

Planning & Zoning Minutes

May 21, 2009



CITY OF
REXBURG
America's Family Community

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Rexburg, ID 83440

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Phone: 208.359.3020
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Commissioners Attending:

Winston Dyer – Chairman
Thaine Robinson Richie Webb
Dan Hanna Ted Hill
Gil Shirley

City Staff and Others:

Rex Erickson – City Council Liaison
Val Christensen – Building Official
Natalie Powell – Compliance Officer
Elaine McFerrin - Secretary

Chairman Dyer opened the meeting at 7:02 pm. He welcomed everyone to the meeting. Building Official Val Christensen represented staff, as Planning and Zoning Administrator Gary Leikness was not able to attend the meeting.

Roll Call of Planning and Zoning Commissioners:

Gil Shirley, Richie Webb, Winston Dyer, Thaine Robinson, Ted Hill, Dan Hanna

Charles Andersen, Nephi Allen, Josh Garner, and Mary Ann Mounts were excused.

Minutes:

1. Planning and Zoning meeting - May 7, 2009

Thaine Robinson motioned to approve the Planning & Zoning minutes of May 7, 2009. **Gil Shirley** seconded the motion.

Richie Webb and **Dan Hanna** abstained for not having been present. None opposed. **Motion carried.**

Public Hearings:

7:05 pm - Rezone – Evan and JoAnn Nef – 208 East 3rd South – LDR2 to MDR1

Chairman Dyer explained the procedure that is followed for public hearings. First, the applicant or a representative will present the proposal. The Commission will then ask clarifying questions about the proposal and may also ask staff clarifying questions. The public will be given the opportunity to speak. When public input is closed, the Commission will deliberate and try to make a decision.

JoAnn Nef, 208 East 3rd South, owner and applicant, presented the proposal. They were granted a Comprehensive Plan Map change for this property several months ago with the intent of having dormitory housing (6 singles) in the basement. This P&Z Commission had some concerns with the change and recommended denial. The City Council decided to give them a chance to address the neighbors' and the Commission's concerns. They spoke with many of their neighbors who

expressed frustration about changes in general, about feeling strong-armed by the University, about parking, and about traffic issues. The Nefs appreciate these concerns; they are important. Consequently, the Nefs came up with a compromise they feel helps solve the problem of having a single family home right next to and without any buffer from, a high density building along an arterial road. They dropped the idea of renting the basement to single community members, and came up with the idea of putting two couple-type apartments in the basement, with a family on the main floor. They met with several neighbors, who seemed positive about this idea. The Nefs took them on a tour of the house to show how the downstairs apartments would be set up, where the entrances would be, and how the parking would be in the rear, coming off 2nd East instead of 3rd South, which is what their neighbors wanted. Their neighbors have the right to change their minds. At this neighborhood meeting and follow-up since then, they expressed that having 2 couples in the basement was much more palatable than 6 single renters.

Therefore, the Nefs are requesting a zone change for the subject property from Low Density Residential 2(LDR2) to Medium Density Residential 1 (MDR1) with the intended use of the building to be converted to a 3-plex. For the peace of mind of the neighbors, this zoning does not allow dormitory use. That would take another step which would include a public hearing for a Conditional Use Permit. That is not their intent.

JoAnn Nef stated that a proposed parking plan was included with their rezone application. Evan Nef met with John Millar to review the plan. There is plenty of room for parking as well as a turn-around, so residents will not have to back out on 2nd East but can exit face first. There will be grassy area, a BBQ area, and a garden. The parking in the rear would not be visible from 3rd South due to some beautiful trees. The Nefs strongly support a no-street parking policy along 3rd South. They would encourage it along 2nd East as well.

It has been said that no great community was ever formed without compromise. They are not deaf to the Commission's concerns and their neighbors' wishes. Their application supports a nice neighborhood feel that the neighbors want, and it helps solve a planning concern.

Chairman Dyer said making a zoning change on a particular piece of property does not include the site plan as part of the proposal, although presenting the site plan was informative. The proposal is just for the zone change. He asked if they were open to a conditional approval of a zoning change. Mrs. Nef said very much so.

Chairman Dyer asked if dormitory style housing was still a possibility for them, because due to the University's new policy, they would not be able to receive approval for such housing.

Mrs. Nef said it is definitely not a possibility, due to the concerns of their neighbors. They care about their neighbors.

Chairman Dyer asked Mrs. Nef if the Neighborhood Association had been consulted about the proposal and if so what their feelings were.

