

Midway City Planning Commission Regular Meeting January 17, 2018

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 7:00 p.m., January 17, 2018, at the Midway City Community Center
160 West Main Street, Midway, Utah

Attendance

Jim Kohler – Chairman
Stu Waldrip – Vice - Chairman
Nancy O'Toole
Bill Ream
Jeff Nicholas
Kevin Payne
Natalie Streeter

Staff

Michael Henke – City Planner
Lindy Rodabough – Admin. Assistant
Wes Johnson – City Engineer

Excused

Rob Bouwhuis
Jason Jenkins

6:45 P.M. Work/Briefing Meeting

- ❖ City Council Liaison Report, no action will be taken and the public is welcome to attend.

7:00 P.M. Regular Meeting

Call to Order

- ❖ Welcome and Introductions; Opening Remarks or Invocation; Pledge of Allegiance
 - ❖ Invocation was given by Stu Waldrip
 - ❖ Chairman Kohler led the Pledge of Allegiance

Item: 1

Review and possibly approve the Planning Commission Meeting Minutes of December 20, 2017.

- Commissioner Ream gave one spelling correction prior to the meeting starting.

Motion: Commissioner O'Toole: I move that we accept the minutes with the changes

that Bill Ream gave the staff.

Seconded: Commissioner Streeter

Chairman Kohler: Any discussion on the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners Streeter, Waldrip, O'Toole, Nicholas, Payne and Ream

Nays: None

Motion: Passed

Item 2:

Berg Engineering, agent for Watts Enterprises, is requesting Master Plan approval of Midway Springs Subdivision. The proposal is a Planned Unit Development and standard subdivision that is 50.76 acres in size and will contain 96 units and one lot. The proposal is to develop the property in three phases. The property is located at 200 East 600 North and is in the R-1-15 zone.

Planner Henke gave a presentation regarding the proposed subdivision and reviewed the following items:

- Background
- Land use summary
- Analysis
- Water Board Recommendation
- Possible Findings
- Alternative Actions
- Possible Conditions
- Aerial view
- Site plan

Note: A copy of Planner Henke's presentation is contained in the supplemental file.

Staff and Commissioners discussion

- Completed traffic study
 - a) All intersections involved were studied and currently operate at a level of service "A" and will continue to operate at a level of service "A" even after the development goes in
 - b) It's anticipated that a significant number of homes will be second homes, however the traffic study looked at full time occupancy as a worst-case scenario
- Wetland delineations have been completed
 - a) The Corp of Engineers accepted the wetland delineation

- b) The City hired a third party to do a wetland delineation, generally they concurred with the other delineation studies, but did suggest to double check some “finger areas”

Applicant; Russ Watts: Mr. Chairman, Planning Commission I appreciate the opportunity to speak about the Midway Springs project. We've made a lot of changes, we've been working and monitoring this property for about 20 months. I'd like to share the journey that we've been on and share a bit about some of the families we've worked with and the Remunds. We've made a lot of changes, we've listened to the neighbors and to the City. About 20 years ago I was drawn up here and met a few families, met the Wilson family, the Probst family the Kohlers and the Remunds. I started to work with them at Swiss Days and Creche and a bunch of things. Midway is friendly and has a special spirit here. All of these families that have lived here for more than 100 years have farmed and run these properties many of us here are here because of the spirit that is here in Midway and I give that credit to the people that were here before us and the legacy that they've left and the way they feel about land and its gift to them to provide their ability to live, eat, work. Obviously, our ability to use it the right way and be drawn here because of that. My favorite part about living in Midway is that everybody waves to each other when they are driving down the street. In 1996 I met with the Wilson family and they said we are farming 160 acres below Interlaken we don't know what to do with it, it's a legacy for our children our kids do not want to farm it anymore. What do you think that we could do? They gave me the opportunity to work with them we moved forward with the Valais development. At that time the City code would allow us to build 325 units, but we didn't want to do that many we decided to do 266 units. I'll argue this a little bit. When you combine open space and common space and add it up it is a lot more than 50%. In Valais community we have between 60-70% open space. In 2003 the Kohler family came to us and said that we have 155 acres and we don't know what to do with it. Grant told me of a story that his grandfather came in the 1890's and looked at this ground and said this space looks like a Dutch shoe, and so he called it Dutch Fields. The density allowed us to do 200 units we only did 166 units. The Kohlers are very community minded and they care a lot about the community. They wanted to honor what has been created here and they have been a good example and that rubbed off on me. In 2015 the Remund family that owns this property and the Dutch Canyon property they came and visited with us and asked that we help them create a legacy as we have for the Wilson and Kohler families. Richard Remund drove me up to the top of Snake Creek and said in 1892 Frederick Remund took his horse and plow and started digging ditches and he and his farmer neighbor dug ditches all down through the community. This spring didn't exist 30 years ago it popped up after some testing. So then that spring became a wetlands area and started running down into that ditch that Frederick Remund dug. The ditches that were dug did not get maintained so they flooded all over. It was flood farming all the time. We got approval from the Corp. to maintain that ditch line. There are a lot of wetlands on this site, that is why we have put in 15 different pipes that are six to seven feet that we have been monitoring over the last 2 seasons to see the level of water all over this site. We did meet with Wes, Michael and hydrologist specialist, they said let's add 10 more and we agreed on all that. Density allows us to do 125 homes, we are proposing 96. All of the planning revolves

