

# Town of Leeds

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## Agenda Town of Leeds Planning Commission Wednesday, September 4, 2019

**PUBLIC NOTICE** is hereby given that the Town of Leeds Planning Commission will hold a **PUBLIC MEETING** on Wednesday, September 4, 2019 at 7:00 P.M. The Planning Commission will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

### **Regular Meeting 7:00 p.m.**

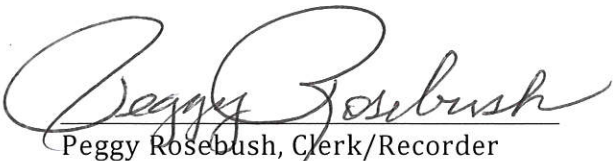
1. Call to Order/Roll Call
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
  - a. Tonight's Agenda
  - b. Meeting minutes from August 7, 2019
6. Announcements
7. Public Hearings:
  - a. Amended Plat Application, Parcel 3, 2.45 Acres, Troy Stoker
  - b. Zone Change Request, Parcel 3, 2.45 acres, from Residential (R-R-2) to Commercial (C), Troy Stoker
8. Action Items:
  - a. Discussion and possible action on Amended Plat Application, Parcel 3, 2.45 Acres, Troy Stoker
  - b. Discussion and possible action on Zone Change Request, Parcel 3, 2.45 acres, from Residential (R-R-2) to Commercial (C), Troy Stoker
9. Discussion Items
10. Staff Reports
11. Adjournment

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2447 at *least* 24 hours prior to the meeting.

The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting:

The undersigned Clerk/Recorder does hereby certify that the above notice was posted August 29, 2019, at these public places being at **Leeds Town Hall, Leeds Post Office**, the **Utah Public Meeting Notice website** <http://pmmutah.gov> and the **Town of Leeds website** [www.leadstown.org](http://www.leadstown.org)



Peggy Rosebush, Clerk/Recorder

# Town of Leeds

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## Planning Commission Meeting for Wednesday, September 4, 2019

1. Call to order:

Chairman Swenson called to order the regular meeting of the Planning Commission at 7 PM on Wednesday, September 4, 2019 at Leeds Town Hall, 218 N Main.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	<u>  x  </u>	<u>      </u>
COMMISSIONER: BRAD ROBBINS	<u>  x  </u>	<u>      </u>
COMMISSIONER: STEPHEN WILSON	<u>  x  </u>	<u>      </u>
COMMISSIONER: TOM DARTON	<u>  x  </u>	<u>      </u>
COMMISSIONER: MARK ROSENTHAL	<u>  x  </u>	<u>      </u>

2. Invocation by Commissioner Darton.

3. Pledge of Allegiance

4. Declaration of Abstentions or Conflicts:

Commissioner Rosenthal said I need to make it known this evening that the amended plat application and zone change request is for a parcel which a portion of it is about 300 feet from my house. It is actually down over a hill from me.

5. Approval of Agenda:

Commissioner Robbins moved to approve tonight's agenda and meeting minutes of August 7, 2019. 2<sup>nd</sup> by Commissioner Darton. All voted. Motion passed.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	<u>      </u>	<u>      </u>	<u>  x  </u>	<u>      </u>
COMMISSIONER: BRAD ROBBINS	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: STEPHEN WILSON	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: TOM DARTON	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: MARK ROSENTHAL	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>

6. Announcements: None

7. Public Hearing:

a. Amended Plat Application, Parcel 3, 2.45 Acres, Troy Stoker

b. Zone Change Request, Parcel 3, 2.45 acres, from Residential (R-R-2) to Commercial (C), Troy Stoker

Chairman Swenson opened the Public Hearing.

Chairman Swenson said is there anyone who would like present on the change.

Scott Messel said because both items on the agenda are for the same property, I will just talk through it all at once. You can make 2 motions at the end. The property that we are talking about is in a subdivision called Bulldog Ridge Subdivision and it is 3 lots. He pointed out the property on the overhead map. The owner of Lot 3 of Bulldog Ridge Subdivision is wanting to break off a 2.45 acre portion of the parcel and rezone it to Commercial and add it to the existing commercial piece there so they can expand the storage unit facility. The proposed plat was shown on overhead screen. With this piece removed, each of these lots still meet the minimum lot size requirement of the rural residential zone so there is no issue there. There is no access to this piece from the residential neighborhood.

Commissioner Darton said it is intended to become a part of the storage facility.

Scott Messel yes.

Commissioner Darton said so the access would be through the storage facility.

Scott Messel pointed out location of new asphalt and new units.

Chairman Swenson said that is hillside going straight up, isn't it? The only access is through the storage units?

Mrs. Troy Stoker said yes.

Scott Messel pointed out property on the zoning map. There are findings and conditions in the Staff Report that I have given to you. The Planning Commission is the recommending body on both the amended plat and the zone change.

Commissioner Robbins said Scott, I would like to compliment you on the Staff Report. This is something we have needed for a long time to provide some perspective.

Scott Messel said I will make sure you get them from here on out.

Commissioner Darton said have these 3 parcels always been rural residential.

Scott Messel said they may have been agricultural or open space before, but when the subdivision came in in 2015 creating the 3 lots, I imagine at that time it became rural residential.

Commissioner Rosenthal said Mr. Stoker, do you own the storage facility?

Mr. Stoker said yes. We purchased it from my mom and dad. We were 40% owners and now we are 100%.

Commissioner Darton said is Bick Lessor here.

Peggy Rosebush said no, he lives up north. That was a voice mail message that he left.

Scott Messel said Peggy transcribed it and gave each of you a copy.

Commissioner Wilson said he owns Lots 1 and 2.

