



PLANNING COMMISSION
Work Session
JUNE 24, 2008 – 6:30 PM
COUNCIL CHAMBERS

Commissioners in Attendance: Dale DeLlamas; Michael Barker; Ryan Staker;
Norma Shelline and Craig Huff

Excused: Von Alleman and Stacey Petersen

Staff in Attendance: Community Development Director Fred Aegerter; Planner
Brandon Snyder; and Secretary Darlene Gray

Call to Order:

Commissioner DeLlamas called the meeting to order at 6:31 PM.

Director Aegerter explained that the Commissioners could begin the discussion regarding the by-laws during work session.

Consent Agenda:

Commissioner DeLlamas reviewed consent agenda and asked if anyone had any concerns.

Rojo Enterprises seeking site plan approval for Brinley Square located at about 1148 North 450 West in the BP – Business Park zone.

Commissioner DeLlamas asked if the easement for the off-site pipe had been resolved. Planner Snyder explained that this was still in the process of being resolved. He added that the applicant has spent a lot of time with the County regarding ownership of the property.

Commissioner Staker questioned the importance of building under the trees. Planner Snyder explained that in meeting the landscaping requirement there would have to be 75% landscaping coverage.

Legislative Session:

Ratification of an amendment to the Mangum/Art City Subdivision, a minor subdivision at about 839 East Center Street in the R2, Single or Two Family Residential zone.

Commissioner Huff reported that the staff report indicates that subdivision was originally approved December 2008 and the year should be 2007.

Commissioner Staker asked if the property was zoned for duplex. Director Aegerter responded in the affirmative and indicated that the item was being brought to the Commission for ratification. He explained that the applicant has changed the plat and stated that the Planning Commission approves small lot subdivisions. The fact that the amendment established 100 feet of frontage may be an indication of a duplex. He added that the whole area is zoned R2.

Commissioner Staker asked if the surrounding property owners had given written consent to the amendment. Director Aegerter explained that the surrounding property is owned by the applicant. He indicated that this amendment is a lot line adjustment. Commissioner Huff reported that he has seen advertisement for the property which states that it would make a great lot for a duplex.

Administrative Session:

Discussion and consideration of the Planning Commission By-Laws.

Director Aegerter explained that the by-laws had been written and adopted prior to his coming to the City. He indicated that there was a recent change in the appointment of officers by direction of the Council from six years to four years. He stated that another change was the beginning of the term would be the first meeting in April rather than the meeting in February. Director Aegerter suggested reviewing each item. The Commissioners agreed. **Section 2: Duties and Powers**

Article I – Purpose

No changes

Article II – Section 1: Appointment of Officers:

Commissioner Huff stated that it should specify that an appointment could be extended for another four year term with a maximum of two terms.

Commissioner Staker suggested striking “or until his successor is appointed.”

2.1 Commissioner DeLlamas asked if the General Plan review could be done once a year at the Planning Commission training. Director Aegerter responded in the affirmative. Commissioner Huff questioned the once-a-year review. Director Aegerter indicated that the evaluation of the General Plan would be sufficient and explained that staff could bring General Plan issues to the trainings, but a comprehensive review would be done every five years.

Commissioner Barker suggested shortening the entire section by removing 2.1 through 2.10 and condensing the paragraph to read “The Planning Commission shall exercise all duties and responsibilities as outlined in the Ordinance.” He stated that sub-section 2.11 should be part Article III – Meetings. Director Aegerter agreed and indicated that he would put 2.11 as 1.6 in Article III.

Article III - Meetings

1.3: Commissioner Barker suggested removing the sentence regarding comments from the public and suggested adding “At the discretion of the Commissioner, regular business can be addressed at the study session.”

1.4: Commissioner Huff suggested removing “in the same calendar month” and adding “or until the next regularly scheduled meeting.”

1.5: Commissioner Barker suggested adding “as well as notification as required under State law or City Ordinance.”

Commissioner Barker moved to adjourn the Work Session. Commissioner Staker seconded the motion. The vote to adjourn the Work Session and continue the discussion of the By-Laws during the Regular Session was unanimous.

Commissioner DeLlamas adjourned the Work Session at 6:59 PM.



PLANNING COMMISSION
Regular Session
JUNE 24, 2008 – 7:00 PM
COUNCIL CHAMBERS

Commissioners in Attendance: Dale DeLlamas; Michael Barker; Norma Shelline;
Craig Huff; and Ryan Staker.

Council Representative: Mark Packard

Staff in Attendance: Community Development Director Fred Aegerter;
Planner Brandon Snyder; and Secretary Darlene Gray

Call to Order:

Commissioner DeLlamas called the meeting to order at 6:59 PM and welcomed those in attendance.

Approval of Agenda:

Commissioner Barker moved to approve the agenda as written. Commissioner Huff seconded the motion. The vote to approve the agenda was unanimous.

Approval of Minutes: May 13, 2008 and May 27, 2008

Commissioner Huff moved to approve the meeting minutes of May 13, 2008 and May 27, 2008. Commissioner Staker seconded the motion. The vote to approve the meeting minutes was unanimous.

Consent Agenda:

Commissioner DeLlamas identified the Consent Agenda item.

Rojo Enterprises seeking site plan approval for Brinley Square locate at about 1148 North 450 West in the BP – Business Park zone.

Commissioner Barker moved to approve the Consent Agenda item with the conditions as printed in the staff report. Commissioner Shelline seconded the motion. The vote to approve the Consent Agenda was unanimous.

Council Representative Mark Packard in attendance at 7:03 PM.

Legislative Session:

Ratification of an amendment to the Mangum/Art City Subdivision, a minor subdivision at about 839 East Center Street in the R2, Single or Two Family Residential zone.