around the sensitivity of the spaces. We have four park areas. The home values here will range from 600k to 900k, the square footage will be from 1850 to 4000 square feet homes. The setting will be a rural setting with farm types homes it will have rural feel and vibe to it. We always go a little further, we go beyond the code. We are going to do a community garden this will be for anybody who is interested in gardening both from around the community and in our community can be a part of that. We've added additional trail systems, so we'll have more than just the required trail. We are focusing on reusing materials, we want this to feel like a farming community not like a brand-new subdivision.

Staff and commissioner's discussion

- The use and placement of piezometers
- Concerned of the timeline/time of year of when the wetland delineation was done. It was done too late in the year.
- Storm water system (private storm drains system). In some areas it is close to the wetlands. Do you know if there will be any discharge into the wetlands from the run-off of the homes, that will not be good for the wetlands?
- Proposing eight basins, (3) retention, (5) detention. Any release is to the existing stream, no release is proposed to any wetlands.
- All these homes will be slab on grade
- What is driving the toxicity study? Dairy farm not the cleanest industry.
- This lay out does not meet intent of the code for clustering.
- Strongly recommend reconsidering this configuration, this design ignores being a good neighbor.
- The code controls, projects are based off the code not the intent.
- Staggering of the homes to eliminate the "wall effect"

Chairman Kohler opened the meeting to public comment

Paul Tew: In the time that I've lived here since June 2017, I've seen this discourse go back and forth quite a bit. I've seen the energy of the pros and cons of development. I'm coming from a different state where it has a lot more laws and freedoms that actually restrict growth, and in Utah which is the most conservative property rights state, we don't have some of those protections. Now, I'm probably one of those limousine liberals who would say I would keep everything open and keep it very green and pastoral, because it's not possible I want to talk about a couple of different things. I'm not arguing about the development, I'm not arguing the development be good or bad. I know that there are laws and that the City actually has to follow code. I'm a part of the Open Space Committee I'm speaking on my behalf not on their behalf. We are looking at some tools that are in front of Midway City that can help us provide bigger opportunities for keeping open space. One of the tools is incentivizing developers. I'm speaking to the current state of affairs within Wasatch County and Summit County. The extension to Deer Valley the rapid building of what will become the cities around Jordanelle, the annexations of view corridors of open space in big Heber City the plans by Park City

and Summit County to provide free shuttles to Heber and Midway for the workers in the hotels and resorts are just a sample of things that are at our door step. I think that we need to band together rather than fight each other, I think we risk throwing the baby out with the bath water, frankly. I've worked with Russ Watts and his team and have been very impressed with their collective goals and to preserve as much as the rural feeling, open spaces and view corridors as possible. It is my belief in keeping Midway a lovely community with a variety of parks, open spaces, trails and view corridors is required by Russ and his team. I got help to put together some of the things about rebranding and making it feel more like a community garden. It has been rewarding to see that you can have the best of both worlds and see that the passion that the Watts team and by extension some of us newbies can contribute to the benefit of Midway. Much has been discussed about the pending development on 6th north. I've been in the room where proposals have been approved and denied the recent denials have actually made the project better. I think that is a good thing, I think the discourse have been healthy frankly. I've worked along side of Russ and his team and am excited to see the blending of the community feedback with the respectful development of the property. In my humble opinion and I am a designer and I have worked in different communities throughout the United States, Europe and in Asia. I think that this is a really good plan, considering I use to ride horses in Draper and now the only horses in Draper are the horses on the sign of the Chuck-a-Rama. I remember as a kid to know what it feels like to have something destroyed, I don't want Midway to get destroyed either. Midway is truly the tipping point by encouraging individuals and groups who actually live here and are willing to put in the time to and effort to ration and discuss respectfully communicate and consider the best design options we can join together to maintain this truly unique community. We may define them differently, but we have the same goals by merely adopting "not in my back yard" approach we may yield an unexpectedly worse solution than a respectful and responsible PUD or a rural preservation or a regular subdivision. We have much evidence of this lack of vision all along the Wasatch front unfortunately. With the correct information and actually working together and using respectful language I feel like this is the kind of development that I would want in the community that I would want to live in.

