

Minutes of the Salem City Planning & Zoning Commission Meeting held on July 11, 2018 in the Council Chambers.

Meeting Convened at 7:00 p.m.

Conducting: Jon Ward

PRESENT:	Tina Fluehe	Jon Ward
	Karen Weight	Attorney Jason Sant
	Becky Warner, Secretary	Kyle Roberts
	Diana Ballard	Josh Walker
	Brent Warren	Blaine Guymon
	Gibb VanOrman	Sheryl VanOrman

APPROVAL OF MINUTES

MOTION BY Jon to approve the minutes of June 13, 2018. Seconded by Karen; Vote Affirmative, 3-0.

MOTION BY Karen to open the public hearing. Seconded by Tina; Vote Affirmative, 3-0.

IBD HOLDINGS & T DEVELOPMENT ZONE CHANGE

Jason explained this property, located at approximately 899 E. Salem Canal Road, has changed hands a couple of times with a few different ideas for development. The last developer started to cover the canal and didn't finish it, leaving a mess. This request is two-fold – a zone change and a development agreement for 55 and older. He then turned the time over to Blaine Guymon from T Development. Blaine asked if there were any questions. Jon said he thought the agreement was supposed to include building a fence along Salem Canal Road. Blaine said that was discussed but just didn't make it into the agreement. He was asked about what the price point was of the units. About \$400,000. Blaine stated the R-5 zone allows up to 9 units per acre but they only have 5 ½ units. It was stated the road from 80 South to Canal Road will be a public road but the other road will be private. It was mentioned the private road will need to be wide enough for emergency vehicles and garbage trucks.

Kyle Roberts, who owns the house this property surrounds, stated he had talked to the neighbors and no one was in favor of this development. They were concerned about the water issues 1) the available water supply and 2) drainage and ground water. The neighbors have trouble with water in their basements now and are concerned this would only make it worse. Also they are concerned about the density and the lack of green space. They urged the city not to approve this development. Jon pointed out that property owners do have the right to develop.

Brent Warren, an adjacent property owner, stated he is also concerned about the high density. He still farms his property and is already getting complaints from neighbors in the Meadows at Mt. Loafer Subdivision. Brent asked if the City had approached people to develop this property and promise them whatever they wanted if they would. Jason stated the City does not ask people to develop property. The City is concerned about getting the canal fixed, and is willing to look at any possible solution. No promises were made to these developers and any project would need to meet City standards. Brent said the neighbors to the west are encroaching on his property because the developer of that subdivision didn't replace his fence like he was supposed to.

Blaine said they will have a wall around the project. He also said this development would have an HOA that would take care of the landscaping, snow removal, trash, noise restrictions, etc. Jason pointed out, they would need to follow the requirements in the development agreement.

Karen said this Board wants to represent the citizens of Salem but she does see the other side that the property owner does have the right to develop if they choose. Jon stated there is a need to senior housing in our community.

Brent also expressed his concern about closing 80 South, this development would put an increase of traffic onto this street. It was stated single family homes typically have more cars per unit than senior housing units do because of teenage drivers.

Josh Walker, who also lives in the neighborhood, said he is concerned about the HOA. Restrictive covenants don't have any affect and are not easy to enforce. In his opinion, it is poor governing to spot zone this area. Jason pointed out that spot zones are legal and the development agreement is a contract not just CC&Rs.

Diana Ballard, who lives across Canal Road from this property, expressed her concern about the traffic on Canal Road especially when the new Jr. High School is built and 80 South is closed off. The stretch of Canal Road by her house is still a County Road and will not be widened with this development. She explained the high water table issues they experienced when Nelson Landing Subdivision was built and is concerned because there is still drainage under the canal to this property.

Brent asked if the City was looking at designating an area of town just for 55 and older developments. Jason said they are not, each development is considered as it is submitted.

MOTION BY Karen to close the public hearing. Seconded by Tina; Vote Affirmative, 3-0.

(Kelly arrived at 8:20 p.m.)

Tina expressed her concern about the traffic and public safety in this area. Jon said he likes the senior housing idea but the safety for them in this area is a valid point. Karen stated she doesn't want the density in that location and the potential traffic problem on Canal Road is a real concern.

MOTION BY Karen to recommend denying the request from IBD Holdings and T Development for a zone change on the property located at approximately 899 E. Canal Road from R-15 to R-5 for the concerns previously discussed. Seconded by Tina; Vote Affirmative, 3-0.

MOTION BY Karen to adjourn Planning & Zoning Commission meeting. Seconded by Tina; Vote Affirmative, 3-0.

Planning & Zoning Commission meeting adjourned at 8:30 p.m.