both homes on the two lots will front Main Street. The frontage of the property is 170' giving each lot an 85' frontage. New said culinary water will be provided by LDWA. The preliminary study has shown the soil is suitable for wastewater disposal. New said at this time is looking for preliminary approval. He will be providing the engineers plat along with the required letters from the health department, water company and etc., later. New said he may have to move the irrigation ditch. Parnell asked for clarification that New is not the owner but an acting agent. New said yes the owner is Margaret Armstrong. Parnell said then we are dealing with another situation that we don't know if the property owner wants this. New said if the deal goes through and he purchases the property she will be happy. New said he is under contract to purchase the property. Parnell said he is concerned about the open irrigation ditch. Parnell asked if New is going to pipe the ditch. New said at this time he isn't sure what he will do with the ditch. Motion by Dave Clements to recommend approval of the minor subdivision as presented to the Planning Commission. Seconded by Jim Parnell. Chairman Sheneman reminded New that he needs to go to a surveyor and get a plat done. Motion passed unanimously.

Since the meeting was now going on 3 hours a recess was called for and the meeting reconvened at 8:55 p.m.

10. CONDITIONAL USE PERMIT REQUESTS::

Lewis Bailey-home occupation for a taxidermy business. Mr. Bailey introduced himself and said he is currently under contract with Jared Westhoff for a lot behind the Westhoff home. Bailey stated he is interested in purchasing the property from Westhoff and building home. Bailey said he wants to get approval from the Commission to pursue his hobby of taxidermy before he builds the home. Bailey said the property is 1.17 acres. Bailey said he would build a taxidermy shop in the back on approximately 1/4

acre. Bailey said the shop would be about 65'. New asked what kind of chemicals would be used. Bailey said he would use formaldehyde and various other chemicals that wouldn't go anywhere except down in the drain. Bailey said the only disposal factor would be the carcasses. Clements asked Bailey what the traffic volume is with this type of business. Clements asked Bailey what he wants from the Town here tonight. Bailey said he wants approval for the conditional use permit. Clements said but you don't own the property yet. Bailey said he is under contract to buy it contingent upon him getting a conditional use permit for his taxidermy business. Clerk/Recorder Joy Stevens asked for clarification that there is not a home on the property for a conditional use permit to be assigned to. Bailey said there is not a home on the property at this time it is just a 1 acre flag lot. The Commission discussed the conditional use ordinance and the 25% requirement. Sheneman said the problem is we have businesses asking for a home occupation business rather than going into our commercial centers. Parnell said Bailey is asking for a home occupation business and there isn't a home there. Sheneman said he has a problem with people conducting business in a residential neighborhood on a site that they want a business that would require 3,600 square feet. Sheneman said that violates the nature of the residential zone. The Commission recommended Bailey needs to pull a building permit before they can consider a conditional use permit for a home occupation business.

Clifford Steele-home occupation for a barber shop. Mr. Steele said he would like to have a conditional use permit for a barber shop that would be in his detached garage at the end of East Center Street. Steele said he has an outside entrance for the barber shop. The Commission discussed if the shop will be open full time, the condition of the road leading to the property, traffic issues, the zone, neighbors objections and the number of clients Steele could possibly have in a day. Fire Chief Steve Lewis said he is very concerned about all of the home occupation businesses that are being approved. Lewis said when is the Town going to draw a line on home occupation businesses. Lewis said what is to stop him from getting a transmission business at his residence. Lewis said businesses should be in our commercial centers and the Town should put a limit on the number of home occupation businesses. Lewis said he can see a nice barber shop in our commercial center and have easy access for everybody. Lewis said a couple of heads of hair a day isn't a big deal but you could possibly have 25 cars a day going to this residence. Sheneman said he shares the same feelings. Sheneman told Steele he may outgrow his facility real quickly and he should be prepared that there may come a time when he will be asked to move his business to a different location. Steele said the only neighbor he has is Delores Dicks and she doesn't object to his business. Parnell said if the neighbors don't object he doesn't either. **Motion** by Roger New to approve the conditional use permit and to be reviewed in 1 year. **Seconded** by Dave Clements. **Motion passed unanimously.**

11. PLANNING COMMISSION:

Master Annexation Policy Plan- "affected entities" input. Chairman Sheneman explained that the Master Annexation Policy Plan is mandated by state law and that the town had to draw up an annexation policy plan showing potential annexation areas. The Commission members explained that until the town has a plan in place, the

town is unable to annex more land. Commission member Roger New explained that the plan drawn up by the Town of Leeds included annexing areas now in the county up to the Hurricane City limits and north to Toquerville and Pintura. New said just because these areas are identified as possible annexation land doesn't mean the town is going to, or even wants to, annex in those areas. New said in the plan it looks like Leeds is going to grow to be as large as the Wasatch Front. New said we had to expand the limits to include areas of interest but that does not commit us to annex in those areas. Residents from Hidden Valley were in the audience and said they did not want to be annexed into the town limits. One resident said that they purchased property in the county to get away from town and city regulations. Another resident said that before the town annexed his property he would like to see the benefits of being within the town limits. Commission member Dave Clements said the town had made up the policy plan because it was required. Clements said this isn't a big land grab. Clements explained the parameters that need to be met before an area can be annexed and this does not just happen overnight. The Planning Commission public hearing on the master annexation policy plan will be held on March 4, 2003 at 6:00 p.m.

12. MOVED TO BETWEEN ITEM 4 AND 5.

13. COUNCIL MEMBER DARRELL NELSON:

Darrell said he had nothing more at this time.

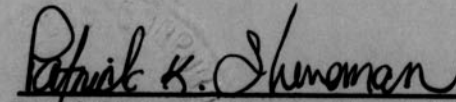
14. OPEN DISCUSSION:

Commission member Dave Clements said he would like to have access to the items that are going to be on the agenda at least 48 hours in advance. It was determined since the Council has a policy that all material be turned in 5 days in advance that the Commission will be consistent with the Council and the 5 day policy.

15. ADJOURNMENT:

The meeting adjourned at 10:15 p.m.

APPROVED AND SIGNED THIS 4TH DAY OF MARCH 2003


Patrick K. Sheneman, Planning Commission Chairman


attest: Joy Stevens, Clerk/Recorder


PUBLIC NOTICE
TOWN OF LEEDS
PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold a meeting and public hearing on, **Tuesday March 4, 2003**, at the Leeds Town Hall, 218 North Main Street at **6:00 P.M.** Public is welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes
5. Public Hearing : (Motion to open and close)
The public hearing is held to accept comments on the proposed Town of Leeds Annexation Policy Plan.
6. Action on Public Hearing
7. Brant Jones
Request a zone change for property located on Wonder Lane. The property is currently zoned Open Space and the request is to change a portion of the property to Commercial for mini storage units.
8. Alberta Lee Pace
Request a zone change for property located in the vicinity of the Leeds Fire Station. The property is currently zoned General Commercial and the request is to change a portion of the property to R-M-7 for multi-family dwellings.
9. Jared Westhoff - South Pine Rentals LLC
Request preliminary plat approval for a subdivision at approximately 162 E Vista
10. Silver Reef Estates Subdivision Petition for Annexation into the Town of Leeds
11. Adolf Stuhmer
Request information concerning a windmill with living quarters.
12. Planning Commission:
Recommendation on Ordinance #03-01 Amendment to the Subdivision Ordinance
13. Planning Commission Chairman Pat Sheneman
14. Council Member Darrell Nelson
15. Open Discussion
16. Adjournment

POSTED THIS 3RD DAY OF MARCH 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Waltons Plaza

THIS NOTICE MUST BE POSTED UNTIL MARCH 5, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS
Minutes for the Planning Commission Meeting
on March 4, 2003

1. CALL TO ORDER:

The meeting was called to order at 6:06 p.m.

2. ROLL CALL:

Present were Planning Commission Chairman Pat Sheneman, Members Roger New, Jim Parnell and Dave Clements. Also present was Town Council Member Darrell Nelson and Town Attorney Heath Snow.

3. PLEDGE:

Roger New

4. APPROVAL OF AGENDA AND MINUTES:

Council Member Darrell Nelson stated that since Ordinance #03-01 was rescinded, at Leeds Town Council meeting on February 26, he is still a voting member and asked that the record so reflect. Motion by Roger New to approve the agenda and minutes of February 4, 2003. Seconded by Dave Clements. Motion passed unanimously.

5. PUBLIC HEARING:

Motion by Dave Clements to open the public hearing. Seconded by Jim Parnell. Motion passed unanimously. The public hearing is held to accept comments on the proposed Town of Leeds Annexation Policy Plan. Commission Member Roger New stated that the annexation plan is mandated by the State of Utah. Roger then reviewed the plan and procedure for adoption. Council Member Darrell Nelson read a letter from the City of Hurricane involving the Virgin River in Section 25. (See attached letter) Nelson also read a letter from the Washington County Commission concerning forest land, wilderness areas and desert tortoise land. (See attached) Darrell suggested making the boundary changes recommended by Hurricane and Washington County then submit the plan to the Town Council with a recommendation of approval. New said if he understands this plan correctly the zone of influence in Leeds plan of annexation cannot be in another communities plan. Attorney Snow said that other municipalities can designate the same area of interest as Leeds. Snow said what this plan does is put public on notice that Leeds has outlined their area of interest to comply with state statutes. Commission Member Dave Clements said he feels it would appropriate for Leeds to consider the two letters of concern where there are potential areas of conflict. Chairman Sheneman said in reviewing the Leeds General Plan there are two annexation maps in it. Sheneman stated Leeds is pretty close to compliance with what the General Plan indicated. Comments from the audience. Don Goddard said over the years he has noticed this has come up several times. Goddard asked if this is a revised, updated or new plan. New clarified that the plan has been in place but it was updated to comply with the new state law.

Motion by Dave Clements to close the public hearing. Seconded by Roger New. Motion passed unanimously.

6. ACTION ON PUBLIC HEARING:

Motion by Dave Clements to make changes to the annexation master plan and map. To exclude the areas of concern as indicated in the letters from Hurricane City and Washington County. Once the changes are made to recommend approval to the Town Council. Seconded by Jim Parnell. Motion passed unanimously.

7. BRANT JONES:

Request a zone change for property located on Wonder Lane. The property is currently zoned Open Space and the request is to change a portion of the property to Commercial for mini storage units. Brant Jones presented his proposed plat for the zone change and plan for the storage units. Jones clarified the current zone is not Open Space but rather R-R-2 zone. Jones stated he would like to start with two buildings of units. The buildings will be cinder block with a metal pitched roof. Jones said lighting will be for security only and will be directed down onto the units. Council Member Nelson asked if storage will all be contained in the units and no outside storage area. Jones stated all storage will be inside the units. Parnell asked if Jones has agreed to put in water lines for fire protection concerns. Jones said yes he will put in an 8' line. Clements asked about the property being in a flood plain. Jones said his engineer will design the facility so as to alleviate those concerns. Sheneman stated he has had the opportunity to review the flood plain map and it appears the flood plain is only in the ditch. Sheneman asked Jones if the ditch is anywhere near where the units will be. Jones said the ditch is on the other side of the fence and not by the units. Sheneman said it does not appear to him that this project is in the flood zone. Comments from the audience were concerning color of the metal on the building, shielded lighting and signs on the building. Attorney Snow reminded everyone this request is for a zone change only. Snow said when Jones comes before the Commission and Council for his building permit questions concerning the building and lighting would be appropriate at that time. Motion by Dave Clements to recommend approval of the zone change from R-R-2 to General Commercial. Seconded by Roger New. Motion passed unanimously.

8. ALBERTA LEE PACE:

Request a zone change for property located in the vicinity of the Leeds Fire Station. The property is currently zoned General Commercial and the request is to change a portion of the property to R-M-7 multi-family dwellings. Alberta presented her map and plan to have a portion of the property left commercial and the rest of the property changed to an R-M-7 zone so she could have several duplex's and single family residences. The Commission expressed their concerns about high density, increased police protection, changing the General Plan to accommodate duplex's, right of way from the state for access off from a state road, septic's in the area are close to capacity, one lot falls short of the required lot size and engineer study for soil stability. Several residents expressed their feelings apartments or duplexes in Leeds. Discussion then went to residential in a commercial zone, mother-in-law apartments and casitas. Attorney Snow said according to Leeds ordinance you can not have residential lots in a commercial zone. He said it is not allowed even through conditional use. Motion by Roger New to recommend approval of the zone change to R-M-7 with the assumption they are duplex lots. All required soil

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reports, health department approval and fire code compliance reports be submitted. **Motion died for lack of a second. Motion** by Darrell Nelson to recommend the Town Council deny the zone change request. **Seconded** by Jim Parnell. **Vote. 3 aye votes by Clements, Parnell, and Nelson. 2 nay votes by Sheneman and New. Motion passed.**

9. JARED WESTHOFF-SOUTH PINE RENTALS LLC:

Request preliminary plat approval for a subdivision at approximately 162 E. Vista. Commission Member Parnell asked Westhoff to clarify for him if they are looking at one or two subdivision options since the packet they were presented with had two different maps. Parnell stated the Commission will look at one proposal tonight and not two completely different proposals of the subdivision. Chairman Sheneman stated he has no problem looking at two different proposals. Westhoff stated this is the third time he has been before the Commission to exercise his right to have a subdivision. Westhoff said he would like the Planning Commission to help him out in recommending a subdivision that is in full compliance with the subdivision ordinance. Westhoff said he would also like to ask the Commission to recommend waiving the 800' cul-de-sac rule which has been done in the past. One plan indicated the 800' cul-de-sac with 10 lots and the other plan indicated a 1040' cul-de-sac with 14 lots and a future road proposed to go through to Babylon Road. Westhoff said he is asking the Commission to waive the 800' cul-de-sac with 10 lots or allow the 14 lot subdivision with a future road going through to Babylon, as is proposed in the General Plan. Westhoff said the adjacent property owners have not been willing to allow the road to go through their property in order to tie in with Babylon. Parnell asked if Westhoff has a water line that goes through and ties in with the other water line. Westhoff said that is one of the issues he will work out before the final plat is submitted. Darrell Nelson told Westhoff just because something was done in the past doesn't mean it will be done now. Nelson stated we have all learned from past mistakes and do not want to keep repeating the same mistakes. Nelson stated he is definitely against waiving anything that is against our ordinances. Nelson stated when Westhoff first came in he had a good plan. Since then the plan has changed several times. Nelson stated as far as the road going through with the resistance of the other property owners is a concern. Nelson said the adjacent property owners have property rights too. Nelson said at the last meeting something was mentioned about condemning property. Westhoff said he has never mentioned that and never wanted to go there. Nelson said the proposed road in the General Plan is not in the same location as Westhoff has proposed on his map. Westhoff said the General Plan is exactly that a "general plan". Westhoff said a proposed road is just that and the property owner can change where the road goes. The Commission discussed the proposed road. Dave Clements said a major concern is there is not another outlet in that area. Clements said he is going to insist on a second access. Attorney Snow stated the Planning Commission does not have the authority to waive these things Westhoff is asking for. Snow said this would require a variance and that would have to come from the Board of Adjustments. Snow said the subdivision ordinance requires that there be two points of ingress and egress. Westhoff said the ordinance states the developer provide for two accesses and his map does provide for two accesses. Westhoff said it reads provide for and not shall have two ingress and egress. Residents in the audience expressed concerns about emergency vehicles being able to turn around in the cul-de-sac. Carlyl Stirling said he is the property owner just south of the proposed subdivision. Stirling stated he would like to present the Commission with a letter

he would like read and entered into the minutes. The letter was read by Chairman Sheneman. (See attached letter) Sheneman asked Westhoff which proposal he would like the Commission to consider first. Westhoff stated the 10 lot subdivision. Nelson asked if they are going to require curb, gutter, sidewalk and etc. in this subdivision. Sheneman said none is proposed. Westhoff said that is correct none has been proposed. Westhoff said the road will be paved and the septic systems will have approval. Parnell asked who South Pine Rentals is. Westhoff said he is one of the owner/managers. Parnell asked if Westhoff is the principal owner of the property. Westhoff said yes. New asked Attorney Snow if Westhoff has to obtain a variance to go the 799 feet with the cul-de-sac. Attorney Snow said yes he will need a variance. Snow said the Commission could recommend approval subject to Westhoff obtaining a variance but Westhoff cannot get a variance from the Planning Commission. New asked if the Commission could recommend a 10 lot subdivision with a cul-de-sac and another recommendation could be for the 14 lot subdivision with the condition of obtaining a variance. Attorney Snow said this is confusing and he will leave this to the Planning Commission's discretion. However, Snow said, when he reads on page 84 hh clause, of the zoning ordinance it talks about procedure for getting approval of a subdivision plat. Snow said it refers to plat and not plats. Snow said Westhoff has two plats he is seeking for approval on. Snow said pick one plat. Westhoff withdrew the 14 lot subdivision and said he will proceed with the 10 lot subdivision plat. **Motion** by Roger New to recommend approval of the 10 lot subdivision with an 800' or less road in the cul-de-sac. Subject to compliance with the variance. Attorney Snow interjected that a 10 lot subdivision doesn't have to have a variance on 800' Snow said his question is the issue that the ordinance says providing two points of ingress and egress. Snow said it says "provide" and Westhoff has said his attorney thinks provide means simply placing it on the map and providing the adjacent land owners approve it when their property comes in for development, if it ever does. Snow said to him provide means you have to provide legal access. Snow said if the Planning Commission reads it that provide means you have to have two accesses then they should make a recommendation subject to needing a variance. Crash gates were discussed. Snow said a crash gate will still need an easement through the adjacent property owners land and Mr. Stirling is not willing to give an easement through his property. Snow said you are bound by what your subdivision ordinance says. And the ordinance says the applicant must provide two means of ingress and egress. Westhoff asked if cul-de-sacs are illegal. Snow said no. You can have a subdivision that has a cul-de-sac with two means of ingress and egress. Snow said when you have a small subdivision like Westhoff is proposing and you're trying to put one street in it better be a through street. Snow said his interpretation is that when it says provide, and Westhoff is asking approval without having to provide a second access, he is going to have to go before the Board of Adjustments for a variance. Sheneman asked Snow if Washington City has the hh clause in their subdivision and how do they interpret it. Snow said they interpret provide as requiring two accesses. The requirement has come about because of the fire departments having problems in cul-de-sac not having two accesses. **Motion** by Roger New to recommend approval of the 10 lot subdivision cul-de-sac with an 800' or less road without a variance being required subject to health department approval, providing water and other essential utilities. **Motion dies for lack of a second.** Nelson said he would like to comment on Westhoff throwing other subdivision's with cul-de-a-sacs, that have been approved, back at them. Nelson said they are not going to keep making the same mistakes that have clearly been made by other boards in the past. **Motion** by Dave Clements to recommend denial of both plans since they do

not have two means of ingress and egress. **Seconded** by Jim Parnell. Discussion. New said since there have been three subdivisions in the general area, that have been approved, he feels this would be considered arbitrary and capricious to deny. Snow said the Town is starting to enforce its ordinances as written and trying to do what is right. Clements said we don't have to repeat the same errors thus the motion. Nelson said Westhoff has a piece of property and he is trying to do something with it. Nelson said the first plans Westhoff had for the property were pretty good but he keeps changing them. Sheneman said Angell Springs, El Dorado Hills and Silver Reef area are one ingress egress subdivisions. Sheneman said he feels size is a pertinent factor and maybe our ordinance is lacking in clarification. Sheneman said he doesn't feel there is a problem with Angell Springs etc. because of the size. He said there are a lot of roads coming off other roads so emergency vehicles would not have a problem with traffic and safety concerns. Sheneman said he doesn't feel this subdivision would cause a problem proposed as it is. Sheneman stated he prefers the second proposal with the 14 lot subdivision. **1 aye vote, 4 nay votes. Motion dies. Motion** by Roger New to accept the second proposal with 14 lots and subject to a provision for a road to be continued to Babylon. Clerk/Recorder Joy Stevens said she thought this proposal was not before the Commission. Sheneman said he made the decision they would discuss it. Stevens said she thought Westhoff had made the decision that they are only looking at one proposal tonight and he is the one presenting it. Sheneman said he has presented both. Westhoff said he presented both, Stevens said earlier in the minutes she has written Westhoff withdrew the 14 lot proposal. Sheneman asked Westhoff to re-propose his 14 lot subdivision. Westhoff then stated he would like to re-propose his 14 lot subdivision. **Motion** by Roger New to recommend approval of the 14 lot subdivision which extends a dedicated road down through the end of the subdivision to Babylon Road subject to a variance and all other conditions that need to be met, public health and so forth. **Seconded** by Pat Sheneman. Discussion. New read from the County ordinances and felt the motion would be in compliance with the County ordinance. **2 aye votes, 3 nay votes. Motion dies.** Sheneman said he feels they owe Westhoff an answer one way or the other. Sheneman said he would like to continue to work through a proposal. Stevens said they have already voted on both proposals. Attorney Snow said they can continue to call on votes or table the matter but he can't think of any other scenario they could even come up with. **Motion** by Roger New to recommend approval of the 10 lot subdivision with a variance allowing a temporary cul-de-sac and a variance of the requirement for two means of ingress and egress. **Seconded** by Pat Sheneman. Discussion. Nelson asked what a temporary cul-de-sac means. Attorney Snow stated it means you dedicate the width of the road but you don't dedicate the actual rounded part. Snow said the Town will own the width of the road and only an easement for the round part of it and only as long as it is temporary. If the road ever becomes a through road then they would have to abandon the easement for the rounded portion. If it is a permanent cul-de-sac then the developer would dedicate the whole cul-de-sac including the rounded part. Nelson said what about the curbs and gutters and when are they going to talk about that. Sheneman said there is no proposal that includes curbs and gutters. Attorney Snow said if someone wants to stick it in they can. Sheneman said if he understands what will happen with this is it will go to the Council and if the Council approves it then it would go to the Board of Adjustment for a variance. Sheneman then called for a vote. **3 aye votes, 2 nay votes. Motion passed.**

Jim Bray was recognized by Chairman Sheneman as wishing to speak at this time. Mr. Bray

said he is concerned about a sign Mr. Westhoff has put up in the El Dorado Hills area advertising a future subdivision. Bray said this is in violation of the subdivision ordinance. Bray asked the Planning Commission to review it and have the sign removed. Bray stated there have been no approved plots or plans submitted for a subdivision on that property and yet there is a sign that is offering people the opportunity to enter into a future contract to purchase lots. Sheneman said he would like to continue with the items on the agenda but not at this time. Sheneman suggested Bray discuss this with Westhoff outside and then come back to this under other business.