Rene Holm: I wish that everyone who lives around this development could tell their stories like Russ has told his story, about how long we've lived here and why we moved here and what we kind of expected would happen with this particular piece of property. I know it's not anyone's fault and this is just for general information this particular piece of property never had public input of the surrounding neighbors when it was rezoned so we never had any opportunity and I truly believe in my heart that had we had the opportunity it would not be zoned what it is, I don't think the land owners would have wanted it to be zoned what it is. That might be some background as to why there is so much push back about this. We've always considered it had a lot of wetlands which you can see that it does, the original plan was just a subdivision which made us worry that nobody was going to do wetland studies we appreciate that that has happened. We hope that the land owner and developers understand nobody wants anyone to lose reasonable monetary gain from the development of this property. That is not our intent at all, we hope that the same sentiment could be found from them in regards to existing surrounding property values and safety, that's all we are asking. I believe that this

struggle back and forth has been and eventually will bring us something better than what we see here. For me I live outside this development and it creates a wall. Imagine 30 feet from your back fence there is a wall 35' high with little tiny ten-foot corridors in between each pad, that feels really disrespectful. I'm just wondering when we apply the code and when we don't. It's so confusing and Corbin I know that maybe you could explain this to all of us. I appreciate all the things Kevin Payne brought up, those were all of the things that I was going to bring up that have to do with the code. Part of the code says when it is necessary in order to implement the intent of this chapter the City may impose development standards in excess of the minimums identified here. This doesn't even impose the minimum standards in my opinion let alone in excess. I think there needs to be more discussion and we need to understand when the code is implemented as per what says and when is implemented as per what the developer wants or as per what the City wants, the trail going where it is at the expense of those of us surrounding this. In 16.16.10 D it says sensitive lands may be counted as open space if it also satisfies the other characteristics required for the open space. I think that the other characteristics are what Kevin brought up and that doesn't seem to be happening here, and I do think that they could go back to the drawing board and be more respectful to the surrounding neighbors. I would also like to ask about the general standards and requirements found in 16.16.8 number 5C front setbacks from buildings for all private streets within the PUD shall be staggered at seven and one-half feet variances, and then it gives those examples. It doesn't say the front of the development it doesn't say the front of the very entrance. Because if you had two entrances what would that mean? Would it be the front of the bottom entrance and the front of the top entrance, it just says front setbacks for buildings for all private streets, that's not happening on any of these perimeters.

Planner Henke: Where it says the front setback, the definition would be the front of the house to the street. That is how we measure setbacks in every zone.

Rene Holm: So, shouldn't that have then these staggered setbacks?

Planner Henke: Yes, the front setback definitely needs to be staggered just as you're stating, that is correct. Their final plan needs to show the staggering of the setbacks.

Rene Holm: So, we don't see that here?

Planner Henke: I would say that more revision needs to be on this plan to show those staggered setbacks. There are a couple of spots that definitely do not meet that requirement. But, yes that is definitely a requirement before the plan can be approved.

Barry Hobbs: I just moved here from Daniel. I sat on the Planning Commission there for seven years. I just want to compliment all of you on the process you're your running, doing a great job all of this. There is give and take and I've just sat and watched this and thought wow these people are doing it right. You've got a great developer here in Russ I know his communities, he does a fabulous job. He has got two ears and he uses both of them. You guys have just been great tonight. I think the challenge that came from you I think is a good challenge and it keeps everybody awake and alert. It will be give and take and when it is all said and done you're going to have another wonderful development here and another great addition to this community. I'm an Idaho spud, I lived in Thousand Oaks California for 18 years and I've watched what planning communities can do. It can really benefit a lot of things and what I think is unique about what you're doing here is your going to have a planned community, but you're going to

have a Midway Utah community that's going to have its own extra ordinary features and you won't look like all the California planned communities I think that you'll be unique in your own way. I just want to applaud you and hopefully everybody goes home feeling good at what has taken place here tonight, because it has been impressive to watch.

