

GREGORY PLANNING COMMISSION MEETING

Monday, Jan. 20, 2015

The Planning and Zoning Commission met on Tuesday, January 20, commencing at 5 p.m. with members Scott Anshutz, Sam Flakus, Guyla Husman, Donna Schmitz and Bonnie Johnson in attendance. Also present at the meeting, initially, were Eric Ambrosen of District III, George Johnson in his capacity as the city's attorney and the City Public Works Superintendent, Mark Fortuna.

The previous minutes were approved with a motion by Bonnie and second by Sam. There were no building permits to consider.

Eric Ambrosen explained the general goals and plans of our Grandview addition as he understands them which is that the Gregory City purchased the property in the summer of 2013 and since then the regulatory and infrastructure plans have been made for phase 1 to include water, sewer, drainage for the Logan extension and the cul-de-sac. The City is taking the lead with bond development for the water, sewer and streets in these areas. The BID group is now charged with development and the Planning and Zoning Commission is involved with building and infrastructure requirements. Eric stated the next phase is not yet clarified as to who oversees the project.

Eric personally likes covenants involved, saying these guidelines will offer protection for any and all new property owners. Covenants in the purchase agreement will be on record at the Register of Deeds office. Eric said that the covenants that were sent to his office by the P and Z in the spring were what he would use in Grandview. He had made a few suggestions on them and returned them to us. Scott said that the covenants had been placed in the council's hands and had been tabled several times and changes had been made to them as well as two councilmen and two P and Z members had met twice and agreed on the draft but still met opposition to them. We agreed with George that the problem is that we (P and Z) want guidelines on Grandview because many of the 'rules, ordinances, guidelines' that the City has in place are not being followed.

The City's interest will relate to the general rules; BID and buyer involvement will relate to the general rules of construction and occupancy as defined by the covenants. Enforcement of these is to be determined.

The P&Z Commission likes the idea of covenants --- to "enforce" building and neighborhood rules. George Johnson questioned who will enforce these covenants. He said BID is afraid they could be sued. He said the P&Z Commission "could" be the enforcer and BID could welcome that. He also stated that P&Z could be a "political buffer" between the City and owner-residents.

The P&Z Commission would have to get authority to enforce covenants and general building requirements.

Eric referred to "sub-division regulations" and the possibility of a P.U.D. (Planned Unit Development). George said one set of covenants is needed for residents; another for commercial development. Eric said a "developer's agreement" is needed between BID and the P&Z Commission.

George stated it is understood that BID only wants to be the broker. The City agrees to the agreements and uses the purchase money to finance development costs and financing. The P&Z Commission could be in charge of covenants and enforcement. He stated that whatever process is used in development of Grandview, it must be made clear to the citizens.

A copy of ordinance 2014-08 was discussed by the group. Eric read through the ordinance and said that 2014-08 was basically a PUD! It was explained that after several failed attempts at the council, FO Al Cerny and Scott got together and drew these up. 2014-08 had been tabled after the P and Z learned that the City was 'giving' the land to the BID group and the reason was for bond purposes. Eric and George both agreed that these would work with the BID owning the land and Eric stated that in looking at them they are better than covenants as they now follow the City ordinance rules and regulations.

Other persons had joined the meeting by then, to include Vince Berens, Doug Pochop and Holly Glover and they joined in the general conversation regarding what steps could and should be taken to further the development of Grandview.

Eric advised that the P and Z should now work to get a Zoning Administrator that would be in charge of building permits in the City. The ZA would have the authority to issue building permits to the builder on the spot if the project met all building permit codes. If an issue arose such as a variance or the like, the ZA would then go through the current process for the permit. Eric said that the Chair of the P and Z should be the ZA and report back to the board as needed. He stated that this would make the permit process quicker and more builder friendly. We will discuss this at a future meeting.

BID President Doug Pochop stated that the P and Z had been working on the covenants for months and it was obvious that the council was opposed to them as they do not want to enforce them in town let alone Grandview. He spoke on behalf of the BID group and said that their role in Grandview was to sell the land and promote business and home development and not enforce covenants in Grandview even though they are the owners of the land. He agreed that there needs to be guidelines in Grandview and the P and Z board are the obvious choice to enforce the guidelines and make the project a success.

George and Eric summed up the discussion by illustrating a 'three legged stool'! The legs of the stool represented the City, the BID group, and the P and Z board. The BID is in charge of selling lots and promoting growth in Grandview, the City is in charge of the infrastructure and the financing of the project, the P and Z's task is to make sure that the building projects are built within the guidelines of the agreed upon guidelines. Eric said that if one of the legs becomes weak and does not do their job then the stool crashes and our project will not be successful!

Scott asked if there was any further discussion by those in attendance on the issue and with there not being any by the board and the BID members and Mark Fortuna a

motion was made by Scott to accept ordinance 2014-08 as written and the P and Z board would be in charge of enforcing 2014-08 in Grandview addition. Guyla moved and Bonnie seconded the motion. Guyla, Bonnie, Donna, and Scott all voted yes and Sam was unable to vote as he had to leave the meeting for another meeting.

BID President Pochop then made the motion to go with the P and Z board's approval of ordinance 2014-08. Holly made the motion to approve that ordinance 2014-08 as approved by the P and Z board, Vince seconded the motion. Doug, Holly, Vince and Scott voted yes on the motion to have Scott present ordinance 2014-08 back to the council and have the P and Z board protect the ordinances in Grandview.

Chairman Anshutz thanked the BID members, the P and Z board and Mark Fortuna for their time in attending the meeting as we all want Grandview to be a success.

Scott gave a brief overview of the ribbon cutting ceremony for Grandview and we will discuss this at our next meeting.

The issue of hunting lodges and travel trailers being used as permanent housing was tabled until the next meeting as we need to get more information on the matters.

The meeting was adjourned at 6:55 p.m. On a motion by Guyla and a second by Donna.

Bonnie Johnson, commission secretary