

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 23, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:

ABEYANCE - TABLED - NOTIFICATION - ZONING 17304 - REZONING - PUBLIC HEARING - APPLICANT: DAVID HAWK OWNER: VFP PROPERTIES, LLC, ET AL - Request for a Rezoning FROM: R-1 (RESIDENCE SINGLE-FAMILY) AND C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 2.67 acres lot 2020 through 2022 West Bonanza Road and 715 Clarkway Drive (APNs 139-28-301-000 and 029), Ward 5 (Williams).

C.C.: 09/19/2007

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

4

City Council Meeting

City Council Meeting

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RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Justification
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest /support postcards
7. Submitted after final agenda protest postcards for items 25 and 26

Motion made by RICHARD TRUESDELL to Deny

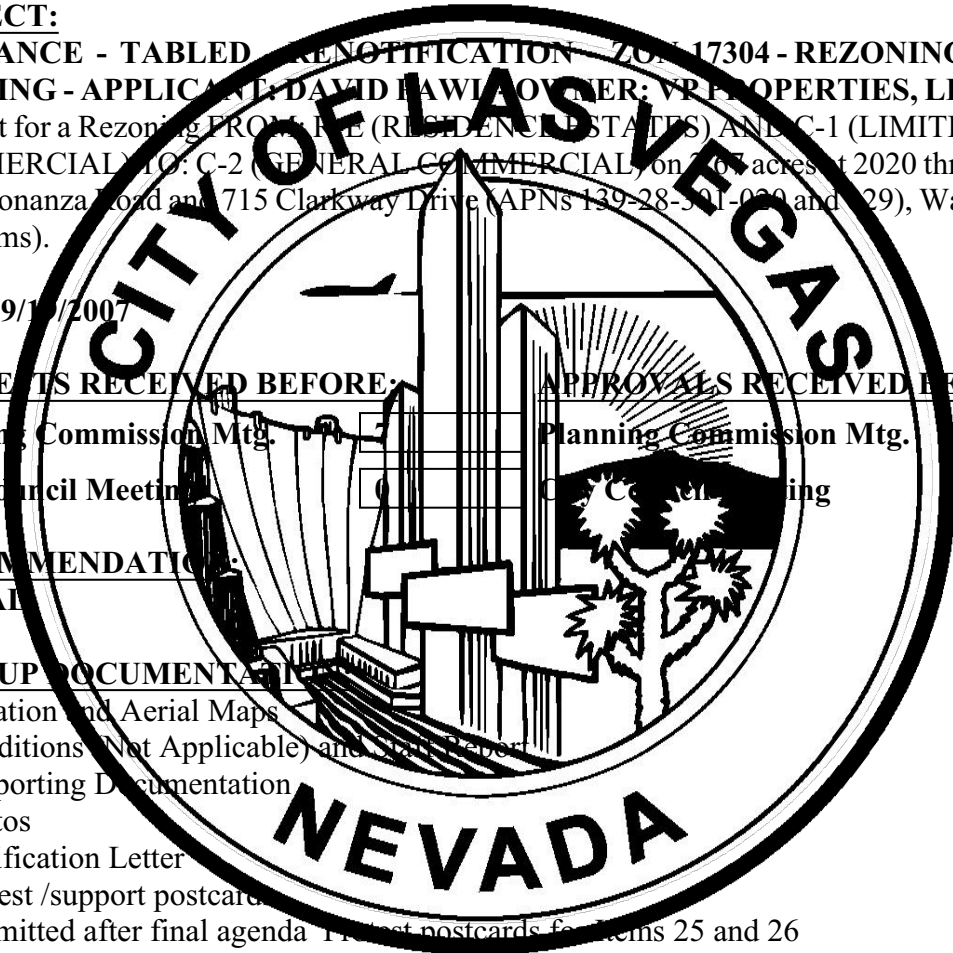
Passed For: 4; Against: 3; Abstain: 0; Did Not Vote: 0; Excused: 0

RICHARD TRUESDELL, STEPHEN EVANS, SAM DUNNAM, BYRON GOYNES; (Against- GLENN TROWBRIDGE, LEO DAVENPORT, DAVID STEINMAN); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIRMAN DAVENPORT declared the Public Hearing open for Items 25 and 27.

DOUG RANKIN, Planning and Development Department, stated these applications had been held in abeyance in order to allow the applicant to meet with the neighbors and noted related Item 26 had been withdrawn. With regards to the rezoning and site plan applications, he



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recommended denial due to the incompatibility of this use with the adjacent residential neighborhood.

DAVID PAWL was present. He thanked staff from the City and COUNCILMAN BARLOW for attending the neighborhood meeting and stated he had been able to work with the neighbors to address their concerns.

TODD FARLOW, 240 North 19th Street, requested clarification of the applications.

TOM DeMARCO, 651 Clarkway Drive, listed several conditions worked out with MR. PAWL which addressed his concerns and stated he could not support the project without those conditions. ELWIN SLACK, 708 Clarkway Drive, concurred.

MR. RANKIN noted the site plan as presented did not reflect the compromises suggested by MR. DeMARCO and did not indicate the applicant had agreed to any changes.

Regarding the well easement on MR. PAWL'S property, DeMARCO informed CHAIRMAN DAVENPORT that he had a working verbal agreement with MR. PAWL allowing him access to the well for service.

COMMISSIONER STEVENS stated he could not support the applications as they did not reflect the changes agreed upon with the neighbors.

MR. PAWL explained that he had not realized an amended site plan was needed since staff had attended the neighborhood meeting and was aware of the changes agreed upon between the neighbors and himself.

MARGO WHEELER, Director of Planning and Development Department, suggested several additional conditions based on the representations of the neighbors and MR. PAWL agreed to all additional conditions.

COMMISSIONER TRUESDELL stated he could not support this proposal because it is incompatible with the neighborhood and needs far too many compromises from the City and the neighbors.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Items 25 and 27.