Chairman Kohler closed the public comment period

Motion: Commissioner Waldrip: I motion that this application along with the next item on the agenda be tabled subject to coming back on the agenda upon the request of the applicant.

Seconded: Commissioner O'Toole

Chairman Kohler: Any discussion on the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners Streeter, Waldrip, O'Toole, Nicholas, Payne and Ream

Nays: None

Motion: Tabled

Item 3:

Berg Engineering, agent for Watts Enterprises, is requesting Preliminary Approval for phase I of the Midway Springs which is a Planned Unit Development and standard subdivision. The proposal is for 30 building pads and one lot located on 11.2 acres. The proposal is located at 200 East 600 North and is in the R-1-15 zone.

Planner Henke gave a presentation regarding the proposed subdivision and reviewed the following items:

- Background
- Land use summary
- Analysis
- Water Board Recommendation
- Possible Findings
- Alternative Actions
- Possible Conditions
- Aerial view
- Site plan

Note: A copy of Planner Henke's presentation is contained in the supplemental file.

Motion: Please see motion from agenda item number two.

Motion: Tabled

Item 4:

Brett Walker is proposing a six lot Rural Preservation Subdivision on property owned by D L Evans Bank. The property is 32.06 acres and is located at approximately 950 West Lime Canyon Road in the R-1-22 and RA-1-43 zones.

Planner Henke gave a presentation regarding the proposed subdivision and reviewed the following items:

- Background
- Land use summary
- Analysis
- Water Board Recommendation
- Possible Findings
- Alternative Actions
- Possible Conditions
- Aerial view
- Site plan

Note: A copy of Planner Henke's presentation is contained in the supplemental file.

Staff and commissioner's discussion

- Hydrology study
 - a) Looking for what is the water surface elevation under a 100-year event, want to make sure homes are kept away from that.
- If you have either pasture or hay fields you're actually going to do a better job of absorbing the water and one of the things that we are looking at act is making sure it continues to act as the alluvial plain that it has been acting.
- We need to see the study to see if that water gets down that low and if it does then maybe we look at options on either berming or creating a pond of some sort or moving those lots farther to the northwest.
- Moving the lots might be a better option so then you've got lots that don't have this utility easement bisecting them.
-

Representative; Paul Berg:

- Property history
 - a) In the late 80's a portion of this property was par five as a part of the Homestead golf course.
 - b) The intent was to have homes or condos built here as a part of the Homestead Master Plan.

- c) Then for years it was recreational resort R-1-15 zoning.
- d) Then the City changed the zoning to R-1-22.
- e) When Turnberry was proposed there was actually another road to get out of the canyon and the City Council turned that proposal down they didn't want to see a road going across the hill and leaving a scar.
- Other people have come in with PUD's or subdivisions and now here we are with a rural preservation subdivision.
- Mr. Walker is doing what he can to put the lowest amount of impact by using the rural preservation subdivision.
- By moving the lots, you lose your golf course frontage.
- The two-acre piece was left out because it was not needed to meet the requirements of the rural preservation subdivision. It allows Mr. Walker more flexibility of what he may want to do with it in the future.

Applicant; Brett Walker:

- They have only been cutting the first crop even though they have water. Our plan is to plant with the alfalfa and up above on the other 20 acres we would like to get it fenced off within the first year, so we can graze that area and turn that into agriculture as well.
- There is about a 15,000-gallon concrete container on this property that contains the water from a spring up Lime Canyon. We could always build that up in this large area that could contain water.
- I'm not opposed to relocating the front lots.

Chairman Kohler opened the meeting to public comment

Nora Lundin: I kind of find it ironic that you guys are talking about how you have to use the code. Mr. Walker's proposed subdivision is located in a canyon with only one entrance much like Swiss Alpine. Midway City has required that in order for the Lundin's to build a six-lot subdivision at the bottom of Swiss Alpine we must provide a second access or safety road for all the people in Swiss Alpine. In my opinion Lime Canyon is at greater need of a safety access than Swiss Alpine. Also, it is not only arbitrary or capricious, and discrimination to allow Mr. Walker to build a subdivision, but not allow us to have to build a second access. This has truly government overreach from the beginning and has caused this requirement in the first place. If Mr. Walker is allowed to proceed without a second access and we're still required to provide one, then we are prepared to sue Midway City. You mentioned that the rural preservation subdivision doesn't need a second access then how can you get money from Mr. Kelson from his subdivision which is also a rural preservation subdivision up Swiss Alpine to pay for the second access up Swiss Alpine? Also, Mr. Walker is planning six-lots and so are we again that is the exactly the same usage, six houses are six houses.