Mrs. Nef stated that someone from the 3rd East Neighborhood Association was the only one involved in meeting with the Nefs, although this property is not a part of that Association, but is close to it. The president of the Association expressed support, but this support was his personal opinion.

Chairman Dyer said this Commission did not recommend approval to City Council for their Comprehensive Plan Map change application. City Council determined that it was an appropriate change and granted it. He asked JoAnn Nef to summarize why that decision was made.

JoAnn Nef stated that the City Council was not deaf to the P&Z Commission's concerns, but recognized that there was a conundrum with this property. A 3-story apartment complex had been allowed next to a single family home without a buffer, as well as 2nd East being an arterial roadway. She said she felt the compromise of 6 girls in the basement was positive; the neighbors did not. The City Council approved the map change, but the Nefs changed their development plans to the current idea of a 3-plex, to address their neighbors' concerns.

Dan Hanna asked if this property was outside the PEZ (Pedestrian Emphasis Zone) Zone. It is adjacent to, but outside of the PEZ Zone.

Richie Webb asked if properties to the South and the East of the subject property were all residential with no converted homes.

JoAnn Nef said there are nice single and couple housing along Harvard Avenue. The area was shown on the overhead screen.

Thaine Robinson asked if this proposal is an appropriate zone change for what the Comprehensive Plan designates.

The Comprehensive Plan shows a Medium Density designation for this property.

Chairman Dyer asked Val Christensen for any clarifying information for the Commission.

Val Christensen noted that Gary Leikness' Planning staff review stated that the submitted site plan should not be considered in the Commission's review of the requirements for this zone change.

Chairman Dyer cautioned the Commissioners that they would not be approving the site plan or the details of the described use. Once the property is rezoned to MDR1 then any use or conditional use allowed in that zone may go forward, unless the Commission stipulated conditions on the zone change.

Evan Nef said the highest they could go for in this zoning is a 4- unit complex. They do not intend to do this.

Chairman Dyer opened the public input portion of the hearing.

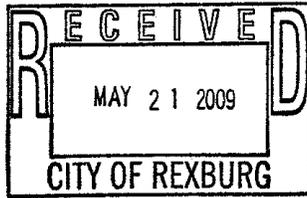
In Favor: None

Neutral:

Brent Barker 231 East 3rd South, stated he is both neutral and opposed. He thinks the world of the Nefs. They are trying to do what will work in the neighborhood and what will still work for them. The Nefs informed the Barkers that their plan was for 3 families in the home. He and his wife are worn down with the talking and meetings, and he is tired of the situation. He feels if 3 families are there, it is a lot easier for him to accept than 6 students.

Opposed:

Brent Barker 231 East 3rd South, read a letter from neighbor Gayle Taylor, 275 Harvard, who opposes the rezone proposal.



Gayle Taylor
275 Harvard Avenue
Rexburg, Idaho 83440
May 20, 2009

To Whom it may concern:

Planning and Zoning Commission
City of Rexburg, Idaho

Dear Council Members,

In the past, I have actively participated in the planning and zoning meetings regarding a zone change for the address; 208 East 3rd South, owned by Evan and Joan Nef. I have voiced my opinion several times and have asked the council to please consider greatly the neighbors who reside in the surrounding area and to please help us maintain our existing family neighborhood. I have not changed my mind about that.

A short time ago, Mr. And Mrs. Nef invited several neighbors to their home to show us their new proposal for further plans to get rezonning to develop their property.

Mr. Nef called me after that meeting and we had a short discussion. He said, "It sounds like you are not in favor of the new proposal plan?" (Two units in the basement for a couple and another for a couple and maybe a child. Then another unit upstairs for a family).

I told him that was right. I was really not in favor of it because of the several problems that will still exist. I have discussed those reasons before and I discussed them again with him, including some problems I see that might occur in the development.

He has since visted in my home by appointment regarding an item needed for a science project for his daughter. Again he asked me to consider that proposal.

I told him I was getting weary of the continual process we are having to go through. In the beginning I told them they would not like what I was going to say at the first meeting and did they not know the problems they would have regarding this property? They said then, that they were aware of it. Again he tried to convince me of why I should accept it as it would be good for the value of my own property.

I have considered it since, and I have not changed my mind from the first statements I have made before. I want to maintain our neighborhood as it is now, a Low Density Residential Area.

I ask you? Do we as Home Owners not have some rights to protect our own property from those who come into our area to buy up property for housing development? Do we have to form a Home Owners Association to keep this from happening?