10. SILVER REEF ESTATES SUBDIVISION PETITION FOR ANNEXATION:

Silver Reef Estates Subdivision petition for annexation into the Town of Leeds.
Chairman Sheneman said part of his duty is to be alerted to potential conflicts of interest. Sheneman said Clements has indicated that he may have a potential conflict and has asked to be excused from this item. Clements then left the room. Kayla Koeber presented the information concerning the annexation petition. Koeber said they have the required number of votes for the majority to petition for annexation. The Commission reviewed the petitions and summary of annexation proposal. Koeber read the summary for the audience. They will formally present the petition to the Town Council but they wanted the Planning Commission to be a part of this informally. A copy of the Declaration of Protective Covenants for Development of Silver Reef Estates and Silver Reef Architectural Control Committee Conditions and Agreements was attached to the petition. Koeber said water is not the only reason they want to be a part of Leeds and she wanted to make that very clear. However, it is the main reason. (See attachments)

11. ADOLF STUHMER:

Request information concerning a windmill with living quarters. Mr. and Mrs. Stuhmer presented their plans to the Commission. The Stuhmers' would like to build their windmill/home on property Alberta Pace would like to change from General Commercial to R-M-7. Stuhmer said they like the I-15 location and are asking for approval to build the windmill. The Commission discussed restrictions on height, windmill noise concerns, engineering specs, and zoning approval. There was no recommendation since the location they had chosen was not approved for Alberta in her zone change request. There was no recommendation.

12. PLANNING COMMISSION:

Recommendation on Ordinance #03-01 Amendment to the Subdivision Ordinance.
Nelson reviewed the ordinance and the proposed changes. Nelson said at one time it may have been necessary for the Town to go out of the Leeds boundaries to seek members for the Commission and the Board of Adjustments. Nelson said he no longer sees that as being a concern with the growth and recent annexation of the El Dorado Hills area. Nelson said he feels all board members should be property owners and reside in the Town of Leeds. The current Planning Commission has three members outside of Leeds town limits. Clements said he feels the ordinances should allow for the possibility that no one will apply to be on one of the boards. Clements said there should be wording in the ordinance to give yourself an out just in case this should happen. Clements said he still sees this as a possible problem. Nelson said since there are now more people to draw from he doesn't see that as a problem anymore. Nelson said the people

who reside in and own property in Leeds should be the planners for the community. New said he would like the ordinance to reserve the right for the Council to appointment a qualified non-resident when it is deemed necessary. Nelson said according to a survey the Mayor did we are the only community, out of those surveyed, who allows for board members outside the town limits. Attorney Snow that is true. Snow said Springdale allows a non-voting liaison on their board from Zion Park and also from Rockville. But they are non-voting. Sheneman asked for clarification of the wording "shall hold no other public office". Attorney Snow said no other public office means only within in the Town, such as the same person serving and voting on the Council, Planning Commission, and/or Board of Adjustments. It has nothing to do with special service districts and etc. Sheneman said he would like to open this up to discuss some of the issues they were faced with tonight. Sheneman said he would like to also make recommendations to amend the zoning ordinance and some language to help clarify the ingress and egress 800' cul-de-sac. Sheneman said he would like to help bring in harmony with a proposal of the conflicting comments on the ingress and egress issue. Sheneman read from item J on page 95 of the subdivision ordinance. It said "the arrangement of streets in a new subdivision shall make provisions for the continuation of the streets in an adjoining area and shall provide for access in a non subdivided adjoining area in so far as such continuation or access shall be deemed necessary by the Planning Commission". Sheneman said that comment and the comment to just allow cul-de-sacs at 800' should be clarified and put in harmony with item hh where it says "shall provide for at least two ingress and egress". Sheneman said this would be a good time to talk about this clarification and include it in the recommendation to the Council. Nelson said this sounds like a good work session item. Clements said it would take time to prepare a draft for recommendation. Parnell said this suggestion by Sheneman would take more time than they have tonight to discuss any changes. **Motion** by Darrell Nelson to recommend approval as presented. **Seconded** by Jim Parnell. Discussion. Clements said he would like to discuss the wording on public office. **Amended motion** by Darrell Nelson to recommend approval of Ordinance #03-01 and a recommendation to look into the clarification and definition of public office. **Seconded** by Jim Parnell. Discussion. Sheneman said he doesn't like to exempt people who are outside of the Town. Nelson said people who live in Town should guide the Town. Clements said he doesn't feel it is wise to exclude talent outside of the Town. Sheneman said he would like to take comments from the audience after the vote. **2 aye votes. 3 nay votes. Motion dies.** Sheneman called for any comments from the audience. Eric Early said he feels people on the outskirts of Leeds will feel disenfranchised. Early said it would be nice to have a representative outside of the Town. Bailey Muir said if people are interested they will come and serve on the boards. Jared Westhoff said why fix what ain't broke. He doesn't see a problem with the recent board. Westhoff said he feels it is unrealistic to expect someone to step up and fill these seats. Clements asked what are the choices they have here tonight. Attorney Snow said they can recommend to approve, deny or table. New said he would like to recommend adding a provision for the Council to appoint someone outside the Town limits if they wanted to. Attorney Snow said that is a proper thing to do if you want to. Attorney Snow said who makes the determination you can't find anybody to serve. When is it enough to go out and find someone outside the municipal boundaries of Leeds. Clements suggested putting a time limit of maybe 30 days just so long as they have an out. Attorney Snow said he feels it would be hard to articulate the kind of "out" the Commission is talking about. Sheneman said he has expressed his concerns in a public hearing at the Town Council level and the Town Council

voted against their recommendation. Sheneman said he feels they will do the same thing tonight if they vote against it. Sheneman said he doesn't feel any provision to give an "out" to non-residents will be accepted. Motion by Pat Sheneman to recommend denial of the proposed zoning ordinance amendment as it is proposed. Seconded by Roger New. Discussion. Clements said he hates to outright deny the ordinance. Clements said he would rather say what he thinks they should do and then present it to the Council. Clements said then the Council has a recommendation and then if they decide to change it that is their right to do so. Sheneman withdrew his motion. Motion by Dave Clements to recommend approval of Ordinance #03-01 as it currently stands with modification of item # 1 Chapter 2, Section No. 2-1. Where it states that members of the Leeds Planning Commission shall be residents of Leeds Town, owners of real property therein, and hold no other public office or position. Amend to read: that no other public office or position be clarified so that it reflects no other public office in the "Town Government". And that for reasons of expediency in staffing the Town, if the Council cannot locate enough suitable candidates in a 90 day period of time, would have the authority to appoint a non-resident to the Commission. Seconded by Pat Sheneman. All aye votes. Motion passed unanimously.

13. PLANNING COMMISSION CHAIRMAN PAT SHENEMAN:

Chairman Sheneman said he would like to set a date to work on the zoning/subdivision ordinances and the recommended changes to the master annexation plan. A work session was scheduled for March 18, 2003, at 6:00 p.m.

14. COUNCIL MEMBER DARRELL NELSON:

Nelson said he is in the process of working with UDOT for a diamond interchange on the North end of Town. Nelson said he is also working on getting permission for marking the fire hydrants with blue reflectors in the middle of the road.

15. OPEN DISCUSSION:

Jim Bray. Mr. Bray said he has a complaint concerning subdivisions being advertised before they are established. It does have an impact on other people who are selling their property properly. Bray stated Leeds does have an ordinance that has been in existence for a long time in reference to this. It is in the subdivision ordinance chapter 23 and on page 83. Under 23-A - Application 2nd paragraph 3rd sentence it says "it shall be unlawful for any person to offer to sale or lease, to contract to sell or lease, or to sell or lease any such subdivision or any part thereof which is located in the Town until a final map thereof in full compliance of the provisions of this ordinance has been duly recorded and filed in the office of the Town Clerk. Bray said he doesn't think it is right for Westhoff to put up a sign to expose property he intends to sell as a future subdivision down the road. Bray said he doesn't think that is right and he has talked to Westhoff about this. Westhoff said he doesn't see anything wrong with accepting reservations for the property. Bray said he feels that is a contract or future contract for sell or lease. Bray said this activity is unlawful according to our ordinances and should be enforced. Bray said he would like to ask Westhoff to remove the sign. Westhoff said he is glad Bray is asking him to remove it rather than someone from the Town removing it. Sheneman said he thinks there is a lot of case law on this and asked Attorney Snow to comment. Attorney Snow said each municipality has a different ordinance on this. Most municipalities will require that there be a preliminary plat

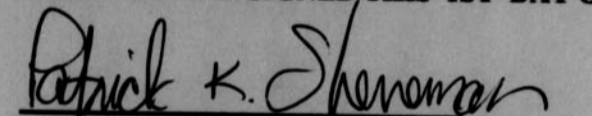
approval before they can offer it to sell. Westhoff said he isn't offering it. Attorney Snow said putting a sign up stating something is for sell is offering it. Snow said even reserving in a subdivision is a pretty common practice. But in Leeds subdivision ordinance it is pretty strict where it states to "offer to sell or lease, or to contract to sell or lease, or to sell or lease any such subdivision until final plat has been recorded". Bray said he doesn't have anything persona against anyone here to develop their property. But it has to do with the fact there is an ordinance and it should be enforced. Bray said what is the purpose of a sign. The sign is naming a new subdivision, stating view sites available in the future, and you put your phone number on it. Bray said the purpose of it is to attract a buyer to that property. Then that buyer is taken away from someone else who already has property for sell. Bray said he doesn't know if the Town or the County has some responsibility if a developer accepts money on a reservation and then never develop it and the Town has allowed it to go in violation of an ordinance. Attorney Snow said the Town would not be liable at all. That would be between two private individuals and strictly contractual. Bray said the Town hasn't enforced their ordinance so why wouldn't the Town be liable. Sheneman said this body doesn't enforce the ordinances and suggested Bray take his complaint to the Council. Sheneman said he doesn't want to spend anymore time on the subject tonight.

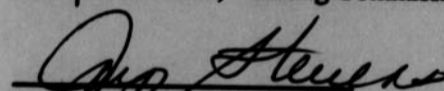
Parnell said he wanted to inform the Commission that the Council is working on something called aesthetics zoning. It would include double car garages, landscaping, roof pitches, overhangs and etc. Sheneman said he thinks it is a good idea. Sheneman said they also need to work on the historic district.

16. ADJOURNMENT:

The meeting adjourned at 9:50 p.m.

APPROVED AND SIGNED THIS 1ST DAY OF APRIL 2003


Patrick Sheneman, Planning Commission Chairman


attest: Joy Stevens, Clerk/Recorder

VOTE SUMMARY
Silver Reef Petition for Annexation into Leeds

Tax ID	Owner	Value	Vote	Zone*
SRE-1-LS	Mills, Peter C	\$9,900	For	na
SRE-10-LS	LDS Corp.	\$75,500	For	na
SRE-11-LS	Ollerton, Don	\$228,246	For	na
SRE-12-LS	Scanlon, Dennis	\$238,437	For	na
SRE-13-LS	Madryk, Linda	\$60,500		R-1-20
SRE-14-LS	Forsha, J M & Alice	\$187,871	For	na
SRE-15-LS	Beckstrand, Gordon	\$261,566	For	na
SRE-16-LS	Lojko, Frank	\$315,403	For	na
SRE-17-LS	Jensen, Lauritza	\$57,200		R-1-20
SRE-18-LS	Malm, Margaret	\$162,650	For	na
SRE-19-LS	Higgins, Richard	\$197,985	For	na
SRE-2-33-LS	Picconi, Carole	\$169,695	Against	na
SRE-2-34-LS	Anderson, Jerry	\$291,004	For	na
SRE-2-35-LS	Crocker, Gary	\$65,000		R-1-20
SRE-2-36-LS	Brown, Dean	\$147,965	For	na
SRE-2-37-LS	Brown, Dean	\$161,936	For	na
SRE-2-38-LS	Patterson, Mary	\$55,000	For	R-1-9
SRE-2-39-LS	Orrock, Cheryle	\$204,450	For	na
SRE-2-A-LS	Mills, Peter	\$157,088	For	na
SRE-20-LS	Hayes, Vaughn	\$185,082	For	na
SRE-21-LS	Nielson, Rex	\$220,175	Against	na
SRE-22-LS	Sandston, Mike	\$303,516	For	na
SRE-23-LS	Donaldson, Robert	\$80,200	For	R-1-20
SRE-24-LS	Wright, Cynthia	\$142,971	Against	na
SRE-25-LS	Dean, Roy	\$90,400	Against	na
SRE-26-LS	Clements, David	\$250,350	For	na
SRE-27-LS	Tanner, Gary	\$329,467	For	na
SRE-28-LS	Carpenter, Robert	\$177,053	For	na
SRE-29-LS	Dalton, Glade	\$194,817	For	na
SRE-3-A-LS	Morgan, Glenn	\$269,048	For	na
SRE-30-LS	Lamph, Melvin	\$59,400	Against	R-1-20
SRE-31-LS	Kent, Arthur	\$211,991	For	na
SRE-32-LS	Freeman, Richard	\$219,977	Against	na
SRE-4-LS	Morgan, Glenn	\$146,940	For	na
SRE-5-LS	Browning, Jerry	\$161,911	For	na
SRE-6-LS	Harrison-Williams, Nancy	\$104,808	Against	na
SRE-7-LS	Spackman, Lavar	\$55,000		R-1-20
SRE-8-LS	Harvey, Christine	\$142,521	For	na
SRE-9-LS	Young, Kay	\$154,302	For	na

Tax ID	Owner	Value	Vote	Zone*
4028-A-1-A-2-LS	Nelson, Gary	\$149,851	Against	na
4028-A-1-A-1-LS	Cunningham, Miles	\$336,844		na
4028-A-1-E-LS	Freeman, Richard	\$22,200	Against	R-1-20
4028-D-1-LS	Green, Wells	\$46,700	For	R-1-20
4028-C-2-LS	Carson, Richard	\$271,390	For	na
3192-E-LS	Carson, Richard**		For	R-1-20
4028-C-1-LS	Elsasser, Gary	\$210,200		na

- Entry of "na" designates property with an existing home. Other entries are proposed zones corresponding to Town of Leeds zoning ordinances for unimproved property.
- ** Indicates an incomplete entry for this property. Ballot Analysis, below, has not been updated to reflect data in this row.

Ballot Analysis

Votes	Number	Percentage	Property Value	Percentage
For	30	66.7	\$5,620,289	74.1
Against	9	20.0	\$1,179,477	15.6
No Ballot	6	13.3	\$784,744	10.3
Totals	45	100	\$7,584,510	100

Petition sponsor:

Gary Tanner P. O. Box 460778, Leeds, UT 84746 435/879-2999

Alternate contacts:

Kayla Koeber-Brown 31 N 700 E #106, St. George, UT 84771 435/879-6911
 Dave Clements P. O. Box 461165, Leeds, UT 84746 435/879-0560

SUMMARY OF ANNEXATION PROPOSAL TO THE TOWN OF LEEDS

- The annexation is contingent upon the successful merger of SRSSD and LDWA. If the merger is not completed, the annexation action can be cancelled.
- SRSSD residents will now be subject to pay additional Town of Leeds property taxes. The current rate is .00089 per \$100,000 of assessed property value. For primary residents @ \$100,000 x .00089 x 55% = ~ \$49 more per year per \$100,000 of assessed value. For lot owners @ \$100,000 x .00089 = ~ \$89 more per year per \$100,000 of assessed value.
- Silver Reef Estates will be rezoned per the Town of Leeds Zoning Regulations to allow one dwelling per lot, which is in accordance with our recorded CCR's.
- Leeds will suspend the town *Impact Fee* and adjust its building permit fees to match that of the county for a period of 180 days from approval of the annexation petition. Leeds currently charges less for building permits than the county. The county does not charge an impact fee. After the 180-day window, fees will be those currently charged by the Town of Leeds.
- Leeds will submit building permit applications to the Silver Reef Architectural Control Committee for approval prior to the issuance of building permits. Silver Reef Architectural Control Committee will review CC&R's with applicants prior to permits being issued.
- The 6.39 acres of land currently owned by the SRSSD under the deed restriction of being kept open for public use will be deeded back to Washington County with the same deed restriction kept in place. The intent is for the land to be preserved as open space. This land will annex into the Town of Leeds, however the Wells Fargo Silver Reef Historical Monument Inc., will manage this parcel, retaining local control of land contiguous with our subdivision.
- The historical monument land currently owned by Washington County will annex into the Town of Leeds. Management and oversight of this property will continue to be provided by the Wells Fargo Silver Reef Monument Inc., retaining local control of land contiguous with our subdivision.
- Town improvements such as streetlights/signs, sidewalks, and sewers will be based upon the desires of residents, unless required by law or in accordance with the CC&R's.
- Trash collection fees are set at a monthly rate of \$11 and billed quarterly.
- This action of intent may be changed if it is determined, by additional investigation and knowledge, that such action is not legal or in the best interest of the Town of Leeds or the property owners of Silver Reef Estates and SRSSD served property owners.
- Estimated time to complete the annexation process is approximately six months.

Note: This symbol ~ means "approximately".

Leeds, Utah
Feb. 10, 2003

Leeds City Council:

On February 4, 2003, Jared Westoff and Russell Peine brought us a map of a proposed subdivision between the Lee and the Webb subdivisions. This map showed a road going through the center of their subdivision and extending on south through our property to the Babylon Mill road.

They told us that this road had been previously designated by a past planning commission. We have made a diligent search of the town records and cannot find this road on any previous maps.

We will not permit this road to go across our property under any circumstance. We feel very strongly that people who buy in the subdivision should know that neither now nor in the future would there be any access through our property for this subdivision.

We were told that they could condemn this property to get the road through. If this were done, we would contest it.

Carlyle Stirling

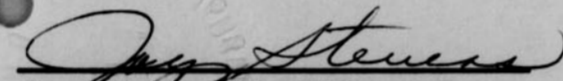
Geraldine Stirling

**Town of Leeds
218 N. Main P.O. Box 460879
Leeds, Utah 84746**

NOTICE OF PUBLIC HEARING

Town of Leeds Planning Commission will hold a public hearing on Tuesday March 4, 2003 at 6:00 p.m. at the Leeds Town Hall, 218 N Main Street. The public hearing will be held to accept comments on the proposed Town of Leeds Annexation Policy Plan. The public is encouraged to attend.

POSTED THIS 15TH DAY OF FEBRUARY 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

- 1. Leeds Town Hall**
- 2. Leeds Post Office**
- 3. Waltons Plaza**

THIS NOTICE MUST BE POSTED UNTIL MARCH 5, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE BEFORE DATE INDICATED.

In compliance with the Americans with Disabilities Act, 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 Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

**TOWN OF LEEDS PUBLIC HEARING
ATTENDANCE SIGN-IN SHEET
DATE: 3-4-03**

PLEASE PRINT NAME AND ADDRESS

1. Pete & Betty Heuser 180 N. Mesa View Ave
2. Neil & Alberta Pae P.O. Box 4610571
3. K Mills p.o.-Box 319 TOQUERVILLE UT 84774
4. J Bob-Thompson 10500 320 TOQUERVILLE UT 84774
5. Juene Schweser PO Box 460658 Leeds UT 84741 C
6. Scott Hayes 805 LEEDS
7. Alvin Parnell Box 460721 Leeds
8. Tom Kelly Box 460771 Leeds UT 84746
9. Robert Zabal 180 N. 1580W - Hurricane
10. Terry + Nina Damm Box PO Box 461088 Leeds
11. DAVE HARBOUR PO Box 461133 Leeds
12. Paul Densley BOX 460985 LEEDS
13. Ron Holland PO Box 460629 Leeds
14. Scott Rice 631 EDWARDS LEEDS
15. Paul & Sue Stahma 6450 CANYON WEST AR SLC
16. Linda Lipp 242 E. Silver Meadows LEEDS
17. Merle Lee " " " "
18. ~~Wendy & Steve~~ 48 W. Center Leeds, Utah
19. Collyle Stirling
20. Dennis + Tolene Beck 1610 W. 100N. #91 St. George

21. Patrice St. Germain - the Spectrum

22. Jim Bray 880 Bonanza Rd Leeds

23. PAT DUDNICK 783 EL DORADO CRT

24. Wayne M HEPWORTH 1455 N MOUNTAIN VIEW DR

25. Rickey Muir 201 N. Main

26. Jan Madson 242 Vista Ave Leeds

27. GARY TANNER SILVER REEF

28. _____

29. _____

30. _____

31. _____

32. _____

33. _____

34. _____

35. _____

36. _____

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45. _____

TOWN OF LEEDS

CITIZEN/PUBLIC HEARING COMMENT FORM

One of the most important parts of Town Council meetings is the opportunity for citizens to speak to the Council either as part of a public hearing, where a specific issue is being considered or, during public comments/other business, where any issue may be presented. In an effort to have an orderly meeting and to ensure the rights of others please follow these rules governing public comments at Town Council meetings:

1. This public comment form must be completed and submitted to the Town Clerk/Recorder by anyone wishing to speak.
2. Clearly state your name and address for the record.
3. Observe the stated time limit (3 minutes) given for remarks.
4. Speak only to the Council.
5. Follow directives that may be given by the Mayor. In addition to these rules, speakers are encouraged to be specific in their remarks.

NAME: Don Goddard DATE: 4 Mar 03

ADDRESS: 1001 Wander Lane

I wish to address the Council during the public hearing regarding:

Annex

I wish to address the Council during public comments/other business regarding: Same as above

Note: all citizens attending Council meetings will be expected to respect the rights of others by refraining from any open display of support or opposition to the remarks of any speaker, or open demonstration thereof. Anyone not complying with these rules of procedure may be asked to leave the meeting.

I have read and agree to abide by the rules listed above.

Signed by: Don Goddard

(This form is not complete unless signed)

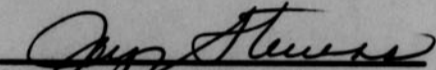
Thank you for taking the time to complete this form. In accordance with Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation to participate in the meeting. Request for assistance can be made by calling 879-2447 at least 48 hours in advance of the meeting to be attended.

PUBLIC NOTICE

TOWN OF LEEDS WORK SESSION

Leeds Planning Commission will hold a Work Session on, **Tuesday, March 18, 2003**, at the Leeds Town Hall, 218 North Main Street at **6:00 p.m.** The work session is being held to work on recommended changes to Leeds Annexation Policy Plan, review the zoning/subdivision ordinances and consider an ordinance concerning aesthetics on all new homes. Public is welcome to attend.

POSTED THIS 17TH DAY OF MARCH 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Waltons Plaza

THIS NOTICE MUST BE POSTED UNTIL MARCH 19, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE BEFORE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS
Minutes for the Planning Commission Work Session
on March 18, 2003

1. CALL TO ORDER:

The meeting was called to order at 6:00 p.m.

2. ROLL CALL:

Present were Planning Commission Chairman Pat Sheneman, Members Roger New, Jim Parnell and Dave Clements. Town Council Member Darrell Nelson and Clerk/Recorder Joy Stevens were excused.

3. WORK SESSION:

1. Master Annexation Policy Plan. The Commission discussed the changes that Hurricane City and Washington County suggested and had no problem with making the requested changes. Roger New and Darrell Nelson will make the changes to the map and plan and present it at the Town Council meeting on March 26th.

2. Ordinance #03-01. The Commission discussed their recommendation and changes they recommended at the March 4, 2003, meeting. At the Town Council meeting on March 12, 2003, the Town Council set a public hearing date for the ordinance.

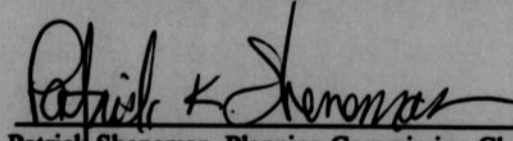
The tape recorder was inadvertently shut off at this time in the meeting and the remainder of the minutes were supplied by Dave Clements.