Director Aegerter addressed the Commissioners and explained that this would be a ratification of the approval made by staff. He indicated that his concern is that staff approval might be in violation of State law because the lot may accommodate a duplex, which would be an additional unit, which would not allow staff approval. He reported that the subdivision had been approved

in December 2007 and was coming back to the Commissioners and indicated that the property meets all the qualifications for the R2 zoning designation.

Commissioner Huff moved to open the Public Hearing. Commissioner Barker seconded the motion. The vote was unanimous.

With no public comment, Commissioner Staker moved to close the Public Hearing. Commissioner Shelline seconded the motion. The vote to close the Public Hearing was unanimous.

Commissioner Staker moved to approve the ratification of lot line adjustment to the Magnum / Art City Subdivision, a minor subdivision at about 839 East Center Street in the R2 Residential zone. Commissioner Barker seconded the motion. The vote to approve the ratification was unanimous.

Administrative Session:

Discussion and consideration of the Planning Commission By-Laws.

Director Aegerter resumed the discussion of the by-laws.

Article III – Meetings

Section 2: Agenda:

2.1 Preparation of the Agenda: Commissioner Barker suggested changing the second sentence to read, “The agenda shall be posted in accordance with State law.” Commissioner Huff commented that there have been meetings where additional information on agenda items had been presented during the work session. Director Aegerter stated that should generally be avoided. He added that a copy of the agenda shall be provided to each Commissioner “at least 24 hours” prior to the date of the meeting.

2.2 Items on the Regular Agenda: Director Aegerter explained that deferrals from a previous meeting should be the first items reviewed at the next meeting. Commissioner Barker suggested “items on the regular agenda shall be ordered to facilitate the efficient consideration of each item” and strike the rest of the sentence. The Commission also discussed the need to consider items continued from previous meetings and the need to include those items early in the meeting.

2.5 Conflict of Interest: Director Aegerter stated that where there is a conflict of interest, the Commissioner should declare the conflict and he recommended the Commissioner excuse him or herself and leave the room. Commissioner Barker commented that if anything, he or she should remove themselves from the stand. He asked Director Aegerter to check with Legal Counsel Penrod about proper procedure. Council Representative Packard stated that there was one instance that a Council Member declared a conflict but did not leave the room. He stated that the vote may have been different if they had left the room.

2.6 Limitation of Agenda items: Director Aegerter explained that in the past, agenda items have been limited to ten items. Commissioner Barker suggested the Chairperson or Vice Chair determine a time limit for discussion as well as individuals addressing the Commissioners with different information.

Commissioner Alleman in attendance at 7:16 PM.

Commissioner Barker indicated that items could not be added to the agenda because of notification requirements. Commissioner DeLlamas stated that he likes the ten item limit. He added that all ten items could be Consent Agenda items. Director Aegerter indicated that he would recommend adding “at the discretion of the Chair” in writing 2.6.

Section 3: Meeting Procedure

Director Aegerter suggested moving item (D) Approval of the agenda to (B). The Commissioners agreed. Commissioner Barker suggested adding “Common Consent” after ‘Consideration of special agenda items’.

Public Hearings: Commissioner DeLlamas stated that he prefers opening a Public Hearing with a motion. Commissioner Huff added that it also becomes part of the record.

Director Aegerter asked if the Commissioners preferred the speaker log because most of the time the log is ignored. Commissioner Shelline questioned why the log was not adhered to. Director Aegerter explained that there are times when an individual is late to the meeting and wants to address the Commissioners. Commissioner Barker suggested placing a copy of the log at the lectern for speakers to sign in.

Commissioner DeLlamas stated that a scout troop had come to the meeting late and asked Director Aegerter if he should have stopped the meeting to recognize the scouts. Director Aegerter stated that for the record, it is appropriate to recognize scout troops.

Section 4: Voting

Director Aegerter indicated this is the weakest section. He stated that he thought the Commission was using Robert’s Rules of Orders, but this needed to be clarified in the by-laws. Commissioner DeLlamas indicated that he was okay with using Robert’s Rules. Director Aegerter expressed the need to include processes, even if Robert’s Rules are followed.

Section 5: Minutes and Records

Director Aegerter indicated that he would generally like to make meeting minutes available at the following meeting, especially minutes from a previous meeting that has returned to the Commissioners.

Article IV – Amendments to By-Laws and Rules of Procedure

Director Aegerter stated that there we no changes to his section.

Director Aegerter distributed the names for the Ad-Hoc Committee to the Commissioners. He reported that one-third of the names were volunteers and the other two-thirds had been submitted. He explained that the Ad-Hoc Committee meetings would begin in September because too many of the individuals were too busy to start the meetings in the summer. Director Aegerter reviewed the names of the potential committee members. He reported there would be approximately 23 members who would serve on the committee for approximately 18-months.

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Based on discussion with the potential members, meetings would be on a Wednesday evening. After all the individuals have been contacted, Director Aegerter reported that meeting notice would be sent out.

Commissioner Huff asked if Director Aegerter would like him to contact a potential committee member. Director Aegerter reported that he had left messages and he would rather it be the individual's choice. He did not want people to feel forced into being on the committee because this will be a big commitment. There will be one meeting monthly, but some of the meeting could be very involved.

Commissioner DeLlamas asked Director Aegerter if the Commissioners should take the time at this meeting to vote for a Vice Chairperson. Director Aegerter responded that the by-laws should be established first and then that could be their first action.

With nothing further to discuss, Commissioner Huff moved to adjourn the meeting. Commissioner Staker seconded the motion. The vote to adjourn was unanimous.

Commissioner DeLlamas adjourned the meeting at 7:42 PM