Before I asked the Council to please consider keeping the area as it is. This does not mean that there is anything personal against the Nef Family. I have always said how much we rejoiced to have their family move into our neighborhood. Now we know that they do not intend to live here at all. We are sorry to hear that, as we have grown to love them and their children. I have spent many happy hours with them as they have visited me. I thank them for that.

As far as I know this has been a fairly peaceful happy neighborhood with neighbors concerned for each other. I have become weary over this problem. I told Mr. Nef that I would not be to this meeting because of a prior commitment, but my opinion stands.

*Sincerely yours
Gayle Taylor*

Robert Jimison, 255 Harvard. His objection is based on this property being a gateway to the neighborhood. He wants to keep the neighborhood as low density residential and family. It is not so much a case of who the owners of the property are now but rather its future use no matter who buys it. They are concerned that the proposed rezone would be an encroachment into the neighborhood.

Douglas Hancey, 378 Yale. He thought the 3rd East Homeowners Association had drafted a letter or petition saying they were against this proposal. He is against it. The Porter family owned the property for a long time and kept it up very well. As one entered the neighborhood, it looked very nice. He strongly opposes this change and feels this proposal is one more creep of rental properties into the neighborhood. He would like the integrity of the neighborhood to remain.

Carla Jimison, 255 Harvard, is against this zone change request. As far as she is aware, there are only four homes on Harvard that have basement apartments that have been grandfathered in. She is concerned with what will happen to the subject property if it is sold. It is a very key home, the gateway, as one comes into this neighborhood. She grew up close to a university in Michigan and saw zone changes slowly creep and envelop neighborhoods. She does not want to see that happen here. It is a wonderful neighborhood; neighbors do care about each other. She would like to keep it a family neighborhood.

Rachel Peck 323 South 3rd East, is opposed to a zone change. She is not in favor of spot zoning. There is an apartment complex to the south that is not kept up in the same standard as the homes in the area. There is a rental home northeast of their home, and it is obvious it is a rental home. She has never seen a rental home or a rental area that is kept up as nicely as individual homeowners keep their homes. She is opposed because the upkeep would be dubious. She is opposed because there will be visitors coming and going. Will there be plans made for parking or for curfew? Does the community have a say in what activities would or would not be allowed if the renters are young married couples? Why are we considering a zone change when there is already surplus rental housing here in Rexburg? Mrs. Peck said she does not see this proposal as a necessary zoning change.

David Peck 323 South 3rd East. He is Vice President of the 3rd East Neighborhood Home association, but he is not representing them tonight. The Association has not had a meeting to address this issue completely. He is not weary of this issue, because he feels this proposal affects the neighborhood and the quality of life of the residents. Rexburg is America's Family Community. He feels one must be careful in the use of representations of people that are not present or have not written their views. He has attended City Council meetings, and the number one goal of the Comprehensive Plan is to preserve the existing character of the community and neighborhoods within the community. This proposal does not go with that value. The gateway issue of the property is a concern. Integral to preserving a community is letting people know when they enter a residential area. This is not about the Nefs; it is not about the use of the property; it is about the property and preserving existing communities. The property may prove problematic to investors. People make poor investments all the time. It is not the responsibility of the P&Z Commission or City Council to compensate for someone else's poor investment decisions. Mr. Peck is concerned about the idea of a restrictive use. What restrictions will there actually be? He does not see this proposal as a compromise. Earlier the neighborhood association was also opposed to the proposal for a Bed and Breakfast. In summary, he agrees with the safety and visitor concerns; he expressed opposition to any restriction, which he feels makes the problem worse. He reiterated that this issue is about the property, not about the use. Focus on the property, not the proposed use. The zoning is there for a

reason. Changing the zoning would not support the values of the Comprehensive Plan nor the interests of the area.

Corinne Barker, 231 East 3rd South. She is in opposition to this rezone proposal. When they moved here 25 years ago, the area was a family neighborhood, and they have raised a family there. If a crack in the door is allowed, the door is going to swing wide open. Provo, Utah has such an area near the college, where homes have deteriorated from how they once were. She is afraid the change will creep into her way of life.