3. Commission discussed the concerns they have regarding a consensus on direction and cross purposes between the Town Council and the Planning Commission. The Planning Commission will try to set up a work session with the Town Council for April 1, 2003.

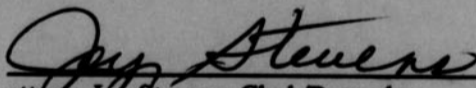
4. ADJOURNMENT:

The meeting adjourned at 8:35 p.m.

APPROVED AND SIGNED THIS ^{1st} ~~4TH~~ DAY OF ^{April} ~~February~~ 2003



Patrick Sheneman, Planning Commission Chairman



attest: Joy Stevens, Clerk/Recorder

PUBLIC NOTICE
TOWN OF LEEDS

PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold a meeting on, **Tuesday April 1, 2003**, at the Leeds Town Hall, 218 North Main Street at **6:00 P.M.** Public is welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes
5. Alberta Lee Pace

Request a zone change for property located by the fire station at approximately 700 N Main Street. The property is currently zoned General Commercial and the request is to change a portion of the property to R-1-20.

6. Clint Peterson

a) Request a zone change for property located by the South bound on ramp on Cemetery Road. The property is currently zoned R-R-1 and the request is to change the zone to General Commercial for mini storage units.

b) Conditional Use Permit for mini storage units.

7. DeVon Howard-Tom Durrant

Building permit for Quality Wholesale Homes storage facility at 600 N Main Street

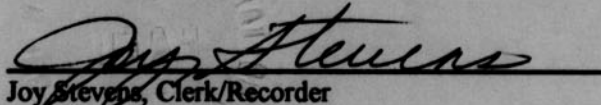
8. Planning Commission Chairman Pat Sheneman

9. Council Member Darrell Nelson

10. Open Discussion

11. Adjournment

POSTED THIS 31ST DAY OF MARCH 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Waltons Plaza

THIS NOTICE MUST BE POSTED UNTIL APRIL 2, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS
Minutes for the Planning Commission Meeting
on April 1, 2003

1. CALL TO ORDER:

The meeting was called to order at 6:05 p.m.

2. ROLL CALL:

Present were Planning Commission Chairman Pat Sheneman, Members Roger New, Jim Parnell and Dave Clements. Also present was Town Council Member Darrell Nelson.

3. PLEDGE:

Darrell Nelson

4. APPROVAL OF AGENDA AND MINUTES:

Motion by Roger New to approve the agenda and minutes of March 4, 2003.
Seconded by Dave Clements. Motion passed unanimously.

5. ALBERTA LEE PACE:

Request a zone change for property located by the fire station at approximately 700 N Main Street. The property is currently zoned General Commercial and the request is to change a portion of the property to R-1-20. Alberta presented her map and plan to have a portion of the property left commercial and the rest of the property changed to R-1-20. Darrell Nelson expressed his concerns about having single family residences across the street from commercial. Jim Parnell pointed out that the map Alberta submitted consisted of five lots which constitutes a ~~minor~~ subdivision. Parnell asked Alberta about water for the lots. Alberta said she will buy the water from LDWA or Washington Co. Water Conservancy or if needs be she will bring in her own water. Discussion then went to water pressure, two means of access and dedication of the road in the minor subdivision. According to the plans Alberta wants lot 1 to remain commercial and lots 2,3,4, and 5 would be changed to R-1-20. Motion by Roger New to recommend approval of lots 2,3,4, and 5 for re-zone to R-1-20 leaving lot 1 commercial. Seconded by Jim Parnell. Motion passed unanimously.

6. CLINT PETERSON:

a) **Request a zone change for property located by the South bound on ramp on Cemetery Road. The property is currently zoned R-R-1 and the request is to change the zone to commercial.** Mr. Peterson was represented by Realtor Eric Early. Early presented his map and plan to have the property re-zoned to commercial to allow for mini storage units. Parnell asked Early if he is aware the property is in a flood zone and identified as such in Leeds General Plan. Early indicated he is aware of the flood zone and feels a letter from an engineer will take care of the concern because of the way the property drains. Early said the mini storage units will not take away any of the hillside. Early said another parcel adjacent to this one also belongs to Mr. Peterson and is currently

in the county. The Commission discussed fire protection and water pressure on the property. Nelson said he is reluctant to recommend anything in a flood zone. Nelson said he wants to see a letter from HUD stating building in a flood zone has their approval since they are the ones who identified this property as being in a flood zone. Nelson said one flood and everyone would have priceless treasures stored in their units. Nelson said he would like to see the flood zone area defined more clearly. Parnell said Peterson or Early need to get together with an engineer and Housing and Urban Development and submit a letter alleviating the Commissions fears about the flood zone. Clements said the property is a good place for a commercial zone so the owner can make good use of his property. Parnell cautioned Early about the large trees on the property if they are going to be removed he may have problems with environmentalist. **Motion** by Jim Parnell to recommend approval of the zone change from R-R-1 to General Commercial contingent upon a letter from an engineer and a letter from Housing and Urban Development for approval of the storage units being put in a flood zone and conditioned upon a fire protection plan, hydrant, and etc. **Seconded** by Dave Clements. Discussion. The Commission again stressed their concerns about the flood zone and the importance of fire protection, hydrants and water pressure before the final approval of the site plan allowing the units to go in. **Vote. All aye. Motion passed unanimously.**

7. DEVON HOWARD-TOM DURRANT:

Building permit for Quality Wholesale Homes storage facility at 600 N Main Street. Mr. Durrant explained that he had submitted the plans to Leeds Town Building Inspector Dennis Mertlich. Mertlich had concerns about cutting into the hillside and since the building is on commercial property the Planning Commission needed to review the plans. Durrant said the bank of the hill would be cut up to 8 ft deep on one side. The Commission discussed a retaining wall to separate the building from the hillside, and the slope of the hillside where the cutting would take place. Clements stated Quality Wholesale Homes was issued a list of violations over a year ago and have yet to make the corrections. (See attached) Sheneman said when Quality Wholesale Homes was paving everyone thought it was going to be the required parking lot instead of the courtyard it now is. The Commission discussed the cars parking in the right of way on the street, setback violation of one of the buildings and privacy fencing for the storage area. **Motion** by Dave Clements to table the building permit request until the previous zone violations are corrected. **Seconded** by Jim Parnell. **Passed unanimously.**

8. PLANNING COMMISSION CHAIRMAN PAT SHENEMAN:

Sheneman said he would like to set up a work session with the Town Council and go over several issues. The Commission would like to have the meeting as soon as possible.

9. COUNCIL MEMBER DARRELL NELSON:

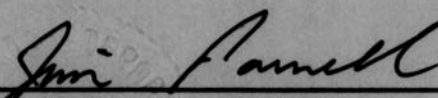
Nelson handed out a copy of LaVerkin City's Lighting Ordinance and asked the Commission to review so it can be discussed at their meeting on May 6, 2003.

Nelson said the revisions have been made to the Annexation Master Plan and the Town Council will review it on April 9, 2003. A public hearing has been scheduled for April 23, 2003.

10. ADJOURNMENT:

The meeting adjourned at 7:55.

APPROVED AND SIGNED THIS 6TH DAY OF MAY 2003



Planning Commission Chairman



attest: Jay Stevens, Clerk/Recorder

Narrative

The Subject property is located along the Southbound on-ramp to I-15 and has frontage on Cemetery Road. The elevation of the property is significantly lower than I-15 but increases above the freeway as you walk Northwest. Noise levels are significant because of its proximity to the freeway on-ramp. There is a stream that runs between the property and I-15 and the lower portion of the property is identified as a flood plain in the General Plan. The current zone is residential 1 acre.

We believe that the property's traits (proximity to the freeway, noise etc.) is better suited for a commercial use rather than a residential one.

The freeway provides an excellent buffer between the proposed commercial use and uses on the other side of the freeway. To the north, on the other side of Cemetery Road, is the cemetery. To the West is Silver Valley Estates, However, there is a mountain which would act as an excellent natural buffer between the commercial use and the residential uses on the other side.

The intended use is for storage units. We understand that a "Conditional Use Permit" is needed for storage units in a General Commercial Zone. We Hereby ask for the following to be done simultaneously:

1. Zone Change from R-1 to General Commercial.
2. General Plan to be amended to reflect this change.
3. Conditional Use Permit for Storage Units.

If you have questions before or after the meeting, please feel free to contact either myself, Clint Peterson, or my representative, Eric Earley.

TOWN OF LEEDS

ZONE CHANGE APPLICATION AND POLICY

APPLICANTS NAME CLINT PERDUE DATE FEB 25 03

ADDRESS 2138E 1000SO PH. 278-296

IF DIFFERENT FROM APPLICANT THE NAME, ADDRESS AND PHONE NUMBER OF CURRENT PROPERTY OWNER SAME

APPLICATION IS HEREBY MADE FOR A ZONE CHANGE TO THE LEEDS ZONING MAP. THE LEGALLY DESCRIBED PROPERTY TO HAVE THE STATUS OF RL.

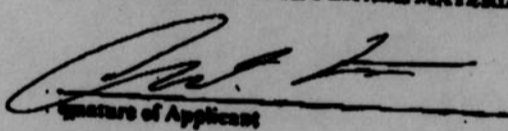
ZONE. THE PRESENT ZONE IS RL.

STREET ADDRESS OR GENERAL DESCRIPTION OF PROPERTY/AREA TO BE

CHANGED SECTION 12 T 41 S 2 14 W S 4 B.

GENERAL COMMERCIAL

SEE FOLLOWING PAGE FOR ALL MATERIAL REQUIRED PARTS OF THIS APPLICATION.


Signature of Applicant

Signature of Planning Comm. Chair

Date: Clerk/Recorder

Date

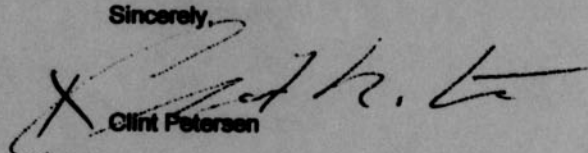
(CONTINUED ON NEXT PAGE)

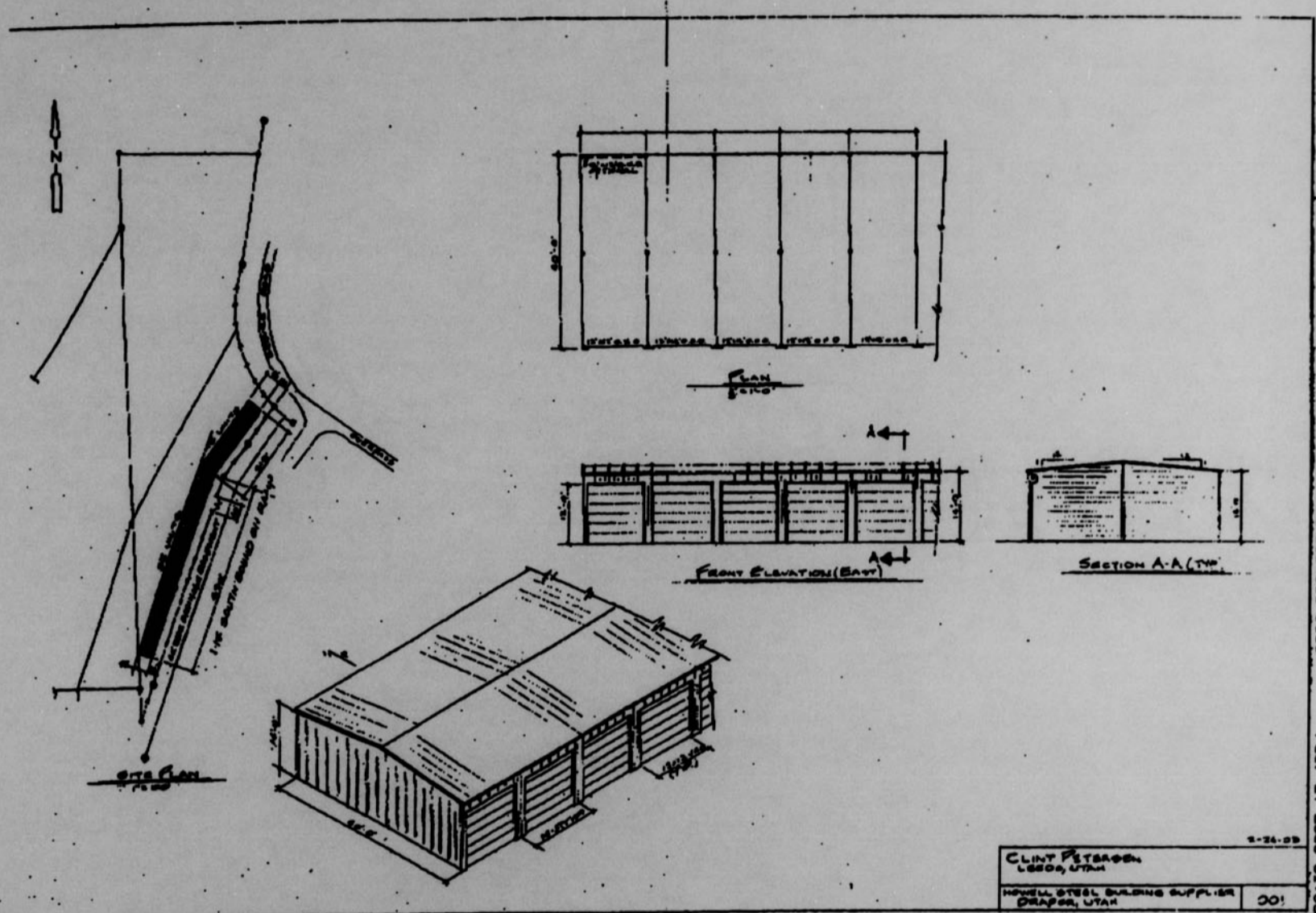
10/24/02

To Whom It May Concern:

I, Clint Petersen, hereby authorize Eric Earley to represent me in front of the Leeds Planning & Zoning Commission and Town Council in regards to the following properties: 4037-A-1-LS, & L-94-A-1.

Sincerely,

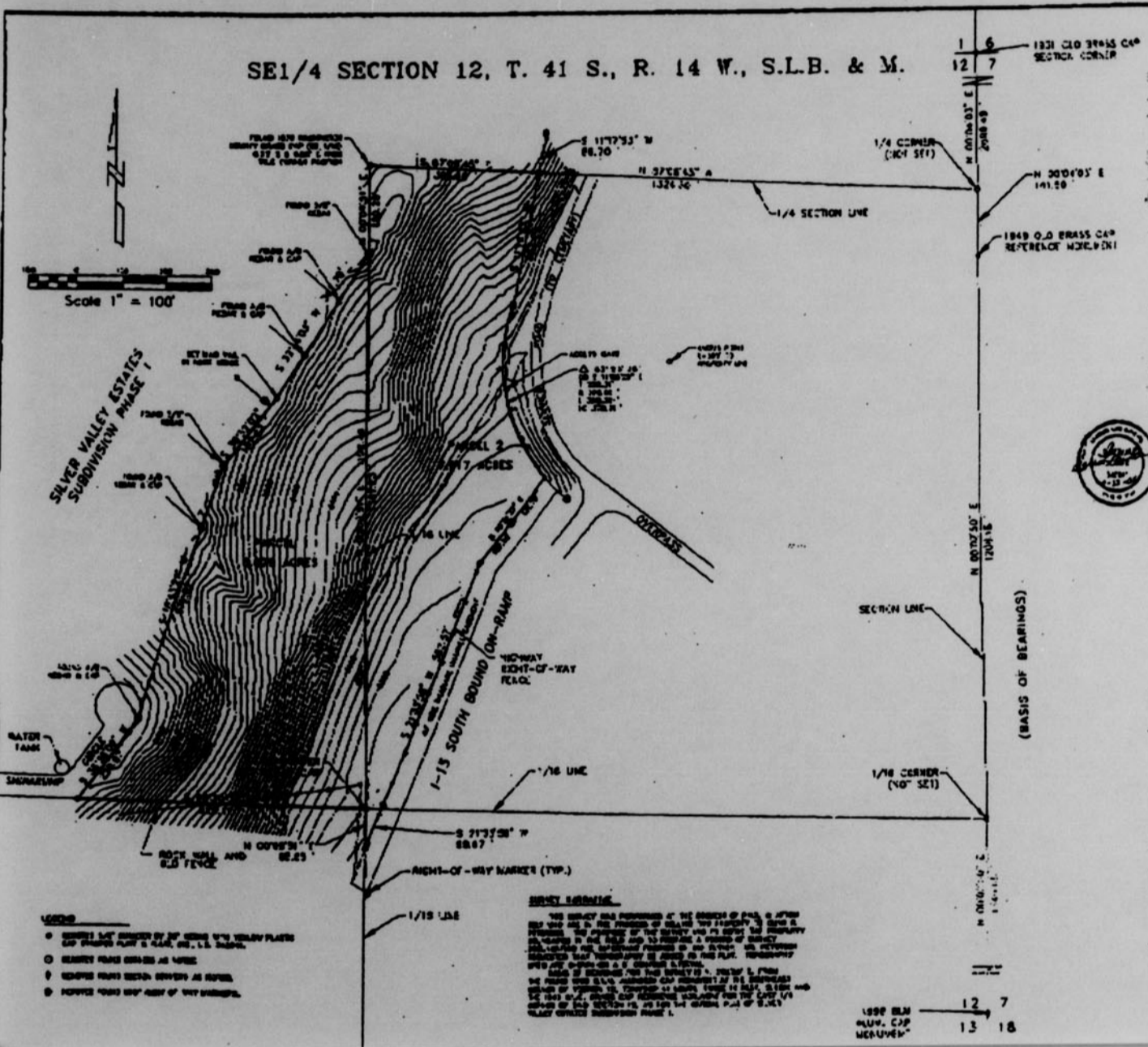

Clint Petersen



FROM : POOLS BY DESIGN
 FRX NO. : 1-801-816-9333
 Feb. 27 2003 01:53PM P6

2-24-03
 CLINT PETERSON
 LEON, UTAH
 HOWELL STEEL BUILDING SUPPLIER
 DRAPER, UTAH

SE 1/4 SECTION 12, T. 41 S., R. 14 W., S.L.B. & M.



- LEGEND**
- SURVEY LOT BOUNDARY BY IRON WIRE TANGENT PLATE AND PIPES PLANT TO MARK, SEE U.S. SURVEY
 - SURVEY POINT MARKER AS SHOWN
 - SURVEY POINT MARKER SHOWN AS SURVEY
 - SURVEY POINT MARKER SHOWN AS SURVEY

NOTES

THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE FOLLOWING:

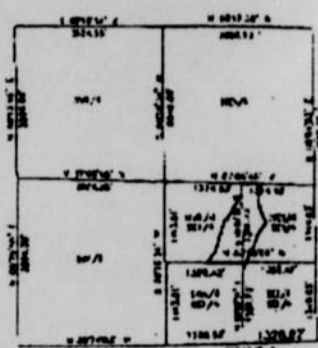
1. THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE FOLLOWING:

2. THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE FOLLOWING:

3. THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE FOLLOWING:

4. THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE FOLLOWING:

12 7
13 18



THEORY OF SURVEY

1. THIS SURVEY WAS CONDUCTED IN THE PRESENCE OF THE FOLLOWING:

2. THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE FOLLOWING:

3. THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE FOLLOWING:

4. THE SURVEY WAS CONDUCTED IN THE PRESENCE OF THE FOLLOWING:



RECORD OF SURVEY FOR
FELT & PETERSON
 WITHIN THE SE 1/4 SECTION 12, T. 41 S., R. 14 W.,
 LECOS TOWNSHIP, WASHINGTON COUNTY, UTAH

BY: PLATT AND PLATT, INC.
 CONSULTING ENGINEERS & SURVEYORS
 207 NORTH CEDAR STREET, CEDAR CITY, UTAH
 P.O. BOX 300 CEDAR CITY, UTAH 84701-0300 PHONE: 437-
 3000 FAX: 437-3001

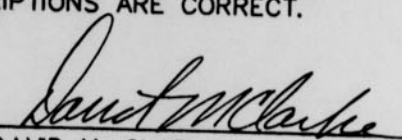
(PER SILVER VALLEY ESTATES SUBDIVISION PHASE 1)

SCALE 1" = 1000'

SURVEYOR'S CERTIFICATE

I, DAVID M. CLARKE, DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH AND THAT I HOLD LICENSE NO. 343641. I ALSO CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE BY ME OF THE FOLLOWING DESCRIBED PROPERTIES. I FURTHER CERTIFY THAT THE PROPERTY CORNERS ARE OF THE TYPE SHOWN AND OCCUPY THE POSITIONS INDICATED AS OF THE DATE HEREON, AND THAT THE LEGAL DESCRIPTIONS ARE CORRECT.

DATE: 2-20-01


DAVID M. CLARKE
UTAH L.S. #343641

LEGAL DESCRIPTIONS

PARCEL 1

BEGINNING AT A POINT S. 0°09'51" W. ALONG THE 1/16 LINE 189.26 FEET FROM THE NORTHEAST CORNER OF THE NW1/4SE1/4 OF SECTION 12, TOWNSHIP 41 SOUTH, RANGE 14 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE ALONG THE EASTERLY BOUNDARY LINE OF SILVER VALLEY ESTATES SUBDIVISION PHASE 1 AS FOLLOWS: S 32°44'03" W. 367.79 FEET, THENCE S. 36°32'02" W. 182.87 FEET, THENCE S. 18°43'27" W. 572.82 FEET, THENCE S. 36°35'00" W. 220.97 FEET TO A POINT ON THE SOUTH LINE OF SAID NW1/4SE1/4, THENCE LEAVING SAID SUBDIVISION BOUNDARY LINE AND RUNNING S. 88°30'09" E ALONG THE 1/16 LINE 620.11 FEET TO THE SE CORNER OF SAID NW1/4SE1/4, THENCE N. 0°09'51" E. ALONG THE 1/16 LINE 1192.46 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.879 ACRES OF LAND.

PARCEL 2

BEGINNING AT THE NW CORNER OF THE E1/2SE1/4 OF SECTION 12, TOWNSHIP 41 SOUTH, RANGE 14 WEST, SALT LAKE BASE & MERIDIAN, THENCE S. 87°06'45" E. ALONG THE 1/4 SECTION LINE 366.66 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE UTAH STATE ROAD COMMISSION SERVICE ROAD, THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE S. 11°17'53" W. 287.40 FEET TO A RIGHT OF WAY MARKER AT A POINT OF NON-TANGENT CURVE, THENCE AROUND THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 360.00 FEET A DISTANCE OF 398.32 FEET (THE CHORD OF SAID CURVE BEARS S. 11°06'25" E. 378.31 FEET), THENCE DEPARTING SAID RIGHT OF WAY LINE AND RUNNING ALONG THE WESTERLY DRAINAGE CHANNEL EASEMENT LINE S. 38°34'37" W. 121.70 FEET TO A RIGHT OF WAY MARKER, THENCE CONTINUING S. 38°34'37" W. 108.50 FEET, THENCE S. 21°33'58" W. 562.57 FEET TO A RIGHT OF WAY MARKER, THENCE CONTINUING S. 21°33'58" W. 99.67 FEET TO THE WEST LINE OF THE E1/2SE1/4 OF SAID SECTION 12, THENCE N. 0°09'51" E. ALONG THE 1/16 LINE 1467.38 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.917 ACRES OF LAND.