Scott Messel pointed out the 2 lots on the map showing the buildable area for each lot.

Commissioner Darton said the lower part is not buildable because of the slope?

Scott Messel said right.

Chairman Swenson said the Stokers own the other lot.

Scott Messel said the Stokers own Lot 3 that they are taking a portion out of.

Chairman Swenson said so the rezoning will only be on the small portion and the remaining portion of the lot will remain the same?

Scott Messel said the remainder of the lot will remain the same.

Commission Darton said so only the upper portion of the lot is buildable and the rest of it is slope?

Scott Messel said correct. He pointed out the buildable portion on the map. With the amended plat, one of the things that the State changed several years ago, is putting in the amendment note a description of what is happening. If someone was adjusting a lot line or doing an amendment that only effected 1 or 2 lots, they didn't want them to have to resurvey the whole subdivision and so they allow for just the note to describe it.

Chairman Swenson said are there any other questions.

Commissioner Darton said for those of you who are here and do not have the benefit of seeing this printed voice mail message, we received a voice mail from the owner of Lots 1 & 2 that are still unsold. He is objecting to this change fearing that it will be detrimental to his attempt to sell the other 2 lots, having that small portion as commercial will be detrimental to the others. Looking at this, I really cannot see his point because there is such a separation between that corner that is supposed to be rezoned as commercial and the actual buildable portion of the lots. I do not see that is a real valid objection.

Chairman Swenson said what is the distance from the new proposed lot to Mr. Lesser's lots.

Greig Meyers, Mr. Stoker's engineer, said the distance we tried to maintain was right around 157 Feet, he pointed out this area on the map, and about 550 Feet to the buildable portion of each lot. The area that we are proposing, the topography from the right-of-way up to where the proposed wall, retaining wall, there is about 12 to 14 Feet. We played around with different designs and we could not get 2 areas of

storage units to work. We will have to keep it to 1 main unit consisting of different sizes of individual units.

Public Hearing was closed.

8. Action Items:

a. Discussion and possible action on Amended Plat Application, Parcel 3, 2.45 Acres, Troy Stoker

Commissioner Robbins said I would like to make a comment. As far as commercial use at this location, I cannot think of anything that would be better. In regards to a mini storage, it is normally very quiet. I actually think the freeway is nosier than this mini storage will ever be. Based on the location and the elevation difference between the residential, I think it is an excellent location for commercial. Scott, I have to say that I really like the Staff Report format. It gives me everything I need to make a logical decision. With that, I would be glad to make a recommendation.

Commissioner Robbins made a motion to recommend the Amended Plat Application, Parcel 3, 2.45 Acres, Troy Stoker to Town Council based on the findings and conditions of the Staff Report. 2<sup>nd</sup> by Commissioner Darton. All voted. Motion passed.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	x			
COMMISSIONER: BRAD ROBBINS	x			
COMMISSIONER: STEPHEN WILSON	x			
COMMISSIONER: TOM DARTON	x			
COMMISSIONER: MARK ROSENTHAL	x			

b. Zone Change Request, Parcel 3, 2.45 acres, from Residential (R-R-2) to Commercial (C), Troy Stoker

Commissioner Darton made a motion to recommend the Zone Change Request, Parcel 3, 2.45 Acres, from Residential (R-R-2) to Commercial (C) to Town Council based on the findings and conditions of the Staff Report. 2<sup>nd</sup> by Commissioner Wilson. All voted. Motion passed.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	x			
COMMISSIONER: BRAD ROBBINS	x			
COMMISSIONER: STEPHEN WILSON	x			
COMMISSIONER: TOM DARTON	x			
COMMISSIONER: MARK ROSENTHAL	x			

Commission Rosenthal said Mr. Lesser did take the time to call here and it would be good to just let him know what the decision was.

Chairman Swenson said we need to tell him that it was approved here, and it will move to Town Council. Peggy, will you follow-up on this?

Peggy Rosebush said yes.

9. Discussion Items: None

10. Staff Reports:

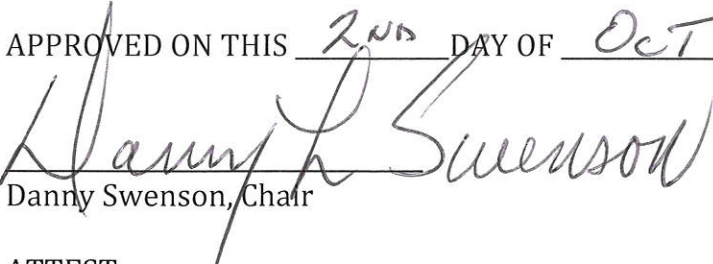
Scott Messel pointed out a parcel of land on the map that is in the unincorporated portion of Washington County. There has been excavation going on at that property for some time. There have been numerous calls from individuals who live in the unincorporated area and the Town. The County red tagged it and the State also red tagged it saying it is not permitted to operate what is considered a mine and they did not have the proper permits for it. They said their intention is to do a subdivision on the site. They do not have approval yet to go in and start excavating, but they did receive preliminary plat approval for 3 residential lots. They still need to submit construction drawings and there are some hillside issues. If you do see trucks coming and going from the site, let the County know about it or let Peggy know and she can let me know about it.

Commissioner Rosenthal said there has been quite a bit of excavation/mining going on up there over the past few years. The residents up in Silver Valley are concerned about the amount of activity that has been going on without the benefit of permits.


11. Adjournment:

Chairman Swenson moved to adjourn the meeting at 7:30 PM.

APPROVED ON THIS 2<sup>nd</sup> DAY OF Oct, 2019

  
Danny Swenson, Chair

ATTEST:

  
Peggy Rosebush, Clerk/Recorder