Written Input:

Letter from Gayle Taylor – opposed to the proposal - read earlier in this meeting by Brent Barker.
Letter (electronic) from David Ward – opposed to the proposal – read aloud by **Chairman Dyer**.
Letter (electronic) from JannaLee Ward – opposed to the rezone – read aloud by **Chairman Dyer**

From: David Ward [dlward@cableone.net]
Sent: Thursday, May 21, 2009 1:02 PM
To: Elaine McFerrin
Subject: Rezoning of Nef Property

With regard to rezoning the Nef property, 208 East 3rd South:

I am definitely not in favor of this and I believe changing the zoning of this property will open the way for future properties to be rezoned and used for student housing. This will be a great detriment to the residential community of this neighborhood.

Thank you for your serious consideration in this matter.

Sincerely,

David L. Ward
249 Harvard Avenue



From: JannaLee Ward [jannaleeward@cableone.net]
Sent: Thursday, May 21, 2009 1:21 PM
To: Elaine McFarlin
Subject: Nef Property Rezoning

With regards to rezoning of Nef property, 208 E. 3rd So.:

I do not agree with the rezoning of this property to be allowed to be anything more than a single family residence. This home is at the edge of the residential community directly east of BYU-Idaho Campus which is a great family area. We have watched as older homes along 2nd South have been bought up and converted to student housing many times to become eyesores and not cared for. It appears when single students move into older homes, converted for their use, families move out and properties and neighborhoods deteriorate.

This area is the only residential area that has remained fairly intact along the BYU-I boundaries. (Consider College Avenue, north; Apartments and business district, west; farm and residential areas, south.) There are plenty of places that investors can put their funds to help accommodate housing for single students, if that is their desire. It is inappropriate for potential investors to purchase a home, live in it only long enough to get zoning changed, remodel then leave the long term residents of the community to live with an influx of students and generally an owner who is no longer around.

Please consider that a vote against this rezoning is a vote in-favor of our family community and the residents that have spent years here and do not wish to see this change.

Thank you,

JannaLee Ward
249 Harvard Avenue



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Rebuttal:

JoAnn Nef - She appreciates the homeowners' concerns; they are valid and important. She is befuddled because she feels she and her husband are promoting the same values. They are not asking to put in a Maverick, or a bed and breakfast, or an alumni house, or single student housing. They recognize this home has been a gateway for the neighborhood. They have worked very hard to come up with a solution to a problem, to make sure this property is still a gateway. They are trying to solve an issue. It is a beautiful home and property, but it is not a great place to raise your children. The house was a disaster when they bought it. It is beautiful and well taken care of now. She feels what they have presented is a perfect solution. It would still be a family home. There would be plenty of parking in the back. Visitors could park in the horseshoe driveway. The Nefs are the only family that has lived at this property since the Kensington properties were built. Change is hard. This Rezone proposal would allow the opportunity to make it right for this property.

Chairman Dyer closed the public input portion.

Chairman Dyer asked David Peck for clarification (only yes or no answer) on whether the 3rd East Neighborhood Association had submitted any material to the City in regard to this rezone proposal.

Mr. Peck answered no.

Chairman Dyer asked City Council Liaison Rex Erickson to clarify the Comprehensive Plan Map amendment approval decision for this property that was granted by City Council.

Councilman Erickson stated the Comprehensive Plan map change allows whoever owns the property to make the request for a rezone. There was a lot of discussion by City Council of this particular property. A good share of the homes on 2nd East in that area currently have basement apartments.

Several Comprehensive Plan map amendment requests were on the agenda at this meeting, and it appeared they were all decided under one vote.

Chairman Dyer asked Val Christensen for input.

Val Christensen stated the question is whether the Commission feels this particular property, after going through a Comprehensive Plan Map change, should be allowed a rezone. He stated that lot size needed for MDR1 is 4500 square feet for the 1st unit, with 1500 square feet for every unit thereafter.

The Commissioners discussed the proposal.

Chairman Dyer stated there has been careful thought and preparation given in the input by both sides on this proposal issue. He expressed the Commission's appreciation for this input.

Ted Hill was concerned with the parking issue.

Dan Hanna said every family in every neighborhood has visitors that need to park temporarily on the street.

Thaine Robinson said the decision has to be made looking several years into the future and not for the moment. From a good planning perspective, to protect the neighborhoods, he thought he would be against this proposal.

Chairman Dyer stated there was quite a discussion of this property at the comprehensive plan map change request level. The Commission did not recommend approval to City Council on that request. He said the question before the Commission tonight is, shall a zone change be allowed, and if so, will there be conditions placed on it to make it more appropriate for the neighborhood?

The Commission looked at the permitted uses listed in the Development Code 926 document.

Ted Hill expressed he could support this proposal if there is no change in the building footprint.