TOWN OF LEEDS

ZONE CHANGE APPLICATION AND POLICY

APPLICANTS NAME Alberta Price DATE 3/26/03
ADDRESS Box 46571, Leeds, ON N8L 4K6 PH. 879-2260
IF DIFFERENT FROM APPLICANT THE NAME, ADDRESS AND PHONE NUMBER
OF CURRENT PROPERTY OWNER - Same -

APPLICATION IS HEREBY MADE FOR A ZONE CHANGE TO THE LEEDS ZONING
MAP. THE LEGALLY DESCRIBED PROPERTY TO HAVE THE STATUS OF _____

R-1-20 ZONE. THE PRESENT ZONE IS General Commercial

STREET ADDRESS OR GENERAL DESCRIPTION OF PROPERTY/AREA TO BE

CHANGED Sec 7 - Township 41 - South Range West
3.56 acres - (Approximately 700 N. Main Street)

SEE FOLLOWING PAGE FOR ALL MATERIAL REQUIREMENTS OF THIS APPLICATION.

Alberta Price
Signature of Applicant

Signature of Planning Comm. Chair

attest: Clerk/Recorder

Date

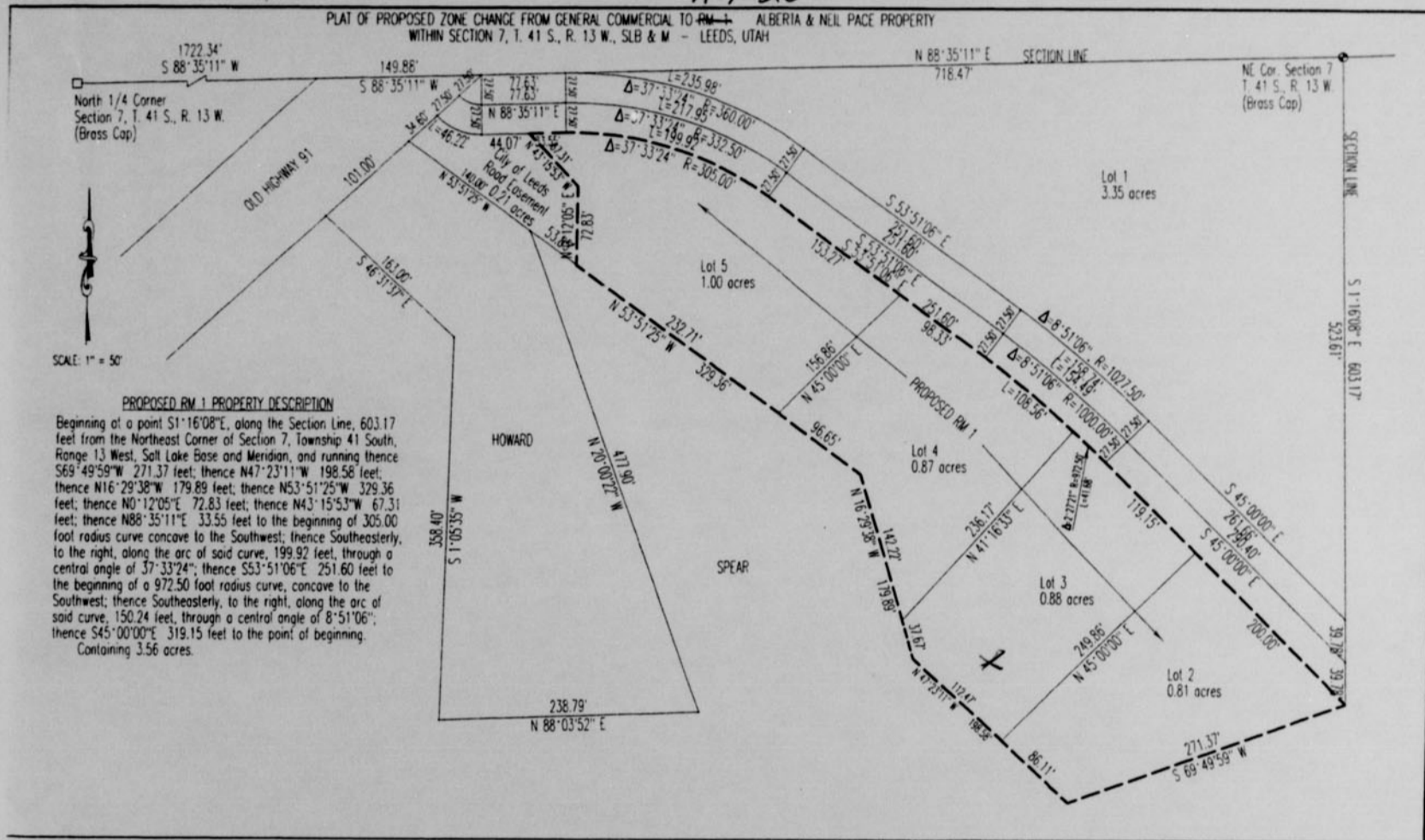
(CONTINUED ON NEXT PAGE)

Reason for request,

I have bought this 8.8 acres
Give me access to a 70 acre parcel I
wish to develop and feel general
Commercial on both sides of the
road is not appropriate

R-1-20

PLAT OF PROPOSED ZONE CHANGE FROM GENERAL COMMERCIAL TO RM-1 ALBERIA & NEIL PACE PROPERTY
WITHIN SECTION 7, T. 41 S., R. 13 W., SLB & M - LEEDS, UTAH



SCALE: 1" = 50'

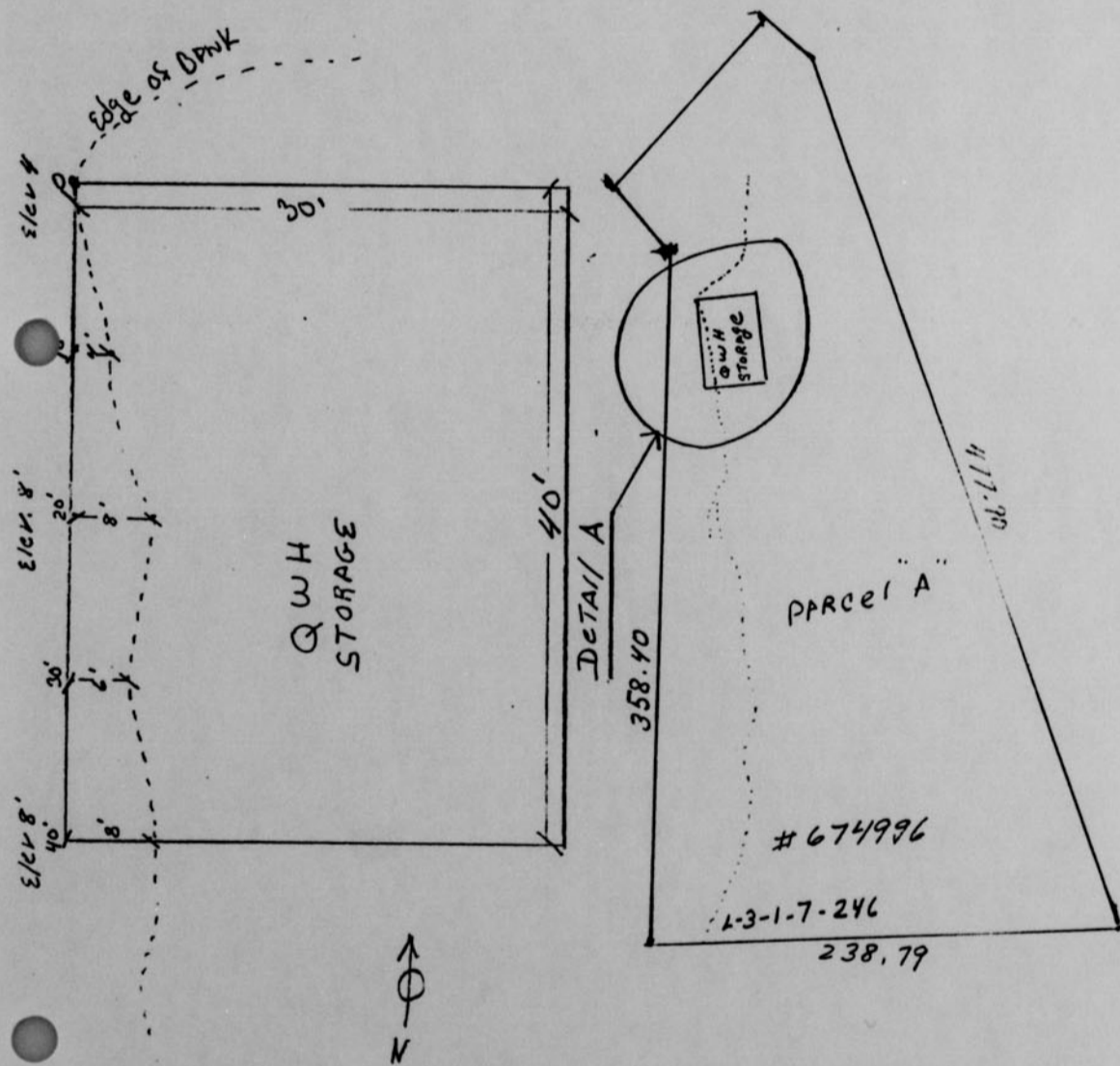
PROPOSED RM 1 PROPERTY DESCRIPTION

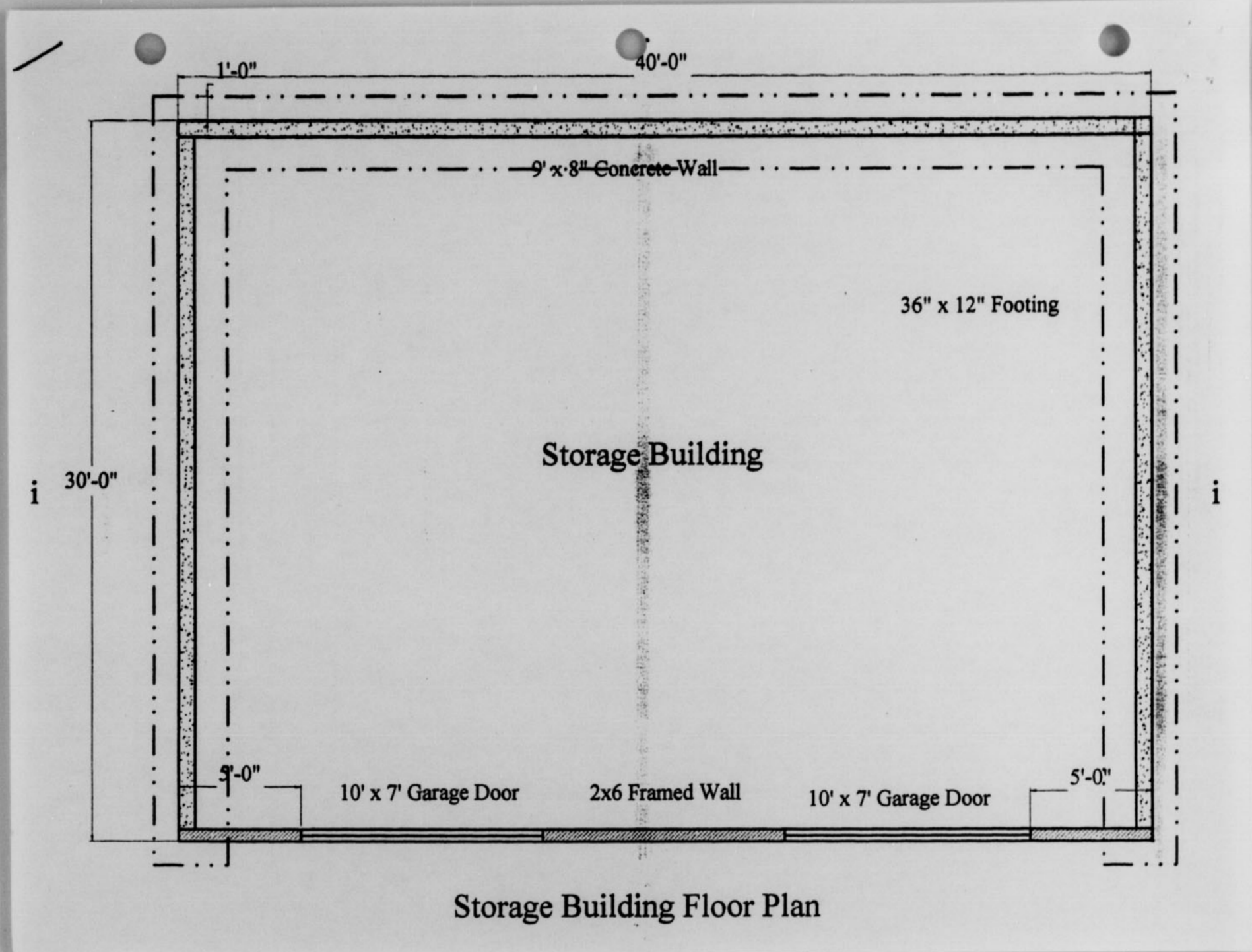
Beginning at a point S1°16'08"E, along the Section Line, 603.17 feet from the Northeast Corner of Section 7, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence S69°49'59"W 271.37 feet; thence N47°23'11"W 198.56 feet; thence N16°29'38"W 179.89 feet; thence N53°51'25"W 329.36 feet; thence N0°12'05"E 72.83 feet; thence N43°15'53"W 67.31 feet; thence N88°35'11"E 33.55 feet to the beginning of 305.00 foot radius curve concave to the Southwest; thence Southeastery, to the right, along the arc of said curve, 199.92 feet, through a central angle of 37°33'24"; thence S53°51'06"E 251.60 feet to the beginning of a 972.50 foot radius curve, concave to the Southwest; thence Southeastery, to the right, along the arc of said curve, 150.24 feet, through a central angle of 8°51'06"; thence S45°00'00"E 319.15 feet to the point of beginning. Containing 3.56 acres.

PROPOSED RM 1 PROPERTY DESCRIPTION

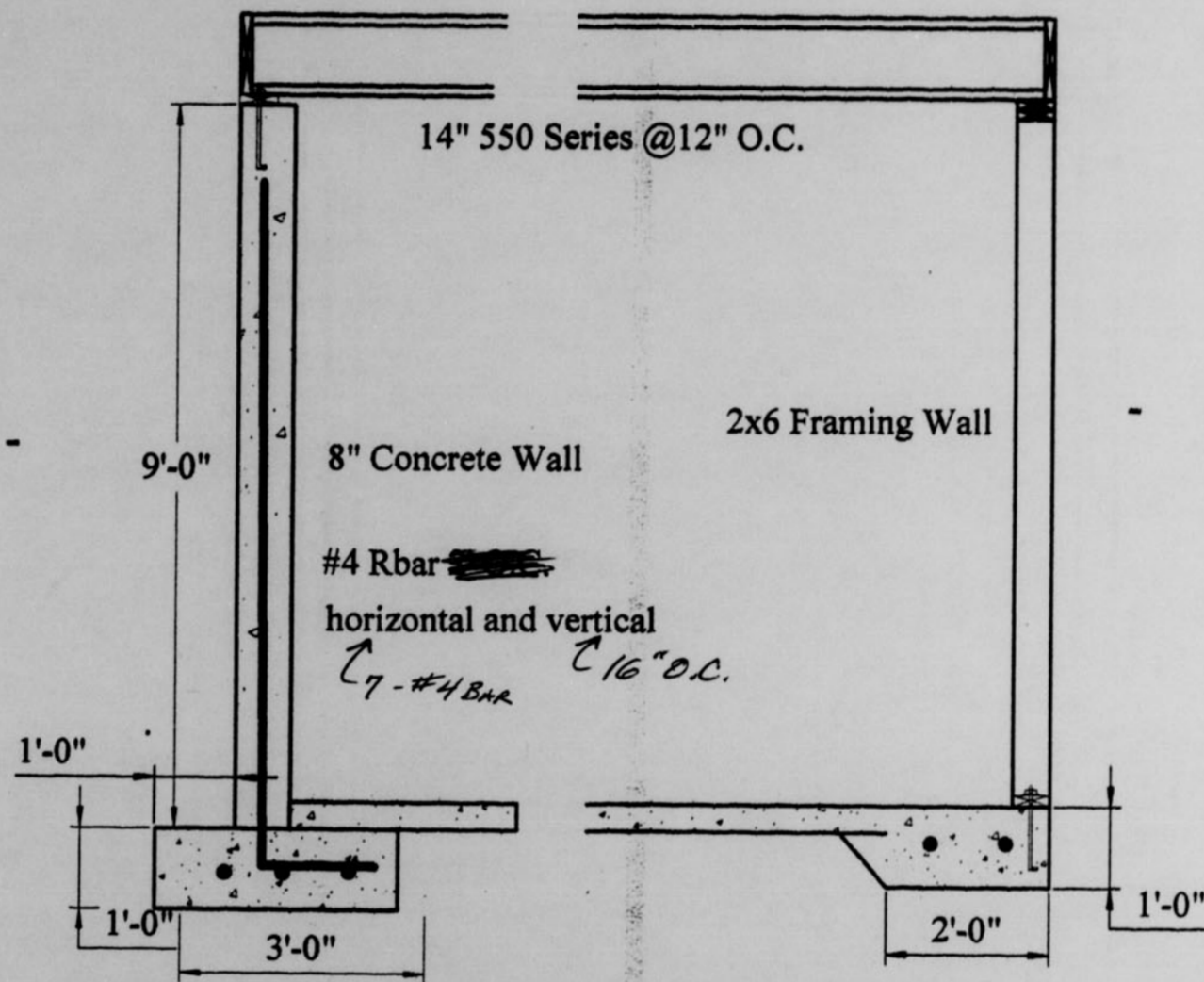
Beginning at a point S1°16'08"E, along the Section Line, 603.17 feet from the Northeast Corner of Section 7, Township 41 South, Range 13 West, Salt Lake Base and Meridian, and running thence S69°49'59"W 271.37 feet; thence N47°23'11"W 198.58 feet; thence N16°29'38"W 179.89 feet; thence N53°51'25"W 329.36 feet; thence N0°12'05"E 72.83 feet; thence N43°15'53"W 67.31 feet; thence N88°35'11"E 33.55 feet to the beginning of 305.00 foot radius curve concave to the Southwest; thence Southeasterly, to the right, along the arc of said curve, 199.92 feet, through a central angle of 37°33'24"; thence S53°51'06"E 251.60 feet to the beginning of a 972.50 foot radius curve, concave to the Southwest; thence Southeasterly, to the right, along the arc of said curve, 150.24 feet, through a central angle of 8°51'06"; thence S45°00'00"E 319.15 feet to the point of beginning.
Containing 3.56 acres.

QUALITY Wholesale Homes
REQUEST TO CUT BANK





Storage Building Floor Plan



Storage Building Wall Detail

Quality Wholesale Homes - 4-1-03
Request was tabled due to Non-Compliance.
CITY OF LEEDS PRESENTATION

1. Removable of Homes from Walton Plaza:

Home #1 is scheduled to be moved on	<u>April 26</u>	2002	June 1
Home #2 is scheduled to be moved on	<u>May 13</u>	2002	June 4
Home #3 is scheduled to be moved on	<u>June 3</u>	2002	

2. Structure Setbacks:

The building that is currently in violation of the setbacks was here when we purchased the business and the property in 2000. We are in the process of designing and preparing to build a new office building which will replace the building which is in violation. The new building will be placed in accordance with city requirements. The preliminary plans have been drafted and will be submitted to the city planning and zoning commission for approval by June of 2002.

3. Storage Area:

A privacy fence will be built to conform with City ordinance. We are reviewing the costs for the fence and will start the fence by June 10 2002.

4. Parking Lots:

Parking area will be paved in accordance with City Ordinance (6-7). This will start in September 2, 2002.

5. The number of structures on the property:

The number of structures on the property has not changed since we purchased the business and the property. There are three model homes on temporary foundations which meet the specification for a temporary model. The models are changed once a year.

6. Septic System:

There are four structures on the property currently, however only two buildings are hooked up to the septic system. The use of the system is light. It is used for restroom only (2 toilets and 4 sinks). There is no food preparation, bathing, showering or laundry.

PUBLIC NOTICE
TOWN OF LEEDS

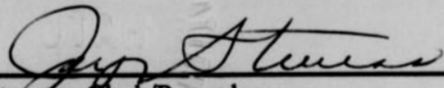
PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold a meeting on, **Tuesday May 6, 2003**, at the Leeds Town Hall, 218 North Main Street at **6:00 P.M.** Public is welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of April 1, 2003.
5. Kerry Worthen
Conditional Use Permits for South Leeds Business Center for the following:
Pease Automotive, 8 unit motel, storage units, and propane station.
6. Jim Raines-Bush & Gudgell
Leeds Town road survey map.
7. Gordon Casey Subdivisions, Inc. - Eric Early
Request approval of preliminary plat for a 12 lot subdivision at approximately 162 E. Vista.
8. Planning Commission Members
Appoint a new Chairperson
Review the following ordinances:
Lighting Ordinance, Constitutional Taking Ordinance, and Hazmat Ordinance.
9. Council Member Darrell Nelson
Review Town Council Items
10. Open Discussion
11. Adjournment

POSTED THIS 5TH DAY OF MAY 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Waltons Plaza

THIS NOTICE MUST BE POSTED UNTIL MAY 7, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS
Minutes for the Planning Commission Meeting
on May 6, 2003

1. CALL TO ORDER:

The meeting was called to order at 6:05 p.m.

2. ROLL CALL:

Present were Planning Commission Members Jim Parnell, Mike Kelley, Alice Franks and Bailey Muir. Also present was Town Council Member Darrell Nelson and Town Attorney Heath Snow. Wayne Hepworth and Mel Evans were excused.

3. PLEDGE:

Darrell Nelson

4. APPROVE AGENDA AND MINUTES:

Jim Parnell asked for the word "minor" to be stricken in item #5 of the April 1, 2003, minutes.

Motion by Jim Parnell to approve the agenda and minutes of April 1, 2003 as amended. Seconded by Alice Franks. Motion passed unanimously.

5. APPOINT A NEW CHAIRPERSON:

Motion by Mike Kelley to appoint Jim Parnell as the new Planning Commission Chairman.

Seconded by Alice Franks. Discussion. There were no other nominations. Motion passed unanimously. Jim Parnell will serve as the Planning Commission Chairman for a term of 1 year.

6. GORDON CASEY SUBDIVISIONS, INC. OR ERIC EARLY:

a) Request approval of preliminary plat for a 12 lot subdivision at approximately 162 E.