Randy Lundin: I farmed that for seven years, I've never seen water. We really feel tormented. It's come down that we're the only ones who are trying to provide a second access from Swiss Alpine. We never know what is going on, because it changes. We're always the last to know what's going on, it's been confusing let's put it that way. If they don't have to do it and we're the only ones doing it, I'm not sure if Mr. Buie is still involved in this or not. I realize this is under two different things, I realize the reason they are pushing it is because it is an annexation not a subdivision, that doesn't help us a bit.

Attorney Corbin Gordon: It is an apple to orange comparison. They are applying to annex into the City. When you apply to annex into the City it's really a situation where the City has the most discretion and the most power. The property owner is asking to come into and take advantage of zoning and everything the City has to offer in order to do that the City can pretty much place whatever they want.

Nora Lundin: That is not how it started out, it was only a couple of months ago when we were told we'll make you do the second access through your annexation.

Attorney Corbin Gordon: I don't recall it that way, but the practical reality is that you are preceding under annexation and the City has made it very clear that a secondary access out of that area is necessary for the safety of the people up there. There was some very poor planning up in that area and that is what the City requirement is and we've been working for a long time to try to meet every bodies needs but the Lundins have basically drawn a line in the sand at this point and said this is what we want and they will be in front of the council next week to make to make a presentation and the City Council can do what they choose to do its within their discretion to decide on what they want to do there.

Nora Lundin: You don't care about the safety of the people in Lime Canyon?

Attorney Corbin Gordon: I'm not going to respond to that.

Nora Lundin: You said that it was required for the safety for the people up Swiss Alpine.

Chairman Kohler: Thank you for your comment this really isn't a forum to properly debate that issue.

Randy Lundin: While you've got Mr. Walker involved in this is, this is your last chance to move this so-called emergency road to a spot that will help everybody. It will help Lime Canyon it will help Swiss Alpine people. Summit Engineering is working with Lime Canyon I don't know if they've even talked to Mr. Walker yet. There has been a lot of work done on this engineering wise. I just think that in my mind and I'm kind of practical sometimes to spend any money on the Bigler Lane connection for an emergency access is a bazaar thing. It doesn't get you any further away than Swiss High trailer court because they are the same access to Homestead Drive and Bigler Lane. You get up here Sunburst three is going as a part of it Mr. Walker would be a part of it. It makes sense to me while you have the opportunity. You've got us thinking about it, Sunburst is there right now and you're dealing with them and you're going to be dealing with Mr. Walker, you're not going to get the chance again.

Chairman Kohler closed the public comment is period

Motion: Commissioner Payne: I motion that we approve item number four the proposal

by Brett Walker for a six-lot rural preservation subdivision on property owned by D L Evans Bank the property is 32.06 acres and is located at approximately 950 West Lime Canyon Road in the R-1-22 and RA-1-43 zones. We accept the findings of staff and include their proposed recommending condition as written.

Seconded: Commissioner O'Toole

Chairman Kohler: Any discussion on the motion?

Planner Henke: The hydrology study.

Commissioner Payne: I'll amend the motion to include the requirement for the hydrology study.

Commissioner O'Toole: I'll second that.

Chairman Kohler: The motion before us is approval with acceptance of staff findings and with two conditions one being the hydrology study and the other being recognition that the agriculture parcel will remain as unbuildable until it is approved as a subdivision. Two access issue which is not part of the rural subdivision would apply to that parcel.

Chairman Kohler: Any discussion on the motion?

Commissioner Streeter: Will there be easement problems if he decides that he wants to switch his lots?

Chairman Kohler: That is a good question. Is this a proposal in flux regarding moving the lots back and forth to address the powerline issue?

Paul Berg: The power line easement would be restricted on the plat I think that if it were in flux it would be more due to the hydrology study.

Chairman Kohler: Any further discussion on the motion?

Chairman Kohler: All in favor.

Ayes: Commissioners Streeter, Waldrip, O'Toole, Nicholas, Payne and Ream

Nays: None

Motion: Passed

Item 5:

Midway City is proposing a Code Text Amendment regarding parking location requirements in the C-2 and C-3 zones. The proposed amendment would allow direct parking stall access from the right-of-way without the currently required driveway when the property is adjacent to open space. The proposal will help preserve open space in the commercial zones by reducing the amount of hard surface required by the current code.