Dan Hanna said the Comprehensive Plan Map amendment change that was granted on this property paves the way for a zone change approval. If they go against this they would be going against the Comprehensive Plan.

Chairman Dyer stated the Commission is not forced or mandated to make a zone change based on what the Comprehensive Plan Map says. They are required to make sure that the decisions they make are not in violation of the Comprehensive Plan. The LDR2 zoning is a presently existing use that could continue. The door has been opened to consider this zone change request because of what the land use map now says.

The foreseen use for the subject property on the Preferred Land Use map is medium density residential.

Two families would be an allowable use in the existing LDR2 zoning.

Richie Webb stated that at the City Council meeting he attended several months ago regarding this property and the requested Comprehensive Plan Map change, there was concern about the negative feedback from neighborhood members. The City Council wanted to give the applicant the opportunity to work through some of those concerns. **Mr. Webb** said the Comprehensive Plan change opened the door; he feels the applicant has done a good job in addressing concerns of the neighborhood. What was presented tonight is a much better plan than what was originally proposed. He commends the Nefs for the effort they have put into this proposal.

There was more discussion.

Dan Hanna said whether or not they like a proposal, a permitted use is still a permitted use.

Chairman Dyer stated the Commissioners' charge is to consider the proposal, the merits of it on the basis of the law (Comprehensive Plan), its impact on the neighborhood, and its consistency with surrounding land uses. The P&Z Commission's decision is a recommendation; the proposal would go to City Council for the final decision.

Councilman Erickson, after reviewing the September 3, 2008 City Council minutes, stated the City Council looked carefully at the Comprehensive Plan Map change request. Each Council member had his say on the request, as well as input given by City Attorney Stephen Zollinger. The idea was to eventually have a total of 6 girls as renters on the property. If the City wanted to create a buffer with this corner lot, between the high density residential to the south and the low density residential to the east, they could make the change to the Comprehensive Plan map and see if the applicant could come forward with a proposal the City would allow. Changing the density on the Comprehensive Plan map does not allow this to happen; it only allows the opportunity to request a change.

The Commissioners had further discussion.

There was some discussion about having 3 families in the home and the impact there might be on the surrounding neighborhood.

A permitted use could be up to 4 families in an MDR1 Zone.

Richie Webb said perhaps one such change may not have major impact on the neighborhood, but if this request created more requests, there may be a greater impact.

Dan Hanna motioned to recommend the zone change for 208 East 3rd South from Low Density Residential Two (LDR2) to Medium Density Residential One MDR1, to City Council including the conditions that there be no change in the footprint of the present building, that there be no more than 3 dwelling units, and that the applicant submit an appropriate parking plan, site plan, and floor plan for City staff review, and that there be no more than 4 parking spaces in addition to the existing 2-car garage. **Ted Hill** seconded the motion. **Dan Hanna** amended his motion to include that if

plans are not submitted to and approved by the City within 12 months, the property will revert back to the original zoning. **Ted Hill** seconded the amended motion.

Then Commissioners discussed the motion.

It was thought that such a motion would be an allowable result of the Comprehensive Plan map change, but with conditions that would be protective to the neighborhood and the situation as addressed by the citizens tonight.

Those in Favor

Dan Hanna
Ted Hill
Richie Webb

Those Opposed

Winston Dyer
Thaine Robinson
Gil Shirley

Motion did not carry.

Chairman Dyer declared an **impasse** on this proposal. The application to change the zoning failed; the Commission cannot send up its support of the requested application to the City Council.

The Nef Rezone proposal will now go before the City Council for their consideration.

Unfinished/Old Business: None

New Business: None

Compliance:

Compliance Officer Natalie Powell reported on the semi-truck parking compliance issue that was brought up at the previous P&Z meeting. The problem of 2 semis parking on the city streets for a few days at a time has been addressed. Crapo Trucking, owner of the trucks, was notified. They put a memo in with each of their drivers' paychecks that stated that the trucks needed to be off city streets for safety reasons and to be in compliance with the City parking ordinance.

Parking on both sides of Barney Dairy Road during evening ballgames at the high school was a compliance issue that was raised at the previous P&Z meeting. This parking was making the street very narrow for traffic. Natalie Powell spoke with the City's Public Works Director, John Millar. "No parking" signs were on the north side at one time but were removed for a project. They will now be put back up.

Staff continues to work with the owner on the clean-up of the DJ Barney property. A representative for the Baker Trailer Park came in to the Community Development Department with the resident's concerns about the DJ Barney property. The owner is moving forward.