Vista Mr. Casey was represented by Realtor Eric Early. Early presented the preliminary map and plan for a 12 lot subdivision. Early stated Casey purchased the 8 acre piece of property from Jared Westhoff. Early read the Town's Vision Statement. Early explained that the plan for drainage will be brumes that will catch and retain the runoff of water. The brumes will be located along the 24 ft. paved road with a 55 ft easement. Early said the design is to not allow any storm runoff to go anywhere except on the individual lots and percolate down into the ground. Early said this design is meant to handle the most severe storms that are anticipated for 100 years. Nelson asked if the brume is between the sidewalk and the street or between the sidewalk and the lots. Early said the brume is within the 55 ft road easement. Parnell asked if this plan is with curb and gutter or without curb and gutter. Early said without curb and gutter to keep with a rural character and natural environment like that which is currently in Silver Meadows Subdivision. Parnell asked how this is going to be controlled. Early said with CC&R's. Early stated the owners of Subdivisions, Inc., Gordon Casey and Don Parker are contracting with a construction company to build the homes. They will not just be selling vacant lots. Mike Kelley asked how the brume will leach. Early indicated on the map where the water will collect in the brume which he said is not under the asphalt. Kelley asked how deep the leach field will be and expressed his concerns about standing water and mosquitoes. Early said he doesn't know the depth of the brume. Kelley said that is something that definitely needs to be looked at. Early said something he noticed on the plat another dimension is missing and that is where it says fire hydrants every 400 feet and he knows that is a requirement. Early said it will

be on the final plat and reminded everyone this is just a study plan. Nelson asked Early to clarify the width they will be paving on the 55 ft wide road easement. Early stated they will pave 24' according to the subdivision standard. Parnell and Nelson said that is just a recommendation and not set in stone. Parnell asked the Commission members if they had any comments or questions. Nelson said there is still not a second ingress egress and for the size of this subdivision it is imperative. Nelson said the statement rural is nice but is not meant for all properties and feels curb and gutter should be a requirement for all subdivisions. Kelley said he is concerned about the drainage. Parnell said he is also and would like to something more permanent for drainage rather than a dirt brume. Early said he thinks curb and gutter would distract from the rural feeling. Nelson said curb and gutter helps to define the Town roads. Right now on Vista there is no curb and gutter and the residents just continue to encroach into the roadway and before you know it a 55' road becomes a 20' road. Bailey Muir said he is concerned there is only one ingress and egress into this property and feels that is a problem and also the curb and gutter. Alice Franks said she is concerned if the people who own the property where the future proposed road is indicated knows it is going across their land. Franks said you can't just say there is a future road going across someone else's property and you haven't approached them yet to see if they are willing to sell. Early said they haven't approached them in the preliminary stage. Early said at this particular stage if the Commission would approve the preliminary plat with the condition they provide for a secondary access he isn't opposed to that. Nelson said he would like to see the conditions met before the board passes something. Parnell said that is a good point. Attorney Snow said obviously that is preferable if it is something that can be addressed. There are several ways to do it. You can recommend approval of something and then attach the conditions or you can table for 30 days and require the conditions be submitted before a recommendation. Early read from Leeds Subdivision Ordinance concerning preliminary plats. Early said a preliminary plat is essentially a study plan. Early said the concerns of the Commission are legitimate concerns, and he is not knocking them, but what he needs is an approval tonight, otherwise he will be in limbo forever possibly. Early said he would like a recommendation for approval and subject to a drainage study etc. Early said if the Commission likes what they see then approve with conditions so they can move forward and work on a final plat.

Chairman Parnell recognized Engineer Jim Raines from Bush & Gudgeon Engineering. Raines said the Mayor had asked him to look at the preliminary plat. Raines said a preliminary plat is a very important step and is not something that should be taken lightly. A preliminary plat gives a developer vesting in the project. Raines said a preliminary plat should be substantially complete. If there are minor things on a preliminary plat its okay to condition it. But if there are major issues on the preliminary plat his recommendation is to have it comply with those issues before approval. Raines said a couple of concerns he has on this preliminary plat is: No. 1) The road. The cul-de-sac is showing it is over 600' which is generally an accepted length for a cul-de-sac. Early pointed out Leeds ordinance says 800'. Raines said he is aware of that. Raines said if you want a through road then we should do a through road with the plat. The developer should put the road in and dedicate it and improve it to whatever standards Leeds comes up with that he should do. Raines said to leave it for a future road means most likely the Town would be building that road. The developers will be done and gone by then and the adjoining landowner is not going to want to build the road. Raines said Leeds shouldn't allow any portion of the subdivision not improved to the full improvement. No. 2) The drainage. Raines said this is a very steep subdivision. It is greater than a 4% grade. Water won't stand on a 4% grade it will run into the road. The ditch shown on the plat will not contain a 100 year storm. Will not even contain a 25 year storm without significant erosion. Raines said the 24 ft. travel surface is a minimum and he would recommend a wider travel surface and a reasonable carrying device for storm water. Raines said a dirt brume on a 4% grade is a bad idea. Raines

said he hasn't seen a good alternative to curb and gutter. Raines said one of the problems you will have with the brume is that every lot will have a driveway and people will not want to drive through the brume. The next thing they will want to do is fill it in. They will then have to pipe it and the pipe will have to be sized and set to grade with head walls for erosion protection. Parnell asked where this water will then end up. Raines said that is why you have a drainage study. Raines said regardless of what Leeds ordinance says State law says you can't dump additional water than what is naturally generated by the subdivision. And by hard surfacing the road you not only can't dump more water you can't change the direction of flow. Raines said by grading the lots, building homes and putting streets in you are going to increase and re-direct the runoff. And you cannot put that runoff on to another property owner. Raines said the soil in that area is very rocky and will have high runoff. Raines said a drainage study using a reasonable runoff co-efficient referral type needs to be done. Make sure you are not impacting adjoining properties and that it is a workable plan. A dirt brume of a 4% grade or better will erode very quickly.

Chairman Parnell recognized Carlyle Stirling. Mr. Stirling said the preliminary plat designates a road on the south side as a future dedicated road. Stirling said it would be better to designate it as a "dream road." The proposed road is on his property and he will not let it go through and gut his property he uses for farming and a future subdivision. Stirling said he will not let that road go through his property just to serve another property owners subdivision. Stirling said he doesn't think a subdivision should even be considered with that kind of a road on it.

Chairman Parnell said he knows this subdivision is open to interpretation. Parnell said he is standing firmly on the fact he wants a second ingress egress in the subdivision. Attorney Snow said in the Zoning/Subdivision ordinances on page 98 hh it says a preliminary plat map shall provide for at least two different standard routes for ingress and egress. Early said he anticipated this concern and has two different sources for the term provide for. Early read the two definitions from dictionaries. Attorney Snow told Early you can read a lot of different dictionaries and get a lot of different terms for "provide for". Early said common sense tells you if you allow a cul-de-sac does a cul-de-sac have a second road going out of it. Chairman Parnell said the interpretation is if Leeds allows you to have a cul-de-sac not if you look it up and bring in a definition. Early said unless you have another ordinance that defines it and sets a precedence on how you are defining it then you have to go off the general definition. Attorney Snow said he would be happy to provide Early with several definitions of the word provide. Early said not provide but "provide for". Attorney Snow told Early that "provide for" means many things to many different people. Early again read the definition he found for "provide for". Early said that is a phrase that has a specific definition and means "allow for". Early stated this is the only definition he found for "provide for" and is very interested in seeing the Attorney's definition. Chairman Parnell stated he would like to finish this item for the night. Early said this isn't his dream it is the Town's dream. The General Plan shows the proposed road on the map. Parnell said it is not in the same place as the one on the General Plan and has nothing to do with this plat. Early said since this has been brought up before he would like to address this issue. Nelson told Early he is going by the General Plan as written and the General Plan is an advisory guide. Early said he knew that. Early said the Town voted to change the zone on this property from 1 acre to 20,000 sq. ft. lots. Early stated to the Commission "that was your vote right? right?" Clerk/Recorder Joy Stevens called a point of order and asked that arguing stop and get back to the agenda item. Early said no, no, no, this is material that.... At that point in the meeting Chairman Parnell stopped Early and informed him he had 1 minute to finish up. Early stated the road is shown going through the subject property along the side when it was 1 acre zoning. Early said you couldn't do it with 20,000 sq. ft. zoning unless you had a 75 ft frontage and a 330 ft. deep lot. Early asked the Commission "do you want that? Do you really want 75 ft frontage and a 330 ft deep lot? That's not

very desirable." Early told the Commission they (the Commission and Council) changed the zoning on this lot and put the 55 ft. easement in. Early said they planned for a future development by requiring the 55 ft. easement. Stevens said the 55 ft. easement was approved for the minor subdivision. Early said no, the 55 ft. easement was approved for a potential major subdivision. Attorney Snow reminded Early that zoning is a minimum standard and not a maximum so when the zone was changed it didn't prohibit the applicant from having a 1 acre lot and putting the road where it shows on the General Plan. It is the clients choice to maximize profits and minimize the lot size by putting the road down the middle. Early said but the city put the road down the middle. Attorney Snow said for a "minor" subdivision with 1 eight acre lot at the back. Parnell stated there is a lot of emotion in this discussion and he would like to be able to look at this in a rational way. Parnell said he would like to see the subdivision go in but he would like to table for now and hopefully Early will take a second look at this. Early said they are willing to take a look at it but they are hoping to get conditional approval that will show him what the Commission really wants. Early said if you table it doesn't tell him anything. Early said, if anything, he would sooner the Commission deny because then they have to provide reasons why. Parnell said they need a preliminary map which they have yet to receive. Early asked the Commission to tell him what to make different on the map he has provided.

The Commission asked Engineer Jim Raines for recommendations. Raines said his recommendation would be to deny the preliminary plat or table it until the following items can be shown:

No. 1) An adequate preliminary drainage study showing quantity, both pre-existing and post development flows, and a way to handle them. Raines said he sees it being a health and safety issue. The water has no place to go. It is going to flow at a minimum of 4%. It needs to show a way the water will be directed to an acceptable drainage channel or retained on site in an appropriate method that you are not creating erosion, maintenance hassle or flooding potential for the bottom lots.

No. 2) If there is a road shown in the General Plan then they need to comply with the General Plan road. Raines said General Plans are not site specific they are general. If there is a road in this general area, and this is the last undeveloped piece in this general area then they should address the General Plan issue. Raines said the Town should either uphold the General Plan or amend it to accommodate this proposed development.

No. 3) Raines said he would never approve a plat that has a future road on it. Raines said there is no way he would approve that since it becomes part of someone's lot and becomes a nightmare in the future. Raines said the Town needs to make the determination, does that road need to go through. Raines said if it goes through you've got the Stirling family here who would not be very happy about it and that issue needs to be addressed. Raines said the Town needs to weigh what Stirlings wants are, what Early's wants are and the public good. Raines said you need to address the General Plan road and if you want it then Early should comply with it. Raines said Early should comply with it, and build it, the entire length and breadth of the property.

No. 4) The applicant needs to come up with a reasonable road cross section which will incorporate several different issues. The first issue would be drainage. The road cross section needs to adequately convey the water and provide a reasonable level of maintenance for the Town since it will eventually be a public road. Take into special consideration the driveways crossing for each lot. Raines said what is being proposed tonight is not adequate. The applicant needs to show an adequate cross section to handle first and foremost: a) drainage b) travel surface c) street frontage parking d) if curb and gutter is not going to be required he would never recommend 24 ft of asphalt and then end the asphalt. The asphalt would then break off at that point so you need some sort of road base shoulder to protect the sides of the asphalt. There needs to be some sort of solid shoulder to maintain the asphalt. The Town could also tell the applicant curb and gutter is the only alternative they want to see.

Merle Gier asked if the homes they are planning on building will be compatible with the homes in the area and be one level. Early said they won't be compatible with the modular's across the street! Gier said the people in the area are concerned about property values. Early stated his clients do quality subdivisions. Gier asked again if they are one or two story. Early said he really doesn't know, but it will be in the CC&R's along with the final plat.

Parnell asked the Commission what they want to do. Motion by Mike Kelley to recommend denial of the request for a 12 lot subdivision preliminary plat as presented tonight. And to recommend that the applicant submit a preliminary plat which includes the recommendations of Bush and Gudgell Engineer Jim Raines, refer to items stated above as numbers 1,2, 3, and 4. Seconded by Alice Franks. All aye votes. Motion passed unanimously.

7. JIM RAINES OF BUSH AND GUDGELL ENGINEERING:

Leeds Town roads survey map. Mr. Raines said the survey is now completed and the map is ready to be adopted. Raines said the first step is to set a public hearing on the Planning Commission level and then the Town Council will also have a public hearing. Raines explained that the Town was originally surveyed in 1877 and re-surveyed in 1986. There were a lot of discrepancies on the 1986 survey. Leeds Town Council hired Bush & Gudgell to resolve some of these errors by having the Town roads re-surveyed. The survey is necessary to establish the Town's right of way. The Planning Commission set the public hearing date for June 3, 2003, at 6:00 p.m.

8. KERRY WORTHEN:

Conditional use permits for South Leeds Business Center for the following:

Pease Automotive, 8 unit motel, storage units, and propane dispensing station at KD's Gas and Goodies. Clerk/Recorder Stevens reviewed the conditional uses in a General Commercial zone. Which businesses will need them and which ones do not. Requirements of the State regarding the gas and propane dispensing. Pease Automotive is a conditional use and needs to be addressed tonight since there is now new management of the business center. Pease has been at this location for several years. The Commission members said there needs to be a time limit on all conditional use permits so they can be reviewed. Kelley asked if the motel units will have stoves, refrigerators and etc. Worthen said no. Not at this time. Worthen said he has submitted for a building permit for all the electrical, gas and etc. for the business. Worthen stated he will rent the motel units out daily, weekly, and occasionally monthly. The Commission voiced their concerns about monthly renters. They do not want this to turn into apartments. Worthen said he will not let anyone stay in the motel for more than a month at a time except for the on site manager. The Commission discussed State compliance for the gas station and propane dispensing, adequate parking, liquor licensing, and the contents in storage units. The Commission asked for a site plan indicating the parking spaces for the businesses. Worthen left the building and returned with the plan. The site plan detailed parking spaces and how many are required for each business.

Motion by Bailey Muir to recommend approval of the conditional use permit for Pease Automotive conditioned that it has adequate and detailed parking, finish cleaning it up, be in compliance with all State, County and Town regulations, and subject to review on a yearly basis. Seconded by Alice Franks. Passed unanimously.

Motion by Alice Franks to recommend approval of the conditional use permit for the 8 unit motel with the condition that it has adequate and detailed parking, the units will be rented out for no more than 1 consecutive month at a time to one person, be in compliance with all State, County and Town regulations,

require an on site manager, and subject to review on a yearly basis. **Seconded** by Bailey Muir. **Passed unanimously.**

Motion by Mike Kelley to recommended approval of the conditional use permit of the 6 storage units with the condition that operating hours be 7:00 am to 10:00 pm., no secondary commercial business be run out of the units, be in compliance with all State, County and Town regulation, adequate and detailed parking, and subject to review on a yearly basis. **Seconded** by Bailey Muir. **Passed unanimously.**

Motion by Jim Parnell to recommend approval of the conditional use permit for KD's Gas and Goodies with the propane dispensing station as long as the propane operator is certified and licensed by the State, hours of operation 7:00 am to 12:00 pm., be in compliance with all State, County and Town regulations, adequate and detailed parking, and subject to review on a yearly basis. **Seconded** by Alice Franks. **Discussion.** Muir asked if there any stipulations on the propane filling station concerning fire suppression. Worthen said yes it is regulated by the fire marshall. **Motion passed unanimously.**

9. PLANNING COMMISSION MEMBERS:

Review Lighting Ordinance, Constitutional Taking Ordinance, and Hazmat Ordinance.

Lighting Ordinance. The Planning Commission members stated they had all read the "LaVerkin's" Lighting Ordinance and that Leeds needed a similar one. Council Member Nelson said he will work on the ordinance to fit the needs of the Town of Leeds. The Council will then review the ordinance again on June 3rd.

Constitutional Taking Ordinance. This ordinance is required by the State and has been requested by State Ombudsman Craig Call. Town Attorney Heath Snow prepared this ordinance. The Planning Commission members stated they had all read the ordinance. **Motion** by Alice Franks to recommend approval of the Constitutional Taking Ordinance. **Seconded** by Mike Kelley. **Passed unanimously.**

Hazmat Ordinance. Council Member Nelson explained why the Hazmat Ordinance is a good plan to have in place in case of a hazmat cleanup emergency. Nelson said with Leeds location so close to I-15 the ordinance is needed for the community. The Planning Commission members stated they had all read the ordinance except for member Mike Kelley. **Motion** by Jim Parnell to recommend approval of the Hazmat Ordinance. **Seconded** by Bailey Muir. **All ave votes with the exception of Mike Kelley who abstained since he had not read the ordinance. Motion passed.**

10. COUNCIL MEMBER DARRELL NELSON:

Nelson said he had nothing further at this time.

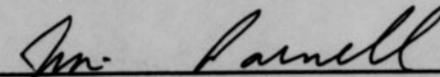
11. OPEN DISCUSSION:

No other discussion.

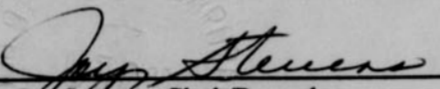
12. ADJOURNMENT:

The meeting adjourned at 8:10 p.m.

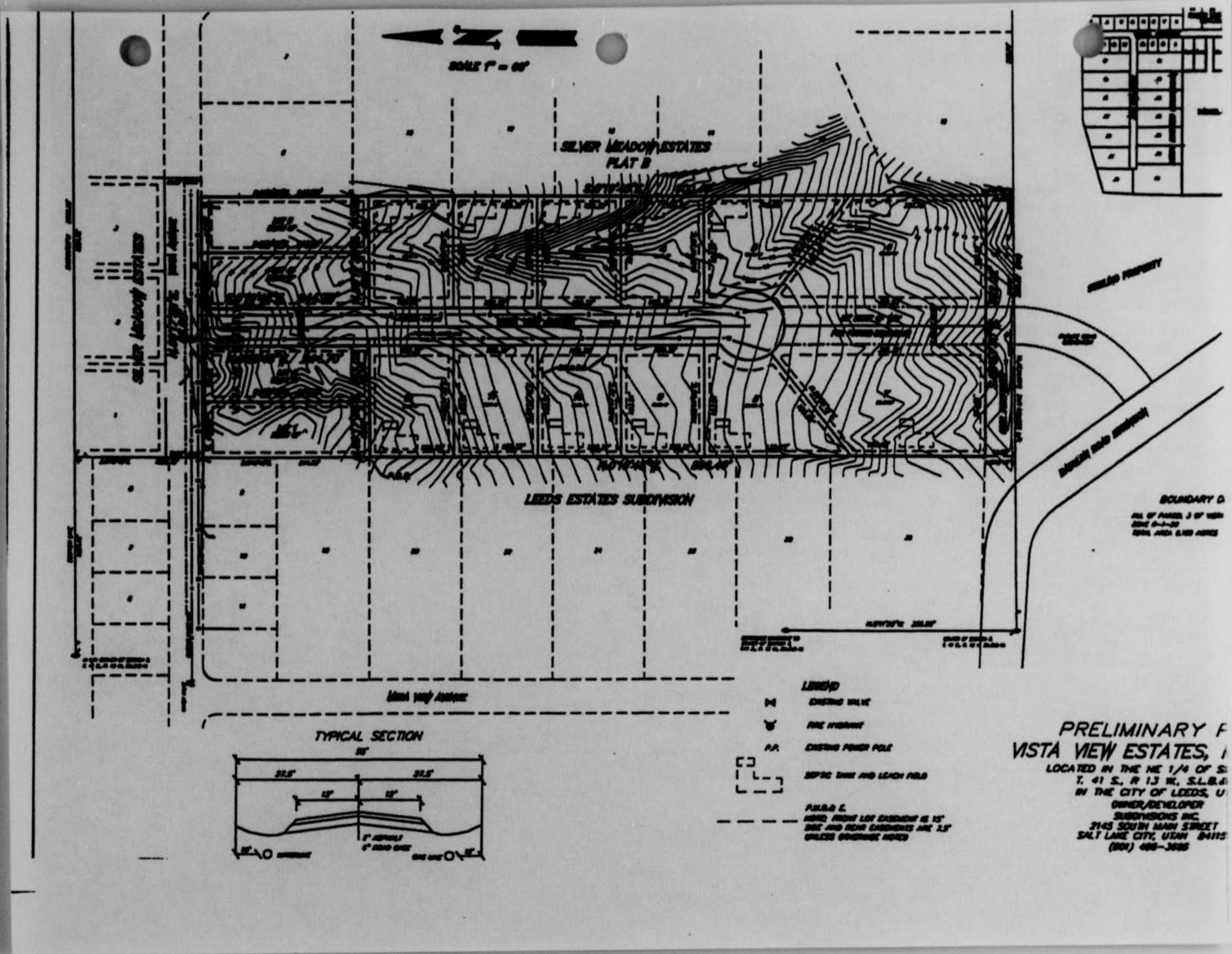
APPROVED AND SIGNED THIS 3RD DAY OF JUNE 2003



Jim Parnell, Planning Commission Chairman



attest: Joy Stevens, Clerk/Recorder



SCALE 1" = 60'

SILVER MEADOW ESTATES
PLAT B

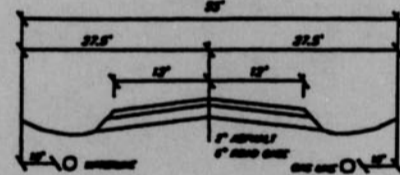
LEEDS ESTATES SUBDIVISION

GRAND PROPERTY

WINDY HOLE DRIVE

BOUNDARY D
ALL OF PARCELS 1 OF 100
SITE 8-4-20
100' AND 120' WIDE

TYPICAL SECTION



LEGEND

- EXISTING WALK
 - FIRE HYDRANT
 - EXISTING POWER POLE
 - SEWER TANK AND LEACH FIELD
 - PARCELS
- NOTES: FINISH LOW ELEVATION IS 12'
SIDE AND ROAD CURBWAYS ARE 2.5'
UNLESS OTHERWISE NOTED

PRELIMINARY F
VISTA VIEW ESTATES, I
LOCATED IN THE NE 1/4 OF S
T. 41 S., R 13 W., S.L.B. 6
IN THE CITY OF LEEDS, U
OWNER/DEVELOPER
SUBDIVISIONS INC.
2145 SOUTH MAIN STREET
SALT LAKE CITY, UTAH 84115
(801) 488-3688

To: Leeds Town

From: Subdivisions, Inc.

We hereby open application for a 12 Lot subdivision at approximately 162 Vista Ave. on 8.189 acres. We believe this subdivision fits in nicely with its neighbors with larger lot frontages (122 feet, nearly 50 feet more than the requirement) allowing for a rural feel.

Being consistent with the rural setting, we have designed the road easement such as would be needed to retain storm runoff on each individual lot.

The road easement is 55 feet. We have limited the Cull-de-sac to 800 ft with 37.5' radius leaving a full 70 feet for turnaround in accordance with the Subdivision ordinance.

The zoning is currently for 20,000 sq. ft. lots and all lots are in excess of that.

We seek a preliminary approval of our plat.

Thank you,

Subdivisions, Inc.