Planner Henke gave a presentation regarding the proposed subdivision and reviewed the following items:

- Background
- Land use summary
- Analysis
- Water Board Recommendation
- Possible Findings

- Alternative Actions
- Possible Conditions
- Aerial view
- Site plan

Note: A copy of Planner Henke's presentation is contained in the supplemental file.

Staff and commissioner's discussion

- I would like to add a provision to the language saying that this is not grandfathered in.
- Is there a concern about this street becoming a connector?
- Connector roads are less likely to expand in the future.
- If streets or areas that are not currently in C-2 or C-3 get rezoned that we are not creating a loop hole that this provision is allowed on one of these main streets.
- If a new road is built, then we'd have to classify that road.
- The word local really eliminates a lot of possibilities.
- If that definition is very clear to where that road wouldn't be considered a local road then, great.
- Clearly a UDOT Highway would not be a local road.
- Basically, converting a drive aisle to open space.
- Could you restrict it to "X" number of on street parking?
- As long as the language is very clear that it can only be in front of the parking that is access from the street then I think that it's covered.
- Some on street parking will be lost with this proposed configuration, again the green area is worth something.
- We've restricted it so much to our local roads. Do we really lose the on-street parking?

Representative; Paul Berg:

- The only area where I can see that this maybe could get abused is down where the proposed C-4 zone might go.
- The likelihood of this getting abused is highly unlikely.
- 15-17 stalls
- Widen a few feet to meet City standards. From the edge of the road to the edge of the parking has four-feet then a 20-foot stall then you'd have curb and gutter and sidewalk
- We'll collect and retain the storm water on site

Motion: Commissioner Waldrip: I move that we approve the concept that is represented by item number five and request that the staff work on specific language for the code text amendment that will reflect the concepts that we've decided here tonight and bring it back to us for final review and approval at our next meeting.

Seconded: Commissioner Ream

Chairman Kohler: Any discussion on the motion?

Chairman Kohler: All in favor.

Ayes: Commissioners Streeter, Waldrip, O'Toole, Nicholas, Payne and Ream

Nays: None

Motion: Continued

Item 6:

Mariah Wolf is requesting a Conditional Use Permit for a mixed-use development on property owned by Roger and Millie Medby that will include a business and a residence. She is proposing to remodel the existing commercial structure located at 45 North Center and is in the C-3 zone.

Planner Henke gave a presentation regarding the proposed subdivision and reviewed the following items:

- Background
- Land use summary
- Analysis
- Water Board Recommendation
- Possible Findings
- Alternative Actions
- Possible Conditions
- Aerial view
- Site plan

Note: A copy of Planner Henke's presentation is contained in the supplemental file.

Staff and commissioner's discussion

- How do the seven parking stalls work?

Applicant; Mariah Wolf:

- The upstairs about 1000 square feet total
- The windows upstairs are the right opening for escape
- There are CO2, fire extinguishers and smoke detectors already in there
- I was told that there were ten easement grandfathered parking spots for the property that are shared with Ridley's.
- The garage is working so it can be a parking area as well for the resident part of it. The driveway is connected to that house only it is not a shared driveway between two properties.

- The bottom floor will be a salon.
- There are two bathrooms downstairs that are separated. One is devoted for the salon and the other is devoted to the residence.

Motion: Commissioner Nicholas: I move that we recommend the request for a Conditional Use Permit for mixed use development on the property owned by Roger and Millie Medby that would include a business and a residence located at 45 North Center located in C-3 zone. We accept staff findings.

Seconded: Commissioner O'Toole

Chairman Kohler: Any discussion on the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners Streeter, Waldrip, O'Toole, Nicholas, Payne and Ream

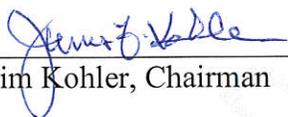
Nays: None

Motion: Passed

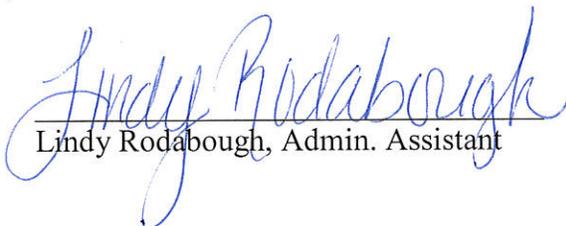
Item 7:

Adjournment

Motion: Commissioner Waldrip
10:45 pm



Jim Kohler, Chairman



Lindy Rodabough, Admin. Assistant