Val Christensen stated there are some projects that go on for a long time. He suggested there be a completion time line set, for instance for foundation, screening, landscaping, etc.

The Commission would like to discuss this issue with City Attorney Stephen Zollinger at a future P&Z meeting.

There was further discussion.

Dan Hanna wondered if, as part of the City's ordinance, a temporary fence could it be put up at construction sites for catching building debris.

Val Christensen said there are some environmental regulations currently in place concerning screening for wind purposes so soils are not lost, etc. Those fences would also catch building debris.

An upset business owner contacted a P&Z Commissioner with concerns about dumpster enclosures and locations. The business owner had stated that he was forced to put up the enclosure and was angry that the dumpster was not put back into the enclosure after being dumped by the sanitation crew. Natalie Powell was also aware of this situation and stated that the issue has been resolved. It was found that the enclosure was never properly attached to the asphalt; therefore, when the wind blew, the enclosure traveled across the parking lot. She also notified the owners of several vehicles that park overnight next to the dumpster, blocking it and making it impossible to pick it up. She asked them not to park so close to the dumpster so that it can be reached and picked up safely.

Non controversial Items Added to the Agenda:

1. Mixed Use Zones discussion – to continue at future meeting
2. Conditional Use permit process – Dan Hanna

Dan Hanna wanted to address the current Conditional Use Process, including how conditions are tracked. If the conditions are on a particular property, they should be made a matter of public record by recording Conditional Use Permits with Madison County.

Val Christensen said that a lesser amount of conditions put on properties is very welcome, as the conditions are difficult to police. If there is not a zone that addresses what is wanted, instead of conditions the creation of another zone would be more positive.

There was further discussion.

Chairman Dyer stated the City could look at recording Conditional Use Permits with Madison County. He recommended that Gary Leikness present this issue of recordation of Conditional Use Permits to the City Council. **Dan Hanna** also recommended that the Commission get a chance to review the actual recording document that would be used for such a recording, so that when conditions are made, the form fits.

3. Design Review Committee member additions -

Chairman Dyer said the Design Review Committee, a subcommittee of 6 P&Z Commissioners, addresses building design issues. The purpose of the Design Review Committee is to give some subjectivity and try to maintain some reason and practicality to the application of the City's Design Standards. As two of the members are not longer on P&Z, there are currently two openings. The

meetings are often during the day. He asked the Commissioners to review the information in the Development Code 926 regarding this Committee. All of the P&Z Commissioners will be informed of the openings and can let **Chairman Dyer** know if they are interested in serving.

4. Hidden Valley Trails Phase 1, Final Plat – requesting time extension for getting plat recorded

Chairman Dyer recused himself due to a direct conflict of interest, and **Thaine Robinson** acted as chair.

Winston Dyer the Dyer Group, 343 East 4th North, Suite 108 , representing owners Valeo Management as their engineer of record and also representing Cecil Satterthwaite, presented the request. A preliminary plat for the entire subdivision was approved in May 2007. The Hidden Valley Trails Phase 1 final plat was approved in September 2007. The economy has gone flat. The developers could not move forward as they had planned but are still interested in doing so. The City's Sub Division Ordinance states that if a preliminary plat is approved, segments may be considered for final plat approval if they are submitted within successive intervals of 24 months. The final plat needs to be recorded with the County within 6 months of that approval, or that approval would become null and void, unless an extension of time is applied for and granted. Valeo Management has submitted a letter (copies were provided to the Commission) asking the P&Z Commission to grant an extension of time, for the final plat of phase 1. Valeo Management desires to move forward. There would not be any change to the layout of the subdivision that has been approved. Mr.Dyer is requesting on their behalf an extension to the end of 2010.

The Commissioners discussed the request.

Dan Hanna motioned to grant the extension request from Valeo Management for recordation of the Hidden Valley Trails Phase 1 Final Plat until December 31, 2010. **Gil Shirley** seconded the motion.

None opposed. **Motion carried.**

Report on Projects: None

Tabled Requests: None

Building Permit Application Report: None

Heads Up:

There will be a work meeting of the Council in regard to Development Code 926 revision adoptions.

The PEZ Zone was approved by City Council.

Thaine Robinson suggested that the P&Z Commissioners tour the City as the City Council does, to observe different parts of the City.

Gary Leikness will be informed of the Commission's desire to go on such a tour.

The meeting was adjourned at 9:46 pm.