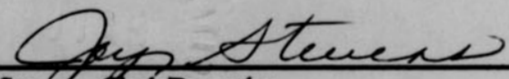
PUBLIC NOTICE
TOWN OF LEEDS
PLANNING COMMISSION MEETING
AND PUBLIC HEARING

The Planning Commission of Leeds will hold a meeting and public hearing on, **Tuesday June 3, 2003**, at the Leeds Town Hall, 218 North Main Street at **6:00 P.M.** Public is welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of May 6, 2003.
5. Gordon Casey Subdivisions, Inc.- Eric Early
Request amending the Leeds General Plan to remove the proposed road between Mesa View and Silver Meadow Road.
6. Zachary Hartman/Wind McLean/Kurt Horan
Request Conditional Use Permits for two (2) 14' x 48' billboards to be located on the north and south side of Waltons Plaza.
7. Lee G. Primm
Conditional Use Permit for a Home Occupation Business-Waterless Car Wash training and recruiting meetings at 303 Mesa View
8. Public Hearing (Motion to open and close)
Ordinance #03-05-To amend and adopt the re-survey of the Leeds Townsite Map
9. Action on Public Hearing
10. Planning Commission Chairman Jim Parnell
Discuss and possible recommendation of an Aesthetic Zoning Ordinance.
11. Council Member Darrell Nelson
Recommendation on Town of Leeds Lighting Ordinance
Update on tabled building permit request for Quality Wholesale Homes
12. Open Discussion
13. Adjournment

POSTED THIS 28TH DAY OF MAY 2003



Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Waltons Plaza

THIS NOTICE MUST BE POSTED UNTIL JUNE 4, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS
Minutes for the Planning Commission Meeting
on June 3, 2003

1. CALL TO ORDER:

The meeting was called to order at 6:08 p.m.

2. ROLL CALL:

Present were Planning Commission Chairman Jim Parnell, Members Mike Kelley, Alice Franks, Wayne Hepworth and Bailey Muir. Also present was Town Council Member Darrell Nelson.

3. PLEDGE:

Mike Kelley

4. APPROVE THE AGENDA AND MINUTES AND MINUTES OF MAY 6, 2003:

Motion by Jim Parnell to approve the agenda and minutes of May 6, 2003. Seconded by Bailey Muir. Motion passed unanimously.

5. GORDON CASEY SUBDIVISIONS, INC. - ERIC EARLY:

Eric Early informed the Commission that he is presenting the same plan as he has presented before for a 12 lot cul-de-sac subdivision. Early stated the Town Council told him, in denying their plat, that they didn't want to see the road go all the way through. Early stated the Council told him the reason for denial was that they wanted it re-adjusted so it didn't go all the way through, so they wouldn't be faced with the prospect of condemning Stirlings and Giers property. Early said the Council told them to come in and submit an application to amend the General Plan. Early stated he wants to be up front with everyone in saying he thinks its the "stupidest idea" he has ever heard. Early pointed to the road and stated this is in fact the only possible way for that entire area of the Town to have a second ingress and egress. Early stated from a personal basis he thinks its ridiculous but he has been asked to make the application. Early said he is mixing his personal feelings with what he has been asked to do. Early stated he would be happy to entertain any questions the Commission may have. Chairman Parnell asked Early if he has a request for the Commission. Early stated I do, I have a request to do the absolute opposite of what I think is right. Parnell said are you requesting us to change the General Plan. Early said personally no, but according to the tape he listened to of the Council meeting, the Council recommended he come back and amend the General Plan. Clerk/Recorder Joy Stevens asked what tape he is referring to. Early stated a tape someone in the audience made. Stevens asked at which meeting is he referring to. Early said it was a Town Council meeting on which this was heard and debated. Parnell stated the Planning Commission gave Early four conditions at the last meeting. Parnell referred to the minutes of May 6, 2003. Early stated he hasn't seen that yet because Joy won't give it to him until the Commission has approved the minutes. Early said he doesn't have the minutes from the Town Council yet either. Council Member Nelson told Early to wait one minute. Nelson said rather than to call the thing idiotic, and Joy won't do this and won't do that.... Early interrupted Nelson and said he wasn't saying that. Nelson stated she can't do it. Early said that's right she can't. Parnell said, Early, you come here and we respect what you say. Do you want us to respect what you say. Early said absolutely. Parnell said then respect us. Early asked what have I not respected. Parnell stated you come here and say how stupid a decision was that we have made. Early said he wasn't talking about the Commission's decision he was talking about the Town Council's decision.

Parnell stated that the Commission is directly connected to the Town Council and when you insult the Town Council you insult the Commission, too. Early said what do you want me to do with this plan, which was suggested by the Town Council, in their motion to deny this subdivision Platte. Early stated the Council are the ones who suggested this. Parnell said the only thing he can do is set a public hearing date to start the process. Parnell told Early, that he Early, is the one who wanted this process and if he wants to he can go through with it or forget about the whole thing. Early said if the Commission thinks this is a possibility of considering eliminating the only second access to that subdivision he will go ahead and go through the process. Early stated he wants his own personal feelings on the record, that he thinks its the most craziest thing he has ever seen. Nelson said he thinks the Commission should turn down the platte since the developer couldn't get the second access and suggest the developer apply to change the General Plan to eliminate the road out of the plan and go for a cul-de-sac. Parnell said that was part of the discussion. The motion that was made by the Commission was to recommend denial of the preliminary platte, and recommend the applicant re-submit a platte which included the 4 recommendations by Engineer Jim Raines. Parnell asked Early if he did that. Early said he understands that is a recommendation of this body but he went to the Town Council and he made a decision based on input at that meeting to request the change. Early said the Council only had one reason for denial. Parnell said that doesn't matter, the Commission can disagree with the Council. Early said the Council are the ones that count. Parnell said he would like to make a recommendation and speaking for himself and not the other members. Parnell then asked Early why he doesn't reconsider the subdivision with lower density. Perhaps into 1 acre lots and just by chance it will be favorable to the Commission. Early said do you think they would actually consider that. Parnell said he can't speak for anyone else. Early then asked the Commission if they lowered the subdivision to 1 acre lots would they consider that. Parnell said the Commission doesn't have to answer that. Early said he would like to have some indication. Parnell said this may be something the Commission would want to think about and discuss later, and he would have no problem if they all voted against him. Stevens said this would be an entirely different plan and would have to back through the correct procedure. Early said he is aware of that but they would like to know if there is a basis for it. Mike Kelley asked if the 4 conditions, recommended by Engineer Raines and this Commission, have been met. Early said he hasn't seen them yet. Stevens said when Early comes in and asks for copies of the minutes they are not available to him until after they have been approved. Stevens said the reason Early hasn't received the minutes from the last Council meeting is because they haven't been approved. Parnell said the Commission understands that, and Early is responsible to take his own notes. Stevens said that is correct, she is not his secretary. Early read from tonight's approved minutes what the recommendations of the Commission were at the May 6, 2003, meeting. Early said he has number 2 taken care of, number 1 taken care of. Kelley said number 2 was the drainage problem. Early said he resolved the drainage issue in front of the Town Council. Kelley and Muir said they would like to know what was resolved. Parnell told Early at this point the Commission needs to know what he is requesting of them. Early said he has been asked by the people he represents to go ahead and pursue the amendment to the General Plan. Planning Commission set the public hearing date for July 1, 2003.

6. ZACHARY HARTMAN/WINDY MCLEAN/KURT HORAN:

Request conditional use permits for two (2) 14' x 48' billboards to be located on the north and south side of Waltons Plaza. Windy McLean introduced herself as representing Simmons Outdoor Media. McLean gave some history on Simmons Outdoor Media. They are the largest shareholder of Zions Bank, they own 44 radio stations and they own and operate about 400 billboards throughout Utah and Idaho. McLean said the conditional use permit they are requesting is to erect two (2) 14' x 48'

Billboards that will be located at the Waltons Plaza. The billboards will be located on the north and south end of the Plaza 500' apart. They will be 45 feet in the air and they will be illuminated. Since they haven't been pre-sold she did not know what would be advertised on them. McLean said it would probably be various hotels or gas stations in the area. McLean said she read the Leeds ordinance and Leeds doesn't regulate or prohibit billboards but it does say all other signs can be brought to the attention of the Planning Commission with a conditional use permit. Alice Franks asked if they have contacted Mr. Walton. McLean said yes she has a signed agreement. Franks said Clerk/Recorder Stevens needs a copy of that. McLean said she will give Stevens a copy after she takes the pertinent information off regarding what they are paying him. Nelson said when this was applied for it was mentioned this would benefit the businesses in Town. Nelson said that can not happen because we only have one entrance and exit in to Town. There is no diamond interchange. By the time someone sees the billboards they have already passed the only exit coming into Town. Any billboard will not be for the benefit of Leeds. McLean said you have to remember the whole main purpose of billboards is name recognition. She said she is sure we have stores in Town that sell national products and goods and services. McLean said we have our own local residents who drive up and down the freeway, whether they are going to St. George or Cedar City, they will see the billboard which gives the product better recognition and they will purchase it in any local store we have here. Nelson said he has lived here for 3 years and the only time he has ever seen the back of Walton's is when the fire department made an emergency turnaround. Nelson said the residents of the Town of Leeds will not see those signs. McLean said if you can speak on behalf of the whole community that's great. Nelson asked McLean if she said the signs will be lighted. McLean said yes they normally light from the bottom but they will build anyway you want them. Nelson said the new light ordinance that will be reviewed tonight will prohibit lighting from the bottom. She said that is fine they will light it from the top with no problem. Nelson said this will take a public hearing. Nelson stated this came before the Town in 1998 and most of the people who were against it then are still here. Nelson said then again in 1999 it came up. McLean said she has been doing this for 7 years and she is very familiar with the statutes of the law. McLean informed the Commission, that according to our ordinance, in order for them to refute a conditional use permit they have to meet certain criteria. McLean said if they will read through the criteria it says in Chapter 7 of 7-6 number 1, "that the proposed use is necessary or desirable and will contribute to the general well-being of the community or that the use will not be detrimental to the health, safety, or welfare of persons residing, or working in the vicinity, or injurious to property or improvements in the vicinity". McLean said she has never known of a billboard being unsafe and its never been unhealthy. She said concerning welfare the Town will get tax dollars off of it as far as sales tax, building and conditional use permits. McLean said she is sure we have high expensive building permits so there is a benefit to the Town in some ways. She then referred to number 2, "that the proposed use will comply with the regulations of this Ordinance". McLean said there isn't anything in the ordinance that talks about billboards. She said in her experience through out the States of Utah, Washington and Oregon, normally you regulate or you prohibit. McLean said she spoke with Joy earlier and the Town has been working on a sign ordinance for the past 5 years. McLean said that means to her either Leeds wants to prohibit or regulate it. McLean then referred to number 3, "that the proposed use is in harmony with the intent and purpose of the Leeds General Plan". McLean said since it doesn't say anything about billboards in the ordinance that makes her assume that in the General Plan it is pretty much accepted. McLean stated she understands the Commissions feelings that no one in Leeds will see the billboards but she feels differently. Parnell asked if the Commission has any comments. Mike Kelley said he doesn't see how the billboards will bring the Town of Leeds any revenue. Parnell said McLean indicated the Town benefits from the cost of the permits. Stevens said the conditional use permit is a one time fee of \$500 for Commercial. Kelley

id he doesn't see how this would enhance the appearance of Leeds at all. Nelson asked if the Commission has had time to review the Billboard Ordinance which was started 5 years ago. Parnell said he would like to go back to what is before them right now and asked for further comments from the Commission. Wayne Hepworth said he would not like to see any sign put in this location. He said he doesn't see any benefit at all to the Town of Leeds. Hepworth said he thinks these signs are maybe okay out in the open. Hepworth asked about the size of the sign. McLean said it is a standard size billboard 14' x 48'. Hepworth said he doesn't like billboards of any kind. He feels this billboard would be too close a residential area, and will not be of any value, at all, to the population of Leeds. Alice Franks said she agrees and besides that she would like to table and have time to review the draft of the billboard ordinance. Franks said she doesn't like billboards either and especially in towns. She doesn't mind them if they are out in the open and not in towns. Franks said she thinks they would detract from Waltons Plaza, and if Walton is trying to rent out his spaces, billboards that size are very distasteful. McLean said she would like to address the comments about the proposed sign ordinance. McLean said unfortunately you cannot deny or approve things on the fact that something is in the works. McLean said you need to pass a moratorium that allows you the chance to review and change any sign ordinance that you want. She said since the Town doesn't have one established right now it makes it hard not to. Stevens said but they can table it. McLean said you can table if you choose. McLean said yes but then you still have to pass a moratorium, and if you do pass a moratorium, she still has vested rights with the application she has submitted. McLean said according to the State of Utah, UDOT, and Leeds current ordinance it is a conforming location. Because Leeds doesn't technically regulate them, but you do in a sense, allow a conditional use under signs. McLean said it doesn't actually say anything in Leeds Ordinance that doesn't actually prohibit billboards. McLean said you can table it and talk to the Town Council members, who are actually the only ones who can pass a moratorium, but they will have to recognize her permit as.....McLean said she does want this on the record that it is a conforming location according to the Department of Transportation, who regulates billboards per the federal government, because of the Lady Bird Johnson Act. Stevens asked if you can now only place billboards on private property. McLean said no you can place them most any place. McLean said there is a Beautification Act and the Town is welcome to look into that. She said it basically states that Lady Bird Johnson didn't want billboards built in the middle of nowhere in the un-urbanized, undeveloped, county properties. McLean said this is very much an incorporated city. Parnell said are you telling us we cannot deny your conditional use permit tonight. McLean said no, you can deny, but she wants to be put on the record that it is a conforming location and conforming application. Bailey Muir said Leeds will not benefit from billboard signs. Leeds doesn't have the businesses here to even bring people in let alone have two big billboards in Town. Muir said he just doesn't feel good about it. Parnell said he feels it would detract from our nice, little, peaceful town. Kelley said we don't even know what kind of advertisements are going to be on it. McLean said there will not be anything of in-moral perpitude. McLean said if you want to put that in as a condition that is not a problem. Parnell asked if there was any more discussion. There wasn't any. Parnell then called for a motion. Motion by Alice Franks to recommend denial of the conditional use permit. Seconded by Mike Kelley. All aye votes. Motion passed unanimously. McLean said she wants to make sure that it states in the minutes it is a conforming application according to your existing ordinance. Parnell said make sure that it also states that is Windy McLean's opinion.

7. LEE G. PRIMM:

Conditional use permit for a home occupation business-Waterless Car Wash training and recruiting meetings at 303 Mesa View. Mr. Primm said he would like to have a home based business,

multi-level, which he will be doing recruiting and training. Mike Kelley asked what happens to the chemicals. Primm said it is about the same principle as non-detergent and detergent oil. It comes in a can and is used the same way as a car wax paste. Primm said they will have 10 people, at the most, on Wednesday nights. Hepworth asked if Primm has talked to his neighbors. Primm said no he hasn't but he will. Nelson asked if Mesa View is a dead end road. Primm said yes it is. Nelson expressed concern about 10 people parking in the roadway. Primm stated 10 people can park in his driveway. Parnell said the condition of this will be that you keep all the cars in your driveway. Primm said he will do that. Hepworth said he would like one of the conditions that Primm talk to his neighbors. Motion by Mike Kelley to recommend approval of the conditional use permit with the condition that he talks to at least 4 of his neighbors, parking stays on his property, and the permit will be reviewed in 6 months. Seconded by Wayne Hepworth. Passed unanimously. Primm stated he will bring in a letter from 4 of his neighbors.

8. PUBLIC HEARING: (Motion to open and close)

Motion by Bailey Muir to open the public hearing. Seconded by Alice Franks. Passed unanimously. Ordinance # 03-05 to amend and adopt the re-survey of the Leeds Townsite Map. Jim Raines of Bush and Guggell gave some background on the re-survey. Raines apologized that he forgot the map in his hurry to get here. Raines went over the problems that have risen over the years with different surveyors. The Town wanted to define their roadways. West Babylon Road was discussed. Raines said there were 2 Babylon roads on the west side of Main Street. There was a 66' Babylon road that was deeded off. Currently Babylon road is a 33' road that is on the north side of Mike Kelley's home. Raines said there were a lot of questions concerning Mountain View Road. Mountain View Road is still there and still exists. Raines said not only was Mountain View Road platted but at one time it was actually a roadway. Raines stated most deeds go by the old block surveys. Section corners, old spikes, and old fence lines. Alice Franks asked if this survey will make it easier for other people to survey. Raines said yes it will. Parnell asked if there were any further comments. Since most of the Commission members are new they said they would like to look at the re-survey map again. Motion by Jim Parnell to close the public hearing. Seconded by Mike Kelley. Passed unanimously.

9. ACTION ON PUBLIC HEARING:

Parnell asked the members if they want to go ahead and approve upon condition they review the map, postpone it for another month so they can look at the map, or what. Parnell asked the members what they want to do since the Town Council has scheduled their public hearing for June 11, 2003. Raines said he will get the map to the members before the Town Council public hearing. Motion by Mike Kelley to recommend approval of the Town re-survey conditioned that they all agree to the map. Seconded by Wayne Hepworth. Discussion. Jim Parnell read Ordinance #03-05. Kelley amended the motion to include the ordinance. Roll call vote. All ave votes. Passed unanimously.

10. PLANNING COMMISSION CHAIRMAN JIM PARNELL:

Discuss and possible recommendation of an Aesthetic Zoning Ordinance. Parnell said he would like to get the opinion of the Commission concerning an Aesthetic Ordinance. Discussion went to the pitch of roofs, overhangs, trees, garages, and etc. The Commission members felt this is a good Ordinance and should be in place as soon as possible. Parnell will work on this ordinance and present it to the Commission on July 1, 2003.

1. COUNCIL MEMBER DARRELL NELSON:

Recommendation on Town of Leeds Lighting Ordinance. Nelson stated this ordinance was first introduced by Council Member Jan Madison. This ordinance is fashioned after LaVerkin's Lighting Ordinance. The ordinance is to protect the night sky. The Commission set a public hearing date for July 1, 2003.

Update on building permit request for Quality Wholesale Homes. Nelson explained the building permit was denied by the Commission because of previous violations that still have not been addressed. Nelson said he has received complaints from R&R Engineering, the business located next to Quality Wholesale Homes, they claim that Quality has encroached on their property by parking on their property and jumping over the fence. Quality hasn't complied with parking requirements and are currently parking on the State road right of way.

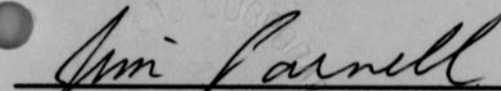
12. OPEN DISCUSSION:

Mr. Ian Crowe apologized for missing the work session he was scheduled for. Crowe will meet with Joy and set up another work session date. The Commission stated before the work session they would like him to submit a letter of intent.

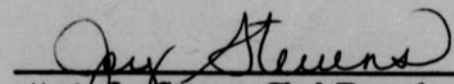
13. ADJOURNMENT:

The meeting adjourned at 7:45 p.m.

APPROVED AND SIGNED THIS 1ST DAY OF JULY 2003



Jim Parnell, Planning Commission Chairman



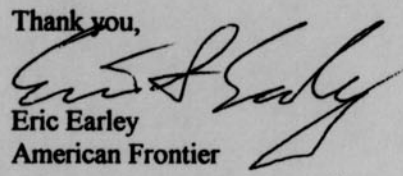
attest: Joy Stevens, Clerk/Recorder

05/15/2003

To: Leeds Town
Planning Commission
Town Council

I, Eric Earley, representing Subdivisions Inc., hereby request a ^{Amend} ~~change~~ ^{EE} in the Leeds General Plan to remove the road between Mesa View and Silver Meadow Rd. I further request, due to hardship imposed by time constraints as well as economic reasons, that a special planning commission meeting be called for the purpose of the first hearing so that it can be held as soon as possible.

Thank you,


Eric Earley
American Frontier

TOWN OF LEEDS PUBLIC HEARING
ATTENDANCE SIGN IN SHEET

DATE: June 3, 2003

PLEASE PRINT NAME AND ADDRESS

1. LEE Plimm 303 MUSA VIEW
2. Donna Marie Otterling
3. Carole Shrling
4. Wanda Lee
5. Wm McEwen 515 S. 700 E SLC UT 84102
6. _____
7. _____
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20. _____

PUBLIC NOTICE
TOWN OF LEEDS
PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold a meeting Tuesday July 1, 2003, at the Leeds Town Hall, 218 North Main Street at 6:00 P.M. Public is welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of June 3, 2003
5. Appoint a Commission Member to sit on the Board of Adjustment
6. Ordinance No. 03-07 Leeds Lighting Ordinance
7. Ordinance No. 03-08 Leeds Billboard Ordinance
8. Bert Leany Minor Subdivision/Lot Split
9. Silver Reef Highlands discuss preliminary platte approval
10. Valerie McCulley request "on premise" beer license.
11. Planning Commission Chairman Jim Parnell
12. Council Member Darrell Nelson
Update on Council items
13. Adjournment

POSTED THIS 30TH DAY OF JUNE 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Norma's Country Kitchen & Things

THIS NOTICE MUST BE POSTED UNTIL JULY 2, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Joy Stevens at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS
Minutes for the Planning Commission Meeting
on July 1, 2003

1. CALL TO ORDER:

The meeting was called to order at 6:02 p.m.

2. ROLL CALL:

Present were Planning Commission Chairman Jim Parnell, Members Alice Franks, Wayne Hepworth and Bailey Muir. Mike Kelley was excused and Town Council Member Darrell Nelson arrived later.

3. PLEDGE:

Wayne Hepworth

4. APPROVE THE AGENDA AND MINUTES AND MINUTES OF JUNE 3, 2003:

Motion by Alice Franks to approve the agenda and minutes of June 3, 2003.
Seconded by Bailey Muir. Passed unanimously.

5. APPOINT A COMMISSION MEMBER TO SIT ON THE BOARD OF ADJUSTMENT:

Motion by Alice Franks to appoint Wayne Hepworth as Planning Commission representative on the Board of Adjustment. Seconded by Bailey Muir. Passed unanimously.

6. ORDINANCE NO. 03-07 LEEDS LIGHTING ORDINANCE:

The Commission reviewed the ordinance. They felt it was a good and workable ordinance. Motion by Alice Franks to recommend approval of Ordinance No. 03-07. Seconded by Wayne Hepworth. Roll call vote. All aye votes. Passed unanimously.

7. ORDINANCE NO. 03-08 LEEDS BILLBOARD ORDINANCE:

Chairman Parnell informed everyone this ordinance was previously worked on by the late Mel Evans. Darrell Nelson then took over the assignment of preparing the ordinance. All Commission Members said they have reviewed the ordinance. The Commission discussed the "grandfathering" clause of existing billboards being removed within 7 days. The Commission made one change on page 2 to the following: Billboard: any off-premise advertising or non-advertising sign greater than fifty square feet. The change will be, "any on/off-premise sign greater than fifty square feet". Motion by Bailey Muir to recommend approval of Ordinance No. 03-08 as amended with the condition if there are any existing billboards the 7 day removal be extended to 6 months. Seconded by Alice Franks. Roll call vote. All aye votes. Passed unanimously.

8. BERT LEANY MINOR SUBDIVISION/LOT SPLIT:

Mr. Leany and surveyor Jim Raines explained what Leany is trying to do with his property. Leany already has property consisting of 3 lots and wants to do a lot line adjustment or as Raines calls it a parcel adjustment. The adjustment is being requested so LDWA will be able to build an office on a smaller parcel than what is currently there.

Motion by Bailey Muir to recommend approval of the lot line adjustment for Bert Leany.
Seconded by Alice Franks. **Passed unanimously.**

9. SILVER REEF HIGHLANDS DISCUSS PRELIMINARY PLAT APPROVAL:

Attorney Lowry Snow explained the project. This project was first introduced to the Commission several years ago but they had water issues that needed to be resolved. Lowry said they feel the water issues have been resolved with LDWA. Since this plan has gone from 18 to 20 lots they will need to meet with LDWA concerning the extra 2 lots. Snow said there has been a significant investment in water storage and lines. The property is zoned R-R-2. The lots will be 1 acre and more with Open Space down the middle where the wash is. Snow said it may have to be a PUD with the Open Space. Ira Hodges designed the project to have the homes "envelope" in to the natural landscape without disturbing it anymore than is absolutely necessary. Discussion went to the School Trust Lands, adjacent to the project, and not yet ready for development. The plat was discussed concerning the lots and ingress egress. The Commission expressed concerns about the open mine shaft on the property. Hodges said it is a concern and safety features will be addressed. Hodges said it will be made safe. Chairman Parnell asked who will maintain the open space. Snow said it will be preserved and maintained by the homeowners. There are 2 open space areas on the outskirts of the project that will be for the Town. A picnic table is currently on one of the areas and could possibly be expanded for a nice park. Snow and Hodges said there will be CC& R's so there will be no livestock and some restrictions on dogs and cats. The length of the cul-de-sac on the north side will not exceed 800'. They are currently working with School Trust representatives to allow the road to circle through their property and out for another access. The road on the south side will continue on up to the water tanks. The Commission members were in agreement that they liked the project and the plan. The road issues will be addressed before a recommendation is given. Snow said they will come back to the next meeting seeking a recommendation for preliminary plan approval.

10. VALERIE MCCULLEY REQUEST "ON PREMISE" BEER LICENSE:

McCulley withdrew her request prior to the meeting.

11. PLANNING COMMISSION CHAIRMAN JIM PARNELL:

Parnell said he had nothing further at this time.

12. COUNCIL MEMBER DARRELL NELSON:

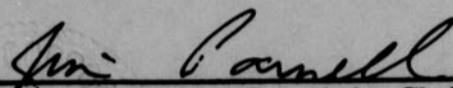
Update on Town Council items. Nelson informed the Commission that the Town Council has scheduled several public hearings for July 23, 2003. The public hearings will be for the Leeds Lighting Ordinance, Leeds Billboard Ordinance, and an ordinance annexing Silver Reef.

Several items were discussed and approved at the Council meeting on June 25, 2003. The Council passed an ordinance concerning fees. The fee schedule needed to be updated. The Council amended the 2002-2003 budget to balance the accounts. Nelson said he is working on a Sexually Oriented Business Ordinance. The ordinance was previously worked on by the late Mel Evans.

13. ADJOURNMENT:

The meeting adjourned at 7:48 p.m.

APPROVED AND SIGNED THIS 5TH DAY OF AUGUST 2003



Jim Parnell, Planning Commission Chairman



attest: Joy Stevens, Clerk/Recorder

PUBLIC NOTICE
TOWN OF LEEDS

PLANNING COMMISSION MEETING

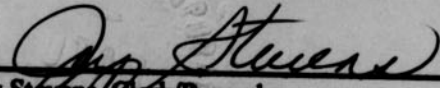
The Planning Commission of Leeds will hold a meeting Tuesday August 5, 2003, at the Leeds Town Hall, 218 North Main Street at 6:00 P.M. Public is welcome to attend.

AGENDA

(All Items are Limited to 10 Minutes)

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of July 1, 2003
5. Silver Reef Highlands submit preliminary plat for approval
6. Etienne St. Laurent-Request approval for a retaining wall with a fence on top
7. Susan Hunter-Home Occupation Business-Fuel Delivery Service
8. Gary Simonson-Home Occupation Business-Trash Dumpster Business
9. Mike Kelley-Conditional Use Permit for Horses
10. Alberta Pace-Request Approval of a Grading Permit
11. Council Member Dave Harbour-Discuss revision of the General Plan
12. Fire Chief Steve Lewis-International Fire Code adoption
13. Planning Commission Chairman Jim Parnell
Aesthetically Pleasing Ordinance
14. Council Member Darrell Nelson
15. Adjournment

POSTED THIS 4TH DAY OF AUGUST 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Norma's Country Kitchen & Things

THIS NOTICE MUST BE POSTED UNTIL AUGUST 6, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Town Hall at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS
Minutes for the Planning Commission Meeting
on August 5, 2003

1. CALL TO ORDER:

The meeting was called to order at 6:04 p.m.

2. ROLL CALL:

Present were Planning Commission Chairman Jim Parnell, Members Alice Franks, Wayne Hepworth, Bailey Muir, and Mike Kelley. Also present was Town Council Member Darrell Nelson.

3. PLEDGE:

Alice Franks

4. APPROVE THE AGENDA AND MINUTES AND MINUTES OF JULY 1, 2003:

Motion by Bailey Muir to approve the agenda and minutes of July 1, 2003.
Seconded by Wayne Hepworth. Passed unanimously.

5. SUSAN HUNTER-HOME OCCUPATION BUSINESS-FUEL DELIVERY SERVICE:

There were various questions and discussion. Hunters verified fuel delivery truck would not be stored at their residence. This would be an office only business license for the fuel delivery service. Motion by Mike Kelley to recommend approval of the home occupation business license with a 1 year review before renewal. Seconded by Alice Franks. Passed unanimously.

6. SILVER REEF HIGHLANDS SUBMIT PRELIMINARY PLAT FOR APPROVAL:

Jim Raines of Bush & Gudgell reviewed the plat submitted for approval. The cul-de-sac on the west side of development can allow for a future road to be stubbed off it to the north to connect to BLM land in case of future development.

Open Space area would be owned by the homeowner's association. The HOA would carry liability insurance for commonly owned areas. Lowry Snow said crescent shaped open space area at the south end of the plat would be given to the Town to use as a park.

The east side of the cul-de-sac would not officialy be a cul-de-sac. It will have temporary, graded and asphalted, turn arounds at each end. It is planned that eventually SITLA (School Trust Lands) will develop their neighboring land and connect on to the road and make it into a loop. Kurt Gordon/SITLA said it may be 3-4 years before the adjacent property might be developed. SITLA would sign an agreement giving easement for turn-around access and that they agree with the location of the stubbed off road access for their future road attachments. Motion by Wayne Hepworth to recommend approval of the plat with a variance request to follow up on turn-around in cul-de-sac. Seconded by Bailey Muir. 3 aye votes, 1 nay vote. Motion passed.

7. ETIENNE ST. LAURENT-REQUEST APPROVAL FOR A RETAINING WALL WITH A FENCE ON TOP:

St. Laurents said they want to build a retaining wall 2 1/2 to 3 feet high with a 4 foot fence on top across the front of their property. The total height could vary from 6 to 7 feet with a hedge planted in front of the fence. Chairman Parnell expressed that a variance would be required if this is approved. Motion by Bailey Muir to recommend approval of the wall and fence plan, as proposed, as long as the grading from the sidewalk covers 2/3 of retaining wall. Seconded by Alice Franks. 3 aye votes. 1 nay vote. Motion passed.

8. GARY SIMONSON-HOME OCCUPATION BUSINESS-TRASH DUMPSTER BUSINESS:

Simonson stated most of the business out of his home will be paperwork. He will need to park a 20 ft truck in his yard and a few empty 8 yd. dumpsters. Planning Commission expressed concerns about storing dumpsters on the property and no way of knowing if anything toxic has been put in the dumpsters. The Planning Commission felt an office and storage of the truck is okay but no dumpsters on the property. Motion by Mike Kelley to recommend approval of the home occupation business for an office and storage of the truck. To be reviewed in 6 months. Seconded by Bailey Muir. 3 aye votes. 1 nay vote. Motion passed.

9. MIKE KELLEY-CONDITIONAL USE PERMIT FOR HORSES:

Kelley requested a conditional use permit for 2 horses on his property which is 2/3 of an acre. Kelley's property is zoned R-1-20. This zone allows for 1 horse per 20,000 sq. ft. Motion by Alice Franks to table the request and recommend that Kelley seek an additional 10,000 sq. ft. of land. Seconded by Bailey Muir. Passed unanimously.

10. ALBERTA PACE-REQUEST APPROVAL OF A GRADING PERMIT:

Jim Raines of Bush & Guggell Engineering commented that this request falls under the "regular grading" requirements. Chairman Jim Parnell recommended having Bush & Guggell, the Town's engineering consulting firm, review the plan and grading permit. The Planning Commission's approval is not recommended as long as the engineer verifies this grading plan falls within the required grading category.

11. COUNCIL MEMBER DAVE HARBOUR-DISCUSS REVISION OF THE GENERAL PLAN:

Harbour was not present.

12. FIRE CHIEF STEVE LEWIS-INTERNATIONAL FIRE CODE ADOPTION:

Chief Lewis proposed that the Town of Leeds adopt the 2000 International Fire Code with Appendices A-G. Leeds Area Special Service District has already adopted it. One significant change from the previous fire code, subdivision of 0-30 homes with only one ingress/egress will require fire sprinklers inside the homes. Chief Lewis said the IFC has been adopted by the State of Utah, State Code will supercede local codes. Chief Lewis said further information can be found on the internet. Motion by Mike Kelley to table the request. Seconded by Bailey Muir. Passed unanimously.

13. PLANNING COMMISSION CHAIRMAN JIM PARNELL:

Aesthetically Pleasing Ordinance. Parnell said he is not ready at this time to present the ordinance.

14. COUNCIL MEMBER DARRELL NELSON:

Update on Town Council Items.

Dave Harbour will be sharing the results of the recent resident survey.

The Outdoor Lighting Ordinance was tabled.

The Billboard Ordinance was adopted.

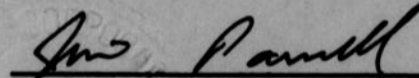
Bert Leany lot line adjustment was approved.

Silver Reef Annexation was approved.

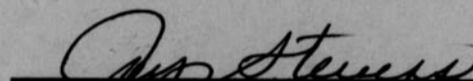
15. ADJOURNMENT:

The meeting adjourned at 8:25 p.m.

APPROVED AND SIGNED THIS 2ND DAY OF SEPTEMBER 2003

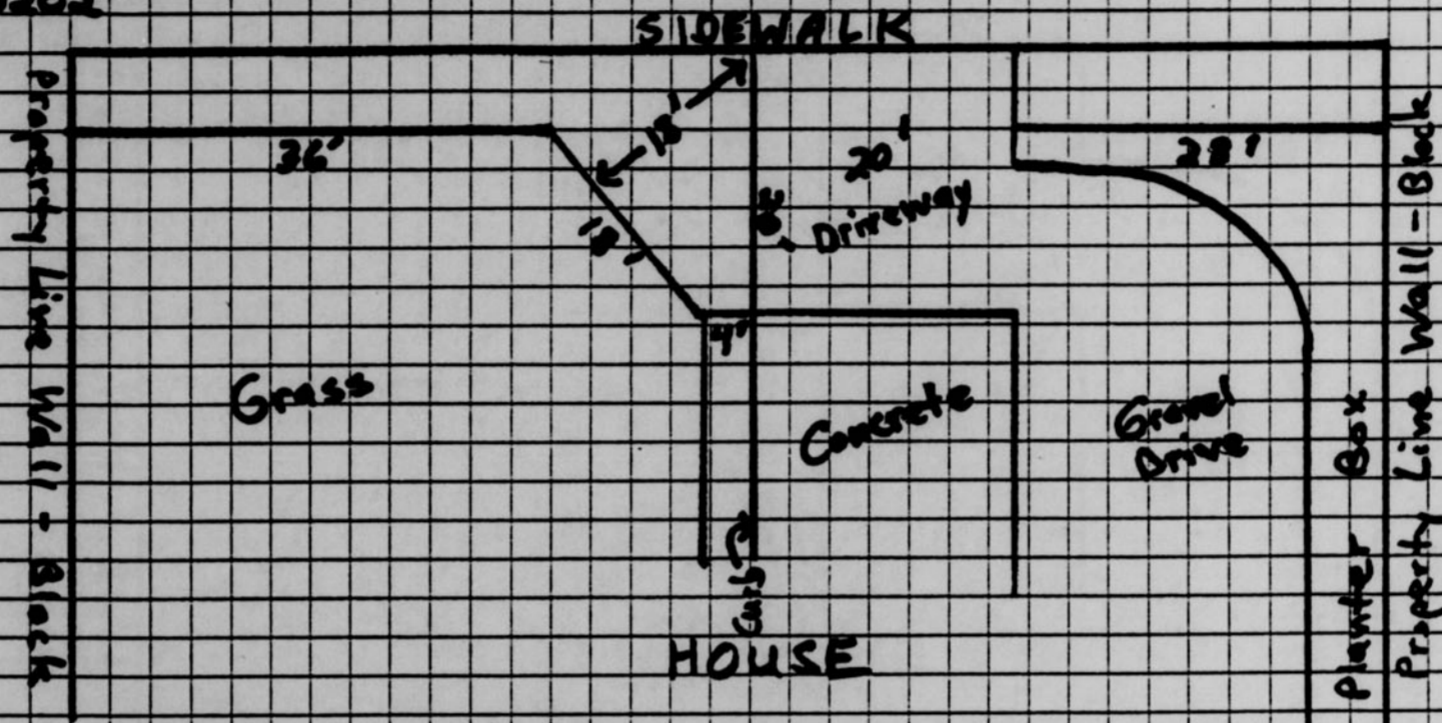


Jim Parnell, Planning Commission Chairman



attest: Joy Stevens, Clerk/Recorder

55 N. Main - St. Laurent - Aerial View - To Scale
 879-0202



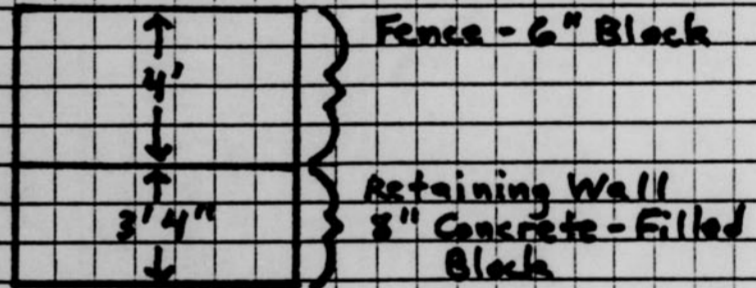
1 square = 3 ft.

Red = New Wall + Fence

Black = Existing

KEY

(Slide) Front View of Wall - Not To Scale



PUBLIC NOTICE
TOWN OF LEEDS PLANNING COMMISSION MEETING

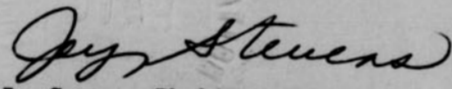
The Planning Commission of Leeds will hold a meeting Tuesday September 2, 2003, at the Leeds Town Hall, 218 North Main Street at 6:00 P.M. Public is welcome to attend.

AGENDA

(All items are Limited to 10 Minutes)

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of August 5, 2003,
5. Dan Hammond-South Leeds Business Center
 Converting the Motel into Business Offices
6. Tabled items at last meeting
 Mike Kelley-Conditional Use Permit for horses.
 Fire Chief Steve Lewis-International Fire Code Adoption.
7. Town Council Member Darrell Nelson
 Update on Town Council items.
8. Planning Commission Chairman Jim Parnell
9. Adjournment

POSTED THIS 1ST DAY OF SEPTEMBER 2003



Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Norma's Country Kitchen & Things

THIS NOTICE MUST BE POSTED UNTIL SEPTEMBER 3, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Town Hall at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS

Minutes of the Planning Commission Meeting
September 2, 2003

1. CALL TO ORDER:

Chairman Parnell called the meeting to order at 6:03 p.m.

2. ROLL CALL:

Present was Chairman Jim Parnell, Commission Members Wayne Hepworth, Alice Franks, Mike Kelley and Bailey Muir. Also present was Town Council Member Darrell Nelson.

3. PLEDGE:

Darrell Nelson.

4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bailey Muir to approve the agenda and minutes of August 5, 2003. Seconded by Mike Kelley. Passed unanimously.

5. DAN HAMMOND-SOUTH LEEDS BUSINESS CENTER:

Converting the motel into business offices. Hammond stated he is the owner of the business center and would like to convert the motel rooms into business offices. Two of the motel units are currently occupied. The on-site manager is in one unit and a construction worker in the other unit. The Commission members were in favor of the business offices rather than a motel.

Motion by Bailey Muir to recommend approval of the business offices conditioned upon septic approval. Unit # 8 will be used for the on-site manager. Another unit will be used for a temporary construction worker. There will be a review in 6 months. Seconded by Alice Franks. Passed unanimously.

6. TABLED ITEMS:

Mike Kelley-Conditional Use Permit for horses. Council Member Nelson said he is working on amending the Leeds Animal Control Ordinance. Nelson would like the Town to amend the ordinance to be consistent with Washington Counties ordinance. Mike Kelley said he would like to have the permit request tabled again. Motion by Alice Franks to table Mike Kelley's Conditional Use Permit application. Seconded by Bailey Muir. 3 aye votes. 1 abstention. Motion passed.

Fire Chief Steve Lewis-International Fire Code Adoption. The Commission discussed the fact the State of Utah and Leeds Area Special Service District have already adopted the International Fire Code. Motion by Mike Kelley to recommend approval of the International Fire Code. Seconded by Alice Franks. Passed unanimously.

7. TOWN COUNCIL MEMBER DARRELL NELSON:

Update on Town Council items.

Nelson said the Council tabled the Outdoor Light Ordinance since it needs more work.

The Council approved Susan Hunters Home Occupation Business License request for an office of a fuel delivery business located in St. George.

The Council denied a Home Occupation Business License for Gary Simonson for a trash dumpster business. The Council was concerned about the dumpsters already on the property. Mr. Simonson will be told to remove the dumpsters from the property. Simonson will be given the opportunity to re-submit for an office only business license after the dumpsters are removed.

Leeds engineering firm issued a grading permit to Alberta Pace for a driveway on the property Alberta recently was granted a zone change.

Etienne St. Laurent withdrew his request for a retaining wall with a fence on top stating his attorney said he doesn't need permission.

The Council approved the preliminary plat for Silver Reef Highlands with several conditions attached.

8. PLANNING COMMISSION CHAIRMAN JIM PARNELL:

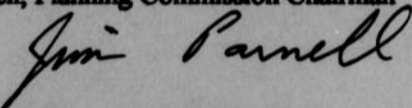
Parnell said it has been brought to his attention that a piece of property in Town by the Russ Peine residence doesn't meet frontage requirements and therefore the property owner will need to apply for a variance.

9. ADJOURNMENT:

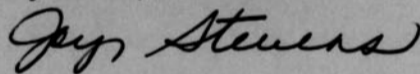
The meeting adjourned at 7:35 p.m.

APPROVED AND SIGNED THIS 7TH DAY OF OCTOBER 2003

Jim Parnell, Planning Commission Chairman



attest: Joy Stevens, Clerk/Recorder



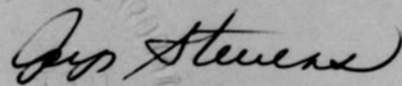
PUBLIC NOTICE
TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold a meeting Tuesday October 7, 2003, at the Leeds Town Hall, 218 North Main Street at 6:00 P.M. Public is welcome to attend.

AGENDA
(All items are Limited to 10 Minutes)

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of September 2, 2003.
5. David and Danielle Stirling
Babylon Road issues.
6. PTN- Marybelle/Mary Anderson
Request a Minor Subdivision adjacent to LASSD Fire Station
7. Tabled items at last meeting
Mike Kelley-Conditional Use Permit for horses.
8. Town Council Member Darrell Nelson
Update on Town Council items.
9. Planning Commission Chairman Jim Parnell
10. Adjournment

POSTED THIS 6TH DAY OF OCTOBER 2003



Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Norma's Country Kitchen & Things

THIS NOTICE MUST BE POSTED UNTIL OCTOBER 8, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Town Hall at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS

Minutes of the Planning Commission Meeting
October 7, 2003

1. CALL TO ORDER:

Chairman Parnell called the meeting to order at 6:05 p.m.

2. ROLL CALL:

Present was Chairman Jim Parnell, Commission Members Wayne Hepworth, Mike Kelley and Bailey Muir. Also present was Town Council Member Darrell Nelson. Chairman Parnell informed the members that Alice Franks has resigned her position on the Planning Commission.

3. PLEDGE:

Wayne Hepworth.

4. APPROVAL OF AGENDA AND MINUTES:

Motion by Mike Kelley to approve the agenda and minutes of September 2, 2003.

Seconded by Bailey Muir. Passed unanimously.

5. DANIELLE STIRLING:

Babylon Road issues. Danielle Stirling and Ron Whitmer expressed their concerns about the condition of Babylon Road. They indicated that the road is extremely wash-boarded and difficult to drive on. Discussion went to the graveled road and teenagers driving too fast on it. The Commission felt lowering the speed limit would help preserve the graveled road until the Town Council can acquire funding for the road improvements. Council Member Darrell Nelson said Babylon Road is the next big project being considered when funding permits. The road by the cattle guard is actually in the wrong place. The road will need to be re-aligned and put back where it should be before the road improvements begin. This will require moving fences and one old building. Motion by Mike Kelley to recommend the Council consider a temporary base on the rough spots on Babylon Road. Seconded by Wayne Hepworth. Passed unanimously.

6. PTN MARYBELLE-WAYNE NELSON:

Request a Minor Subdivision adjacent to LASSD Fire Station. Neilson explained that PTN is a liability company and Petes Place is the Corporation behind the request. Mike Walker is their Attorney and PTN Marybelle has title to the property. Neilson said the property is a somewhat awkward piece of land. The property is zoned General Commercial and he would like to split the 3.38 acres into 3 pieces. Neilson said there were only certain areas on the property that would perc for the septic systems. The plan indicated two flag lots and one lot with frontage on Main Street. Neilson said it will require some work to address the drainage issue with the property. The Commission expressed concerns over the flag lots, width of the roads, feasibility, traffic and drainage issues. The Commission offered several suggestions to eliminate the flag lots thus eliminating the concerns with all three lots accessing on a main arterial. They also suggested the road needs to be 55 wide and moving the power pole and fire hydrant would accomplish that. The Commission members said they would like to have a chance to physically go look at the

property. Motion by Wayne Hepworth to table for further study of the property and involve the Town engineer. Seconded by Bailey Muir. Passed unanimously.

7. TABLED ITEMS AT THE LAST MEETING:

Mike Kelley-Conditional Use Permit. Kelley said he has obtained an additional 10,000 sq. feet of property through a lease with his neighbor Bailey Muir. The additional property would allow Kelley to have 2 horses on the property. Motion by Wayne Hepworth to recommend approval of the Conditional Use Permit with the condition that Kelley lease 10,000 sq. ft of additional property from Muir. Seconded by Bailey Muir. 3 aye votes. 1 abstention (Bailey Muir). Motion passed.

8. TOWN COUNCIL MEMBER DARRELL NELSON:

Update on Town Council items.

Nelson said the Council tabled the Outdoor Light Ordinance since it needed more work. Resolution # 03-09 was approved. The Resolution concerns a policy change for the review of building plans. All building plans will now be reviewed by the Planning Commission prior to the building inspectors review. The permit process will still be handled by the Clerk/Recorder.

Resolution # 03-10 was approved. The Resolution was for an agreement with Bush and Gudgeon Engineering and the Town. Bush & Gudgeon will now represent the Town as its engineering firm.

The Leeds Police Department has purchased a new police cruiser. It is a 2001 Ford Crown Victoria. Chief Brent Nelson received a grant for \$13,500.00. The purchase price is \$18,000.00. The Town will come up with the difference of \$4,500.00.

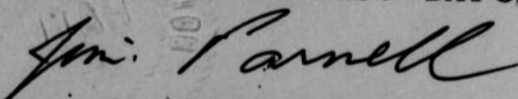
9. PLANNING COMMISSION CHAIRMAN JIM PARNELL:

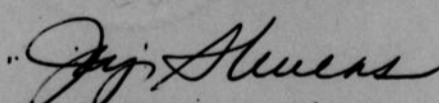
Parnell said Clint Peterson has called him several times during the week and is here tonight. Peterson would like to take a few minutes to discuss a project he has planned for mini storage units on Cemetery Road. Council Member Darrell Nelson stated this is not on the agenda and should not be discussed in an open meeting in which it has not been noticed. It was determined that after the meeting has adjourned, any members wanting to, can stay and talk with Peterson.

10. ADJOURNMENT:

The meeting adjourned at 7:50 p.m.

APPROVED AND SIGNED THIS 5TH DAY OF NOVEMBER 2003


Jim Parnell, Planning Commission Chairman


attest: Joy Stevens, Clerk/Recorder

Leeds Planning Committee

Due to the fact that Babylon Road has not been maintained by the Town of Leeds, it is extremely wash-boarded and difficult to drive on. There are many areas that are in need of immediate attention. We are bringing this problem to the Committee to see if there would be a possibility to provide road base and assistance for Babylon Road.

David and Danielle Stirling

David Danielle Stirling

October 2, 2003

PUBLIC NOTICE
TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold a meeting Wednesday November 5, 2003, at the Leeds Town Hall, 218 North Main Street at 6:00 P.M. Public is welcome to attend.

AGENDA
(All items are Limited to 10 Minutes)

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of October 7, 2003.
5. Clint Peterson
Request approval of a Conditional Use Permit and building plans for mini storage units on Cemetery Road by the South bound on ramp.
6. Bailey Muir
Request approval of building plans to change the exterior of his home.
7. Peggy Allen
Discuss possible businesses on property adjacent to Waltons Plaza.
8. Tabled Items at the last meeting
PTN Marybelle-Wayne Neilson-Minor subdivision on property adjacent to the fire department.
9. Town Council Member Darrell Nelson
Update on Town Council items.
10. Planning Commission Chairman Jim Parnell
Discuss Harold Furrows lot split
11. Adjournment

POSTED THIS 3rd DAY OF NOVEMBER 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places:

1. Leeds Town Hall
2. Leeds Post Office
3. Norma's Country Kitchen & Things

THIS NOTICE MUST BE POSTED UNTIL NOVEMBER 6, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Town Hall at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS

Minutes of the Planning Commission Meeting
November 5, 2003

1. CALL TO ORDER:

Chairman Parnell called the meeting to order at 6:10 p.m.

2. ROLL CALL:

Present was Chairman Jim Parnell, Commission Members Wayne Hepworth and Bailey Muir. Also present was Town Council Member Darrell Nelson. Mike Kelley was excused.

3. PLEDGE:

Wayne Hepworth.

4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bailey Muir to approve the agenda and minutes of October 7, 2003. Seconded by Wayne Hepworth. Passed unanimously.

5. CLINT PETERSON:

Request approval of a Conditional Use Permit and Building Plans for mini storage units on Cemetery Road by the South bound on ramp. Peterson explained to the Commission he is proposing to build 60 storage units catering to RV's and boats. The size of the enclosed units is 15 x 40 feet. Half of the units will have doors on both sides. The Planning Commission expressed concerns of proper ventilation with storing motor homes in an enclosed area. Peterson said he will leave the trees on the property. In order to meet setback requirements the last 2 units will need to be eliminated. Peterson said he will use earth tone decorative block on the front, back, and sides of the units. The Commission advised Peterson to come back with a revised plan showing fewer units with earth tones and chipped block.

6. BAILEY MUIR:

Request approval of building plans to change the exterior of his home. Muir presented building plans to add a porch and pitch the roof on his manufactured home. The Commission approved of his plans to improve the aesthetics of his home. The plans will be sent on to the building inspector for approval.

7. PEGGY ALLEN:

Discuss possible businesses on property adjacent to Waltons Plaza. This item was withdrawn by the Allens.

8. TABLED ITEMS AT THE LAST MEETING:

PTN Marybelle-Wayne Neilson-Minor subdivision on property adjacent to the fire department. Neilson said he hopes the Commission has had a chance to go look at the property concerning the drainage issue. Neilson said the drainage issue will be addressed with a grading permit when he comes back in to get a building permit. Chairman Parnell said this project is a

major subdivision rather than a minor because the 3 parcels don't front an existing road. Parnell said the property currently has 1 water tap and in order to have 3 parcels Neilson will need to acquire more water. The Planning Commission had concerns with the flag lots, frontage and water. Neilson asked for this item to be tabled until he can meet with Bush & Gudgeon Engineering. Motion by Wayne Hepworth to table until the next meeting. Seconded by Bailey Muir. Passed unanimously.

9. TOWN COUNCIL MEMBER DARRELL NELSON:

Update on Town Council items. Nelson said the Council has been approached to install curb and gutter on Main Street, at a fraction of the cost, while Washington Co. Water Conservancy is installing a water pipe down the street.

The Council approved expending \$1,000 to grade Mountain View Road. They also approved the expenditure of \$18,000 to purchase a new police vehicle.

10. PLANNING COMMISSION CHAIRMAN JIM PARNELL:

Parnell said he would like to see some of Leeds ordinances amended. He would like to see where all parcels have a 75' frontage. Flag lots should all require a variance.

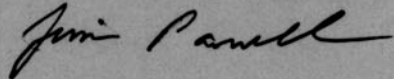
Discuss Harold Furrows lot split. Parnell said Furrow has inquired about splitting another piece of his property and selling it. Parnell said he is concerned about Furrows property. Furrow has property in the Town and in the County. The boundary line is of concern. Furrow may request this lot split for the next meeting.

11. ADJOURNMENT:

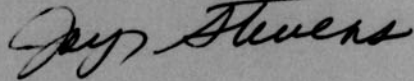
The meeting adjourned at 7:50 p.m.

APPROVED AND SIGNED THIS 2nd DAY OF DECEMBER 2003

Jim Parnell, Planning Commission Chairman



attest: Joy Stevens, Clerk/Recorder



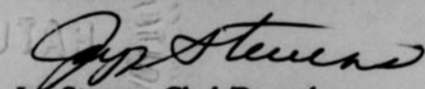
PUBLIC NOTICE
TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold a meeting Tuesday December 2, 2003, at the Leeds Town Hall, 218 North Main Street at 6:00 P.M. Public is welcome to attend.

AGENDA
(All items are Limited to 10 Minutes)

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of November 5, 2003.
5. Harold Furrow
Request a lot split on his property.
6. Carlyn Hall
Submit plans to build a 2 car attached garage.
7. Clint Peterson
Request approval of a Conditional Use Permit and building plans for mini storage units on Cemetery Road by the South bound on ramp.
8. Silver Reef Highlands
Address issues of open space and density by requesting approval of an amended preliminary plat.
9. Tabled Items at the last meeting
PTN Marybelle-Wayne Neilson-Minor subdivision on property adjacent to the fire department.
10. Town Council Member Darrell Nelson
Update on Town Council items.
11. Planning Commission Chairman Jim Parnell
12. Adjournment

POSTED THIS 1st DAY OF DECEMBER 2003


Joy Stevens, Clerk/Recorder

Posted in the following public places: 1. Leeds Town Hall 2. Leeds Post Office 3. Norma's Country Kitchen & Things

THIS NOTICE MUST BE POSTED UNTIL DECEMBER 3, 2003. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.
In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Town Hall at 879-2447 at least 48 hours prior to the meeting.

TH - 6:00 PM

TOWN OF LEEDS

Minutes of the Planning Commission Meeting
December 2, 2003

1. CALL TO ORDER:

Chairman Parnell called the meeting to order at 6:04 p.m.

2. ROLL CALL:

Present was Chairman Jim Parnell, Commission Members Wayne Hepworth Mike Kelley Bailey Muir, Town Council Member Darrell Nelson and Attorney Heath Snow.

3. PLEDGE:

Mike Kelley

4. APPROVAL OF AGENDA AND MINUTES:

Wayne Neilson of PTN Marybelle called and asked to have his item removed from the agenda. Wayne stated he will be finding another use for his property. Motion by Bailey Muir to approve the agenda, with the amendment of striking #9 PTN Marybelle, and to approve the minutes of October 7, 2003. Seconded by Wayne Hepworth. Passed unanimously.

5. HAROLD FURROW:

Request a lot split on his property. The Planning Commission Chair Jim Parnell directed the Commission to the report of Mr. Furrow's survey of his property. The report indicated that a portion of the property Furrow wants to split and sell is in the County. Leeds Town Attorney Heath Snow advised Furrow to annex and bring the property into the Town of Leeds boundaries and then request a minor subdivision. Furrow said he will come in and get an annexation petition to start the process of annexing the property he wishes to sell.

6. CARLYN HALL:

Submit plans to build a 2 car attached garage. Carlyn Hall was represented by her son Scott Hall. Hall presented plans to build a 2 car attached garage. The Commission reviewed the plans and had no problem with the garage however there wasn't a site plan indicating setbacks. Motion by Wayne Hepworth to forward the plans on to the building inspector contingent upon Hall bringing in a site plan indicating compliance with setbacks. Seconded by Mike Kelley. Passed unanimously.

7. CLINT PETERSON:

Request approval of a Conditional Use Permit and Building Plans for mini storage units on Cemetery Road by the South bound on ramp. Peterson presented to the Commission a new plat map and concept for the mini storage units. This plat was a different plat than the one the Commission was given in their packets for the meeting. The plat the Commission received 5 days prior to the meeting indicated 64 enclosed units. Peterson said the plat has changed since then. Peterson is proposing a 195' x 50' covered storage area and 38 enclosed units. The Commission voiced their concerns that no where on this new plat does it

indicate the revisions the Commission had proposed at the last meeting. At the last meeting the Planning Commission expressed concerns of proper ventilation with storing motor homes in an enclosed area, boundaries need to be indicated and addressing the setback requirements. Also at the meeting the Commission advised Peterson to come back with a revised plan showing fewer units with earth tones and chipped block. The Commission then reviewed the new plat and said they do not want the covered storage area to be open on all sides. Instead they would like to see 3 sides enclosed so anyone passing by on the roads will not see what is in the covered area. The Commission voiced concern about the "future" retention pond. Attorney Snow stated it should not indicate "future." Whatever the Commission is requiring should be on the preliminary plat since it is part of the plan process. Attorney Snow said he is concerned about the "future" retention basin and also cautioned Peterson about violation of the Hillside Ordinance. Attorney Snow said the plat needs a site plan with elevations, drawn to scale, location of Town boundaries, actual retention basin, split face walls and if there is to be a retaining wall then indicate it. Attorney Snow asked Peterson about signage. Peterson said he will have a monument sign at the front. The Commission felt this is a good use of the property but it needs to be done right and they would like to see a more complete plat. Motion by Mike Kelley to table and have Peterson come back with a more complete plat with the recommended revisions indicating setbacks, boundaries, chip block, actual retention, drawn to scale, elevations and possible retaining wall. Seconded by Bailey Muir. Passed unanimously.

8. SILVER REEF HIGHLANDS:

Address issues of open space and density by requesting approval of an amended preliminary plat. Density of the project became evident at the Town Council meeting when it was noted the project is in a 2 acre zone, with 27 lots on 49 acre which did not meet the requirement. The preliminary plat also indicated a 50' road rather than the required 55'. Dallin Gardner representing Silver Reef Highlands said they have acquired more acreage from SITLA (School Trust Lands) and is shown on the new plat as Open Space. There are now 27 lots and 54 acres. Gardner said the Open Space will be overseen by the association and preserved in the CC&R's. Attorney Snow questioned the 200' width requirement in an R-R-2 zone is not indicated on the plat for any of the lots. Discussion went to the possible revoking of the approval of the preliminary plat because of the 200' requirement. They also discussed the fact other communities require approximately 150' width requirement for 2 acre zone. Commission felt the 200' requirement needs to be addressed. Discussion then went to the circulation of the road into SITLA property. Don Leavitt of SITLA stated he has written a letter approving the circulation of the road through SITLA property and will also sign a specific note on the plat at the request of Attorney Snow. Motion by Jim Parnell, realizing there is a problem regarding width, referring to page 52 of the Leeds Zoning/Subdivision Ordinance 13-5 in R-R-2 zoning, concerning the 200' width requirement, recommend approval of the revised preliminary plat specifically the density and the road width. Seconded by Bailey Muir. Passed unanimously.

9. TABLED ITEM PTN MARYBELLE:

At the request of Wayne Neilson this item was stricken.

10. TOWN COUNCIL MEMBER DARRELL NELSON:

Update on Town Council Items.

The Town Council approved the purchase of new playground equipment.

Mountain View walking trail is complete except for the rock surface.

Council Member Dave Harbour has completed the draft of the General Plan.

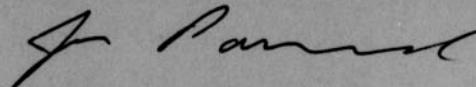
Dan Hammond has not been able to come up with the money for a conditional use permit application for the motel so he has closed it up.

11. ADJOURNMENT:

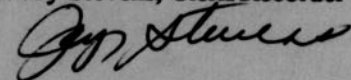
The meeting adjourned at 7:55 p.m.

APPROVED AND SIGNED THIS 6th DAY OF JANUARY 2004

Jim Parnell, Planning Commission Chairman



attest: Joy Stevens, Clerk/Recorder



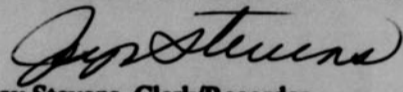
PUBLIC NOTICE
TOWN OF LEEDS PLANNING COMMISSION MEETING

The Planning Commission of Leeds will hold a meeting Tuesday January 6, 2004, at the Leeds Town Hall, 218 North Main Street at 6:00 P.M. Public is welcome to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Pledge
4. Approval of Agenda and Minutes of December 2, 2003.
5. Tabled Items
 Clint Peterson-Request approval of a Conditional Use Permit and building plans for mini storage units on Cemetery Road by the South bound on ramp.
6. Gordon Casey Subdivisions, Inc.
 Request a 14 lot subdivision at approximately 162 Vista Ave.
7. Town Council Member Darrell Nelson
 Update on Town Council items.
8. Planning Commission Chairman Jim Parnell
9. Adjournment

POSTED THIS 5th OF JANUARY 2004


Joy Stevens, Clerk/Recorder

Posted in the following public places: 1. Leeds Town Hall 2. Leeds Post Office 3. Norma's Country Kitchen & Things

THIS NOTICE MUST BE POSTED UNTIL JANUARY 7, 2004. IT IS AGAINST UTAH STATE LAW TO REMOVE IT BEFORE THE DATE INDICATED.

In compliance with the Americans with Disabilities Act, the Town of Leeds will make reasonable accommodation for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call Town Hall at 879-2447 at least 48 hours prior to the meeting.

TOWN OF LEEDS

Minutes of the Planning Commission Meeting
January 6, 2004

1. CALL TO ORDER:

Chairman Parnell called the meeting to order at 6:06 p.m.

2. ROLL CALL:

Present was Chairman Jim Parnell, Commission Members Wayne Hepworth and Bailey Muir, Town Council Member Darrell Nelson and Attorney Heath Snow. Mike Kelley was excused.

3. PLEDGE:

Bailey Muir.

4. APPROVAL OF AGENDA AND MINUTES:

Motion by Bailey Muir to approve the agenda and minutes of December 2, 2003.
Seconded by Wayne Hepworth. Passed unanimously.

5. TABLED ITEMS:

Clint Peterson-Request approval of a Conditional Use Permit and Building Plans for mini storage units on Cemetery Road by the South bound on ramp. Peterson presented to the Commission a new plat map and concept for the mini storage units. Peterson is proposing a 165' x 50' covered storage area with 11 enclosed units and 48 other various sized units for a total of 59 units. The Commission voiced their concerns about the following:

1. No retaining wall indicated on the plat for the area next to the hill.
2. The detention pond and the south parking area are in the County. Peterson said he spoke with the County's engineer and he doesn't have a problem with the pond and the parking area being in the County and is prepared to write a letter to give approval.
3. A utility easement needs to be indicated on the plat.
4. Indicate on the plat concerning the decorative rock and roof material.
5. Potential fire hazard with RV's parked in an enclosed unit without proper ventilation.
6. Designate the percentage of compaction. Attorney Snow suggested 95%.
7. If there are doors on both sides of a unit it needs to be indicated on the plat.
8. Indicate on the plat any lighting and signage.

Peterson then stated he is going to start the annexation procedure to annex all of his property that is in the County into the Town of Leeds. Peterson said he will make the revisions on the plat. Motion by Wayne Hepworth to table and have Peterson come back with a more complete plat with the recommended revisions. Seconded by Bailey Muir. Passed unanimously.

6. GORDON CASEY SUBDIVISIONS INC:

Request a 14 lot subdivision at approximately 162 Vista Ave. No one from Subdivisions Inc. was present at this time.

7. TOWN COUNCIL MEMBER DARRELL NELSON:

Update on Town Council items.

The Council approved Ordinance #03-11. Establishing a time and place for holding regular meetings. The Town Council will now hold one regular meeting a month on the last Wednesday at 7:00 p.m.

The Council approved Ordinance # 03-10. Amending Ordinance No. 1977 to adopt current building codes. The Council has now adopted the 2003 International Fire and Building Codes.

The Council approved the expenditure of up to \$325.00 for Tyler Westhoff to build 12 benches for the park as his Eagle project.

The Council approved the preliminary plat for Silver Reef Highlands subject to the condition they obtain a PUD permit and conditioned lots 6 & 7 be adjusted upward to be more compatible with the other lots on the East side. No dirt to be moved in meantime.

Harold Furrow requested a minor subdivision. However, part of the property is in the County. Mr. Furrow will petition to annex a portion of his property into the Town.

Wayne Neilson withdrew his request for a minor subdivision adjacent to the fire station.

The Town Council approved waiving 75% of Scott Hayes impact fees since he removed an old house and built a new one in its place which enhances the property significantly.

8. PLANNING COMMISSION CHAIRMAN JIM PARNELL:

Parnell said he would like the Commission to work on some of the Ordinances and make necessary corrections. One of his concerns is no frontage on Commercial property.

REVISIT ITEM NO. 6:

Gordon Casey was now present. Casey said he is requesting approval of a preliminary plat for a 14 lot subdivision located at approximately 162 Vista Ave. Casey explained the location of the property and the fourteen ½ acre lots. Casey said he has talked with the Mayor and the Stirlings concerning the property he is trying to obtain from them for the through road to tie in with Babylon Road. Casey said he would have had this done but Mr. Stirling has been in the hospital. Casey indicated retention ponds on each lot and at the bottom of the property are 2 large detention ponds. Casey said if the Town wants curb and gutter they are willing to do that. Casey said they will tie into the existing water line. Casey said they have widened the asphalt to a 30' road of travel space. Parnell asked for clarification that Casey has not obtained the property for the through road from Giers and Stirlings. Casey said no he hasn't but he has met with the Mayor and will be able to work it out with her. Casey said he should be able to work it out with the Stirlings also.

Casey said he would like to get preliminary approval subject to obtaining the property for the through road. Parnell said the problem he has is the property hasn't been purchased yet. Casey said they are not going to buy the property until they get preliminary approval. Casey said the Mayor doesn't have any problem with this other than the price and what they can work out.

Casey said the Board of Adjustment said the cul de sac was too long. Parnell asked for a definition of what the Board of Adjustment decided. Attorney Snow said the Board of Adjustment allowed Casey to have an extended road. Casey said he did not even know this had gone so far as Eric Early going to the Board of Adjustment for an appeal. Casey said he wants to apologize to the Town stating he had no idea what was taking place and what was going on with

the appeal or the lawsuit filed by Early. Casey said he has never done business like that before. Council Member Darrell Nelson asked if the whole lawsuit filed by Eric Earley had been dropped. Attorney Snow said no the whole lawsuit has not been dropped. Anything having to do with the denial of this subdivision approval with Subdivisions, Inc. has been dropped out of it. What remains in the lawsuit is how he, Eric Earley, was treated, the Town fees, and how the Town has been interpreting "provide for". Nelson asked why the whole suit wasn't dropped and Early file a new suit. Attorney Snow said because of time limitations.

Parnell said he would like the Town engineer to study the drainage on this property at the expense of Subdivisions, Inc. Casey said that is fine he wants it done right. Casey said they want to retain as much water on the lots as possible. A deferral for curb and gutter was then discussed. Casey said rather than worrying about deferral agreements he would like to just go ahead and put in curb and gutter. Street lights were discussed.

Jason Tuttle from Bush and Gudgeon Engineering said he only had a chance to review the plat 10 minutes before the meeting. Tuttle said the only concern he has seen is the retention in the swell. Casey said if they do curb and gutter then they won't have retention in the swell. Tuttle said the other thing he would like to see is a Geo Technical Report. Casey said they will produce the report with the final plat approval process. Parnell asked Attorney Snow if it is okay to approve even though they don't own the property for the through road. Attorney Snow said yes it happens fairly regularly. Snow said one of the conditions can be that no dirt is turned until the purchases have been finalized for that property. Snow said no plat will be recorded until that land acquisition has occurred.

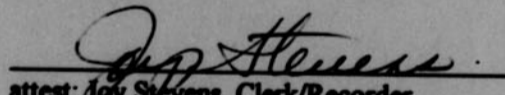
Motion by Jim Parnell to recommend approval of the preliminary plat for Vista View Estates II Subdivision subject to the conditions that the property owner, Subdivisions Inc., obtain ownership and access of the proposed right of way tying into Babylon Road and that no dirt be moved until acquisition, that curb and gutter be installed, that the retention basins on the two back lots 8 & 9 be increased to a size agreeable to the Town Engineer and that street lights be installed. **Seconded** by Bailey Muir. **Passed unanimously.**

9. ADJOURNMENT:

The meeting adjourned at 8:10 p.m.

APPROVED AND SIGNED THIS 3rd DAY OF FEBRUARY 2004


Jim Parnell, Planning Commission Chairman


attest: Joy Stevens, Clerk/Recorder